





Danill & Esther B. Debra  
630 Stardust Lane  
Los Altos Hills, CA 94022

E. F. McAnally  
2862 UnawEEP  
Grand Junction, CO 81503

Charles D. Pennal  
404 Dressel Drive  
Grand Junction, CO 81503

Floyd Neighbours  
2343 Rattlesnake Ct.  
Grand Junction, CO 81503

Orville R. Barbour  
2015 No. 6th Street  
Grand Junction, CO 81503

Diesel Services, Inc.  
914 So. Ave.  
Grand Junction, CO 81501

Marvin Miller  
835 25 Road  
Grand Junction, CO 81505

Oliver R. Patterick  
718 Golfmore  
Grand Junction, CO 81506

Thomas J. Golden  
P.O. Box 967  
Grand Junction, CO 81502

Dennis Foster  
917 So. Ave.  
Grand Junction, CO 81501

Wesley Wood  
3181 D Road  
Grand Junction, CO 81504

Norma E. Mabe  
824 1st Ave.  
Grand Junction, CO 81501

Warren Reams  
899 24 1/2 Road  
Grand Junction, CO 81505

Coors Energy Co.  
P.O. Box 4274  
Englewood, CO 80155

C&F Food Stores  
857 Pitkin  
Grand Junction, CO 81501

Dean White  
715 So. 7th  
Grand Junction, CO 81501

C. D. Smith Co.  
P.O. Box 728  
Grand Junction, CO 81502

#17 92

Original  
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## IMPACT STATEMENT

The purpose of this right-of-way vacation is to obtain a right-of-way for seven feet into South Avenue on Lots 7-16, Block 157, City of Grand Junction. The buildings that currently encroach upon this right-of-way were built in 1952 and 54 respectively. These buildings have existed on the right-of-way since they were originally built. The buildings, as well as the fence line along this side of the street have been utilized by all the tenants for a number of years.

The neighborhood is Zoned I with various users such as Grand Valley Water Users Association, Rembrandt Painting, Aspen Leaf Building Supply, DSI Deisel Services, Taber Auto Body and a mobile home repair shop.

There will be no impact as a result of granting this right-of-way to the existing buildings. It will not change the street configuration, the current parking or change the use of any of the existing land. The impact on the neighborhood will not change as this property has been recognized under the ownership of the buildings for many years. The request is being made to simply legalize an existing situation that has been there since 1952.

# 17 92

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**REVIEW COMMENTS**

**(Page 1 of 2)**

**FILE NO. #17-92 TITLE HEADING: Right-of-Way Vacation**

**ACTIVITY: Right-of-Way Vacation for a portion of South Avenue**

**LOCATION: South Avenue**

**PHASE: Final ACRES:**

**PETITIONER: Dick Scariano**

**PETITIONER'S ADDRESS/TELEPHONE: 245-7571**

**STAFF REPRESENTATIVE: David Thornton**

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**NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS  
IS REQUIRED ON OR BEFORE 5:00 P.M., APRIL 30, 1992.**  
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**CITY UTILITIES ENGINEER 04/16/92**  
**Bill Cheney 244-1590**

1. Recommend vacating only right-of-way where building encroachments exist if request is approved.
2. Existing utilities need to be shown for south side of South Avenue where vacation is being requested.

**U.S. WEST 04/15/92**  
**Leon Peach 244-4964**

No comments at this time.

**CITY ENGINEER 04/06/92**  
**Gerald Williams 244-1577**

No comment.

**TRANSPORTATION ENGINEER** 04/07/92  
**David Tontoli** 244-1567

Existing conditions do not allow 90° parking as only 13 feet exist from edge of cross cutter to sidewalk. Parallel parking stalls would be justified as vehicles would not overhang into roadway travel path and right-of-way.

**CITY FIRE DEPARTMENT** 04/06/92  
**George Bennett** 244-1400

No problems.

**CITY ATTORNEY** 04/06/92  
**Dan Wilson** 244-1505

None.

**CITY POLICE DEPARTMENT** 04/06/92  
**Marty Currie** 244-3563

No problems noted.

**COMMUNITY DEVELOPMENT DEPARTMENT** 04/17/92  
**David Thornton** 244-1447

1. We have no objections to the right-of-way vacation for seven feet of South Avenue being requested.
2. This right-of-way request meets the criteria of the Zoning and Development Code for right-of-way vacations.

**CITY PROPERTY AGENT** 04/21/92  
**Tim Woodmansee** 244-1565

No comments.

**PUBLIC SERVICE** 04/15/92  
**Herbert R. Tinkle** 244-2687

Gas & Electric: No objections.

**MISSING COMMENTS FROM: United Cable TV**

REPLY COMMENTS  
FILE NO. 17-92  
RIGHT-OF-WAY VACATION FOR A PORTION OF SOUTH AVENUE

The following address the comments made by the City Engineer:

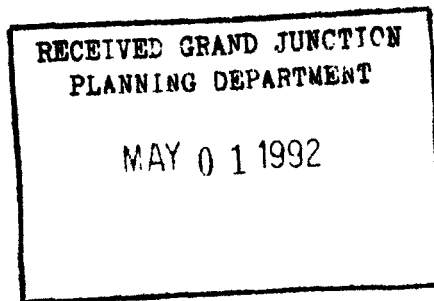
1. The City Engineer requested utilities to be shown on the South side of South Avenue. These are shown on the plat and these are the utilities that are existing.
2. The recommendation by the Engineer to vacate only the right-of-way where building encroachments exist would mean that there would be four jogs in the vacation which would make administration of future rights regarding the vacated property difficult. We still propose for the little amount of right-of-way that is being requested be done in a straight line to prevent a complicated mess.

Transportation Comments:

1. The parking pattern has existed for over 30 years in front of these buildings. To go in and paint parallel lines does not seem appropriate at the present time.

In summary, the review comments do not present any future adverse conditions or any changes in the present usage. We are requesting approval based upon the reasonableness of the request.

Richard Scariano



# SUGGESTED MOTIONS

**ITEM:** #17-92 (Page 1 of 1)

**PETITIONER:** George M. Taber, Thad Harris & Deanna Harris

**PROPOSAL:** R.O.W. Vacation for a portion of South Avenue

**PRESENTED BY:** David Thornton

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**COMMENTS:** SEE REVIEW AGENCY SUMMARY SHEET COMMENTS

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**APPROVAL:** "Mr. Chairman, on item #17-92, a request to vacate seven feet of the South Avenue right-of-way on Lots 7 - 16, Block 157, City of Grand Junction, I move that we forward this on to City Council with the recommendation of approval."

**DENIAL:** "Mr. Chairman, on item #17-92, a request to vacate seven feet of the South Avenue right-of-way on Lots 7 - 16, Block 157, City of Grand Junction, I move that we deny this request for the following reasons:"  
(STATE REASONS)



## COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

File # 17-92

### PROPOSAL

To vacate the south 7 feet of South avenue adjacent to lots 7-16, Block 157, aka 939 and 949 South Avenue because two existing buildings currently encroach into the ROW. The buildings were built in 1952 and 1954 respectively. The buildings, as well as the fence line along this south side of the street have been utilized by all the tenants for a number of years. The impact on the neighborhood will not change as this property has existed in its current state for many years. The request is simply to legalize an existing situation that has been there since the 1950's.

### SURROUNDING LAND USE AND ZONING

The surrounding zoning is Light Industrial (I-1). The existing uses in the neighborhood include GV Water Users Assoc., Rembrandt Painting, Aspen Leaf Building Supply, DSI Seisel Services, Taber Auto Body and a mobile home repair shop.

### REVIEW AGENCY SUMMARY SHEET COMMENTS

All review agency summary sheet comments have been properly addressed. It has been determined that an easement for utilities will not need to be maintained.

### CORRIDOR GUIDELINES

N/A

### CRITERIA - Right-of Way Vacation

As per section 8-3 of the Zoning and Development Code, the following criteria must be met for the request ROW vacation to be granted:

#### **8-3-1 "The proposal shall not landlock any parcel of land."**

The proposal to vacate a 7' section of South Avenue will not landlock any parcels.

#### **8-3-2 "The Proposal shall not restrict access to any parcel that such access is unreasonable, economically prohibitive, and reduces or devalues any property affected by the proposed vacation."**

The proposed vacation does not make access to any parcel unreasonable, economically prohibitive or reduce or devalue any property affected by the vacation. All

properties affected by the vacation are owned by the petitioners.

**8-3-3 "The proposal shall have no adverse impacts on the health, safety, and/or general welfare of the general community, and shall not reduce the quality of public services provided to any parcel of land, e.g. police/fire protection and utility services."**

The proposed vacation has no adverse impacts on the general community. South Avenue is built and the existing street improvements will remain in the remaining 53 feet of Right-of-way.

**8-3-4 "The proposal shall not conflict with adopted plans and policies."**

The proposed ROW Vacation does not conflict with adopted plans and policies.

**8-3-5 "The proposal shall provide benefits to the City such as reduced road maintenance requirements, improved traffic circulation, etc."**

The proposed vacation will provide a direct benefit to the City through reduce maintenance of that portion of the right-of-way beyond the actual street line.

No utilities exist within the proposed vacation, therefore an easement does not have to be maintained.

#### **RECOMMENDATIONS**

Staff recommends approval. *PLANNING COMMISSION recommended approval*

(staffrep.ort)

The Utility Coordinating Committee has reviewed and approved the Right-of-way Vacation for a portion of South Avenue (City of Grand Junction Development File 17-92).

Chairman *John L. Ballagh*

Date *May 13, 1992*



# ACTION SHEET

## VACATION

Do NOT remove from office

ACRES \_\_\_\_\_ FILE NUMBER 17-92  
 UNITS \_\_\_\_\_ ZONE I-1  
 DENSITY \_\_\_\_\_ TAX SCHEDULE # 2  
 ACTIVITY R.O.W VACATION - portion of South Avenue  
 PHASE FINAL  
 COMMON LOCATION 939 & 949 South Avenue  
 DATE SUBMITTED \_\_\_\_\_ DATE MAILED OUT \_\_\_\_\_ DATE POSTED \_\_\_\_\_  
 \_\_\_\_\_ DAY REVIEW PERIOD RETURN BY \_\_\_\_\_  
 OPEN SPACE DEDICATION (acreage) \_\_\_\_\_ OPEN SPACE FEE REQUIRED \$ \_\_\_\_\_ PAID RECEIPT # \_\_\_\_\_  
 RECORDING FEE REQUIRED \$ \_\_\_\_\_ PAID (Date) \_\_\_\_\_ DATE RECORDED \_\_\_\_\_

### REVIEW AGENCIES

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	BB	CC	DD	EE	FF	GG		
<input checked="" type="checkbox"/> Planning Department	X																																		
<input checked="" type="checkbox"/> City Engineer	X																																		
<input checked="" type="checkbox"/> Transportation Engineer	X																																		
<input type="checkbox"/> City Parks/Recreation																																			
<input checked="" type="checkbox"/> City Fire Department	X																																		
<input checked="" type="checkbox"/> City Police Department	X																																		
<input type="checkbox"/> County Planning																																			
<input type="checkbox"/> County Engineer																																			
<input type="checkbox"/> County Health																																			
<input type="checkbox"/> Floodplain Administration																																			
<input type="checkbox"/> G.J. Dept. of Energy																																			
<input type="checkbox"/> Walker Field																																			
<input type="checkbox"/> School District																																			
<input type="checkbox"/> Irrigation																																			
<input type="checkbox"/> Drainage																																			
<input type="checkbox"/> Water (Ute, Clifton)																																			
<input type="checkbox"/> Sewer Dist. (FV, CGV, OM)																																			
<input checked="" type="checkbox"/> U.S. West	X																																		
<input checked="" type="checkbox"/> Public Service (2 sets)	X																																		
<input type="checkbox"/> State Highway Department																																			
<input type="checkbox"/> State Geological																																			
<input type="checkbox"/> State Health Department																																			
<input checked="" type="checkbox"/> City Property Agent verbal	X																																		
<input checked="" type="checkbox"/> City Utilities Engineer	X																																		
<input checked="" type="checkbox"/> City Attorney	X																																		
<input checked="" type="checkbox"/> Building Department																																			
<input type="checkbox"/> DDA																																			
<input checked="" type="checkbox"/> GJPC (7 packets)																																			
<input checked="" type="checkbox"/> CIC (13 packets)																																			
<input checked="" type="checkbox"/> Other <u>United Cable</u>																																			

TOTALS

BOARDS	DATE	APPROVAL
PC	5-5-92	6-0 Approval Forwarded to City Council recommendation of approval
CC	6-3-92	City Council Approved - 1 <sup>st</sup> Reading
CC	7-1-92	City Council Approved - 2 <sup>nd</sup> Reading

STAFF

#### APPLICATION FEE REQUIREMENTS

\$ 425<sup>00</sup> Due at Submittal  
 50<sup>00</sup> Sign Deposit



(make checks payable to City of Grand Junction)

SOUTH AVENUE

60.0

FOUND NO. 4  
REBAR FOR N.W.  
COR. OF LOT 7  
L.S. 7242

5.95' ENCROACHMENT

SIDEYARD AT N.W.  
COR. OF BLDG.  
= 15.67 FEET.

6.25' ENCROACHMENT

SET NO. 5 REBAR  
W/ALUMINUM CAP  
MARKED L.S. 1290  
FOR N.E. COR. LOT

S 89°59'48" E 150.55'

SIDEYARD AT N.E.  
COR. OF BLDG.  
= 0.10 FEET.

S 89°59'48" E 99.60'

15.0

PARCEL ONE

COMMERCIAL  
BUILDING  
50.0 X 80.3

15' INGRESS-EGRESS ESMT.

S 00°00'00" W 75.00'

10th STREET

85.0

COMMERCIAL  
BUILDING

S 00°00'00" W 131.00'

75.00'

SIDEYARD AT S.W.  
COR. OF BLDG.  
= 15.66 FEET.

ZONE  
I-1

N 00°00'00" E 131.00'

#17 62

SIDEYARD AT S.E.  
COR. OF BLDG.  
= 0.10 FEET.

SIDEYARD AT N.W.  
COR. OF BLDG.  
= 0.64 FEET. S 89°59'48" E 99.69'

S 00°00'00" W 56.00'

COMMERCIAL  
BUILDING  
95.0 X 50.0

PARCEL TWO

WEST LINE  
OF LOT 13

SIDEYARD AT S.W.  
COR. OF BLDG.  
= 0.60 FEET.

4.2

N 89°59'48" W 150.39'

S 89°59'48" E 99.76'

5.1

ALLEY Zone I-1

SET NO. 5 REBAR  
W/ALUMINUM CAP  
MARKED L.S. 12901  
FOR S.W. COR. LOT 7

SET NO. 5 REBAR  
W/ALUMINUM CAP

N 00°00'00" E 194.66'

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