

MEMORANDUM



Date: April 11, 2003

*To: Bob Blanchard, Community Development
Rick Beaty, Fire Department*

From: Sandi Nimon, Sr. Administrative Assistant Sandi

*Subj: DE12-03- Request to Maintain Existing Access onto
North Avenue*

*Please make your comments on the above design
exception today, April 11, 2003. I would appreciate
it!*

Sn



City of Grand Junction
Public Works Department
250 North 5th Street
Grand Junction, CO 81501-2668
Phone: (970) 244-1555
FAX: (970) 256-4022

April 11, 2003

Mr. Chris Darnell
LANDesign
244 N. 7th Street
Grand Junction, CO 81501

RE: TEDS Exception No. 12-03, to Maintain One Access onto North Avenue at 1430 North Avenue

Dear Chris;

Please find attached the committee's decision on the above request. You may use this decision to proceed through the development review process.

If you have any question concerning this decision, please feel free to contact the Development Engineer in charge of your project or me at (970) 256-4047.

Sincerely,

A handwritten signature in cursive script that reads "Michael G. McDill".

Michael G. McDill, P.E.
City Engineer

C: Eric Hahn, Development Engineer (244-1443)
Pat Cecil, Development Services Supervisor

\\DE#12-03 1430North04-11



City of Grand Junction
Public Works Department
250 North 5th Street
Grand Junction, CO 81501-2668
Phone: (970) 244-1555
FAX: (970) 256-4022

DESIGN EXCEPTION #DE12-03

To: Mark Relph, Director of Public Works & Utilities

Thru: Tim Moore, Public Works Manager

Copy to: Eric Hahn, Development E.I.T.
Pat Cecil, Development services Supervisor

From: Mike McDill, City Engineer

Date: April 10, 2003

RE: Request to Maintain Existing Access onto North Avenue

DESCRIPTION OF THE SITUATION

Applicant is planning to develop two adjoining lots into a single retail facility at the above location. The proposal is to place the building on the back of the parcel and have parking and access directly off of North Avenue, with a secondary access to Glenwood Avenue. As the attached aerial photo shows, two driveways currently exist along the north side of North Avenue for the existing lot. There are a total of seven driveways within the 600-foot block between 14th and 15th Streets. Existing buildings are immediately adjacent to the portion of this develop nearest to North Avenue. The north half of this portion of the block is relatively open (either parking lot or yard).

Section 3.2.2, *Provision for Access*, requires all primary access to "be on the lower order street." This criterion is most important to consider on Patterson Road and North Avenue. With the exception of I-70 and the Business Loop, these two streets have the heaviest traffic, most congestion and most significant accident history of any streets within the City's jurisdiction. Every effort should be made, as development and re-development take place, to improve these three critical circumstances. It should be hard for us to ignore the safety issues that are already a concern along North Avenue.

The applicant requests exception from Section 3.2.2., *Provision of Access*.

EXCEPTION CONSIDERATIONS

1. Will the exception compromise safety?

This portion of North Avenue is classified as a minor arterial. It is the primary arterial street through the heart of the City and extends the full length of the City. It has evolved from the only state highway running east/west through Grand Junction. This is the second most heavily traveled east-west street in the valley.

Any access onto this stretch of North Avenue will increase the potential for accidents and seriously affect the capacity of this critical link. Every time a vehicle slows to enter the proposed access, it will reduce the capacity of that lane and create the potential for a rear-end accident. An accident will close that lane for an hour or more. As per the attached memorandum from George Miller, all of these movements could take place on Glenwood Avenue with no affect at all on the major flow along North Avenue.

2. Have other alternatives been considered that would meet the standard?

Regarding the alternative of access only from Glenwood Avenue, the applicant states that "The developer does not intend to pursue this project if faced with this alternative."

I think there is still another alternative to move the building to the front of the property and develop shared access to both the east and west, potentially all the way from the Pizza Hut to 14th Street. Shared parking with Pizza Hut and/or the business to the west could have the added benefit of reducing the total parking requirements for each business.

3. Has the proposed design been used in other areas?

There are many similar accesses along North Avenue. As traffic continues to increase on North Avenue, the City will eventually be faced with the unpleasant task of closing, or at least further limiting many of these accesses to preserve capacity and reduce accidents. This is the time to encourage joint use and access between business properties along this corridor.

4. Will the exception require CDOT or FHWA coordination?

Yes. CDOT has issued a permit on this property. However, the documentation for this permit does not include any statement of CDOT's evaluation of the safety of this proposal. The applicant will still have to deliver plans for CDOT's approval. CDOT's final authorization will include a condition that the access may be closed if accident history justifies it.

5. Is this a one-time exception or a manual revision?

This would be a one-time exception.


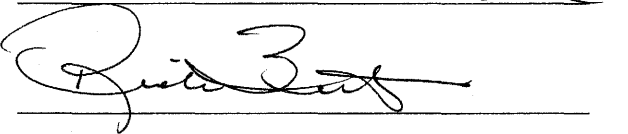
Staff Recommendation

I recommend denial of the requested Design Exceptions to Section 3.2.2 to allow a driveway access onto North Avenue. It appears there are options available to develop this site within the standards. If this site has too limited of access from Glenwood and adjoining properties for this use, it may not be the right time or the best location for this type of business.

Recommended by: 

Approved as Requested:

Denied:

TEDS Exception Application Comments 1430 North Ave. Miller 4-9-03

The proposed exception application addresses TEDS section 3.2.2 pertaining to available street frontage for access placement.

The point of contention is that, though the property in question has access to both Glenwood Ave. and to North Ave., the applicant feels that the proposed business application can only function with access to North, and that site volumes traveling solely to and from Glenwood would be a hardship on that street's residents.

In defense of the proposal, the Applicant cites two key points. First, the Applicant avers that CDOT's approval of an access permit (to utilize a right in-right out access from North) is evidence that the site's traffic generation will not be an added detriment to North Ave flow and safety. Second, the application states that, by requiring all site traffic to use Glenwood, the added site traffic congestion will unfavorably impact a residential street.

Response:

I don't feel the points presented justify an exception of TEDS section 3.2.2, based on alternative access availability, and comparative accident impacts to traffic flow on North Ave. vs. impacts to Glenwood Ave. Granted, this site would be better served by more convenient access to North Ave., but I don't believe the public would be better served by access at North, as opposed to access at Glenwood.

The Applicant's points are well taken, and would certainly apply in areas with lower area accident totals, more divergent land uses, or lower site trip generation. Were it not for the facts that North Ave. already has demonstrated a westbound rear end accident problem along this section (which will be expected to increase with future volume increases), and that Glenwood Ave. already experiences both commercial and high volume residential traffic, the Applicant's points would certainly better apply to review.

Whether CDOT approves an access permit or not, I believe it would be difficult to defend permitted access on a much busier road (where area impacts, in terms of accident potential and flow interruption would be much greater), where a lower impact alternative exists (especially where that alternative already experiences the type of traffic presented by the site proposal). In support of these points, it has been widely demonstrated that increasing access density serves to increase accident potential (a point very notably demonstrated, historically, adjacent to the Applicant's business address on W. Colfax Ave. in Lakewood, Colorado). It is also evident that the adjacent section of Glenwood is not a typical residential street, and already experiences commercial and high density residential traffic, and that area traffic flows will continue to evolve in this way as the area transitions with future development.

April 7, 2003

Mike McDill, City Engineer
City of Grand Junction
Public Works and Utilities
250 North 5th Street
Grand Junction, CO 81501

File

**RE: Traffic Engineering Design Standards (TEDS) Exception
Section 3.2.2, Provision of Access
1430 North Avenue**

Dear Mike:

Please accept this letter on behalf of the developer, *Western Development and Investments, Inc.*, for the proposed project located at 1430 North Avenue. This letter outlines the developer's request for a TEDS exception to the 'Provision of Access' defined in Section 3.2.2 of the TEDS manual.

Background

The developer recently attended a general meeting with City staff on December 16, 2002 for a site plan application for a Family Dollar retail store. Family Dollar is a national discount retail store chain that carries general household goods. The retail store would be located on the property addressed as 1430 North Avenue as well as the property immediately to the north. Both properties are currently vacant. The site as proposed would have frontage on both North Avenue and Glenwood Avenue. Exhibit 1 shows the preliminary site layout that was proposed at the general meeting.

Proposed Exception

At the general meeting, City staff required that both existing curb cuts on North Avenue be abandoned and that the proposed development take access solely from Glenwood Avenue.

As a result, the developer is requesting a TEDS exception to the 'Provision of Access' defined in Section 3.2.2 of the TEDS manual.

Alternatives Considered

Two access alternatives are available for the proposed development. Following is a listing of each as well as some items to consider.

Alternative #1 - Access to the store is from one curb cut on North Avenue and one curb cut on Glenwood Avenue.

- Two site accesses will allow the business 1) acceptable circulation for deliveries and customers, 2) increased safety on the site, and 3) customer friendly access from North Avenue.
- The Glenwood Avenue area in the vicinity of the site is primarily *residential* in character, creating the scenario of area residents unhappy with site traffic. Although some of the site traffic will enter/exit the site via the Glenwood Avenue residential area, the *majority* of the traffic will utilize the North Avenue access.
- The North Avenue access will be a right-in/right-out only access due to the fact that a median presently exists on North Avenue at the proposed access location.
- The character of the North Avenue corridor is small retail businesses where stop-and-go traffic and right turn movements are common. A North Avenue access for this proposed development will not create something unusual to the corridor.
- The North Avenue access is allowed and planned for based on the CDOT/City of Grand Junction street classification for North Avenue, which allows *one access per property*.
- The developer has obtained a preliminary access permit for the proposed project from CDOT. Exhibit 2 is a copy of the permit authorizing the North Avenue access with traffic volumes agreeable to the developer. As a result of it's analysis of potential traffic volumes and impacts for this development, CDOT *did not consider traffic flow for this development to be a safety hazard or a restriction to traffic flow on North Avenue*.

Alternative #2 – Access to the store is solely from Glenwood Avenue.

- The goal of the developer is to have a visible, accessible retail store similar to the many other North Avenue businesses. This alternative does not allow for a convenient, customer friendly access to the business, which is paramount to the success of a store such as this. *The developer does not intend to pursue this project if faced with this alternative.*
- This alternative forces all site traffic onto Glenwood Avenue, which serves an immediate area that is primarily *residential* in character. The Glenwood Avenue residents may not appreciate all site traffic traveling through the area.

Proposed Design

The requested access configuration is Alternative #1 as discussed above and as shown in Exhibit 1. Please be aware that the on-site layout shown in Exhibit 1 is preliminary only as far as parking stalls, landscaping, and drive isles.

Impacts of Change

Granting this exception request and constructing the site with the North Avenue access is not anticipated to have adverse impacts on traffic flow or public safety. The CDOT analysis of traffic volumes and impacts generated by the proposed development resulted in issuance of the preliminary CDOT access permit. In addition, construction of the North Avenue access will not change the character of the traffic patterns of the North Avenue corridor.

Exception Considerations

According to the Design Exception Process flowchart, several items must be considered by staff in review of the exception request. Some of the items are discussed below.

- If granted, will the exception compromise safety?

According to CDOT, safety will not be compromised if the exception is granted.

- Have other alternatives been considered that would meet current standards?

Yes, the other alternative has been considered and is discussed above.

- Has the proposed design been used in other areas - locally, state or national? Have examples, including data, been provided?

There are many existing similar small, retail businesses with direct access to North Avenue.

- Will the exception require CDOT or FHWA coordination?

The developer must simply submit final construction drawings to CDOT for the improvements described in the preliminary access permit in order to obtain the final, signed CDOT access permit. No coordination is required with FHWA.

Hopefully this information provides you adequate information to review and consider this TEDS exception request. Please do not hesitate to contact me if you need additional information.

Sincerely,



Chris Darnell, PE
Engineering Manager

WESTERN DEVELOPMENT INVEST

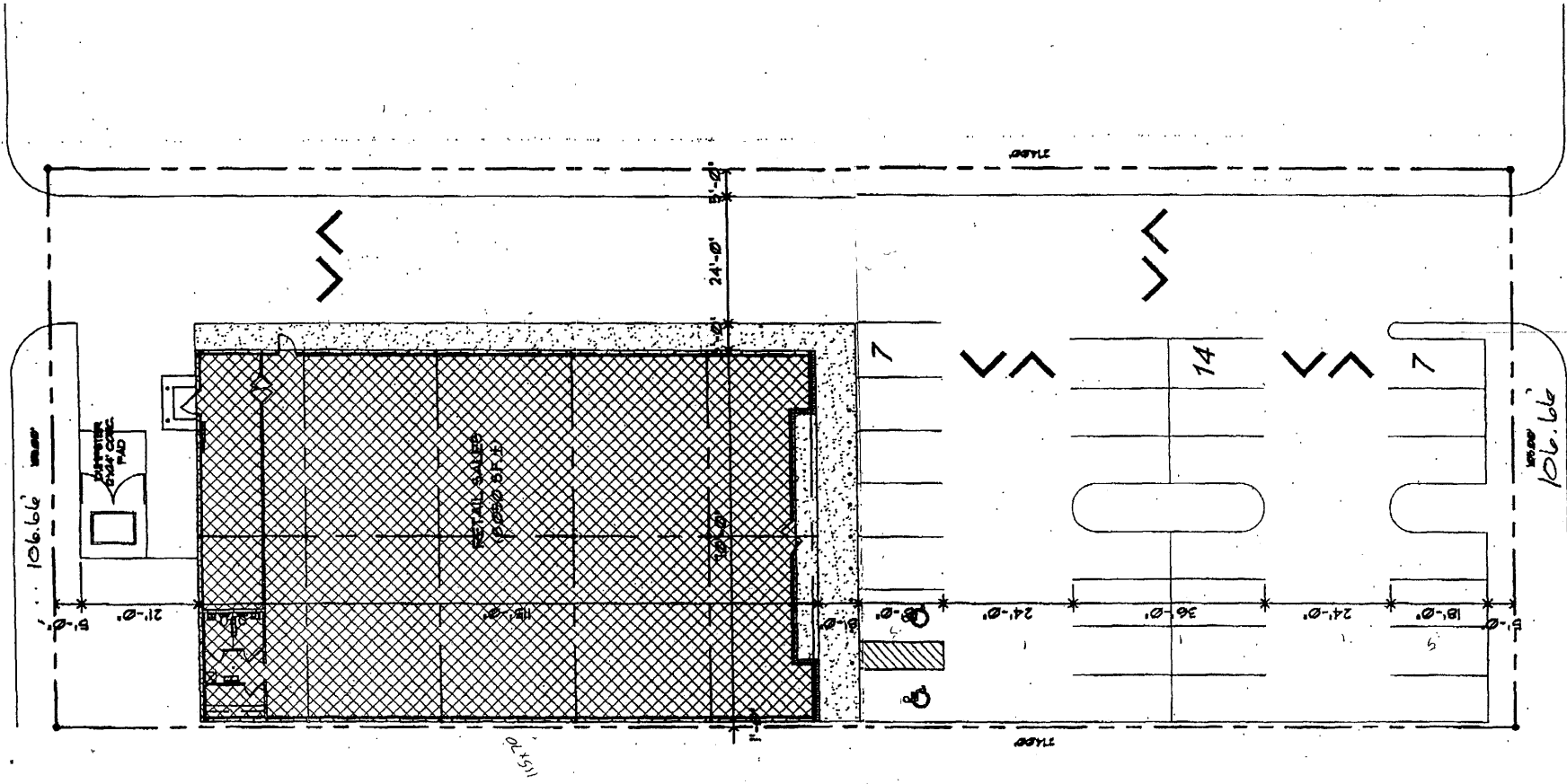
FAX NO. : 405 631 8549

Feb. 25 2003 09:41AM P3

FROM : WESTERN DEVELOPMENT INVEST

FAX NO. : 405 631 8549

Feb. 25 2003 09:40AM P2



NORTH AVENUE

PRELIMINARY SITE PLAN



STATE OF COLORADO**DEPARTMENT OF TRANSPORTATION**

Region 3 Traffic Section
 222 South 6th Street, Room 100
 Grand Junction, CO 81501
 970-248-7230 office
 970-248-7294 fax



November 5, 2002

To: Western Development, Inc.
 813 S.W. 113th Street
 Oklahoma City, OK 73170

Dear Sir or Madam:

Please review the attached State Highway Access Permit (Form #101) and all enclosed attachments.

If you choose NOT to act on the permit, please return the permit unsigned.

If you wish to APPEAL the Terms and Conditions of the permit, please refer to the attached Form 101 pages 2 & 3 for an explanation of the appeal procedures.

If you ACCEPT the permit and its Terms and Conditions, please sign and date the Access Permit form on the line marked "PERMITTEE". Your signature confirms your agreement to all the listed Terms and Conditions.

- Provide a check or money order made out to the jurisdiction named on the next line for the amount due.

Colorado Department of Transportation

Make check or money order payable to

\$ 100.00

Amount Due

- Return all copies and attachments of the Access Permit along with your payment back to the Colorado Department of Transportation at the address noted below. The Department will process and return to you a validated (signed and recorded) copy of your State Highway Access Permit.

If you fail to sign and return the attached Access Permit within 60 days of the date of this transmittal letter, Colorado Department of Transportation will consider this permit Void.

You must obtain a Notice to Proceed. DO NOT begin any work within the State Right-of-Way without a validated Access Permit and Notice To Proceed. Use of this permit without Transportation Department's validation shall be considered a violation of State Law.

If you have any questions, please call: Mike Smith at 970-248-7230

Return Access Permit and attachments to: Region 3 Traffic Section
 222 South 6th Street, Room 100
 Grand Junction, CO 81501

The transmittal to you of the Access Permit form for your approval constitutes final action by the Colorado Department of Transportation pursuant to section 43-2-147 C. R. S., as amended.

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT			CDOT Permit No. 302121
			State Highway No/Mp/Side 006B/031.790/L
Permit fee 100.00	Date of transmittal 11/05/2002	Region/Section/Patrol 03/02/11	Local Jurisdiction Grand Junction

The Permittee(s): AFK Investments 1457 Ammons Street #200 Lakewood, CO 80214 303-323-1248	Applicant: Western Development, Inc. 813 S.W. 113th Street Oklahoma City, OK 73170 405-692-0521	Ref No. 02-190
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is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the issuing authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location:
 On the North side of State Highway 6B, distance 158 feet west of 15th Street. Also known as 1430 North Avenue.

Access to Provide Service to:
Family Dollar Store - (not to exceed) 10 DHV 100.00 %

Other terms and conditions:
 * See Attached Pages 2 and 3 and Other Enclosures for Additional Terms and Conditions.

MUNICIPALITY OR COUNTY APPROVAL
 Required only when the appropriate local authority retains issuing authority.

By (x)	Date	Title
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Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

The permittee shall notify Dean Nachtigal with the Colorado Department of Transportation in Grand Junction at 970-242-4126 at least 48 hours prior to commencing construction within the State Highway right-of-way.

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.

Permittee (x) <i>Richard A. Lane</i>	Date 11-27-02
<i>Managing Partner</i>	

This permit is not valid until signed by a duly authorized representative of the Department.

COLORADO DEPARTMENT OF TRANSPORTATION		
By (x)	Date (of issue)	Title Access Manager

Copy Distribution: Required: 1.Region 2.Applicant 3.Staff Access Section Make copies as necessary for: Local Authority MTCE Patrol Inspector Traffic Engineer Previous editions are obsolete and may not be used CDOT Form #101 898

STATE HIGHWAY ACCESS PERMIT #302121**November 5, 2002**

Issued to AFK Investments, Inc.

TERMS AND CONDITIONS

Permittee and Applicant are responsible for fully reading and understanding the attached terms and conditions of this permit. Failure to comply with any of these terms and conditions may result in the suspension of this permit.

When an access is constructed or used in violation of the Code section 43-2-147(5)(c), C.R.S. of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S. If there are any questions or concerns regarding these terms and conditions, **IMMEDIATELY** contact the Access Manager.

1. This permit replaces any and all additional access permits that may be in existence. All other access to the property shall be removed.
2. This access is only for right-in ingress and right-out egress only.
3. This permitted access is only for the use and purpose stated in the Application and Permit. This Permit is issued in accordance with the Access Code (2 CCR 601-1), and is based in part upon the information submitted by the Permittee. Any changes in traffic volumes or type, drainage, or other operational aspects may render this permit void, requiring a new permit to be applied for based upon existing and anticipated future conditions. Any subsequent relocation, reconstruction, or modifications to the access or changes in the traffic volume or traffic nature using the access shall be requested for by means of a new application.
4. The traffic limitations listed on the face of this permit shall be adhered to. The traffic volumes are listed in Design Hourly Volume (DHV) trips or Average Daily Trips (ADT) where entering the site and returning counts as two trips. Vehicle counts using the access shall be adjusted for vehicles longer than 20 feet in accordance with Section 2.3(4)(e).
5. A Notice to Proceed is required prior to beginning construction. The following items are required before a Notice to Proceed will be issued:
 - (1) Certificate of Insurance Liability as per Section 2.3(11)(i) of the State Highway Access Code.
 - (2) Traffic Control Plan in accordance with Section 2.4(6) of the Access Code.
 - (3) **Three copies** of Construction Plans Stamped (11"x 17" with a minimum scale of 1" = 50') by a Colorado Registered Professional Engineer in full compliance with the State Highway Access Code.
6. The access shall be constructed 20-foot wide with radii to accommodate the minimum turning radius of the largest vehicle or 20-foot, whichever is greater. OR curb, gutter, and radii to the requirements of the local jurisdiction.
7. An 18-inch minimum culvert with protective end treatments may be required for this access. The culvert shall be kept free of blockage to maintain proper flow and drainage.

STATE HIGHWAY ACCESS PERMIT #302121**November 5, 2002**

Issued to AFK Investments, Inc.

TERMS AND CONDITIONS (cont.)

8. The access shall be constructed perpendicular to the travel lanes of the State Highway for a minimum distance of 40 feet from the edge of roadway or the right-of-way line, whichever is greater, and shall slope down and away from the adjacent pavement edge at a rate of 2% grade for a minimum of 20 feet. If curb and gutter are present, the slope shall be calculated from pan line to pan line. Any revisions to this requirement shall be subject to Department review and approval prior to commencement of any work within the highway right-of-way.
9. Pursuant to section 4.10.2 of the Access Code, the access roadway shall not exceed a maximum grade of 8 percent within the highway right-of-way, as measured 50 feet beyond the pavement edge and extending to the right-of-way line. The access vertical grade shall be designed and constructed in conformance with the Department M & S standard M-203-1.
10. Slopes shall be at a 6:1 ratio on the roadway and a 6:1 ratio on the approach.
11. The access shall be surfaced in accordance with Section 4.7 of the Access Code immediately upon completion of earthwork construction and prior to use. ~~Surfacing shall be placed in accordance with Section 4.7 of the Access Code.~~ Where the hard surface is to abut existing pavement, the existing pavement shall be saw cut and removed a minimum of one foot back from the existing edge for bituminous, or until an acceptable existing cross slope is achieved. Surfacing shall meet the Department's specifications with minimum surfacing to be equal to or greater than existing highway conditions.
12. If the access has a gate across it, the gate shall be set back far enough from the highway so that the longest vehicle using it can clear the roadway when the gate is closed.
13. Water, sanitary, sewer, gas, electrical, communication, landscaping, and telephone installations will require individual additional permits.
14. The Permittee is responsible for obtaining any necessary additional federal, state and/or City/County permits or clearances required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee.
15. It shall be the responsibility of the Permittee to verify the location of the existing utilities and notify all utility owners or operators of any work that might involve utilities within the State Highway right-of-way. Any work necessary to protect existing permitted utilities, such as an encasement will be the responsibility of the Permittee. Any damage or disruption to any utilities during the construction shall be the Permittee's responsibility and shall be repaired or replaced at no cost to the Department.
16. Survey markers or monuments found in state highway right-of-way must be preserved in their original positions. Notify the Department at (970) 248-7234 immediately upon damage to or discovery of any such markers or monuments at the work site. Any survey markers or monuments disturbed during the execution of this permit shall be repaired and/or replaced immediately at the expense of the Permittee.
17. A fully executed complete copy of this permit must be on the job site with the contractor at all times during the construction. Failure to comply with this or any other construction requirement may result in the immediate suspension of work by order of the department inspector or the issuing authority.
18. Traffic control shall be provided on site during the duration of construction of access and highway improvements in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and a Traffic Control Plan prepared by a American Traffic Safety Services Association (ATSSA) or Colorado Contractors Association certified Traffic Control Supervisor in accordance with the MUTCD and Colorado Supplements.

TERMS AND CONDITIONS (cont.)

19. All work that requires traffic control shall be supervised by a registered professional traffic engineer or by a traffic control supervisor certified by the American Traffic Safety Services Association (ATSSA) or the Colorado Contractors Association (CCA). When flagging personnel are required, the contractor in accordance with the Department standards shall certify them.
20. Any incomplete construction activity on the State Highway that must be left overnight shall be barricaded and signed in accordance with the Manual on Uniform Traffic Control Devices and other applicable standards.
21. Open cuts, which are 6 inches in depth, within 30 feet of the edge of the State Highway traveled way, will not be left open at night, on weekends, or on holidays.
22. No more than 6 feet of trench areas shall be opened at any one time. Open trenches and other excavations within the State Highway right-of-way shall be backfilled and/or paved before 3:30 P.M. of each working day or be protected in accordance with the M.U.T.C.D.
23. Any work within State Highway right-of-way shall begin after 8:30 A.M. and all work and equipment shall be off the highway BEFORE 3:30 P.M. each day.
24. Two-way traffic shall be maintained at all times on the highway in accordance with the MUTCD and Colorado Supplements or as otherwise approved.
25. No work will be allowed at night, Saturdays, Sundays and legal holidays without prior authorization from the Department. The Department may also restrict work within the State Highway right-of-way during adverse weather conditions.
26. Construction traffic control devices, when not in use, shall be removed or turned away from traffic.
27. All temporary pavement striping shall be done by the Permittee/contractor in conformance with section 627 of The Department's standard specifications for Road and Bridge Construction (latest edition).
28. No drainage from this site shall enter onto the State Highway travel lanes. The Permittee is required to detain all drainage in excess of historical flows and time of concentration on site. All existing drainage structures shall be extended, modified or upgraded, as applicable, to accommodate all new construction and safety standards, in accordance with the Department's standard specifications.
29. The permittee shall keep the culvert openings clear of debris and maintain the culvert in operating condition.
30. When it is necessary to remove any highway right-of-way fence, the posts on either side of the access entrance shall be securely braced with approved end posts and in conformance with the Department's M-607-1 standard, before the fence is cut, to prevent slacking of the remaining fence. All materials removed shall be returned to the Department.
31. It is the responsibility of the Permittee to prevent all livestock from entering the State Highway right-of-way at this access location. Any livestock that does enter the highway right-of-way shall be the sole responsibility of the Permittee.
32. Landscaping shall not obstruct sight distance at any State Highway access point. In the event the landscaping becomes unsightly or considered to be a traffic hazard, The Department may require that it be removed promptly by the Permittee and at no cost to the Department.
33. If the access utilizes a gate, the gate shall be set back far enough from the highway so that the longest vehicle using the access can clear the roadway when the gate is closed.
34. All required access improvements shall be installed prior to the herein-authorized use of this access.



SCALE 1 : 434

