

October 21, 2004

Kent Shaffer
Rolland Engineering
405 Ridges Boulevard, Suite A
Grand Junction, CO 81503

Re: Design Exception #DE 18-04 – Design Exception – Shaw Construction (760 Horizon Drive) Access Easements for inter-parcel circulation

Dear Kent:

Please find attached the committee's decision for the above referenced request. We have denied your request for this exception.

If you have any questions concerning this decision, please feel free to contact the Development Engineer in charge of your project or Tim Moore at (970) 244-1557.

Sincerely,

Sandi Nimon

Sandi Nimon, Sr. Administrative Assistant
To Tim Moore, Public Works Manager
City of Grand Junction

Xc: Rick Dorris, Development Engineer (256-4155)
Pat Cecil, Development Services Supervisor

DESIGN EXCEPTION #DE 18-04

To: Mark Relph, Director of Public Works & Utilities
Bob Blanchard, Director of Community Development
Rick Beaty, Fire Chief

From: Tim Moore, Public Works Manager

Copy to: Rick Dorris, Development Engineer
Pat Cecil, Development Services Supervisor

Date: October 19, 2004

RE: Elimination of a Cross-Access Easement -760 Horizon Dr.

DESCRIPTION OF THE SITUATION

The applicant (Shaw Construction) proposes to redevelop their existing site located at 760 Horizon Drive. TEDS sections 3.2.4, 3.2.5 and 4.3.5 describe cross-access easement requirements. The use of cross-access easements between adjacent properties can be an effective tool in reducing the level of congestion on perimeter streets by allowing traffic to circulate among the properties without entering the street system.

The applicant is requesting an exception to this standard due to widely differing uses between the project site and adjacent properties. Additionally, their legal council has advised against entering into, or granting such cross-access easement agreements based on increased liability and risk exposure.

EXCEPTION CONSIDERATIONS

- 1. Will the exception compromise safety?**
The elimination of the cross-access easement to the adjacent properties will require all trips between adjacent commercial uses to access Horizon Drive.
- 2. Have other alternatives been considered that would meet the standard?**
In this case, the applicant is not interested in dedication of the cross-access easement.
- 3. Has the proposed design been used in other areas?**
Although the current practice would be to require cross-access easements with adjoining commercial sites, there are many examples of older developments where this has not been the case.

4. Will the exception require CDOT or FHWA coordination?

No.

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

This would be a one-time exception.

Staff Recommendation

Staff believes the cross-access easement will ultimately reduce the number of curb cuts on Horizon Drive, increase the capacity and safety of the street system and should be required.

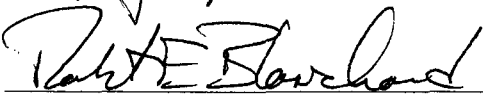
Recommended by: _____

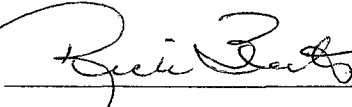
Approved as Requested: _____

Denied:


Dated: 10/20/04







\\DE#17-04 760 Horizon Dr. 10-04

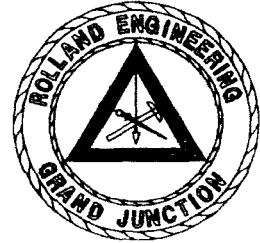
TO: Tim Moore
CC:
FROM: Rick Dorris 
DATE: October 1, 2004
SUBJECT: Shaw Construction second TEDS exception

The attached TEDS exception from Rolland is requesting deleting the cross-access easement requirement from TEDS 3.2.4 and 3.2.5. I am recommending denial of this request for three reasons.

1. There is no good reason they can't provide the easements; they simply don't want to.
2. We have been consistent requiring them for other commercial sites and to grant this one would set precedent to not require them in the future. I believe these easements are important to control the number of access points on major streets and increase safety and convenience for the traveling public.
3. The access to the Massage business and the southwest access to the next office building need to be eliminated in the future to meet TEDS requirements.

ROLLAND ENGINEERING

405 RIDGES BOULEVARD, SUITE A
GRAND JUNCTION, COLORADO 81503
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e-mail: rolleng@bresnan.net



September 28, 2004

RECEIVED

SEP 29 2004

COMMUNITY DEVELOPMENT

Tim Moore
City of Grand Junction
Public Works Manager
250 N. 5th Street
Grand Junction, CO 81501

RE: 760 Horizon Drive site request for TEDS Design Exception -
Access easements for inter-parcel circulation

Dear Tim:

As part of the site plan review process with the City of Grand Junction, a formal request for a design exception to the Transportation Engineering Design Standards (TEDS) manual is hereby requested as allowed for under Chapter 14 of the TEDS manual. In response to a written comment from City Development Engineer on 8-20-04 requesting ingress/egress easements be granted for the beneficial use of adjacent property as described in TEDS Sections 3.2.4, 3.2.5 and 4.3.5. We are requesting a TEDS exception to not provide these easements.

The criteria in section 3.2.4 states that cross-access easements may be required when it is determined that abutting properties cannot meet access spacing standards. Currently the properties immediately to the east can access 3 separate driveways along the south side of Horizon Drive within 300 feet of each other. If any redevelopment were to occur on those adjacent properties, a consolidation and elimination of accesses to meet standard spacing might be more appropriate to do then.

The 2 remaining existing driveways along the south side of Horizon Drive before the H Road intersection are more than 300 feet apart. The properties on the north side of Horizon Drive should gain access from H Road and Hilaria Avenue and not add any access points to Horizon Drive.

Because of the widely differing uses between the project site and adjacent properties, we see no opportunity or need for common use access or easements. The property directly east along Horizon Drive currently has approximately 140 feet of paved cross accessibility along their east boundary.

Additionally, our Client's legal counsel has advised against entering into, or granting such cross-access easement agreements based on increased liability and risk exposure.

We don't anticipate any negative impacts due to this design exception. There are 7 existing driveway accesses along the south side of Horizon Drive between Crossroads Blvd. and H Road. Four of them (including 760 Horizon Dr.) currently do not meet the 300-foot spacing standard. As part of the proposed development at 760 Horizon Dr., a previous TEDS exception was requested and granted (#DE 15-04 dated 8-19-04) that will allow the proposed access to be relocated, but spaced a distance of only 250 feet from the nearest existing access.

With the proposed access relocated, only 3 remaining access (immediately north of the site) would not meet the spacing standard. As mentioned earlier, a redevelopment of the adjacent property to the north would allow an opportunity to consolidate and eliminate accesses so that all accesses along this corridor between Crossroads Blvd. to H Road could meet the standard 300-foot spacing.

For purposes of comparison an equivalent length of North Avenue typically has a higher density of access points and traffic volume combined with adjacent property uses that are of more compatible nature where the cross access easements are more applicable.

Based on the rationale presented our Client respectfully requests your consideration of this matter and granting of the design exception that would relieve the requirement of cross-access easements with the adjoining property owners.

Sincerely,
ROLLAND Engineering



Kent Shaffer P.E.

Cc: Tom Swenson, Shaw Construction

City of Grand Junction GIS Sewer Map ©



NEW SCALE 1 : 1,200

