

# T.E.D.S. DESIGN EXCEPTION REQUEST

## HELIG & KUCEL SITE PLAN 468½ & 470 25½ Road, Grand Junction, CO



Prepared for:

**Helig & Kucel, Inc.**  
629½ Hudson Bay Drive  
Grand Junction, CO 81504  
(970) 201-2371

Prepared by:

**Vista Engineering Corp.**  
605 28¼ Road, Suite B  
Grand Junction, CO 81506  
(970) 243-2242

May 14, 2007  
VEC Job #4034.01-02

# DESIGN EXCEPTION REQUEST

**Project:** Helig & Kucel Site Plan

**Site Address:** 468½ & 470 25½ Road, Grand Junction, CO 81501

**City File No.:** Has not been submitted yet, therefore none assigned as of this date.

**Applicant:** Tom Helig

**Representative:** Vista Engineering Corp.

**Date:** May 14, 2007

## 1. BRIEF DESCRIPTION OF THE REQUEST(S)

1. This Design Exception Request is for a variance of the 150-ft. spacing between access points per Section 4.1.1 of the T.E.D.S. Manual.

## 2. SITE DESCRIPTION

The two lots that make up this request are located at 468½ and 470 25½ Road which is in the El Poso area of Grand Junction. These two parcels were platted in 1978 as Lots 15 and 16, respectively, in the 6 & 50 West Subdivision, Filing #2 and are located on the east side of 25½ Road approximately 260-feet north of where 25½ Road and Crosby Avenue connect with each other. Exhibit A of this request is a Location Map showing this site along with surrounding properties in the vicinity. Both of the lots are currently vacant, however, most recently they were used as a storage yard for a natural stone dealer which had their offices in the building on the adjoining lot to the south. At the time of this investigation, the office building on this adjoining lot was vacant with no new tenant. Other surrounding properties include Mercer Automotive located on the north side of these lots and a recently approved office/warehouse project located to the east. To the west, across 25½ Road, is an unimproved 1.22-acre parcel which contains a single family residence in the northeast corner of the site.

According to the City of Grand Junction Transportation Map, 25½ Road is proposed to be classified as a Minor Collector. Current street improvements along 25½ Road in this area consist of 6.5-ft. monolithic vertical curb, gutter, and sidewalk on the east of the street and 7.5-ft. monolithic vertical curb, gutter, and sidewalk on the west side. The asphalt surface of the roadway was measured to be approximately 31.5-ft. in width. In the immediate vicinity, there are five driveways accessing onto 25½ Road. One for each of the adjoining

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parcels to the north and to the south, one for the single family site to the west, and another driveway to a undeveloped parcel further to the northwest. The fifth driveway is one that currently provides access into these two lots. Included in this request is Exhibit B is a proposed Site Plan for the development of 468½ and 470 25½ Road which shows these existing five driveways and how they are related to each other.

The separation between the driveway into 468½/470 and the parcel to the south was measured to be approximately 151-feet, which satisfies Section 4.1.1. of the T.E.D.S. Manual. The separation between the driveway into 468½/470 and the existing driveway for Mercer Automotive to the north, however, was measured to be just 70-feet, far short of the 150-ft. requirement in Section 4.1.1. To shift a new access into 468½/470 to improve the separation with Mercer Automotive creates a situation where the separation with the existing driveway to the south would no longer meet T.E.D.S.'s. Therefore, at some point, a Design Exception Request would be required for obtaining a Site Plan approval for 468½ and 470 25½ Road.

### 3. REQUEST #1

#### a. Description

As mention in Section #1, this Design Exception Request is for a variance in the 150-ft. spacing requirements as stated in Section 4.1.1. of the T.E.D.S. Manual. The two lots that make up 468½ and 470 25½ Road were platted to be just 50-feet in width and as such, these lots can not be improved separately, i.e. with separate accesses, and meet Section 4.1.1. As Exhibit B indicates, it is proposed to provide a single access to these two lots by means of a shared driveway centered on the common lot line between the two parcels. However, due to the locations of the other existing driveways in this area, the 150-ft. spacing still cannot be met with this proposed shared driveway and several of the existing access points.

Common sense would indicate that property owners of platted lots with frontage on public streets would expect the ability to obtain access from that street. The owner of these two parcels has purchased these lots based on this expectation and, without doubt, at a market value of two commercial lots. This property owner should not be penalized for possible poor decisions in the past whether it be in approving commercial lots that are just 50-feet in width or approving surrounding site-plans that result in driveways locations that do not meet T.E.D.S., although at the time of these site approvals the T.E.D.S. Manual may not have existed. The granting of this Design Exception Request would allow the development of these two lots, which if denied, they could not be developed in the manner that the owner would like and, as such, would have an economic impact on this owner.

In review of this request it should be noted that there will not be any net increases in the number of driveways on this section of 25½ Road. It is being proposed to shift the existing driveway for these two lots south to improve the resulting spacing with Mercer Automotive

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to the north, although given the width of the Mercer Automotive site, meeting the 150-ft. spacing requirement cannot ever be met. This request does, however, result in decrease in the spacing with the access into the parcel to the south. Although this site has been previously improved with the construction of an office building, there may be the possibility that the site may have future redevelopment considerations which would require a site plan review land use application. If so, obtaining additional driveway separation may be obtained at that time.

### **b. Exception Considerations**

#### **1. Will the exception compromise safety?**

It is felt that this exception would not compromise safety, in fact, this request may help in improving the safety. The reasoning is that this request best positions driveways with the parcels to the north and to the south. The current separation between driveways into this site and into Mercer Automotive is only 70-feet. In making this request, the separation can be improved to over 100-feet. In doing so, the separation to the existing driveways to the south can also be maintained to be in excess of 100-feet.

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

Getting access into these two lots can either be obtained by direct access from the street or via access through an adjoining parcel. To the east is a parcel that fronts West Gunnison Avenue, however, it appears that this site has received a recent approval on a Site Plan Review for a office/warehouse development without having made any provisions for providing access to this site, therefore, it appears that this option does not have any potential for providing access. Regarding the adjoining parcels to the north and south of these lots, the Applicant has approached both property owners and both have responded with negative reaction for obtaining access through their parcels. In taking a closer look at these two options the following comments would be made:

- Access from the north through Mercer Automotive does not appear to be a safe alternative for a couple of reasons. First, in reviewing Exhibit B, there is an offset in an existing driveway on the west side of the street of approximately 56-feet. Proposing to use this access would make a deficient condition even worse. Secondly, the site layout for Mercer Automotive has not been designed to route additional off-site traffic through their site. In order to negotiate the various turning movements necessary to get from their parking lot, near their building entrance, into this site may pose a safety hazard and a significant inconvenience for this business, especially for large delivery or trash trucks. As previously mentioned, this property owner has

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responded with a resounding 'no' in our question of gaining access through their site.

- Access from the south through the adjoining site may have less impacts to their site as it currently is, however, there are still a few issues. First, in exiting the driveway from this parcel, the sight distance looking to the south, towards Crosby Avenue is not any too much. In estimating this sight distance from the City's G.I.S. aerial mapping, this distance approximated at being on the order of 180-feet. What makes this situation worse is that making the transition from Crosby Avenue onto 25½ Road is not a stop condition, therefore, there is not much reaction time. This would increase the potential for accidents, which then brings up a liability issue. Secondly, the owner expressed the idea of making additional site improvements to his lot. Having to accommodate vehicle movements for an off-site parcel was not something that he was interested in providing as it would limit he ability to make his site improvements. As with the owner to the north, this owner has responded with a resounding 'no' to the question of gaining access through their site.

Even though we have explored other options of gaining access into the site via the adjoining parcels and have received negative response to these alternatives, it is felt that routing these additional vehicle movements through these site may pose more of a safety hazard than the proposed shared driveway.

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

Shared driveways is a common design element that is used both in the City of Grand Junction and Mesa County. It is used primarily for limiting access points on busy roadways or roadways that have the potential to see an increase in their traffic volumes. This use of installing a shared driveway will also be a benefit in this situation as well, although it may not be the primary use in this case. Therefore, although this request is for a design exception to the T.E.D.S. Manual, there will be the advantage having only one driveway, shared between the two lots, that will create no additional access points on 25½ Road which will tend to limit the number of conflicts with turning movements with other driveways.

### **4. Will the exception require CDOT or FHWA corrdination?**

No, this Design Exception Request will not require any coordination or approvals from CDOT or FHWA.

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

It is felt that the spacing criteria in Section 4.1.1. is appropriate as a design standard, however, in dealing with sites such as this that were platted prior to the T.E.D.S.

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Manual being in existence, this exception request may come up again. As with many, if not all, exception requests, these will have to be judged on a case-by-case basis depending on their own site issues and constraints.

**Recommended by:** \_\_\_\_\_

**Approved as Requested:** \_\_\_\_\_

**Approved as Modified:** \_\_\_\_\_

**More Information Needed:** \_\_\_\_\_

**Denied:**           X          

**Dated:**     5/16/07    

          *Tom T. Ward*          

          *D. L. [Signature]*          

          *Disa & Cox*

5/16/07

Vista Engineering Corp.  
c/o Mr. David E Chase, PE  
605 28 1/4 Road, Suite B  
Grand Junction, CO 81506

Subject: TEDS Exception Denial for 468 1/2 and 470 25 1/2 Road

Dear Mr. Chase:

The City of Grand Junction's TEDS Exception Committee has reviewed your request for a TEDS Exception for 468 1/2 and 470 25 1/2 Road.

Due to an Ingress/Egress Access Easement that is in place on 472 25 1/2 Road, the City will require that the 472 1/2 easement be utilized to access your client's property, thus denying this TEDS Exception request. Also, the City will require your client's property to provide a cross access easement to be aligned north to south with the 472 25 1/2 easement. This new easement will allow for future access to the 464 25 1/2 Road property to the south.

As well as the cross access, for best results, your client could provide access onto 25 1/2 Road at the south edge of your client's property by negotiating a shared access drive with the owner of the 464 25 1/2 Road property. This access could be split by the property line. Other options that the City would accept includes 25 1/2 Road access either to the north side or south of the southern boundary of the 468 1/2 property. Or lastly, when the 464 25 1/2 Road property improves, the City will require the 464 25 1/2 Road property to include an ingress/egress access easement which will tie to the 468 1/2 and 470 25 1/2 Road cross access easement.

As part of the improvements made to the 468 1/2 and 470 25 1/2 Road property, any existing accesses to the said property shall be abandoned. If the owner of the 464 25 1/2 Road property participates, his current access will also be abandoned.

In reference to the first alternative outlined in the "Request," there was a concern with an "offset in an existing driveway on the west side of the street of approximately 56 feet". As part of the improvements to that property, this access will be relocated to comply with City standards.

If you have any questions in reference to this decision, I can be contacted at 244-1451.

Sincerely,



Kenneth E. Fischer, PE  
Development Engineer

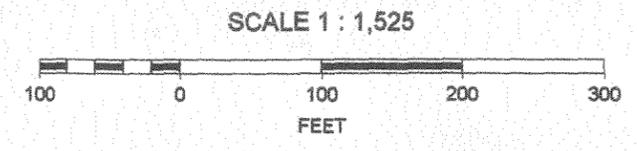
Cc: Tim Moore, Public Works and Planning Department Director  
Lisa Cox, Planning Division Manager  
Jim Bright, Acting Fire Department Chief

# **Exhibit A**

# Location Map - 468-1/2 & 470 25-1/2 Road



**PROJECT  
LOCATION**



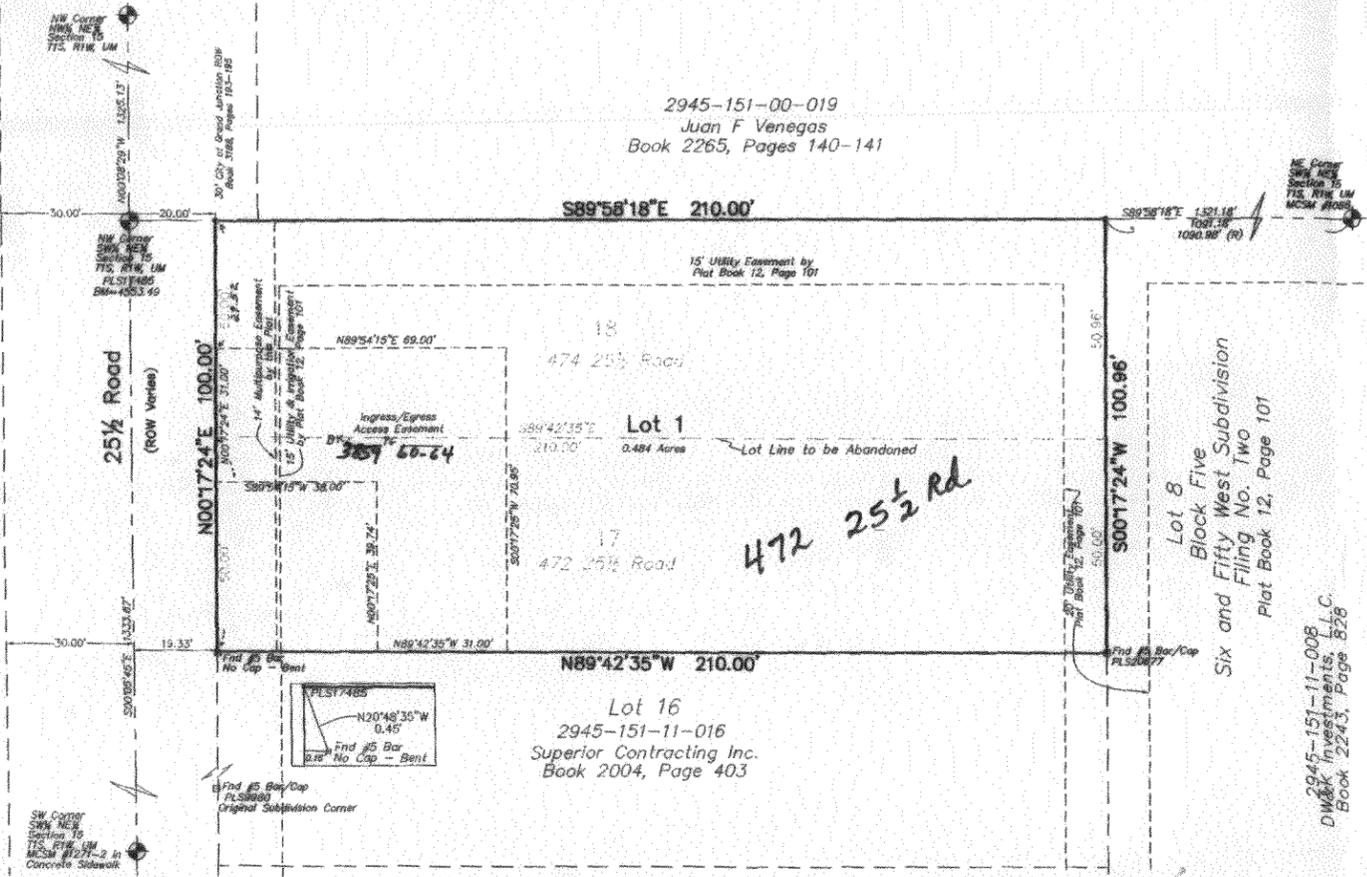
# **Exhibit B**



# MERCER SUBDIVISION

## A REPLAT OF LOTS 17 AND 18, BLOCK FIVE SIX AND 50 WEST SUBDIVISION, FILING NO. TWO

SS-2004-197 C-2 A



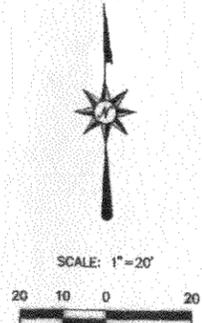
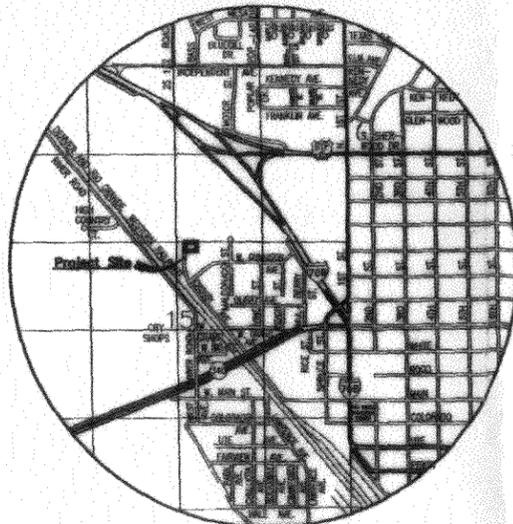
2945-151-00-019  
Juan F Venegas  
Book 2265, Pages 140-141

Lot 16  
2945-151-11-016  
Superior Contracting Inc.  
Book 2004, Page 403

Lot 8  
Block Five  
Six and Fifty West Subdivision  
Filing No. Two  
Plat Book 12, Page 101

2945-151-11-008  
DWAak Investments, L.L.C.  
Book 2243, Page 828

- LEGEND**
- ▲ ALIQUOT SURVEY MARKER, AS NOTED
  - SET ALUMINUM CAP ON No. 5 REBAR, PLS 17846
  - PER CRS-38-91-108, IN CONCRETE
  - FOUND REBAR, AS NOTED
  - ▲ PK NAIL, SET IN PAVING
- ALL BOUNDARY CORNERS FOUND OR SET TO BE IN CONCRETE PER COUNTY AND CITY REGULATIONS
- ALUMINUM CAP ON No. 5 REBAR TO BE SET AT ALL LOT CORNERS, PRIOR TO SALE OF ANY LOTS, TO COMPLY WITH CRS-38-91-108
- Δ DELTA ANGLE OF ARC
  - R RADIUS OF ARC
  - L LENGTH OF ARC
  - Ch CHORD DISTANCE OF ARC
  - Brg CHORD BEARING OF ARC
  - EQUAL SYMBOL
  - ≠ PERCENT SYMBOL
  - ∞ AND SYMBOL
  - Ⓜ INTERSTATE HIGHWAY SYMBOL
  - Ⓢ STATE HIGHWAY SYMBOL
  - US UNITED STATES
  - NTS NOT TO SCALE
  - CRS COLORADO REVISED STATUTES
  - PLS SOLICIT, USED IN LEGAL DOCUMENTS (LATIN - ONE HALF)
  - PLS PROFESSIONAL LAND SURVEYOR
  - No. NUMBER
  - L.L.C. LIMITED LIABILITY COMPANY
  - A.D. ARCHITECT
  - ± MORE OR LESS
  - ° DEGREES
  - ' MINUTES OR FEET
  - " INCHES OR SECONDS
  - MCM MESA COUNTY SURVEY MARKER
  - BLM BUREAU OF LAND MANAGEMENT
  - ROW RIGHT-OF-WAY



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER THE FIRST DISCOVERY OF SUCH DEFECT. IF NO DEFECT IS DISCOVERED WITHIN THREE YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON, THEN YOU WAIVE FROM THE DATE OF CERTIFICATION SHOWN HEREON.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That David N. and Stephanie L. Mercer are the owner of that real property located in part of the Southwest Quarter Northeast Quarter (SW 1/4 NE 1/4) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows: (Original Warranty Deed Book 3577, Page 856.)

LOTS 17 AND 18, BLOCK FIVE, SIX AND 50 WEST SUBDIVISION, FILING NO. TWO, as shown on plat recorded in Plat Book 12, Page 101, Mesa County records.

That said owners have by these presents laid out, platted, and subdivided the above described real property into lots, blocks, and tracts, as shown hereon, and designated the same as MERCER SUBDIVISION, a subdivision in the City of Grand Junction, Colorado, and hereby offers the following dedications and grants:

All Multipurpose Easements to the City of Grand Junction for the use of City-approved utilities and public providers as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees and grade structures.

All Ingress/Egress Access Easements granted to the owners of Lots or Tracts specifically identified on the plat as perpetual easements for ingress and egress purposes for the use of said Lot or Tract owner(s), their guest(s), and invitee(s), and also for use by public providers and utilities, including but not limited to, postal service, trash collection, fire, police and emergency vehicles and services.

All Tracts/Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or as signs, together with the right to trim or remove interfering trees and brush, and in Drainage & Detention/Retention easements or tracts, the right to dredge, provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF, said owners David N. Mercer & Stephanie L. Mercer have caused their names to be hereunto subscribed this 24th day of October, A.D. 2004.

by David N. Mercer by Stephanie L. Mercer  
David N. Mercer Stephanie L. Mercer

### NOTARY PUBLIC'S CERTIFICATE

STATE OF COLORADO } ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by David N. Mercer, this 24th day of October, A.D., 2004.

Witness my hand and official seal:  
Notary Public

My Commission Expires 9/16/06



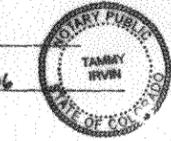
### NOTARY PUBLIC'S CERTIFICATE

STATE OF COLORADO } ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by Stephanie L. Mercer, this 24th day of October, A.D., 2004.

Witness my hand and official seal:  
Notary Public

My Commission Expires 9/16/06



**AREA SUMMARY**

LOT	=	0.484 Acres	100.00%
TOTAL	=	0.484 Acres	100.00%

### SURVEYOR'S CERTIFICATION

I, Patrick R. Green, do hereby certify that the accompanying plat of MERCER SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, has been prepared under my direct supervision and represents a field survey of same. This plat conforms to the requirements for subdivision plats specified in the City of Grand Junction Development code and the applicable laws of the State of Colorado.

Date certified October 28, 2004

### LIENHOLDERS RATIFICATION OF PLAT

THE UNDERSIGNED, hereby certifies that it is a holder of a security interest upon the property described herein and does hereby join in and consent to the dedication of the land described in said dedication by the owners thereof, and agree that its security interest, as shown in document recorded at Book 3577, Pages 776-782 through 782-787 public records of Mesa County, Colorado, shall be subordinated to the dedications shown hereon.

IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its President with the authority of its Board of Directors, this 24th day of October, 2004.

By: [Signature] (Title) President  
For: Abstract & Title Co. of Mesa County

### NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO } ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by Ron Sawyer (Title) President for Abstract & Title Co. of Mesa County this 24th day of October, A.D., 2004.

Witness my hand and official seal:

My Commission Expires 08-09-2008



### TITLE CERTIFICATION

STATE OF COLORADO } ss  
COUNTY OF MESA

We, Abstract & Title Co. of Mesa County, a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the herein described property, that we find the title to the property is vested to David N. Mercer & Stephanie L. Mercer that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: 10-20-04 by: Doreen Charlotte, Title Officer  
Name and Title  
for: Abstract & Title Co. of Mesa County  
Name Of Title Company

### GENERAL NOTES

Easement and Title Information provided by Abstract & Title Co. of Mesa County, Inc., Commitment No. 00813178 C, dated May 23, 2004. No additional research was performed by the surveyor.

Base of bearings is the North line of the SW 1/4 NE 1/4 of Section 15 which bears South 89 degrees 58 minutes 18 seconds East, a distance of 1321.18 feet, established by observation of the MCEPS control network. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plat.

Note: Property corners located during this survey that were within 0.25 feet of the calculated point were accepted as being "in position".

### CITY OF GRAND JUNCTION APPROVAL

This plat of MERCER SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this 2nd day of December, A.D., 2004.

City Manager: [Signature]

President of City Council: [Signature]

### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } ss  
COUNTY OF MESA

I hereby certify that this instrument was filed in my office at 2:13 o'clock P.M. March 21, A.D., 2005 and was duly recorded in Book 3859 Page No. 65 Reception No. 2244484 Drawer No. 99-79 Fees: 10.00 + 1.00

Clerk and Recorder  
By: \_\_\_\_\_  
Deputy



MERCER SUBDIVISION  
LOTS 17 AND 18, BLOCK FIVE, LOCATED IN  
SIX AND 50 WEST SUBDIVISION  
FILING NO. TWO  
MESA COUNTY, COLORADO

**LANDesign**  
SURVEYORS & PLANNERS  
244 NORTH 7th STREET  
GRAND JUNCTION, COLORADO 81501 (970) 249-4088

PROJ. NO. 2004-73	SURVEYED	DRAWN	CHECKED	SHEET	OF
DATE: August, 2004	RAD/LED	RSK	PRD	1	1