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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET**

TUESDAY, JUNE 22, 2021 @ 5:30 PM

This meeting will be held as an in-person/virtual hybrid meeting. Join the meeting virtually by registering using the link below:

<https://attendee.gotowebinar.com/register/3974778930407680268>

After registering, you will receive a confirmation email containing information about joining the webinar.

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s) from June 8, 2021.

Regular Agenda

1. Amend Ordinance 4754 amending the Institutional and Civic Facility Master Plan for Colorado Mesa University (CMU) to include a larger area for campus expansion to which administrative right-of-way vacations apply, Located at 1100 North Avenue. | [Staff Presentation](#) | Phone-in comments dial **9389**.

Other Business

Adjournment

**VERSION 1 OF MINUTES
TO BE COMPLETED BEFORE FINAL VERSION FOR APPROVAL
ADDITIONAL TRANSCRIPTION AND DIALOUGE TO BE INCLUDED**

**GRAND JUNCTION PLANNING COMMISSION
June 8, 2021 MINUTES
5:30 p.m.**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Vice Chair Christian Reece.

Those present were Planning Commissioners; Vice Chair Christian Reece, George Gatseos, Keith Ehlers, Sandra Weckerly, and Shanon Secrest.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Trent Prall (Public Works Director), Rick Dorris (Development Engineer), Dave Thornton (Principal Planner), and Senta Costello (Associate Planner).

There were 21 members of the public in attendance.

CONSENT AGENDA

Commissioner Ehlers moved to adopt Consent Agenda Item #1. Commissioner Gatseos seconded the motion. The motion carried 5-0.

1. Approval of Minutes

Minutes of Previous Meeting(s) from May 25, 2021.

REGULAR AGENDA

1. Orchard Mesa Road Petition Right-of-Way Vacation **File # VAC-2021-126**

Consider a request by the City of Grand Junction to vacate a portion of Road Petitioned Right-of-Way which crosses several parcels in Orchard Mesa.

Staff Presentation

Senta Costello, Associate Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioners Gatseos asked a question regarding a comment submitted via GJSpeaks.org.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, June 1, 2021 via www.GJSpeaks.org.

Mr. Jim Hartnett left a comment via GJSpeaks.org.

The public hearing was closed at 5:52 p.m. on June 8, 2021.

Questions for Applicant or Staff

None.

Discussion

None.

Motion and Vote

Commissioner Gatseos made the following motion, "Madam Chair, on the right-of-way vacation request, City file number VAC-2021-126, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

Commissioner Ehlers seconded the motion. The motion carried 5-0.

2. Patterson Road Access Control Plan File # CPA-2021-17

Consider a request by the City of Grand Junction to adopt the Patterson Road Access Control Plan (ACP), as Volume III, Title 38 of the Municipal Code.

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record. Trent Prall, Public Works Director, introduced Michelle Hansen, Stolfus and Associates, who provided a presentation regarding the request. Mr. Thornton provided a Code Analysis regarding the request.

Questions for Staff

Commissioner Gatseos asked a question regarding TEDS standards and specifically number of access points and another question regarding U-turns.

Commissioner Reece asked a question regarding what an amendment process would look like, medians, designs for what implementation would look like, conditional access points, and the Grand Junction Circulation Plan.

Commissioner Ehlers asked questions regarding the Corner Square development (access points 60 and 62) about feedback/response from business owners and the undeveloped property owners in Corner Square and how access 62 is impacted. Mr. Prall responded that staff didn't receive feedback from Corner Square property owners and explained the connection to the Grand Junction Circulation Plan.

Commissioner Ehlers asked questions regarding access point 117 at Village Fair and what exactly would have to happen to change from a full-movement access to $\frac{3}{4}$ access. Mr. Prall confirmed.

1:45:30 Commissioner Reece asked what quantifies an increase in public safety. Mr. Prall explained that it is a combination of frequency and nature of those accidents that are happen. He explained there are national standards to compare to.

1:46:40 Commissioner Gatseos asked a follow-up question, specifically if one accident would trigger the closing of that access. Ms. Hansen elaborated on the nature of accident and if access management would assist in the promotion of safety.

1:48:20 Commissioner Ehlers asked a question regarding signal light cycling throughout the corridor and looking at it as an alternative to queuing lengths. Ms. Hansen responded that signal light cycling is adjusted in the model. Commissioner Ehlers asked if there was a segment in the plan that encourages staff to look at alternative methods. Mr. Prall explained that the City is constantly is upgrading technology.

1:53:34 Commissioner Ehlers asked a question on what options does a developer have to amend the plan. Mr. Prall and Ms. Hansen provided an answer.

1:56:30 Commissioner Reece asked a follow-up question about if the amendment would happen concurrently with the development plan. Ms. Allen provided an answer.

1:57:57 Commissioner Ehlers provided a recap of the discussion thus far regarding the implementation process.

Commissioner Reece asked a question regarding the connection for Penny Lane to Bonito Avenue.

Commissioner Gatseos asked questions regarding the feedback received from the Chamber of Commerce business community.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, June 1, 2021 via www.GJSpeaks.org.

The following made comments via GJSpeaks: James Vidmar, Arthur Edwards, Ken Ritter, and Duane A Harris.

The following made comments on the request: Ron Gibbs (President of the Village Fair Association), Donna Wallace, Verna Dunn, Nova Tucker, Ruth Kennett, Mark Rybeck (390 Talus Lane), Terry Porter (2632 Patterson Road), Dave Ramsey (Spring Valley Subdivision), Beth McKee (Mantey Heights), Diane Lucero (Mantey Heights), Thomas Tucker (2551 Santa Fe Drive), Karen Perrin (131 Carlitos Ave), Tony Taylor (104 Mantey Heights Drive), Alan Wright (121 Mantey Heights Drive), and Gary Lucero (Mantey Heights).

Planning Commission took a recess at 8:22 p.m.

Planning Commission resumed at 8:30 p.m.

The public hearing was closed at 8:31 p.m. on June 8, 2021.

3:04:47 Response to Comment

Trent Prall gave a response to public comment.

3:18:08 Questions for Applicant or Staff

Commissioner Gatseos: "Could you address the 116 and 117 access points and the request for a $\frac{3}{4}$ movement compared to the City Market distance?"

ADDITIONAL DIALOUGE TO BE ADDED IN VERSION 2

Discussion

Commissioner Ehlers made a statement regarding the request. Commissioner Ehlers indicated a desire to incorporate into the plan a mechanism to determine how development will be funded, such as the use of Transportation Capacity Payment (TCP) funds. Commissioner Ehlers requested that staff revisit access points 114, 116, and 117.

Commissioner Reece made a comment regarding the request. Commissioner Reece stated she is not opposed to the plan but would like to see the following modifications: 1) Further evaluate the 1st trigger in the 3 types of implementation, which states "A property redevelops or changes use, resulting in an increase in traffic to and from the site of 20% or more."

Commissioner Gatseos made a statement regarding the request. Commissioner Gatseos stated he cannot support the plan based on:

Commissioner Weckerly made a statement regarding the request.

Commissioner Secrest made a comment regarding the request.

Commissioner Ehlers asked staff a question regarding what would happen to the proposed Plan if it were not codified, and if City staff could still use it as a resource.

Motion and Vote

Commissioner Ehlers made the following motion, “Madam Chair, on the Patterson Road Access Control Plan, CPA-2021-17, I move that Planning Commission forward a recommendation of adoption of the Patterson Road ACP as an element of the Grand Junction Comprehensive Plan and implementing the Comprehensive Plan with the findings of fact as listed in the staff report.”

Commissioner Gatseos seconded the motion.

Commissioner Ehlers restated his earlier wishes to see a funding mechanism in the proposed Plan and revisit access points 114, 116, and 117.

Commissioner Reece would like to reevaluate the implementation trigger (see summary below) and revisit the Darby Lane access point.

Summary of discussion:

- Revisit access points 114, 116, and 117.
- Provide a mechanism of how to pay for improvements such as the use of Transportation Capacity Payments (TCP) funds.
- The Plan is largely residential that is unfairly being treated, needs to be addressed.
- Further evaluate the 1st trigger in the 3 types of implementation, which states “A property redevelops or changes use, resulting in an increase in traffic to and from the site of 20% or more.”
- Revisit Darby Lane (#236) and Placer Street (#240) access points.

The motion failed 1-4 with Commissioners Reece, Gatseos, Weckerly, and Secrest voting NO.

3. Other Business

None.

4. Adjournment

The meeting adjourned at 9:32 p.m.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: June 22, 2021

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Principal Planner

Information

SUBJECT:

Amend Ordinance 4754 amending the Institutional and Civic Facility Master Plan for Colorado Mesa University (CMU) to include a larger area for campus expansion to which administrative right-of-way vacations apply, Located at 1100 North Avenue. | [Staff Presentation](#) | Phone-in comments dial **9389**.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

By Ordinance 4754 the City approved an Institutional and Civic Master Plan for Colorado Mesa University (CMU) and an administrative process for future vacations of right-of-way interior to the campus once certain conditions are met. A map of the area to which the administrative process applies was attached to the Ordinance. CMU is requesting that the Master Plan and the Ordinance be amended with a new map that reflects an expanded area for future campus development.

BACKGROUND OR DETAILED INFORMATION:

Section 21.02.190 of the Zoning and Development Code sets forth a process to consider Master Plans for major institutional and civic facilities that provide a needed service to the community. The Colorado Mesa University (CMU) Campus Facilities Master Plan (Master Plan) as originally approved by the City in 2017 by Ordinance 4754 provides an overview of CMU's future long term objective to expand the existing main campus westward toward North 7th Street.

In conjunction with approval of the Master Plan, the City approved an administrative review process for future vacations of right-of-way interior to the campus shown within the red outlined area on the attached map once certain conditions are met. CMU requests the vacation of alley and street rights-of-way in order to aid in the continued westward expansion efforts planned for the campus. The vacation requests occur piecemeal as CMU acquires properties on both sides of any given right-of-way. CMU owns most of the property shown within the original 2017 Master Plan boundary which also depicted the area to which the administrative vacation process currently applies.

CMU continues to acquire properties on the west side of the original boundary to North 7th Street. Thus, CMU is requesting that a new map be adopted as part of the Master Plan to better depict anticipated campus growth to the west to North 7th Street. No other amendments to the 2017 Master Plan are proposed at this time.

One of the purposes of the Institutional and Civic Master Plan review is to take a comprehensive look at the right-of-way to be vacated and incorporated into the overall campus expansion plan. Until the administrative vacation process was approved in 2017, right-of-way had been vacated on a piecemeal basis as CMU acquired property. Each request had to be approved by separate ordinance by the City Council. Rather than continuing to take each request forward as separate ordinances, CMU proposed and the City approved, a process was established by which right-of-way within the identified boundary could be reviewed and approved administratively once certain conditions have been met.

All vacations have required that CMU own the property on both sides of the right-of-way, provide for general circulation, emergency access, private access easements, if necessary, and compliance with Xcel Energy easement requirements as set forth in Ordinance 4754. All City utilities within the rights-of-way are subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus. These conditions are not proposed to change with this Master Plan amendment.

To date, the administrative vacation process has been successfully completed for many right-of-way vacations in the past four years since adoption of the Master Plan and approval of the administrative process.

NOTIFICATION REQUIREMENTS

A virtual Neighborhood Meeting was held on March 31, 2021, with nine area residents along with representatives from Colorado Mesa University and City staff in attendance. President Foster presented an overview of the west campus development and its relationship to the proposed amendment requested by the application to the City. Most questions and comments from citizens regarded recent and current construction projects on campus and traffic in the campus vicinity. There were no specific questions

or concerns regarding the proposed amendment to the Master Plan.

In addition, notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on June 9, 2021. Per Code, mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet and notice of this public hearing was published in the Grand Junction Daily Sentinel.

ANALYSIS

Per Section 21.02.190 (c) of the Grand Junction Zoning and Development Code, in reviewing a Master Plan or an amendment thereto, the decision-making body shall consider the following:

(1) Conformance with the Comprehensive Plan and other area, corridor or neighborhood plans;

The 2017 Master Plan was reviewed and approved under the 2010 Comprehensive Plan and found to have met Goals 4 and 12 by supporting the continued development of the City Center into a vibrant and growing area with jobs and also by being a regional provider of goods and services. The 2017 Master Plan and the proposed amendment are also in conformance with the 2020 One Grand Junction Comprehensive Plan. Specifically, Plan Principle 4: Downtown and University District Strategy 1 encourages and supports the cultivation of an energetic and livable university district that balances the needs of the community and the students.

Therefore, Staff this criterion has been met.

(2) Conformance with the Grand Valley Circulation Plan and general transportation planning requirements;

The Master Plan complies with the Grand Valley Circulation Plan and Transportation Engineering Design Standards (TEDS). Access to and through the campus is provided for in the Master Plan and interim access will be maintained with the phased expansion.

Therefore, staff finds this criterion has been met.

(3) Adequate parking, adequate stormwater and drainage improvements, minimization of water, air or noise pollution, limited nighttime lighting and adequate screening and buffering potential;

CMU provides for all parking, as well as stormwater and drainage improvements needed as development occurs. The campus setting and surrounding perimeter streets provides for large areas of separation of the CMU facilities and surrounding community.

Therefore, staff finds this criterion has been met.

(4) Adequacy of public facilities and services; and

Adequate public facilities and services are available or may be extended/improved to serve the campus.

Therefore, staff finds this criterion has been met.

(5) Community benefits from the proposal.

CMU provides multiple community benefits as an educational institution and economic driver.

Therefore, staff finds this criterion has been met.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the Colorado Mesa University application, FMP-2021-279 for an amendment to the Institutional and Civic Facility Master Plan, the following findings of fact and conclusions have been determined:

1. The requested amendment to the Institutional and Civic Facility Master Plan, is consistent with the Comprehensive Plan.
2. The applicable review criteria in Section 21.02.190 (c) of the Grand Junction Zoning and Development Code have been met or addressed.
3. Right-of-way vacation in the identified planning area (Exhibit A attached to the ordinance) is presumed and conditionally approved on condition that CMU petitions for vacation(s), which shall be reviewed and approved administratively subject to the Director finding that CMU has met all of the following conditions:
 - a. CMU must own properties on both sides of the right-of-way (streets and/or alleys) to be vacated; and,
 - b. Private easement agreements must be provided to benefit any remaining privately owned property(ies) where access to the property(ies) is or may be claimed by the owner(s) to be compromised by the vacation; and,

- c. CMU shall plan for and propose circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,
 - d. All City utilities shall be subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus; and,
 - e. CMU shall dedicate as applicable necessary utility easements to Xcel Energy and/or other utility providers.
4. Notice shall be given of all vacation petition decisions right-of-way vacations in the designated Master Plan area and exceptions to the Director's decision shall be forwarded to the City Council for record review as provided in this Ordinance and the Recitals thereto.

STAFF RECOMMENDATION

Staff recommends the Planning Commission forward a recommendation of approval of the Institutional and Civic Facility Master for Colorado Mesa University, FMP-2021-279 to the City Council with the findings of facts and conclusions and conditions listed above.

SUGGESTED MOTION:

Chairman, on the Amended Institutional and Civic Facility Master Plan for Colorado Mesa University, FMP-2021-279, I move that the Planning Commission forward to the City Council a recommendation of approval with the findings of facts and conclusions and conditions stated in the staff report.

Attachments

1. Development Application
2. CMU Plan Amendment Ordinance

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Institutional/Civic Master Plan

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation: Civic / Residential

Existing Zoning: B1 / Residential

Proposed Land Use Designation: Civic / Residential

Proposed Zoning: B1 / Residential

Property Information

Site Location: CMU West Campus

Site Acreage: _____

Site Tax No(s): _____

Site Zoning: _____

Project Description:

Request to update the area identified by the existing City of Grand Junction ordinance #4754 which allows an Administrative Public ROW Vacation Process to correlate with the CMU Master Plan Boundary that extends to 7th Street to the west, Orchard Avenue to the north, and North Avenue to the south.

Property Owner Information

Name: _____

Street Address: _____

City/State/Zip: _____

Business Phone #: _____

E-Mail: _____

Fax #: _____

Contact Person: _____

Contact Phone #: _____

Applicant Information

Name: Colorado Mesa University

Street Address: _____

City/State/Zip: GJ, CO 81505

Business Phone #: 970-261-6360

E-Mail: detwiler@coloradomesa.edu

Fax #: _____

Contact Person: Dave Detwiler

Contact Phone #: 970-261-6360

Representative Information

Name: 3SE, LLC - Keith Ehlers

Street Address: 2662 Lookout Ln

City/State/Zip: GJ, CO 81503

Business Phone #: 9702107680

E-Mail: kehlers@threesail.net

Fax #: _____

Contact Person: Keith Ehlers

Contact Phone #: _____

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application: 

Date: 4-3-21

Signature of Legal Property Owner: _____

Date: _____

General Project Report

CMU Administrative ROW Vacation Process

In June of 2017 an ordinance was passed by the Grand Junction City Council to provide very specific criteria that, if met, would accommodate the implementation of the approved Institutional Master Plan of Colorado Mesa University (CMU) by allowing an administrative process for the vacation of public right of way (ROW) so long as all the criteria were met. Examples of the criteria is that all properties adjacent to the vacation must be owned by CMU and access must be maintained for any properties not owned by CMU within the Master Plan area. The initial passing of the ordinance was done with the concept of a 'pilot program' in mind and therefore initially limited the administrative process to an area directly adjacent to the campus (as it existed at the that time) and was most likely to be acquired by CMU in the near future. As of today, nearly all of the initially approved area is under the ownership of CMU and the pursuit of fulfilling the master plan remains underway. It is for this reason, CMU hereby requests approval of this application to take the next incremental step in the previously approved master plan by expanding the area in which an administrative process for public right of way vacation is allowed, subject to the same restrictive criteria previously approved. See the submitted map (CMU_West Master Plan_Exhibit A.pdf) for details.

A neighborhood meeting was held with many of the remaining property owners in the area in attendance. The feedback was overwhelmingly positive in regards to the application and applauded CMU for it historical handling of campus development in the area. A few comments were brought forth regarding the overall parking and traffic conditions related to students on their way to and from classes and the dormitories.

This proposed amendment has been well received throughout the process thus far. CMU and its representatives are available at any time for further discussion or questions on the matter. Thank you for your consideration of this application.

COLORADO MESA UNIVERSITY

West Campus Master Plan 2021 PROGRESS UPDATE (Revised Exhibit 'A')



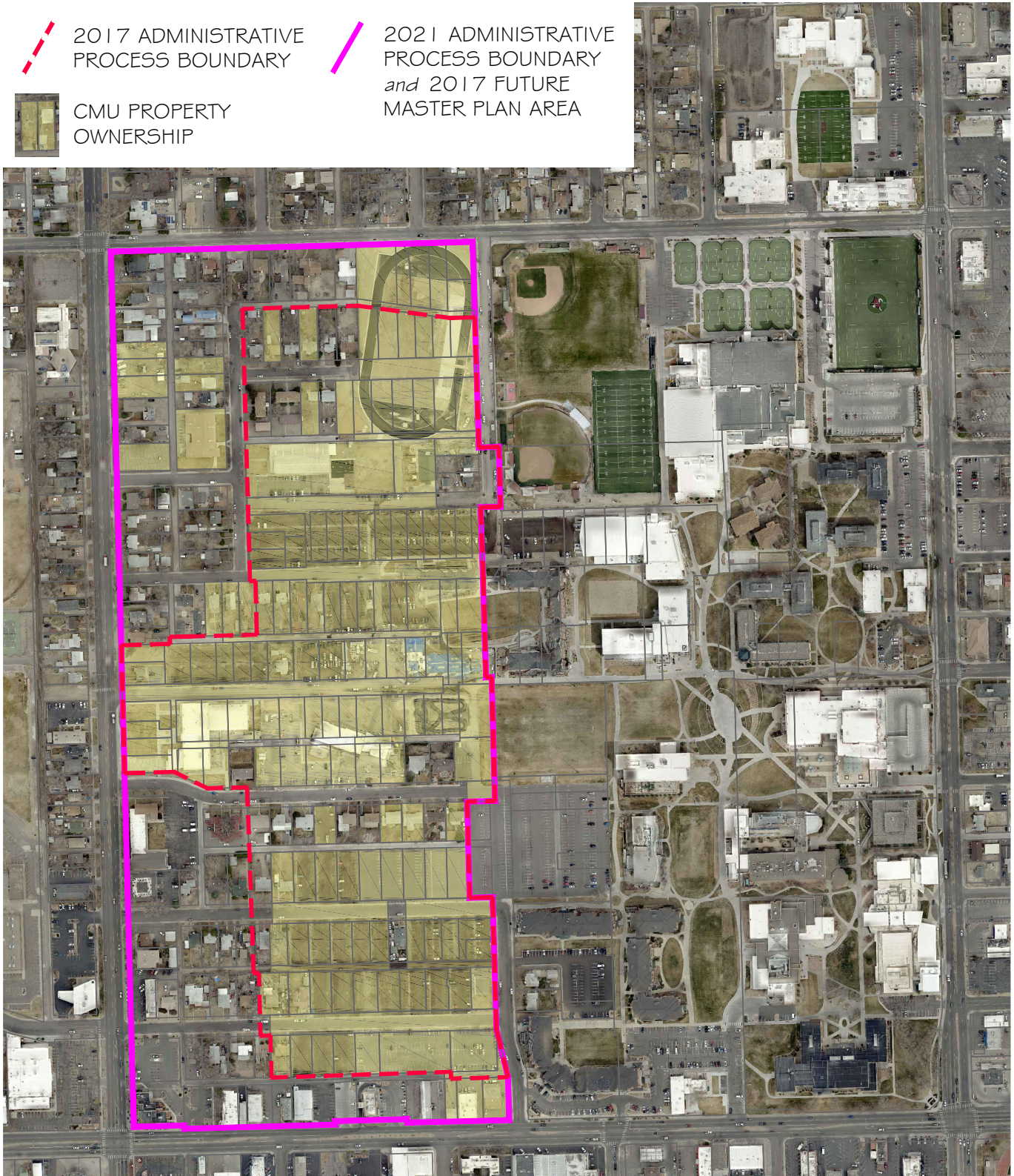
2017 ADMINISTRATIVE
PROCESS BOUNDARY



2021 ADMINISTRATIVE
PROCESS BOUNDARY
and 2017 FUTURE
MASTER PLAN AREA



CMU PROPERTY
OWNERSHIP



Neighborhood meeting Attendance & Notes:

Attendees for zoom meeting (zoom profile name):

Kristen Ashbeck - City of Grand Junction Planning
Tim Foster - CMU President
Derek Wagner - CMU
Keith Ehlers - 3SE Planning (CMU Representative)
Greg Vigil
Karen Peterson
Sarah
John Manfro joined with neighbor Chris
Kevin's iPhone
Logan
Sheri

Notes:

- President Foster facilitated a power point presentation of the general CMU status update.
- President Foster then walked through recent development of the west campus and its relationship to the proposed amendment represented by the application
- Mr. Manfro inquired about a recent interaction with a surveyor on 8th street and the purpose of the survey.
- Mr. Manfro commented about the road width of Mesa Ave in regards to traffic/parking conflicts and painting curbs red where applicable. Ms. Ashbeck clarified that as a City issue and would follow up with appropriate departments at the City.
- Mr. Manfro gave positive comments about the quality of what CMU has developed.
- Mr. Manfro commented on potholes in surrounding roads.
- Mark and Karen Peterson complimented the construction that has been done.
- Mark and Karen Peterson asked the city to look into parking lot entrance congestion
- Mark and Karen Peterson inquired if campus security was still in affect. President Foster responded in the affirmative.
- Greg Vigil complimented the Maverick Hotel and associated traffic and construction crews beng pleasant.
- President Foster thanked attendees and concluded the meeting.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING ORDINANCE 4754 TO REVISE THE AREA FOR
FUTURE COLORADO MESA UNIVERSITY CAMPUS AREA WITHIN WHICH RIGHTS
OF WAY MAY BE VACTED BY ADMINISTRATIVE REVIEW AND ACTION**

**LOCATED IN THE COLORADO MESA UNIVERSITY AREA
(Generally 7th to Cannell Streets and North to Orchard Avenue)**

RECITALS:

Section 21.02.190 of the Zoning and Development Code (Code) sets forth a process to consider Master Plans for major institutional and civic facilities that provide service to the community. The Colorado Mesa University (CMU) Campus Facilities Master Plan adopted by the City in 2017 provides an overview of CMU's future long term objective to expand the existing main campus westward toward North 7th Street.

In conjunction with the Master Plan adoption, the City approved a CMU request of an administrative review process for future vacations of right-of-way interior to the campus, (shown within the red dashed area on Exhibit A) upon satisfaction of the conditions established in Ordinance 4754 and included in this ordinance.

CMU is now requesting that the area within which the administrative review process may apply be expanded to the purple line shown on Exhibit A attached to better coincide with anticipated future westerly growth of the university campus. The new map effectively amends the 2017 adopted Master Plan.

In accordance with the development of the campus anticipated in the Master Plan, CMU requests the vacation of alley and street right-of-ways in order to aid in the continued westward expansion planned for the campus. Prior to passage of Ordinance 4754, right-of-way vacation requests occurred in a piecemeal fashion, generally as CMU acquired properties on both sides of any given right-of-way. That process was unwieldy and tended to be confusing because the vacations were often not understood in the context of the overall plan of development. Presently, CMU owns the majority of the property shown within the "2017 Master Plan" boundary, outlined in the dashed red line on Exhibit A, and most sections of right-of-way within that area have already been vacated. Consistent with the terms or all prior vacations all vacations pursuant to this ordinance shall require that CMU own the property on both sides of the right-of-way, provide for general circulation, emergency access, private access easements, if necessary, and compliance with Xcel Energy easement requirements. City utilities are addressed pursuant to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*. Upon application by CMU for a vacation(s) that is supported by the approved Master Plan and if the conditions provided in the Ordinance are met or are not met, as

reasonably determined by the Community Development Director, in her sole discretion, the Director shall provide written notice to CMU of her findings; if no protest is made to the findings then the vacation will be approved (or denied) after the 20th business day after notice. As further provided in the Ordinance, CMU shall provide written notice of the Director's findings of satisfaction of the conditions to the property owners 500 feet of the area of the petitioned vacation within 10 days of the date of the Director's notice to CMU finding satisfaction of the conditions.

If any owner takes exception to the Director's findings of satisfaction of the conditions, he/she may request in writing, stating with particularity the finding(s) to which exception is taken, that the Director's decision be considered by City Council.

If CMU takes exception to the Director's findings that conditions are not satisfied, it may request in writing, stating with particularity the finding(s) to which exception is taken, that the Director's decision be considered by City Council. The City Council shall schedule a review of the Director's decision, on the record, within 20 days of the property owner's request.

Upon finding of full and complete satisfaction of the conditions, whether by the Director or the City Council, the Director shall affect the vacation(s) by recording her findings, which shall include reference to the authority granted her by this Ordinance.

The City Council finds that the request to allow conditional approval of vacations of rights of way consistent with the CMU Master Plan is appropriate to and supported by the Comprehensive Plan, the Grand Valley Circulation Plan and Sections 21.02.190 (c) and 21.02.100 of the Grand Junction Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommended approval of the amendment to the Institutional and Civic Master Plan to expand the area within which vacation of rights-of-way may be administratively reviewed and approved subject to full and complete satisfaction of the conditions set forth.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The Colorado Mesa University Institutional and Civic Facility Master Plan is amended subject to the following findings and conditions:

The requested Institutional and Civic Facility Master Plan, including the proposed amendment to expand the area within which vacations of right-of-way may be reviewed and approved administratively, is consistent with the 2020 One Grand Junction Comprehensive Plan. Specifically, Plan Principle 4: Downtown and University District Strategy 1 encourages and supports the cultivation of an energetic and livable university district that balances the needs of the community and the students.

1. The applicable review criteria in Section 21.02.190 (c) of the Grand Junction Zoning and Development Code have been met or addressed.
2. The foregoing Recitals are incorporated herein and made a part hereof.
3. Right-of-way vacation in the identified planning area (Exhibit A) is presumed and conditionally approved on condition that CMU petitions for vacation(s), which shall be reviewed and approved administratively subject to the Director finding that CMU has met all of the following conditions:
 - a. CMU must own properties on both sides of the right-of-way (streets and/or alleys) to be vacated; and,
 - b. Private easement agreements must be provided to benefit any remaining privately owned property(ies) where access to the property(ies) is or may be claimed by the owner(s) to be compromised by the vacation; and,
 - c. CMU shall plan for and propose circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,
 - d. All City utilities shall be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*; and,
 - e. CMU shall dedicate as applicable necessary utility easements to Xcel Energy and/or other utility providers.
4. Notice shall be given of all vacation petition decisions right-of-way vacations in the designated Master Plan area and exceptions to the Director's decision shall be forwarded to the City Council for record review as provided in this Ordinance and the Recitals thereto.

Introduced for first reading on this _____ day of _____, 2021 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2021 and ordered published in pamphlet form.

President of City Council

ATTEST:

City Clerk

EXHIBIT A

COLORADO MESA UNIVERSITY

West Campus Master Plan
2021 PROGRESS UPDATE