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**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

TUESDAY, JUNE 25, 2019 @ 6:30 PM

Call to Order - 6:30 PM

1. Minutes of Previous Meeting(s)
2. Election of Officers
3. Consider a request by the Applicant, Ronald Vincent, to Vacate a Portion of undeveloped Public Right-of-Way (1,938 sq. ft.) and to Vacate Four (4) Separate Public Utility, Drainage and Sanitary Sewer Easements Located at the South End of W. Indian Creek Drive as part of the development of the proposed Pepper Ridge Subdivision.
4. Consider a request by the Applicant, Sunshine of Delta, to Vacate Right-of-Way situated between 383 29 Road and 379 29 Road.
5. Consider a request by the Applicant, Sunshine of Delta, to Rezone a Portion of the properties situated at 383 29 Road and 379 29 Road, totaling approximately 0.44 acres, to C-1 (Light Commercial).

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
May 28, 2019 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:05 pm by Vice Chairman Bill Wade.

Those present were Planning Commissioners; Chairman Bill Wade, George Gatseos, Ken Scissors and Sam Susuras.

Also present were Jamie Beard, (Assistant City Attorney), Tamra Allan, (Community Development Director), Jace Hochwalt, (Associate Planner) and Kristen Ashbeck (Principal Planner).

There were approximately 8 citizens in attendance during the meeting.

1. Meeting of Previous Meeting(s)

The Planning Commission reviewed the meeting minutes from the April 23, 2019 meeting.

Commissioner Gatseos explained that on page 3 in the third paragraph the word “commenting” should be “competing” and that items 4, 6 and 7 did not have the commissioner who seconded the motion listed.

Vice Chair Wade asked for a motion to approve the minutes after corrections had been made. Commissioner Scissors moved to approve the minutes. Commissioner Susuras seconded the motion.

The motion passed unanimously.

2. Election of Officers

Vice Chairman Wade explained that the election will be held at the next meeting.

3. Harmony Subdivision Rezone

FILE# RZN-2019-175

Consider a request by Trilogy Properties, LLC to Rezone a 1.07-acre property from an R-1 zone district (Residential - 1 du/acre) to an R-2 zone district (Residential - 2 du/Acre) at 2595 Music Lane.

Staff Presentation

Jace Hochwalt gave a PowerPoint presentation on the Harmony Subdivision Rezone request. Mr. Hochwalt explained the Applicant is requesting a Rezone in anticipation of subdividing the property into two parcels. If a rezone is approved, the applicant intends to split the lot into two parcels, and construct a single family residence on each parcel.

The requested R-2 zone district is consistent with the Comprehensive Plan Future Land Use designation for the property of Residential Low (0.5 – 2.0 du/ac).

Applicants Presentation

Jeffrey Fleming, Colorado Land Advisor Ltd., stated he is representing the applicant. Mr. Fleming gave a brief presentation supporting the proposal.

Vice-Chair Wade asked what the neighbors said at the neighborhood meeting.

Mr. Fleming stated they were concerned about the fiscal impact of increased density.

Public Comment

Bob Leishman's, 627 Braemar Circle, stated he has lived there 38 years and is not going to support or oppose the proposal.

Jerry Bruck, 623 26 Road, asked if covenants were pursued and how that would affect other properties. Mr. Bruck asked about the egress for the irrigation water.

Applicants Rebuttal

Mr. Fleming stated they had talked early on about covenants, however, after speaking with staff it appeared there would be no need for the covenants and none are being proposed. Discussion continued regarding the irrigation water.

Commissioner Questions for Staff

Vice Chair Wade asked if a rezone can only be done once every 10 years. Ms. Beard stated that a property can apply to be rezoned at any time if it meets the criteria. Mr. Hochwalt explained that a property can only be subdivided once every 10 years.

Commissioner Gatseos asked for clarification of the location of Mr. Leishman's property.

Commissioner Discussion

Commissioner Gatseos, Susuras, Scissors, and Vice Chair Wade explained they were in favor of the rezone.

Motion and Vote

Commissioner Gatseos moved "Vice Chairman Wade, on the Rezone request RZN-2019-175, I move that the Planning Commission forward a recommendation of approval for the Rezone of 2595 Music Lane from an R-1 (Residential - 1 DU/acre) to R-2 (Residential - 2 DU/Acre) zone district with the findings of fact listed in the staff report."

Commissioner Susuras seconded.

The motion passed 4-0.

4. Legacy Gymnastics Rezone File# RZN-2019-199

Consider a request to rezone a property from I-2 (Heavy Industrial) to I-1 (Light Industrial) Located at 2285 River Road.

Staff Presentation

Kristen Ashbeck (Principal Planner) gave a PowerPoint presentation on the rezone request.

Applicants Presentation

Brian Bensley, Legacy Gymnastics (formerly Kidzplex), explained their desire to expand their programs and locate to a larger facility.

Commissioner Scissors asked if they can host bigger competitions with the new facility. Mr. Bensley stated they would be able to host even larger gymnastic events.

Public Comment

None

Commissioner Discussion

Commissioner Gatseos expressed support for the rezone.

Motion and Vote

Commissioner Gatseos moved "Vice Chairman, on the Rezone request to I-1 (Light Industrial) for the property located at 2285 River Road, City file number RZN-2019-199, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Susuras seconded.

The motion passed 4-0.

5. Zoning Code Amendments File# ZCA-2019-237

Consider an ordinance amending section 21.04.030 (e), Recreational Campgrounds, and other related sections of the Grand Junction Municipal Code and make a recommendation to City Council.

Staff Presentation

Kristen Ashbeck (Principal Planner) gave a PowerPoint presentation on the proposed ordinance amending the campground sections of the Municipal Code.

Commissioner Scissors asked about the length of time a person could stay. Ms. Ashbeck stated that the owner operator will determine the length of time. Commissioner Scissors stated that he thought there should be limits. Commissioner Scissors asked if the campground owner wanted a snack bar, could it be open to the public. Ms. Ashbeck stated if they met the code and it was allowed in the zone, they could allow it to be open to the public.

Ms. Allan stated that they try to look at what is best for the community at large. Ms. Allan stated they try to stay up on current trends and modify the code to address them.

Commissioner Discussion

Commissioner Susuras stated he liked the changes that have been made since the workshop and he supports the proposed amendment. Commissioner Gatseos agreed with Commissioner Susuras and the staff and is in support of the ordinance.

Motion and Vote

Moved by Commissioner Susuras: "Vice Chairman, on the Zoning and Development Code Amendments, ZCA-2019-237, I move that the Planning Commission forward a recommendation of approval finding that the amendments accomplish an update to the Code that meets the desires of Staff to modernize the Code as well as provide improved guidance to development of campgrounds."

Commissioner Gatseos seconded.

The motion passed 4-0.

Item 6. Other Business

Ms. Allan gave an update of the meeting dates and workshop dates for June.

Adjournment

The meeting was adjourned at 7:38 PM

DRAFT



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: June 25, 2019

Presented By:

Department: Community Development

Submitted By:

Information

SUBJECT:

Election of Officers

RECOMMENDATION:

EXECUTIVE SUMMARY:

Consistent with the Bylaws, a Chair and Vice Chair of the Planning Commission should be elected annually.

BACKGROUND OR DETAILED INFORMATION:

SUGGESTED MOTION:

Attachments

None



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: June 25, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a request by the Applicant, Ronald Vincent, to Vacate a Portion of undeveloped Public Right-of-Way (1,938 sq. ft.) and to Vacate Four (4) Separate Public Utility, Drainage and Sanitary Sewer Easements Located at the South End of W. Indian Creek Drive as part of the development of the proposed Pepper Ridge Subdivision.

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Applicant, Ronald Vincent, is requesting the vacation of portions of public Right-of-Way (1,938 sq. ft.) and a Temporary Turn Around and also the vacation of four (4) separate publicly dedicated Utility, Drainage and Sanitary Sewer Easements located within and/or abutting the land area of the proposed Pepper Ridge Subdivision. These easements and rights-of-way were granted for the purpose of serving the Pepper Tree Subdivision which was platted and developed in 1982.

The Applicant is currently in the process of a Preliminary/Final Subdivision Plan Review to develop a residential subdivision adjacent to Pepper Tree Subdivision and is proposing to create 25 single-family attached dwelling units and lots on a total of 3.31 acres in an existing R-8 (Residential – 8 du/ac) zone district. During the review process for the new subdivision proposal, it was determined that a portion of existing right-of-way (1,938 sq. ft.) may be vacated with the design of the new subdivision redirecting the roadway in the new subdivision. Four (4) separate publicly dedicated Utility, Drainage and Sanitary Sewer Easements may also be vacated in order to accommodate the future property lines and building locations with new easements

and/or right-of-way being granted to the City to accommodate the location of the utilities, including sanitary sewer and drainage for the new subdivision and the Pepper Tree Subdivisions. There is currently an existing sanitary sewer main located within the two (2) Sanitary Sewer Easements, however a new sanitary sewer main will be constructed and rerouted within the proposed new street right-of-way to be granted to the City as part of the subdivision development. The other utility and drainage easements and right-of-way requested for vacation do not contain utility infrastructure. The new development will account for any drainage and utilities that would otherwise have been included in the easements if not vacated.

BACKGROUND OR DETAILED INFORMATION:

The 3.13 acres of property proposed for the Pepper Ridge Subdivision is currently vacant, however the Applicant is currently in the review process for a Preliminary/Final Subdivision Plan to develop 25 single-family attached dwelling units/lots on the property. Based on the Applicant's plan for development, the current location of the existing sanitary sewer and utility, drainage easements, the existing easements would interfere with the desired placement of the residential units and lot lines. Therefore, the Applicant is requesting the vacations of the easements and right-of-way located on the property and to dedicate new easements and new ROW to accommodate existing and proposed infrastructure as proposed on the draft subdivision plat to avoid the anticipated building locations and lot lines. In addition, the Applicant would be acting to clean-up encumbrances on the property by removing excess easements from the property that are no longer necessary.

The subject property of 3.31 acres is located south of the existing Pepper Tree Subdivision and currently contains a 15-foot wide Utility & Drainage Easement located along the east property line (Easement #1 as identified on the Improvement Survey Plat), a 15-foot wide Drainage Easement that bisects the property (Easement #2), a Sanitary Sewer Easement that is located along the south and west property lines (Easement #3) and a 20-foot wide Sanitary Sewer Easement that also bisects the property (Easement #4). The existing 15-foot wide Utility & Drainage Easement located along the east property line was dedicated by separate instrument to the City of Grand Junction in August, 1982 (Book 1385, Page 731) for the use and maintenance of utilities and drainage. Correspondingly, the existing 15-foot wide Drainage Easement that bisects that property was also dedicated by separate instrument to the City of Grand Junction in August, 1982 (Book 1385, Page 732) for the use and maintenance of utilities and drainage.

The two Sanitary Sewer Easements were recorded in July, 1982 in Book 1384, Page 473 and Book 1384, Page 474 respectfully for the use and maintenance of sanitary sewer mains and dedicated to the Central Grand Valley Sanitation District which has since dissolved with the City of Grand Junction taking over its infrastructure. Currently, these sanitary sewer mains are in use, however, a new sanitary sewer main is

proposed to be constructed and rerouted within a new street right-of-way (an extension of W. Indian Creek Drive) as part of the subdivision development for Pepper Ridge. In addition, the new sanitary sewer line would be located within a new right-of-way rather than within an easement. The existing sanitary sewer main shall be required to be reconstructed within the new right-of-way location. Staff is recommending as a condition of approval that the two (2) sanitary sewer easements requested to be vacated be conditioned upon the new sanitary sewer main being installed within the proposed new publicly dedicated right-of-way as identified on the proposed subdivision plat or otherwise granted easement(s) for its location to the City as all approved by the City with proper abandonment of the sewer main in the easements requested to be vacated.

For the portion of right-of-way vacation, the Applicant is proposing as part of their subdivision platting a new roadway in a slightly re-aligned configuration of W. Indian Creek Drive. This realignment will create 1,938 sq. ft. (0.04 acres) of excess right-of-way from the original alignment. The ROW to be vacated was platted as part of the Pepper Tree, Filing No. Three Subdivision as recorded in Book 13, Page 192. This area of right-of-way contains no existing utility infrastructure with the exception of existing asphalt and curbing which the applicant will be responsible for removing.

The Temporary Turn Around easement was intended to terminate with future filings of Pepper Tree Subdivision plat, yet the additional plats continued to show the easement. The last plat recorded specifically referred to the Temporary Turnaround easement as existing. The turnaround will no longer be needed if the proposed right-of-way is granted to the City so staff is recommending the City's interest be terminated with the condition that the proposed right-of-way or otherwise acceptable right-of-way to the City be granted.

The other two utility and drainage easements along with the requested right-of-way vacations, contain no utility infrastructure. New easements as necessary for the utility and drainage infrastructure for the new subdivision would be dedicated as necessary on the plat or by separate instrument.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting is not required for an easement or right-of-way vacation and no utility companies voiced opposition to the proposed vacation requests as part of the Preliminary/Final Subdivision Plan applications (City file # SUB-2019-3).

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 March 8, 2019. 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 on June 12, 2019. The notice of this public hearing was published June 18, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review is set forth in Section 21.02.100 (c) of the Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

(1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City;

The request to vacate existing public easements and rights-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan or other adopted plans and policies of the City. Vacation of these easements and rights-of-way will have no impact on public facilities or services provided to the general public since new easements and rights-of-way are required to be granted to the City as part of the development of the Pepper Ridge Subdivision and the existing sanitary sewer main will be rerouted and relocated within the new publicly dedicated right-of-way for W. Indian Creek Drive as a condition of approval.

Further, the vacation request is consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy C: The City will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

Goal 11 / Policy A: The City will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.

Therefore, staff has found this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation;
This request is to vacate existing publicly dedicated easements and small portions of existing right-of-way. As such, no parcels will be landlocked as a result of the proposed vacation requests. Therefore, staff has found this criterion has been met.

(3) Access to any parcel shall be not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

These vacation requests do not impact access to any parcel and as such, staff finds this criterion has been met.

(4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services;

A new and re-routed sanitary sewer main will be constructed within the new dedicated right-of-way as identified on the proposed subdivision plat and new drainage and utility easements as well as right-of-way, as necessary will also be identified/dedicated on the subdivision plat or by separate instrument. No comments concerning the proposed vacations were received from the utility review agencies or the adjacent property owners indicating issue or adverse impacts related to this request or the quality of services provided to the property.

Staff therefore finds this criterion has been met.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

A new/re-routed sanitary sewer main will be constructed within the new publically dedicated right-of-way as identified on the subdivision plat and new right-of-way, drainage and utility easements will also be identified/dedicated as necessary. Neither staff nor utility providers have identified that this request will inhibit the provision of adequate public facilities and services.

Staff finds that this criterion has been met.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will not substantially change as a result of the proposed vacations as the existing sanitary sewer main will be re-routed into the new right-of-way for W. Indian Creek Drive. With the elimination of existing easements with the granting of any new necessary easements, the Applicant can develop the property as needed to avoid the impact to the anticipated building locations and lot development and will also serve as a general clean-up of the property by removing excess easements from the property that are no longer necessary, which will benefit the Applicant's overall site development. As such, Staff finds that this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Pepper Ridge Subdivision Vacation of Rights-of-Way and Public

Utility, Drainage and Sanitary Sewer Easements requests, VAC-2019-314 and VAC-2019-315, located at the south end of W. Indian Creek Drive, the following findings of fact have been made with the recommended conditions of approval:

The requests conform with Section 21.02.100 (c) of the Zoning & Development Code.

The requested vacations do not conflict with the goals and policies of the Comprehensive Plan.

Condition 1. Prior to recording of a resolution vacating the two Sanitary Sewer Easements, an approved sanitary sewer main will be reconstructed/re-routed to be located within the right-of-way of W. Indian Creek Drive or as otherwise approved by the City, consistent with City standards. Said right-of-way shall be conveyed, either by separate instrument or on a subdivision plat.

Condition 2. Prior to recording of an ordinance vacating the portions of public rights-of-way located at the south end of W. Indian Creek Drive, new right-of-way shall be granted to the City that connects W. Indian Creek Drive to Presley Avenue either by separate instrument or on a subdivision plat.

Therefore, Staff recommends conditional approval of the requested vacations.

SUGGESTED MOTION:

Madam Chairman, on the Pepper Ridge Subdivision Vacation of Rights-of-Way and Public Utility, Drainage and Sanitary Sewer Easements requests located at the south end of W. Indian Creek Drive, City file numbers VAC-2019-314 and VAC-2019-315, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report.

Attachments

1. Exhibit List - Pepper Ridge Vacations
2. Exhibit 2 - Site Location & Aerial Photo Maps
3. Exhibit 3 - Improvement Survey Plat - Easement Locations
4. Exhibit 4 - Development Application dated 9-28-18
5. Exhibit 5 - Vacation Resolution
6. Exhibit 6 - Vacation Ordinance

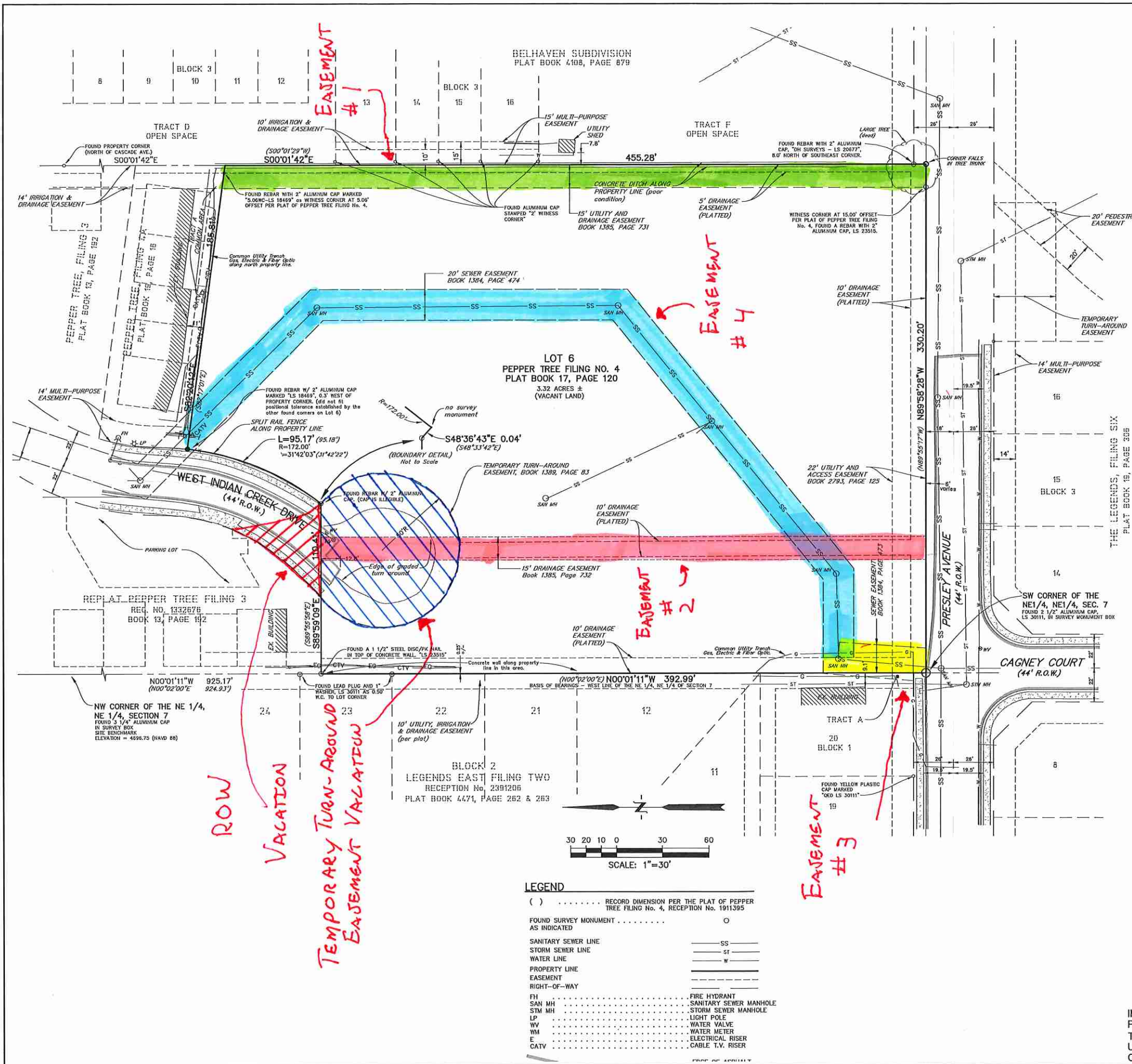
EXHIBIT LIST

**PEPPER RIDGE SUBDIVISION VACATION OF RIGHT-OF-WAY AND PUBLIC
UTILITY EASEMENTS
FILE NO. VAC-2019-314 & VAC-2019-315**

Exhibit Item #	Description
1	Staff Report dated June 25, 2019
2	Site Location & Aerial Photo Maps
3	Improvement Survey Plat – Easement Locations
4	Development Application dated September 28, 2018
5	Proposed Easement Vacation Resolution
6	Proposed Right-of-Way Vacation Ordinance
7	Staff Powerpoint Presentation dated June 25, 2019







LEGAL DESCRIPTION:

LOT 6, PEPPER TREE, FILING NO. 4, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

SURVEYORS CERTIFICATION:

TO: RONALD D. VINCENT
LAND TITLE GUARANTEE COMPANY

I, PATRICK C. O'HEARN, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS IMPROVEMENT SURVEY PLAT IS BASED UPON A MONUMENTED LAND SURVEY THAT WAS PREPARED UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING. I FURTHER CERTIFY THAT: (1) EXCEPT AS SHOWN, THE IMPROVEMENTS ON THE HEREON DESCRIBED PARCEL, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL; (2) THAT EXCEPT AS SHOWN OR NOTED HEREON, THERE ARE NO VISIBLE ENCROACHMENTS ON THE DESCRIBED PREMISES BY ANY IMPROVEMENTS ON ANY ADJOINING PROPERTY AND THERE IS NO APPARENT SURFACE EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING OF ANY PART OF SAID PARCEL; (3) THE IMPROVEMENTS, ARE BASED UPON THE RESULTS OF A FIELD SURVEY PERFORMED ON NOVEMBER 27-28, 2018 AND THE RESULTANT SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

THIS CERTIFICATION IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.

PATRICK C. O'HEARN
FOR AND ON BEHALF OF
DREXEL, BARRELL & CO.
DECEMBER 06, 2018

SURVEY NOTES:

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. THIS SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTIES AS NAMED IN THE CERTIFICATE AS SHOWN HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED ENTITY OR PERSON WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYOR NAMING SUCH PERSON OR ENTITY.
3. THE BEARINGS AS SHOWN HEREON ARE BASED UPON THE CONSIDERATION THAT THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, IS ASSUMED TO BEAR NORTH 00°01'11" WEST, SAID LINE IS MONUMENTED AS SHOWN HEREON. THIS INFORMATION IS BASED INFORMATION CONTAINED IN THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM, USING THEIR PUBLISHED COORDINATES FOR POINTS T0375 AND T0265.
4. THE LINEAL UNIT OF MEASURE IS THE U.S. SURVEY FOOT.
5. THE UNDERSIGNED HAS RELIED, UPON LAND TITLE GUARANTEE COMPANY, A "TBD" COMMITMENT FOR TITLE INSURANCE, ORDER CUF65037136, HAVING AN EFFECTIVE DATE SEPTEMBER 21, 2018 AT 5:00 P.M., FOR THE PROPERTY DESCRIPTION, OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHTS-OF-WAY ACROSS SAID PREMISES. THE SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.
6. BURIED UTILITIES: THE LOCATION OF UNDERGROUND UTILITIES, INCLUDING, BUT NOT LIMITED TO, GAS LINES, ELECTRIC LINES, FIBER OPTIC LINES, TELEPHONE/TELEVISION/CABLE TELEVISION LINES, IRRIGATION LINES, WATER MAINS AND SERVICES, STORM DRAINAGE LINES AND SANITARY SEWER LINES/SERVICES ARE SHOWN PER VISIBLE SURFACE EVIDENCE OF SAID UTILITIES ALONG WITH MARKINGS PROVIDED BY A UTILITY LOCATING SERVICE. IF MORE ACCURATE LOCATIONS OR CONFIRMATION OF THE LOCATION OF UNDERGROUND UTILITY LOCATIONS IS REQUIRED, THEY WILL HAVE TO BE VERIFIED BY ACTUAL FIELD POT-HOLES AND EXPOSING THE UTILITIES. DREXEL, BARRELL & CO. AND THE SURVEYOR OF RECORD SHALL NOT BE LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.

TITLE COMMITMENT NOTES:

- IN REGARDS TO SCHEDULE B-SECTION II, EXCEPTIONS FROM COVERAGE, CONTAINED IN THE HEREON REFERENCED TITLE COMMITMENT: THE FOLLOWING SURVEY COMMENTS PERTAIN SOLELY TO THE LOCATION OR THE ABILITY TO PLOT THE LOCATION OF THOSE MATTERS DISCLOSED THEREIN. THE NUMBERED COMMENT CORRESPONDS WITH THE NUMBERED EXCEPTION REFERENCED IN SAID SCHEDULE B-2.
- ITEMS 1-7: ARE NOT ADDRESSED OR ARE NOT ABLE TO BE PLOTTED ON THIS SURVEY.
- ITEM 8: RIGHTS OF WAY FOR DITCHES OR CANALS OR RESERVATIONS FOR MINERAL RIGHTS RESERVED IN THAT UNITED STATES PATENT RECORDED IN BOOK 11 AT PAGE 515 ARE NOT ADDRESSED BY THE SURVEY OTHER THAN THE DEPICTION OF THE LOCATION OF AN EXISTING IRRIGATION DITCH THAT IS LOCATED ALONG THE EAST PROPERTY LINE.
- ITEM 9: THAT EASEMENT DESCRIBED IN BOOK 1384 AT PAGE 473 IS PLOTTED ON THE SURVEY.
- ITEM 10: THAT EASEMENT DESCRIBED IN BOOK 1384 AT PAGE 474 IS PLOTTED ON THE SURVEY.
- ITEM 11: THAT EASEMENT DESCRIBED IN BOOK 1385 AT PAGE 731 IS PLOTTED ON THE SURVEY.
- ITEM 12: THAT EASEMENT DESCRIBED IN BOOK 1385 AT PAGE 732 IS PLOTTED ON THE SURVEY.
- ITEM 13: THAT EASEMENT DESCRIBED IN BOOK 1389 AT PAGE 83 IS PLOTTED ON THE SURVEY.
- ITEM 14: MATTERS PERTAINING TO THOSE SUBDIVISION IMPROVEMENT AGREEMENTS RECORDED IN BOOK 1390 AT PAGES 355 AND 356 ARE NOT ADDRESSED BY THE SURVEY.
- ITEM 15: MATTERS PERTAINING TO THOSE RESTRICTIVE COVENANTS RECORDED IN BOOK 1992 AT PAGE 751 AND BOOK 2809 AT PAGE 697 ARE NOT ADDRESSED BY THE SURVEY.
- ITEM 16: THOSE EASEMENTS ON THE PLAT OF PEPPERTREE FILING NO. 4 ARE SHOWN HEREON.
- ITEM 17: THAT EASEMENT DESCRIBED IN BOOK 2793 AT PAGE 125 IS PLOTTED ON THE SURVEY.
- ITEM 18: THE ORDER FOR THE DISSOLUTION OF THE GRAND VALLEY SANITATION DISTRICT IS NOT ADDRESSED BY THE SURVEY.

IMPROVEMENT SURVEY PLAT OF LOT 6, PEPPER TREE FILING NO. 4. LOCATED IN THE NE1/4 OF SECTION 7, T1S, R1E OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

Drexel, Barrell & Co. Engineers/Surveyors			
1400 WEST STREET	BOULDER, COLORADO 80501	(303) 442-4300	
8 SOUTH TIE STREET	COLORADO SPRINGS, COLORADO 80905	(719) 540-0087	
Revisions - Date	Drawn By	Check By	Job No.
12/06/18	SC-CE	PCO	20005-00
Scale 1" = 30'			Drawing No. 2058420005 ISP

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:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

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

Signature of Legal Property Owner

Date

Date

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Dr. Ronald Vincent, am the owner of the following real property:

(b) Presley Ave (South end of W Indian Creek Drive) 294-307-117-007

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☒ I am the sole owner of the property.

☐ I own the property with other(s). The other owners of the property are (c):

I have reviewed the application for the (d) _____ pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) _____

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

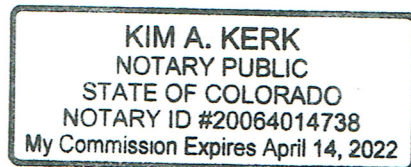
I swear under penalty of perjury that the information contained in this Ownership Statement is true, complete and correct.

Owner signature as it appears on deed: _____

Printed name of owner: Dr. Ronald Vincent

State of Colorado)

County of Mesa) ss.



Subscribed and sworn to before me on this 28 day of September, 20 18

by _____

Witness my hand and seal.

My Notary Commission expires on 04/14/2022

Kim A. Kerk
Notary Public Signature

DISTRICT COURT, MESA COUNTY, COLORADO 125 North Spruce, Grand Junction, CO 81501 Phone Number: (970) 257-3625	
RONALD D. VINCENT, GRAND JUNCTION REAL ESTATE GROUP, INC., d/b/a REMAX 4000, INC., Plaintiffs: v. ABZACK INVESTMENT GROUP, LLC, JAY JONES, JOHN BENNETT, PUBLIC TRUSTEE OF MESA COUNTY, COLORADO and PEPPER RIDGE BA, Defendants.	
○ COURTUSE ONLY ○ 11 CV 4163 Division 9 / Courtroom 9	
SHERIFF'S DEED	

THIS DEED is made this **10th** day of **November, 2011**, between Stan Hilkey, Sheriff of Mesa County, Colorado, and Ronald D. Vincent, the Grantee and holder of the Certificate of Purchase/Redemption issued herein, whose legal address is **306 Glenwood Avenue Grand Junction, CO 81501**.

WHEREAS, Ronald D. Vincent, in the Mesa County District Court, obtained a Judgment and Decree of Foreclosure against the defendants named herein, directing to the Sheriff of Mesa County, Colorado; and,

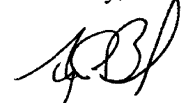
WHEREAS, by virtue of said Judgement and Decree of Foreclosure, after notice of the time and place of sale were given as required by law, said property was offered for sale and sold according to said notice and a Certificate of Purchase/Redemption was issued to Grantee and recorded in the Office of the Clerk and Recorder for Mesa County, Colorado; and,

WHEREAS, all periods of redemption have expired;

NOW, THEREFORE, I, Stan Hilkey, Sheriff of Mesa County, Colorado, confirm the sale and sell and convey to Grantee the following described real property located in Mesa County, Colorado:

**Lot 6 of Pepper Tree Filing No. 4, County of Mesa, State of Colorado,
also known as TBD W. Indian Creek, Grand Junction, CO 81501**

Stan Hilkey, Sheriff, Mesa County, Colorado



By: Terry R. Bridge, Sergeant

General Project Report- Preliminary Final Plan

Presley Avenue -2943-071-17-007(South end of West Indian Creek Drive)

Grand Junction, Colorado

Date: December 28, 2018

Prepared by: Kim Kerk, PM

Submitted to: City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Project: Preliminary/ Final Subdivision Application

Property Address: Presley Ave (South end of West Indian Creek Drive)

Tax Schedule No.: 2943-071-17-007

Introduction:

Pepper Ridge Townhomes subdivision contains approximately 3.32 +/- acres. Proposed development of the site shall consist of one phase containing a total of 25 single-family attached dwelling units/lots for a finished density of 7.55 dwelling units to the acre.

Property Locations/Zonings and Legal

The property is located on W. Indian Creek Dr. and connects to Presley Ave. at the South end of w. Indian Creek Drive, Grand Junction, CO, parcel is 2943-071-17-007. The zoning for this property is R-8 (Residential – 8du/ac).

Petitioners Intent:

The developer proposes of 25 single-family attached dwelling units/lots.

Development Schedule and Phasing:

Initial construction of infrastructure is anticipated to begin immediately following final approval of the project in one filing.

Current Use/Site Characteristics:

Currently the property is vacant and has not been occupied or used for many years.

Zoning Review and Criteria: Impacts:

➤ **Neighborhood Impact:**

We will ensure that the existing services to adjacent properties continue and are not disturbed or negatively impacted. All contractors will be instructed to follow Best Management Practices during all phases of construction.

➤ **Domestic Water Impact:**

The provider for domestic water service in this area is Ute Water Conservancy District.

➤ **Drainage Impacts:**

The developer is working directly with the Grand Valley Drainage District and the City of GJ to provide for on-site runoff collection and conveyance in accordance with the Storm water Management Manual (SWMM) and applicable state and federal laws.

➤ **Fire Protection Impact:**

The service provider for fire protection in this area is the Grand Junction Fire Department. Fire hydrants shall be placed and have fire flow capabilities in accordance with the City's ordinances.

➤ **Flood Hazard Impact**

There are no mapped FEMA flood hazards in or near the proposed project area. In addition, based on requirements from the City of Grand Junction the peak 100-year discharge from developed conditions will be less than the historic conditions. Therefore, this subdivision will not create a flood hazard.

➤ **Historic Preservation Impact:**

No structures requiring preservation in accordance with City Standards exist on the site.

➤ **Irrigation Impact:**

Upon further design of the proposed subdivision the irrigation system and its maintenance shall be an integral part of the project. We will ensure that the existing irrigation service to adjacent properties continue and are not disturbed or negatively impacted.

➤ **Natural Features and Environmental Protection Impacts:**

The site does not contain natural features or environmental resources.

➤ **Noise, Dust & Odor Impacts:**

It is the intent of the developer/builder to limit the amount of unnecessary work which would pose a threat or be offensive to occupants of adjacent properties by reason of emission of noise, vibration, dust, smoke, odor or particulate matter, toxic or noxious materials.

➤ **Public Facilities Impacts:**

The impact on public facilities (i.e. schools, fire, police, roads, parks, etc...) will be minimal given the size of this development and considering that the project is proposed to develop within the density allowed by existing zoning and the recommendations of the Growth Plan.

➤ **Sewer Impacts:**

All lots will be served by a sewer system connected to Persigo Wastewater Treatment Facility and serviced by city sewer.

➤ **Soils Impacts:**

The Natural Resources Conservation Service identifies 2 types of soils which are identified in the Drainage Report and are all typical of the vicinity.

➤ **Transportation and Traffic:**

The existing West Indian Creek Dr. is proposed to extend into the project, continuing south to connect with Presley Ave. All streets will be constructed in conformance with current City of Grand Junction standards and specifications.

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: June 11, 2018
Project Name: Pepper Ridge
Project Street Address: None assigned
Assessor's Tax Parcel Number: 2943-071-17-007
Project Owner Name: Ronald D. Vincent
City or County project file #: None assigned yet
Name of Water Purveyor: Ute Water Conservancy

Applicant Name/Phone Number: Paul Johnson 970-210-5555
Applicant E-mail: pj88@outlook.com

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be 2,000 square feet.
 - b. All dwelling units will ☐, will not ☒ include an approved automatic sprinkler system.Comments: _____
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:

 - b. List each building that will be provided with an approved fire sprinkler system:

3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):
1,000 g.p.m. @ 20 p.s.i.
Comments: _____

Note:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴. Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: Ute Clifton Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:
See the attached map.

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:

See the attached flow test results.

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: _____

Print Name and Title of Water Supplier Employee completing this Form:

Robert Yates - Fire Hydrants Division

Date: June 13, 2018

Contact phone/E-mail of Water Supplier: hydrant@utewater.org (970) 256-2882

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

Fire Flow Hydrant Master With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Page: 1



Company Name: Ute Water Conservancy District
Address: 2190 H 1/4 Rd
City: Grand Junction
State: Colorado
Zip: 81505

Test Date: 6/13/18 9:30 am

NFPA Classification:

Blue	AA
5423.50	

Work Order: 730
Operator: Robert/Dusty

Test did not reach recommended drop of 25% per NFPA 291

Test Hydrant: 3328
Address: 2882 1/2 CASCADE AVE
Cross Street: _____
Location: _____
District: _____
Sub-Division: BELHAVEN SUB

Latitude: 714642.42
Longitude: 4329740.891
Elevation: 4676.92
State X / Y: _____ / _____

Pumpers:

Nozzles:

Open Dir:

Manuf: Mueller
Model: Centurion 5 1/4

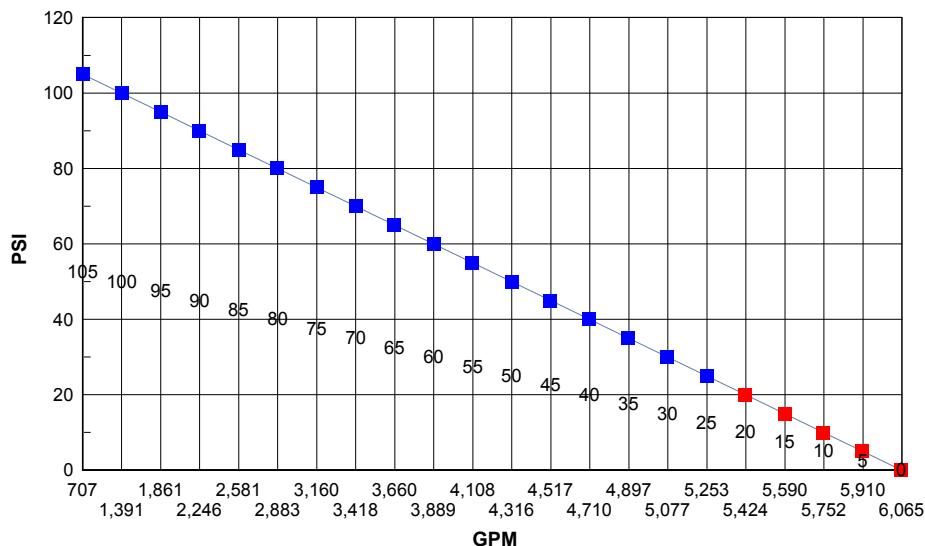
Installed: 01/01/2005
Main Size: 0.00

Vandal Proof:
Bury Depth: 0.00

	<u>Flow Hydrant</u>	<u>Flow Device</u>	<u>Diameter</u>	<u>GPM</u>	<u>Gallon Used</u>
1:	3329	2.5" Hose Monster	2.50	1390.89	6954.44
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 68.00	Total Gallons Used: 6954.44
Static PSI: 107.00	Max GPM during test: 1,390.89
Residual PSI: 100.00	Elapsed Time Min:Sec: 5 : 0
Percent Drop: 6.54	Predicted GPM @ 20 PSI: 5423.50

3328 Flow GPM



GPM rounded to nearest gallon

Values inside grid below flow line are PSI @ predicted flow



Attendees: 10 neighbors, 2 Reps from Kerk Land Consulting & Development and 1 city planner

Concern around more traffic on Presley ave, about 50 more cars.

5 units, highly concentrated, highly concerned.

40 feet of grass and shrubs.

Common area landscape.

Process with city, approval process in beginning and city checks again at the end of the process, check and balances between city and developer.

Neighbors cannot control. How do we slow down traffic on Presley, people speed now?

Transportation dept will look at speed limit.

Neighbors has 7 little kids that play in the street.

Impact to legends walking path.

Dispute connectivity to existing subdivision.

Zoning is r8, 8 dwelling per acre, same as legends, number proposed meets standards.

Neighbor concerned that the townhouses will decrease property value.

Single level now, if two story it will still single family.

What is the demographic of Bellhaven? Demographics is a mixture of people.

Same mixture as Bellhaven, retirees, young professionals.

Detention pond will be an access to collect water.

Will you connect with existing pond?

Where will you get irrigation water? We have irrigation shares now.

Who does neighbor speak to about more greenery, less townhomes or other options?

Graff had 45 lots but decreased to 30, neighbors like it.

Neighbors want more greenspace on property.

Where is the church? Other side of Bellhaven.

Where is guest parking? One in garage, one in driveway and one on street, street is 44 feet wide.

Presley is 52-foot, major residential street.

Sidewalls will be in townhomes.

Neighbors are not happy about development.

How do they petition to say no to the development? The odds are that Presley Ave will not remain a dead end.

Application submitted, card in the mail, Scott will forward to respective agencies.

Is anything changing on Indian Creek drive? No, it is done.

Who do they contact on building being to close? Neighbors understand they will contact Scott person with complaints.

Mature trees in legends, what landscape in Pepper Ridge? Mandatory number of trees with a combination of other shrubs and such. 20-yard front yard setback. Sidewalks on both sides of the streets.

What is common ground? It is HOA land.

Why is wall curved? It will be acted.

Does the city required streets to be paved so it does not track mud? Scott says yes.

Drainage from legends, tell neighbors to call Ron (owner).

Pepper Ridge

[illegible]

City of Grand Junction

Review Comments

Date: February 19, 2019 **Comment Round No.** 1 **Page No.** 1 of 15
Project Name: Pepper Ridge Subdivision **File No:** SUB-2019-3
Project Location: South end of W Indian Creek Drive

Check appropriate ☒ **if comments were mailed, emailed, and/or picked up.**

Property Owner(s): Dr. Ronald Vincent

Mailing Address: 498 Kings Point Drive, Camdenton, MO 65020

Email: **Telephone:** (970) 640-9372

Date Picked Up: **Signature:** _____

Representative(s): Land Consulting & Development LLC – Attn: Kim Kerk

Mailing Address: 529 25 ½ Road, Suite B108, Grand Junction, CO 81505-7185

☒ **Email:** Kimk355@outlook.com **Telephone:** (970) 640-6913

Date Picked Up: **Signature:** _____

Developer(s):

Mailing Address:

Email: **Telephone:**

Date Picked Up: **Signature:** _____

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner

Email: scottp@gjcity.org **Telephone:** (970) 244-1447

Dev. Engineer: Jarrod Whelan

Email: jarrodw@gjcity.org **Telephone:** (970) 244-1443

City of Grand Junction

REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Request is for a Preliminary/Final Subdivision Plan review in order to develop 25 single-family attached dwelling units/lots within a total of four (4) buildings and two (2) homeowner's association tracts of land, to be developed in one filing all on 3.31 +/- acres in an existing R-8 (Residential – 8 du/ac) zoning district (Lot 6, Pepper Tree Filing No. 4). Comprehensive Plan Future Land Use Map identifies this area as Residential Medium High (8 – 16 du/ac). Proposed residential density for the subdivision will be 7.55 dwelling units to the acre. No additional response required.
2. Site Plan (Sheet C-4):
 - a. FYI. Minimum lot size, lot width and lot frontage requirements for the R-8 zone district do not apply to multi-family dwelling units (3 or more units attached in one building), which this application is proposing (Section 21.03.040 (g) of the Zoning & Development Code). No additional response required.
 - b. FYI. There is no required side yard building setback for attached dwelling units (Section 21.03.050 (a) (1) of the Zoning and Development Code). Therefore, for the R-8 zone district, minimum building setbacks are 20' Front and 10' Rear. Please design house plans accordingly. Will

proposed building footprints meet applicable front and rear yard building setbacks (20' Front & 10' Rear) in relation to the proposed property lines?

Applicant's Response: House Plans will be designed accordingly. Setbacks have been added and labeled on the Site Plan for reference.

Document Reference: Site Plan, Sheet C-4.

c. Off-Street Parking Requirements: Minimum 2 off-street parking spaces required per dwelling unit.

Applicant's Response: Noted.

d. What are proposed fencing restrictions for the subdivision? Is applicant/developer providing a subdivision perimeter fence around the subdivision perimeter or are individual lot owners going to be allowed to construct fences within their own property lines? Please address fencing restrictions further and if all fences are required to be uniform in appearance. If providing a subdivision HOA perimeter fence, please identify locations on Site Plan.

e. See Review Comment #5 a. and revise as applicable.

f. See Review Comment #7 a. and revise as applicable.

Code Reference: V-22 of the SSIDS Manual.

Applicant's Response: There will be no perimeter HOA fencing; only individual back yard lots using white vinyl fencing.

Document Reference: N.A.

3. Subdivision Plat:

a. See City Surveyor and City Development Engineer review comments and revise as applicable.

b. Shouldn't the name of the subdivision plat be Pepper Ridge Subdivision, instead of Pepper Tree, Filing No. 5? Please verify correct name with Applicant's Representative.

Applicant's Response: Subdivision name has been revised to Pepper Ridge Subdivision.

Document Reference: Subdivision Plat, Sheets 1 & 2.

c. On Sheet 1, in the Easements by Separate Document Block, delete reference to Book 1389, Page 83, since this easement vacates automatically with the recording of the Pepper Ridge Subdivision plat. See Review Comment #4. e. for additional information.

Applicant's Response: Revised per comment.

Document Reference: Subdivision Plat, Sheet 1.

d. In the Dedication Block, the proposed All Utility Easements paragraph is not the correct language. Please revise to the Model Dedication language as identified on the City's website.

Applicant's Response: Revised per comment

Document Reference: Subdivision Plat, Sheet 1.

f. In the Dedication Block, the proposed All Multi-Purpose Easements paragraph is not the correct language. Please revise to the Model Dedication language as identified on the City's website.

Applicant's Response: Revised per comment.

Document Reference: Subdivision Plat, Sheet 1.

g. In the Dedication Block, the Tracts A & B paragraph, the correct name of the HOA should be Pepper Ridge Town Homes Owners Association, Inc. Revise paragraph as necessary.

Applicant's Response: Revised per comment.

Document Reference: Subdivision Plat, Sheet 1.

h. On Sheet 2, label the recording Reception Number for the existing 5' and 10' Drainage Easements located along the east and west property lines that are not being vacated.

Applicant's Response: Labels have been added as requested.

Document Reference: Subdivision Plat, Sheet 2.

i. FYI. On Sheet 1, Dedication Block language wording will be reviewed again in Round 2 for compliance once requested changes are made to the plat.

Code Reference: V-15 of the SSIDS Manual.

Applicant's Response: Noted.

:

4. Easement & Right-of-Way Vacations:

PUBLIC EASEMENTS

FYI. For the existing 20' Sanitary Sewer Easement(s) as identified within Book 1384, Pages 473 & 474, will be conditionally approved for vacation since this sewer line is currently in service, on the condition that a new sanitary sewer line is installed and in service within the new right-of-way.

Applicant's Response: Noted.

a. Sanitary Sewer Easement as described in Book 1384, Page 473 is a public easement and will need to be vacated with review and approval required from the both the Planning Commission and City Council. Please submit legal description and map exhibit of easement for review in preparation for City Resolution.

Applicant's Response: Easement vacation documents have been prepared and provided.

Document Reference: Legal Description and Exhibit.

b. Sanitary Sewer Easement as described in Book 1384, Page 474 is a public easement and will need to be vacated with review and approval required from the both the Planning Commission and City Council. City Surveyor has reviewed the submitted legal description and map exhibit of easement vacation and is requesting revisions. See attached for requested changes and resubmit for review in preparation for City Vacation Resolution.

Applicant's Response: Revisions made per comments.

Document Reference: Easement vacation documents.

c. Utility & Drainage Easement as described in Book 1385, Page 731 is a public easement and will need to be vacated with review and approval required from the both the Planning Commission and City Council. City Surveyor has reviewed the submitted legal description and map exhibit of easement vacation and is requesting revisions. See attached for requested changes and resubmit for review in preparation for City Vacation Resolution.

Applicant's Response: Revisions made per comments.

Document Reference: Easement vacation documents.

d. Utility & Drainage Easement as described in Book 1385, Page 732 is a public easement and will need to be vacated with review and approval required from the both the Planning Commission and City Council. Please submit legal description and map exhibit of easement for review in preparation for City Resolution.

Applicant's Response: Revisions made per comments.

Document Reference: Easement vacation documents.

e. FYI. Temporary Turn-Around Easement as described in Book 1389, Page 83 terminates and vacates automatically with the filing of the proposed Pepper Ridge Subdivision and therefore does not need to be formally reviewed by Planning Commission or City Council.

Applicant's Response: Noted.

f. City Surveyor has reviewed and approved submitted metes/bound legal description and map exhibit of the right-of-way vacation for that portion of West Indian Creek Drive. Submit legal description in a WORD document so that City Project Manager can prepare ROW Vacation Ordinance in preparation for both Planning Commission and City Council review and approval.

Applicant's Response: A word document has been provided.

Document Reference: Word document file.

PRIVATE EASEMENTS

g. It appears that the easement as identified within Book 2793, Page 125 for utilities and ingress/egress to those utilities was granted for the property now known as Legends East Subdivision. Please address if this utility easement still serves the Legends East development or if the 14' Multi-Purpose Easement within Legends East and the proposed Pepper Ridge Subdivision satisfies the purpose of this easement? Does this easement need to be officially vacated?

Applicant's Response: The access easement for the Legends East Development was previously investigated but the owner was not able to be tracked down, thus making vacating the

easement much more difficult. The 22' wide easement ends up being on the same line as the proposed 14' Multi-Purpose Easement (since another 8' of ROW is being dedicated from the property boundary) such that the easement is really no longer necessary since it is covered by the new 14' MPE. It is our understanding that this easement originated from when Presley Avenue did not extend ROW all the way to the east to the Legends East Development; making the 22' Access Easement necessary. Since the Presley Avenue ROW now goes all the way to the east, it would seem that this easement is no longer required (along with the fact that the easement would make up the same area as the proposed 14' MPE). This was brought to the City's attention and the City Attorney was going to make a decision on how to deal with vacating the easement.

Document Reference: **Subdivision Plat.**

h. City Surveyor has reviewed and approved submitted metes/bounds legal description and map exhibit for proposed 10' Drainage Easement vacation as identified within Plat Book 17, Page 120. Please have applicant's attorney prepare vacation document for appropriate signatures from HOA Board of Pepper Tree Subdivision to relinquish their interest in this easement and submit for formal review and approval in conjunction with recording of subdivision plat

Applicant's Response: **Attached vacation document**

Document Reference:

i. Applicant shall be responsible for all applicable recording fees for both public and private easement vacations.

Code Reference: Section 21.02.100 of the Zoning & Development Code.

Applicant's Response: **Noted.**

5. Landscaping Requirements:

a. Label location of required 6' tall masonry wall or solid fence adjacent to Presley Avenue (Minor Collector). Proposed enclosure must be setback a minimum of 14' within the HOA tract (Section 21.06.040 (g) (1) & (5) of the Zoning and Development Code) and located outside of sight triangles. Include elevation drawing.

Applicant's Response: **6' solid Fence is shown**

Document Reference: **Landscaping**

b. FYI. At time of subdivision infrastructure initial acceptance, Licensed Landscape Architect shall provide a letter to the City Project Manager stating that all landscaping was installed per the approved Landscaping Plan.

Code Reference: Section 21.06.040 of the Zoning & Development Code & V-10 of the SSIDS Manual.

Applicant's Response: **Noted.**

6. Building Elevations/Floor Plans:

Submitted building elevations and floor plans are from 2010. When applicant is further along in the design process for the proposed homes, submit revised building elevations and floor plans for review to verify front and rear yard setbacks in the relation to the proposed property lines and overall building height, etc.

Code Reference: V-4 of the SSIDS Manual.

Applicant's Response: **Noted**

Document Reference:

7. Conveyance Document(s) & CCR's:

a. CCR's: Article 1, Section 3 "Common Element" and Article 5 H., both reference "parking facilities" "overflow parking" & "Common Parking Area" however, no such off-street parking area is identified on the Site Plan. Please address further for clarification.

Applicant's Response: **Revised CC&Rs attached**

Document Reference:

b. Submit proposed Warranty Deed for review and approval that dedicates the proposed Tracts of land to the HOA.

Code Reference: IV-2 of the SSIDS Manual.

Applicant's Response: Warranty deed Attached

Document Reference:

8. Revocable Permit:

City Surveyor has reviewed and approved submitted metes bounds legal description(s) and map exhibit(s) for proposed Revocable Permit for private irrigation lines(s) that cross the right-of-way line of West Indian Creek Drive. Submit legal description(s) in a WORD document so that City Project Manager can prepare Revocable Permit document in preparation for Permit issuance. Applicant's surveyor will also need to sign and stamp proposed map exhibits. FYI. The Planning Director may approve a Revocable Permit for irrigation in public rights-of-way in-lieu of City Council. Applicant will be responsible for all recording fees.

Code Reference: Section 21.02.180 (d) (2) (i) of the Zoning and Development Code.

Applicant's Response: Word Docs of the revocable permits have been completed and are attached with the resubmittal.

Document Reference: Revocable Permit North.doc & Revocable Permit South.doc

9. Fees:

a. City Park Fee: \$5,625.00 (25 lots/dwelling unit x \$225 per lot/dwelling unit payable at time of subdivision plat recording).

b. City Open Space Fee: \$14,600.00 (10% of the value of the raw land – appraised at \$146,000) payable at time of final subdivision plat recording. Senior City Staff Attorney has reviewed and approved submitted MAI Appraisal Report.

c. School Impact Fee: \$920 per dwelling unit payable at time of Planning Clearance issuance.

d. Recording Fees: Required at time of Final Subdivision Plat and associated documents recording. Unknown fees at this time.

e. Plant Investment Fees: Contact City Customer Service Division for sewer tap fees payable at time of Planning Clearance issuance. Contact Ute Water Conservancy District for water tap fees payable at time of Planning Clearance issuance.

Code Reference: Section 21.06.020 and 030 of the Zoning and Development Code.

Applicant's Response: Noted. Fees will be paid at applicable times.

10. Public Correspondence Received:

City Project Manager has received one letter from the public concerning the proposed application. I have included this attachment for the applicant's information and file.

Applicant's Response: Noted

Document Reference:

CITY DEVELOPMENT ENGINEER

FEES

Review Comment: Transportation Capacity Payment (TCP) – To be determined and collected at the time of planning clearance for individual building permits. Multi-Family current TCP Fee is \$2,554 per lot
TCP Fee: 25 Lots * \$2,554 /Lot = \$63,850

Inspection Fee – 25 SF residential units x \$110/unit = \$2,750

Applicant's Response: Noted. Fees will be paid at time of Planning Clearance.

GENERAL

Review Comment: For clarity and expediting further plan reviews, please Refer to the “City’s Submittal Standards for Improvements and Development” (SSID) manual, Zoning and Development Code, Stormwater Management Manual (SWMM) and Standard Contract Documents.

These manuals will have information about the application checklist, General Submittal Requirements, and Drawing and Graphic Standards for Site, Streets, Grading, Storm Drain, and Composite Utility Plans.

These codes can be found at:

<https://www.codepublishing.com/CO/GrandJunction/>

and

<http://www.gjcity.org/residents/Community-Development/>

and

<http://www.gjcity.org/residents/engineering/manualspermits/>

Applicant’s Response: **Noted.**

Document Reference: **SSID Manual.**

Review Comment: General Profile Views (All Applicable Sheets):

Include all curb return elevations, including BCR, $\frac{1}{4}$, $\frac{1}{2}$, $\frac{3}{4}$, and ECR in profile. Stationing/Dimensioning shall read as, “Length on Curve”

Applicant’s Response: **Elevation and labeling has been added where applicable to the profile. The profile view does gets cluttered when adding additional flowline stationing beyond the typical section (south of ECR STA:10+94.50), so elevations and slopes on the curb return itself is better shown on the added Ramp Grading Details. As W. Indian Creek Dr. narrows at the north end, the profile shows/labels where the typical section ends and gives elevations of the various PC/PRC/PT along the flowlines. The lengths of all the curves have been included on data tables rather than cluttering the profile view.**

Document Reference: **W. Indian Creek Plan & Profiles, Sheets C-9 and C-10.**

Labeling shall include Station Equations, i.e. STA X+XX.XX Street ‘A’ = STA X+XX.XX Street ‘B’.

Applicant’s Response: **Labeling has been added, as requested. All of the street P&P’s call out specifically which alignment their stationing belongs to (either STREET #1 or STREET #2). The utility profile sheets now include an equivalent station to STREET #1 where applicable.**

Document Reference: **Sheets C-9, C-10, C-11, C-12, C-14.**

Show all utility crossings (sewer, storm drain, water, etc.) with dimensions from Top of Pipe to Bottom of Pipe AND Top of Pipe to Finish Surface.

Applicant’s Response: **Utility crossing have been labeled/dimensioned as requested.**

Document Reference: **Sheets C-9, C-10, C-11, C-12, C-13, C-14, C-15., C-16., C-17.**

Review Comment: Per SSID's, show grades/dimensions at all points of curvature, angle, tangency, grade breaks and changes, swales, walkways, channels, pipes, inlets, and other primary features, and also existing grades at tie-in locations. Provide grades noted as TC/FL, FS, FG, TG, INV, etc....

Also, be mindful of overlapping text and linework.

Applicant's Response: **Additional spot elevations, stations, etc. have been added as requested.**

Document Reference: **All Construction Document Sheets.**

PLANS

Review Comment: C1:

Add utility providers and contact information box, e.g.:

Xcel Energy.....

Grand Valley Power.....

Ute Water.....

Charter/Spectrum.....

City of GJ Development Inspector: Mark Barslund @ 201-1362

5-2-1 Drainage Authority Representative: Mark Barslund @ 201-1362

Public Works Director: Trent Prall @ 256-4047

Utilities Director: Randi Kim @ 244-1429

Applicant's Response: **Utility and City Contact information has been added.**

Document Reference: **Cover Sheet, Sheet C-1.**

Review Comment: C2:

Under 'General Construction Notes,' please add the following as note #1:

"CONTRACTOR SHALL CONTRACT MARK BARSLUND, CITY OF GRAND JUNCTION'S DEVELOPMENT INSPECTOR AND 5-2-1 DRAINAGE AUTHORITY REPRESENTATIVE, AT (970) 201-1362, A MINIMUM OF 72 HOURS IN ADVANCE, FOR A PRE-CONSTRUCTION MEETING PRIOR TO BEGINNING WORK." **Acknowledged**

Applicant's Response: **Note has been added to plan as requested.**

Document Reference: **Notes and Legends Sheet, Sheet C-2.**

Review Comment: C4:

Provide dimensions or a 'Line and Curve' table for dimension not listed on Site Plan, such as the Presley Ave. frontage Right-of-Way length, Lot dimensions 10, 11, and 21 through 25.

Applicant's Response: **A curve table and additional dimensions have been added as requested.**

Document Reference: **Site Plan, Sheet C-4.**

Review Comment: C5:

If all lots are Grading B, then change text too read "Typical, All Lots Type "B" Grading" to avoid confusion with the possibility of a Type "A" Grading.

Applicant's Response: **The text has been changed as all lots will be Type 'B'.**

Document Reference: **Grading Plan, Sheet C-5.**

Engineer shall provide a detailed cross-section of the drainage paths for both Tracts A and B. Minimum slope shall be per SWMM based on land coverage, i.e. grass swales, drought tolerant shrubs, etc. Clearly define these swales or channels on Grading Plan.

Applicant's Response: Sections for the swales in Tract A & B have been added to the drainage calculations. Per Section 808.1 of the SWMM, the minimum slope for grass-lined channels is 0.5%, which is met. The swales are clearly labeled on the plan with slopes also called out.

Document Reference: Grading Plan, Sheet C-5. Final Drainage Report.

Tract A drainage path between lots 5 & 6 transitions to a concrete v-pan. Explain how the HOA can minimize undermining the drainage system where the north and south concentrated flows confluence.

Applicant's Response: Where the concrete trickle pan begins, a cut-off wall will be constructed/attached to the pan to prevent undercutting. Detail has been added to Details Sheet C-19.

Document Reference: Details, Sheet C-19.

Typical Section 'A':

Stormwater Elevations in Typical Section 'A' are incorrect. Per SWMM 28.16.150 *Technical criteria– Design Storm Events*, the 10-Year Detention design volume is the 10-year detention volume plus the WQCV; they are not 3 independent values. The 100-Year is the design volume without adding the WQCV. Revise as needed.

Applicant's Response: It is correct that the 10-year storm volume is a total of the 10-year volume plus the WQCV while the 100-year volume does not include the WQCV - these calcs are shown in the Drainage Report. The purpose of the typical section is to show at what water surface elevations these 3 design volumes (WQCV, 10-year and 100-year) are met, regardless of how the volumes are computed. As shown in the Drainage Report calculations, the 3 design volumes are achieved at 3 distinct depths which is what is reflected correctly on the section detail. For clarity, however, the detail has been revised to call out the 10-year WSL as "10-YR + WQCV".

Document Reference: Grading Plan, Sheet C-5.

In this typical section, on the west side, please indicate if the 1-foot freeboard is before the proposed lot line or beyond. The 1-foot freeboard shall be within the property line (east) and the Lot line (west).

Applicant's Response: For the typical section, the 1-foot freeboard elevation is right at the proposed lot line. The detail has been modified to better reflect this. Additionally, the spot elevations in the plan view call out elevations of 72.00 on the property corners.

Document Reference: Grading Plan, Sheet C5.

The typical section states to see detail for 2-foot v-pan. Where is the detail? Add to this detail to the sheet or add text, "See Page XX."

Applicant's Response: The detail is provided on Sheet C-19 and have now been noted.

Document Reference: Sheet C-5 and Sheet C-19.

Review Comment: C6:

After April 1, 2019, 5-2-1 will operate under the new State permit. Review and revise notes as needed to reflect changes.

Applicant's Response: The General SWMP Notes on Sheet C-6 have been updated to reflect the 5-2-1 Drainage Authority as the local jurisdiction and any other changes.

Document Reference: SWMP, Sheet C-6.

Review Comment: C7:

Irrigation pipes inside City Right-of-Way shall be placed within a sleeve.

Irrigation line along Presley Ave. shall be placed within a 5-foot easement located behind MPE.

Applicant's Response: The irrigation line sleeves have been labeled and shown to extend to the limits of the ROW. The 5' Irrigation Easement has been determined to not be necessary.

Document Reference: Irrigation Plan, Sheet C-8.

Review Comment: C8: See previous comments on irr. Plan

Is there an overflow outlet planned at the pump house to drain into the basin?

Applicant's Response: This detail has yet to be determined. The pump house and irrigation system details shall be design by others at a later time.

Document Reference: Irrigation Plan, Sheet C-8.

Review Comment: C9 & C10:

The next two comments are in regard to the Geotechnical Engineer's recommendations and suggestions. Given the state of the existing infrastructure, particularly the streets, the City needs to be assured that the best available options are adhered to in order to maximize the useful life of our streets.

Geotechnical engineer recommends a geo-grid. Per their report, please provide a product and its cut-sheets to the City for approval of the road section design. Engineer of Record is encouraged to discuss the road section options with Geotechnical Engineer.

Applicant's Response: A note on the pavement section discusses the geotech's requirement for stabilization in the form of gravel subgrade and/or a geo-grid. The exact use/methods are said in the Geotech Report to be determined by specific site conditions at the time of construction. The geotech engineer has provided a cut sheet of the exact geo-grid product mentioned in his report.

Document Reference: Details Sheet, Sheet C-19. Included cut sheet.

Add note on plan, "Geotechnical engineer, or a qualified geo-technician under his supervision, shall be retained to provide engineering services during construction of the foundation, excavations, and earthwork phases of the work."

Applicant's Response: This note has been added to the Grading Plan as well as the Detail Sheet where the pavement section is shown.

Document Reference: Grading Plan, Sheet C-5 & Details Sheet, Sheet C-19.

Catch basin is flow-by design is not allowed, a low point must be designed at the inlets. Show flowlines at the catch basins on Profile View.

Applicant's Response: **Due to grading constraints and cover over the storm pipe, making the south inlets in sump condition is not possible; however, there will be no by-pass flow at these inlets. The inlet capacities, even on a continuous grade, are reflected in Figures from the Mesa County SWMM that have been added to the Drainage Report, and will adequately capture the full runoff directed to the inlets during both the minor and major storms.**

Document Reference: **Final Drainage Report. W. Indian Creek Plan & Profile, Sheet C-9.**

Add Curb Return/Ramps elevations and grades on all ramps. Review IBC for ADA requirements. Clean up text and linework overlap at curb return.

Applicant's Response: **A blow up detail of the area of each of the pedestrian ramps at W. Indian Creek Dr. and Presley Ave. has been added to the the Street Profile Sheet to better show all spot elevation and slopes of the ramp areas.**

Document Reference: **W. Indian Creek Plan & Profile, Sheet C-9.**

Flowline elevations are inconsistent with typical section on page C4. If I have read the profile labels correctly, flowline differ from centerline -0.29 feet to -0.91 feet such that at every 25 feet the flowline differed. Remain consistent, keep 2% cross-slope (horizontal curves with exceptions) and a minimum of 0.5% running slope on concrete surfaces.

Applicant's Response: **Flowline elevations (as labeled every 25' in the profile view) are now consistent over the typical section with a 0.47' difference between the proposed CL grade and the Curb Right/Left FL Grade. Sections of the roadway (where the roadway section narrows or where the curbflowline grading is changed at the sag curve to provide a min. 0.50% flowline grade) are labeled in the profile view where the 0.47' difference for the section is not typical.**

Document Reference: **W. Indian Creek Plan & Profile Sheets, C-9 and C-10.**

Add note on profile, "Flowline Shall be a minimum 0.47-feet below Centerline." (14-feet at 2%, Edge of Pavement 0.06-feet above gutter lip, 0.13-feet to flowline) Per Standard Contract Documents, Our street standard mandates an AC lip of ½-inch to 1-inch above gutter.

Applicant's Response: **This note has been added to the General Notes on the sheet.**

Document Reference: **W. Indian Creek Plan & Profile Sheets, C-9 and C-10.**

Show and label the Utility sleeve in plan and profile.

Shade, or turn off, utilities on Street Improvement Plan. It makes the sheet too busy.

Applicant's Response: **The irrigation sleeves have been added to the Plan and Profiles and utility layers have been turned off to de-clutter the sheets.**

Document Reference: **W. Indian Creek Plan & Profiles, Sheets C-9 & C-10.**

Review Comment: C11:

Is there an angle point designed at 10+00 to 10+10, give or take?

Applicant's Response: **Yes, there is an angle point at STA. 10+00 where we are matching the existing curb. This is done so that the back of sidewalk will stay constant. A line table for the curb line has been added to the plan.**

Document Reference: **Street Plan and Profile, Sheet C-11.**

MPE layer is turned off and leader is pointing to nothing.

Applicant's Response: **The layer has been turned on.**

Document Reference: **Street Plan and Profile, Sheet C-11.**

What significant feature do these cross-sections represent?

Applicant's Response: **The cross-sections are included to show the varying cross slope and for a better visual representation of how we intend to match the existing elevations at what will become the new road centerline.**

Document Reference: **Street Plan and Profile, Sheet C-11.**

Indicate on plan where the stationing is measured from, e.g. is it the flowline or top of curb?

Applicant's Response: **The alignment and stationing is based on the north curb flowline. A note has been added to the plans below the Data Table.**

Document Reference: **Street Plan and Profile, Sheet C-11.**

Show Centerline profile, also.

Applicant's Response: **The existing street centerline profile has been added and labeled on the profile view.**

Document Reference: **Street Plan and Profile, Sheet C-11.**

Review Comment: C12 & 13:

Manhole MH-04: There is too much clutter to see where the "new" centerline is located, but MH-04 seem *way out of sorts* here. Turn on centerline layer, shade, make dashed, or drop-back all existing line work for streets, utility, and property line, and place the manhole in the appropriate location. Sewer line shall be placed on Centerline, per SCD Std. GU-02; along horizontal curves, the sewer may be placed at PC and PT (making the sewer the chord) if minimum spacing is met between the waterline, otherwise a manhole at or near the $\frac{1}{2}$ -Delta may be required.

Applicant's Response: **Layers have been turned off or grey-scaled back to make for better readability. Manholes MH-04 and MH-03 have moved to centerline of street to best allow the water main at 10' offset space away from the gutter lip. Manhole drops rechecked for 0.20 ft drop.**

Document Reference: **Sewer Plan and Profile, Sheet C-13.**

Per City of Grand Junction's Standard Contract Documents for Capital Improvement Construction, 103.10 Cutoff Walls: Cutoff walls shall be installed along every utility line to inhibit the movement of ground water through the screened rock bedding. On gravity flow lines, cutoff walls shall be installed on every line, 10 to 20 feet upstream of every manhole or box. Show and Label, accordingly, in plan and profile.

There shall be at least 0.20 ft. of elevation difference across the manhole's inlet and outlet.

Applicant's Response: **Cutoff Walls locations are shown & stationed on the plan and profiles – having adjusted their locations Section 103.10 to show them upstream of all proposed manholes.**

Manholes have a 0.20' drop across inlet and outlet elevations.
Document Reference: **Sewer Plan and Profiles, Sheets C-12 & C-13.**

Review Comment: C14 & 15:

Verify with GJFD that this meets the minimum Fire Hydrant coverage with the 1 proposed hydrant. I believe this does not. In the event that another hydrant is required, suggest placing the property line on the west side of W. Indian Creek, between Lots 6 & 7 or perhaps Tract A & Lot 6

Applicant's Response: **GJFD comment on plan review was that Fire Hydrant spacing OK.**
Document Reference: **Utility Plan, Sheet C-7.**

Waterline connection at 15+37.30 is not allowed, that should be the sewer manhole (see comment above). Relocated the connection point to Ute Water closer to the gutter line as indicated in the SCD Std. GU-02.

Applicant's Response: **Sewer has been realigned, as has the waterline. Connection to existing water line moved to STA. 15+66.44. Waterline is now closer to gutter line as requested.**

Document Reference: **Water Line Plan & Profile, Sheet C-15.**

There have been recent problems with fire hydrants set to the wrong elevation and having to be raised after the fact. Call out flange or nut elevations for all fire hydrants according to the appropriate water utility providers details. Record drawings for all hydrants is required prior to concrete placement.

Applicant's Response: **Flange elevation has been labeled at 3" above proposed grade.**
Document Reference: **Water Line Plan & Profile, Sheet C-14.**

Review Comment: C16:

Construction notes are missing from page, please add all notes that correspond to the hexagon and diamond shaped call-outs.

Applicant's Response: **Those symbols are not construction, rather, identifiers of the storm features. Hexagons denote inlets and diamonds represent the manhole designations (letters for existing and numbers for proposed). The legend on Sheet 2 identifies the symbols.**

Document Reference: **Notes & Legends, Sheet C-2.**

Add: Lot numbers and street names.

Applicant's Response: **Added Street names and Lot Numbers as requested.**
Document Reference: **Storm Sewer Plan & Profiles, Sheets C-16 & C17.**

Fade back all other utilities and irrigation lines, too cluttered. Clean-up overlapping text and linework.

Applicant's Response: **Utilities have been faded back and text masking added to clean up drawings.**

Document Reference: **Storm Sewer Plan & Profiles, Sheets C-16 & C17.**

PLAT

Review Comment: The drainage easements dedicated to the City in Tract B, along Presley Ave., shall include the limits of the Detention Basin, plus an additional 25-feet for

construction and/or maintenance. This will be the rectangular area of Tract B from Presley Ave. to about the northern property line of Lot 19.

Applicant's Response: **The drainage easement for the pond area has been added as requested.**
Document Reference: **Subdivision Plat, Sheet 2.**

Verify 10-foot drainage easement in Tract B is centered over the SD Pipe (See Engineer of Record for Base Map, Street and Utility Improvement Plans.)

Applicant's Response: **Yes, the easement is centered on the outfall storm drain pipe. The dimensions have been added.**
Document Reference: **Storm Sewer Plan & Profile, Sheet C-17.**

Review Comment: Irrigation line along Presley Ave. shall be placed within a 5-foot easement located behind MPE.

Revocable Permits: No Exceptions Taken

Applicant's Response: **I a phone discussion on 3/22/19, it was determined that an irrigation easement is not necessary since it is in Tract A & B already.**
Document Reference: **None.**

DRAINAGE REPORT

Review Comment: All detention basins and infiltration-based retention basins must be registered on the State of Colorado Stormwater Detention and Infiltration Facility portal. The design engineer must visit the website and follow the directions to register the new basin. The web portal address is:
<https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>
This must be complete and accepted prior to plan approval.

Applicant's Response: **The pond information has now been uploaded and registered.**
Document Reference: **N.A.**

Review Comment: Developer and Engineer shall sign (engineer to stamp, also) the report.
Applicant's Response: **The Developer and Engineer have stamped and signed the appropriate pages.**
Document Reference: **Final Drainage Report.**

Review Comment: Add SD pipe capacity calculations for total flows, HGL, and velocity. The SD calculations shall include the actual flows for HGL and velocity, not the flowing-full state. Maintain minimum velocity per SWMM.
Applicant's Response: **Storm flow calculations have been added to Appendix C.**
Document Reference: **Final Drainage Report.**

STORMWATER

Review Comment: Obtain the 5-2-1 permit.
Applicant's Response: **The permit will be applied for and obtained once we are closer to final approval.**
Document Reference: **None.**

GEOTECHNICAL REPORT

Review Comment: The addendum has two test pits #5, please correct.
Applicant's Response: **Capstone has modified their addendum accordingly.**
Document Reference: **Geotechnical addendum report.**

Review Comment: The Addendum states, “The following photo is of TP-3, note the under-cutting of the walls and the flowing mud into the trench.” Did you re-drill TP-3 or is this from an old photo and labeled incorrectly?

Applicant's Response: **CAPSTONE-attached addendum**

Document Reference:

Review Comment: Due to Capstone recommendations that all of the structures be founded on deep foundations; caissons, or driven piles, do you feel “engineered foundations required” be placed on the plat?

Applicant's Response: **Drexel Barrell prefers not to have such a note on the plat since it is not plat related. If it is deemed required by the City Surveyor or City Attorney, we will add the note.**

Document Reference: **Subdivision Plat, Sheet 1.**

TRANSACTION SCREEN ANALYSIS

Review Comment: No Exceptions Taken

Applicant's Response: **Thank you.**

DIA

Review Comment: Upon corrections made to plan set, revise and resubmit DIA Exhibit B for review.

Applicant's Response: **The DIA has been updated, although very little changed in regards to the actual design and quantities per these City review comments.**

Document Reference: **DIA Exhibit B.**

CITY SURVEYOR – Peter Krick – peterk@gjcity.org (970) 256-4003

Sheet 1 of 2:

1. All abbreviations appearing on the plat must be included within the Legend. This would include as an example, R.O.W., T (Township), R (Range), elev and NAVD. This is not all that appear on Sheets 1 and 2 but an example only.

Applicant's Response: **Revised per comment – use of abbreviations has been minimized.**

Document Reference: **Subdivision Plat, Sheets 1.**

2. Verify with the City Planner assigned to this project if the Drainage Easements are to be dedicated to the HOA or to the City.

Applicant's Response: **The Drainage Easements are to be dedicated to the City.**

Document Reference: **Subdivision Plat, Sheet 1 (Dedication Statement).**

3. Delete the word “blanket” in the description of the Utility Easements over Tracts “A” and “B”.

Applicant's Response: **Revised per comment**

Document Reference: **Subdivision Plat, Sheet 1.**

4. Delete the dedication language for Tracts “A” and “B” referencing the conveyance of runoff water as this language should appear within the CC&R's.

Applicant's Response: **Revised per comment**

Document Reference: **Subdivision Plat, Sheet 1.**

5. Within the Dedication, the statement should only read as: “Tracts “A” and “B” are granted (not dedicated) to the Pepper Tree Filing No. 5 Homeowners Association.

Applicant's Response: Revised per comment
Document Reference: Subdivision Plat, Sheet 1.

6. Mesa County no longer records documents of any type with a Book and Page. All recording references a Reception Number only.

Applicant's Response: Noted.

7. Easements that are to be vacated will have the recording information placed in the For City Use Box IF they will be vacated immediately prior to recording the plat.

Applicant's Response: Noted.

8. Within the Clerk and Records Certificate, use the Reception Number only, no Book and Page.

Applicant's Response: Revised per comment
Document Reference: Subdivision Plat, Sheet 1.

Sheet 2 of 2

1. ALL recorded easements, both platted and by separate recorded document, must be depicted and labeled on the plat until the vacations are recorded and made of public record. If the easements are to be vacated immediately prior to recording the plat, then the final recordable version of the plat can have the easements deleted.

Applicant's Response: Revised per comment
Document Reference: Subdivision Plat, Sheet 2.

2. All abbreviations appearing on the plat must be included within the Legend. This would include as an example, R.O.W., T (Township), R (Range), elev and NAVD. This is not all that appear on Sheets 1 and 2 but an example only.

Applicant's Response: Revised per comment – use of abbreviations has been minimized.
Document Reference: Subdivision Plat, Sheet 2.

3. Provide dimensions within West Indian Creek Drive indicating the dimensions to each side of the right of way (1/2 width dimensions).

Applicant's Response: Dimensions have been added.
Document Reference: Subdivision Plat, Sheet 2.

CITY FIRE DEPARTMENT – Steve Kollar – stevenk@gjcity.org (970) 549-5852

GJFD has no objections to the proposed subdivision.

Fire Flow. Fire flow form indicates 5423 gpm at 20 psi and is acceptable for the proposed development.

Fire Hydrants. Proposed and existing fire hydrants are accepted.

Fire Apparatus Access. Access is accepted.

Please contact Steve Kollar at the Grand Junction Fire Department at 970-549-5800 should there be any questions.

Applicant's Response: Thank you.
Document Reference:

SENIOR CITY STAFF ATTORNEY – Shelly Dackonish – shellyd@gjcity.org (970) 256-4042

1. The plat refers to two different owners – at the top of the dedications it states the owner is Ronald D. Vincent, at the bottom of the dedications and in the notary block it is stated that the owner is Abzack Investment Group LLC. Please correct and conform these.
Applicant's Response: Corrected per comment.
Document Reference: Subdivision Plat, Sheet 1.
2. Please provide for review, prior to recording, the instruments referenced in the plat notes relinquishing the various easement interests.
Applicant's Response: Revised per comment.
Document Reference: Instruments have been provided.
3. The paragraph in the dedication language referencing the right of ingress and egress to and from tracts and easements prohibits the owners from “burden or overburden”-ing of easements. The burden of the easement is by the beneficiary, not by the property owner of the servient estate. Use of the easement area by the owner of the servient estate is subject to a standard of “unreasonable interference.” Please change the verbiage from “burden or overburden” to “unreasonably interfere with” the easement rights.
Applicant's Response: Revised per comment.
Document Reference: Subdivision Plat, Sheet 1.
4. Please reference the tracts by tract name (e.g., Tract A) shown on the plat in the definition of common areas (or limited common areas, as applicable) in the CCRs.
Applicant's Response: Revised CC&Rs Document
Document Reference:
5. Since the property being platted was de-annexed from the common interest community of Pepper Tree, the plat should not be called “Pepper Tree Filing No. 5” because this creates confusion. Please rename.
Applicant's Response: The name has been revised.
Document Reference: Subdivision Plat, Sheets 1 & 2.

CITY ADDRESSING – Pat Dunlap – patd@gjcity.org (970) 256-4030

1. Pepper Ridge Subdivision is an acceptable subdivision name. Pepper Tree Filing No. 5 is also an acceptable subdivision name.
2. Addresses will be provided after final plat is recorded.
Applicant's Response: Noted, thank you.

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Building Department

Contact Name: Darrell Bay

Email / Telephone Number: Darrell.bay@mesacounty.us (970) 244-1651

MCBD has no objections to this project.

The following must be provided to our office in paper form:

The city approved Soil report, Drainage plan & TOF tabulation sheet

Applicant's Response: Noted, thank you.

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections at this time, however, depending on additional loads of development, main reinforcement may be required at developer's expense.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement.

Applicant's Response: The selected General Contractor will begin the process with Xcel as we near a construction start date.

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

- The District would propose starting the waterline construction with the wet tap connection at Presley Ave and constructing north in West Indian. Prior to the connection to the ex 8-in ac pipe, perform QA/QC (disinfection, pressure-testing) to place in-service; the connection to ac pipe can then be made without a valve. Additional 8-inch C900 pvc may be required to make proper connection to ac pipe.

Applicant's Response: Noted.

- Eliminate the tee at Presley and W Indian, show as wet tap.

Applicant's Response: The Tee has been removed and shown/labeled as a wet tap.

Document Reference: Water Line Plan & Profile Sheet, C-14.

- If the symbol at the lot line 23/22 is a power ped/trans then move the water meters to the opposite corners.

Applicant's Response: The water meters have been moved as requested.

Document Reference: Water Line Plan & Profile Sheet, C-15.

- At the connection to the ex W Indian water main show fittings/deflect joints to maintain waterline(s) 3-foot off C & G.

Applicant's Response: The Sanitary Sewer has been realigned (along street centerline) based on comments by City Engineering. This affected the alignment of the water main as well; however, the line is shown as deflected to maintain 3' off of the curb and gutter although this means that the horizontal separation with the sanitary sewer is not quite 10' in that specific area.

Document Reference: Water Line Plan & Profile Sheet, C-15.

- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

Applicant's Response: Noted.

Review Agency: 5-2-1 Drainage Authority

Contact Name: Mark Barslund

Email / Telephone Number: markb@gjcity.org (970) 256-4106

The submitted SWMP does not include BMP details.

Please submit a CSWMP in accordance with section 1500 of the Mesa County/City of Grand Junction SWMM manual. www.521drainageauthority.org

Applicant's Response: The SWMP report has been revised to include the BMP details as requested.

Review Agency: Grand Valley Water Users

Contact Name: Kevin Conrad

Email / Telephone Number: office@gvwua.com (970) 242-5065

This Subdivision is not in our service area. Grand Valley Water Users has no comments.

Applicant's Response: Noted.

Review Agency: Palisade Irrigation District

Contact Name: Dan Crabtree

Email / Telephone Number: office.palisadeirrigationdist@gmail.com (970) 464-4700

This development is within Palisade Irrigation District. It is served from a delivery off of Lateral "P-7" located at the S.E. corner of West Indian Creek Drive and Patterson Road. This delivery serves the Pepper Tree Subdivision. If irrigation water is to be provided within the new development, coordination should take place between the developer and Pepper Tree.

Applicant's Response: Noted, the developer will work on that coordination.

Review Agency: Mesa County Valley School District #51

Contact Name: Eddie Mort

Email / Telephone Number: eddie.mort@d51schools.org (970) 254-1500 Ext. 11194

We have no comments from SD51 at this time regarding the Pepper Ridge Subdivision – SUB-2019-3.

Applicant's Response: Thank you.

REVIEW AGENCIES

(Responding with "No Comment" or have not responded as of the due date)

The following Review Agencies have responded with "No Comment."

1. Bureau of Reclamation

The following Review Agencies have not responded as of the comment due date.

1. City Transportation Engineer
2. Mesa County Assessor's Office
3. United States Postal Service
4. Regional Transportation Planning Office (RTPO)

The Petitioner is required to submit electronic responses, labeled as “**Response to Comments**” for the following agencies:

1. **City Planning**
2. **City Development Engineer**
3. **City Surveyor**
4. **Senior City Staff Attorney**
5. **5-2-1 Drainage Authority**
6. **Ute Water Conservancy District**
7. **Palisade Irrigation District**

Date due: **May 19, 2019**

Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Kim Kerk

Applicant's Signature

04/25/2019

Date

A RE-SUBDIVISION OF LOT 6, PEPPER TREE FILING NO. 4 AS RECORDED IN PLAT BOOK 17 AT PAGE 120
A SUBDIVISION LOCATED IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN,
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

DEDICATION

SURVEYOR'S CERTIFICATE

TITLE CERTIFICATION

CITY OF GRAND JUNCTION APPROVAL

MAYOR

CITY MANAGER

CLERK AND RECORDERS CERTIFICATE

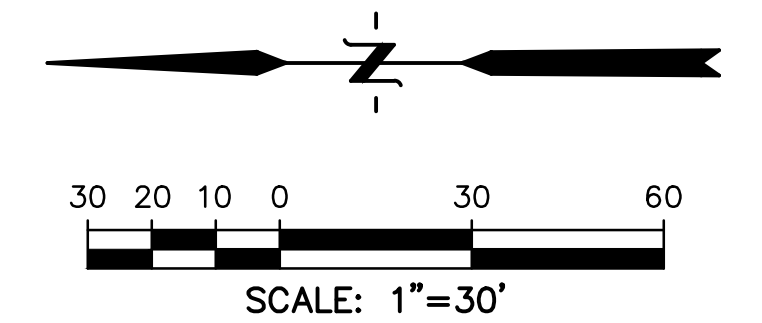
CLERK AND RECORDER BY: DEPUTY

FOR THE USE OF THE CITY OF GRAND JUNCTION

[illegible]

		Drexel, Barrell & Co. Engineers/Surveyors	
		3 SOUTH 7th STREET COLORADO SPRINGS, COLORADO 81501 719-260-0887 & BOULDER, COLORADO 3003-442-4338	
Revised:	Date	Drawn By	Job No.
	04/12/19	TT/PCO	2005-02
	Scale	Checked By	Drawing No.
	1"=30'	PCO	Pepper Tree Filing 5

A RE-SUBDIVISION OF LOT 6, PEPPER TREE FILING NO. 4 AS RECORDED IN PLAT BOOK 17 AT PAGE 120
A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 7, T1S, R1E OF THE UTE MERIDIAN,
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO
AREA = 3.320 ACRES +/-
SHEET 2 OF 2



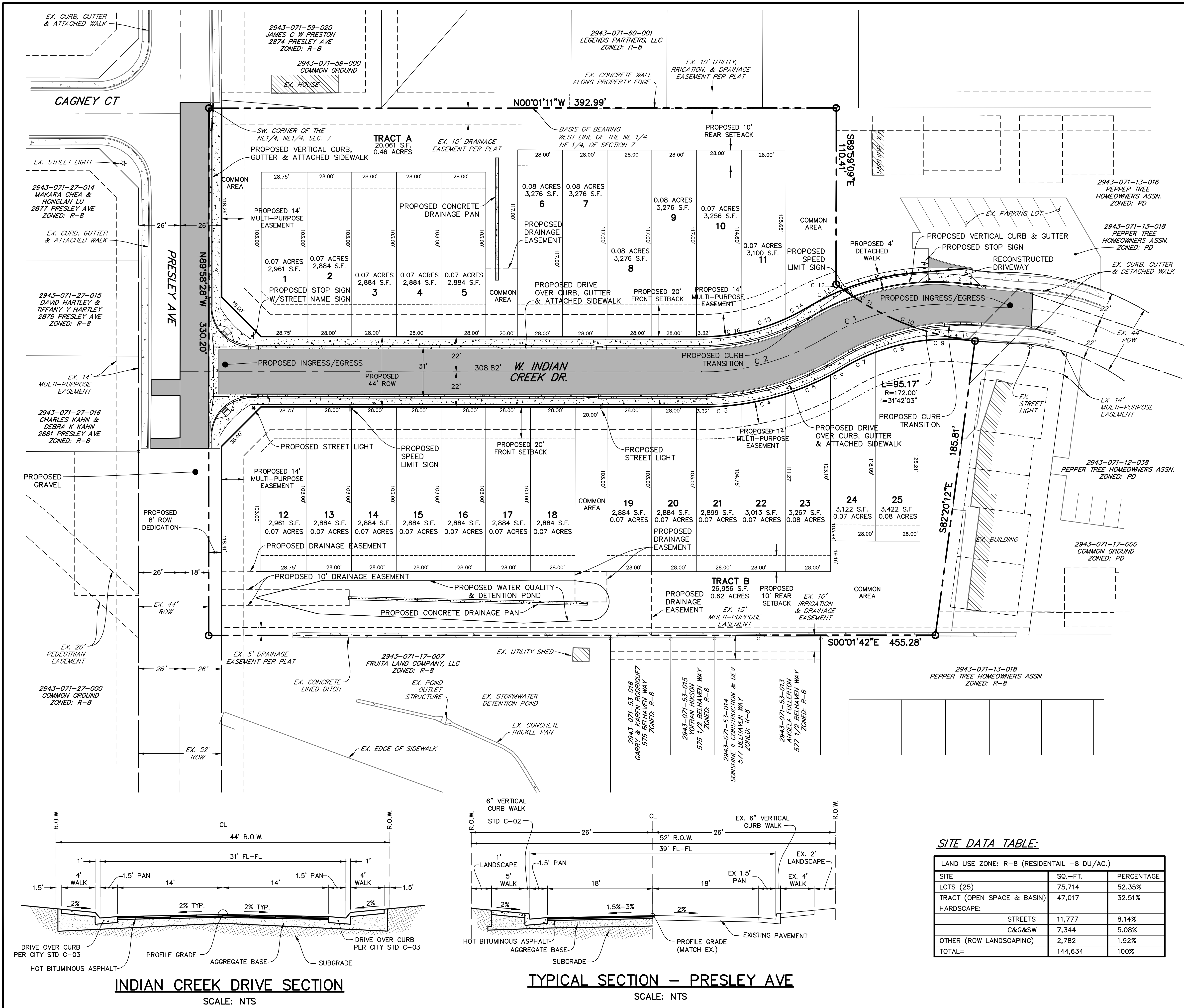
() RECORD DIMENSION PER THE PLAT OF PEPPER
TREE FILING No. 4, RECEPTION No. 1911395

PROPERTY LINE	_____
EASEMENT	-----
RIGHT-OF-WAY	_____
R.O.W.	RIGHT-OF-WAY
●	Found a 24"x5/8" rebar with a 2" aluminum cap, LS 23515, in concrete.
O	Found Property Corner as Indicated
MCSM	MESA COUNTY SURVEY MARKER
S.F.	SQUARE FEET
C1	CURVE NUMBER
NO. or #	NUMBER
+/-	MORE OR LESS

CURVE	DELTA	RADIUS	LENGTH	CHORD
C 1	14°55'21"	150.00'	39.07'	S23°24'14"E 38.96'
C 2	30°53'27"	150.00'	80.87'	N15°25'11"W 79.90'
C 3	08°15'04"	172.00'	24.77'	N40°06'00"W 24.75'
C 4	09°35'08"	172.00'	28.78'	N13°01'06"E 28.74'
C 5	10°08'20"	172.00'	30.44'	S22°52'49"W 30.40'
C 6	02°54'55"	172.00'	8.75'	N29°24'27"W 8.75'
C 7	10°08'48"	128.00'	22.67'	S25°47'30"E 22.64'
C 8	12°57'35"	128.00'	28.95'	N14°14'19"E 28.89'
C 9	14°42'02"	128.00'	32.84'	S20°34'20"E 32.75'
C 10	19°49'28"	128.00'	59.51'	N16°51'15"E 59.22'
C 11	09°28'22"	128.00'	28.44'	N31°30'10"E 28.40'
C 12	01°49'29"	172.00'	5.48'	N37°09'06"E 5.48'
C 13	08°30'36"	172.00'	25.55'	S26°36'37"E 25.52'
C 14	06°35'09"	128.00'	14.71'	N27°34'20"W 14.70'
C 15	13°11'10"	128.00'	29.46'	N17°41'11"W 29.39'
C 16	11°07'08"	128.00'	24.84'	N05°32'02"W 24.80'

RESIDENTIAL LOTS (25) - 1.74 ACRES - 52%
OPEN SPACE - 1.08 ACRES - 33%
INTERIOR ROADS - 0.5 ACRES - 15%
TOTAL - 3.32 ACRES - 100%
OVERALL DENSITY - 7.53 UNITS/ACRE

		Sheet 2 of 2 PLAN GRAPHIC	
		Drexel, Barrell & Co. Engineers/Surveyors 3 SOUTH 7th STREET COLORADO SPRINGS, COLORADO 81501 719-260-0887 & BOULDER, COLORADO 303-442-4338	
Revised:	Date	Drawn By	Job No.
	04/12/19	TY/PCO	20005-02
	Scale	Checked By	Drawing No.
	1"=30'	PCO	Pepper Tree Filing 5



PREPARED BY:

DREXEL, BARRELL & CO.
Engineers-Surveyors
710 11TH AVE, SUITE L-45
GREELEY, COLORADO 80631
CONTACT: CAMERON KNAPP, P.E.
(970) 351-0645
BOULDER • GREELEY
COLORADO SPRINGS

PREPARED FOR:

Kim Kerk Land Consulting
& Development, LLC

529 25-1/2 ROAD
SUITE 8108
GRAND JUNCTION, CO 81505
970-640-6913
CONTACT: KIM KERK

FINAL CONSTRUCTION PLANS

PEPPER RIDGE
SUBDIVISION

GRAND JUNCTION, COLORADO

ISSUE DATE

CITY SUBMITTAL 12/14/18

CITY RESUBMITTAL 4/12/19

DESIGNED BY: CWK

DRAWN BY: CWK

CHECKED BY: MDM

FILE NAME: 20005-SP01

DRAWING SCALE:
HORIZONTAL: 1"=30'
VERTICAL: N/A

SITE PLAN

PROJECT NO. 20005-02GJCV

C-4

SHEET: 4 OF 23

811

Know what's below.
Call before you dig.

BENCHMARK & BASIS OF BEARINGS:

THE BENCHMARK UTILIZED FOR THIS PROJECT IS A 2-1/2" ALUMINUM CAP IN A SURVEY BOX AT THE NORTH EAST 1/16 CORNER, SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, M.C.S.M. #10375 ELEVATION OF 4672.78 FEET (BASED ON NAVD, 88 DATUM)

THE BASIS OF BEARINGS IS THE WEST LINE OF THE NE 1/4 OF THE NE 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, WITH THE LINE ASSUMED TO BEAR NORTH 00°01'11" WEST. THIS INFORMATION IS BASED INFORMATION CONTAINED IN THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM, USING THEIR PUBLISHED COORDINATES FOR POINTS 10375 AND 10265.

ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER DATE

CITY PLANNER DATE

PUBLIC FACILITIES

SANITARY SEWER - CITY OF GRAND JUNCTION

DOMESTIC WATER - UTE WATER

GAS - XCEL ENERGY

ELECTRICITY - XCEL ENERGY

TELEPHONE - CENTURY LINK COMMUNICATIONS

DRAINAGE - GRAND JUNCTION DRAINAGE DISTRICT

IRRIGATION - PALISADE IRRIGATION DISTRICT

BULK REQUIREMENTS FOR R-8 ZONE

MIN. LOT AREA - 2836 S.F.

MIN. STREET FRONTAGE - 28 FEET

MAX. HEIGHT OF STRUCTURE - 35 FEET

MIN. LOT WIDTH - 28 FEET

MIN. SIDE YARD SETBACK - 0 FEET (PER ZONING & DEVELOPMENT CODE, SEC. 6.7.D.3.a)

MIN. REAR YARD SETBACK - 10 FEET

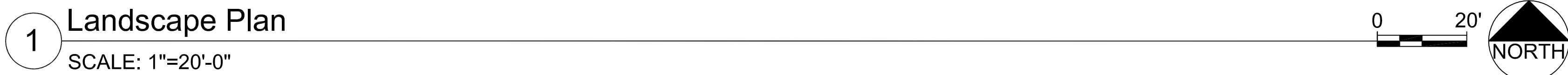
MIN. FRONT YARD SETBACK - 20 FEET

MAX. COVERAGE OF LOT BY STRUCTURES - 70%

MIN. UNITS PER GROSS ACRE - 6

Curve Information

CURVE	DELTA	RADIUS	LENGTH	CHORD
C 1	14°55'21"	150.00'	39.07'	S23°24'14"E 38.96'
C 2	30°53'32"	150.00'	80.87'	N15°25'11"W 79.90'
C 3	08°15'04"	172.00'	24.77'	N04°06'00"W 24.75'
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C 16	11°07'08"	128.00'	24.84'	N05°32'02"W 24.80'



- A. Lay out individual tree and shrub locations and areas for multiple plantings. Stake locations and outline areas and secure Architect's acceptance before start of planting work. Make minor adjustments as may be required.
- 1.2. PREPARATION OF PLANTING BEDS
 - A. The landscape contractor shall collect soils samples and run soils testing for the proposed plantings areas. Add soil amendments and fertilizers as recommended in the soil testing report to ensure a good planting medium. Delay mixing any fertilizer if planting will not follow placing of planting soil within a few days.
 - B. Any imported planting soil shall also be tested and be three parts screened topsoil and one part manure.
 - C. Before mixing, clean topsoil of roots, plants, stones, clay lumps, and other extraneous materials harmful or toxic to plant growth.
 - D. For pit and trench type backfill, mix planting soil prior to backfilling, and stockpile at site.
 - E. For planting beds mix planting soil either prior to planting or apply on surface of topsoil and mix thoroughly before planting.
- 1.3. PREPARATION OF PLANTING BEDS
 - A. Spread planting soil mixture to minimum depth required to meet lines, grades, and elevations shown, after light rolling and natural settlement. Place approximately 1/2 of total amount of planting soil required. Work into top of loosened subgrade to create a transition layer, then place remainder of the planting soil.
 - B. Remove 8 inches to 10 inches of soil and replace with prepared planting soil mixture. Backfill for each bed with three parts topsoil and one part manure thoroughly mixed prior to placing.
- 1.4. EXCAVATION FOR TREES AND SHRUBS
 - A. Excavate pits, beds, and trenches with vertical sides and with bottom of excavation slightly raised at center to provide proper drainage. Loosen hard subsoil in bottom of excavation.
 - 1. For balled and burlapped trees, make excavations at least half again as wide as the ball diameter and equal to the ball depth, plus following allowance for setting of ball on a layer of compacted backfill.
 - 2. Allow for 3-inch thick setting layer of planting soil mixture.
 - B. For container grown stock, excavate as specified for balled and burlapped stock, adjusted to size of container width and depth.
 - C. Dispose of subsoil removed from planting excavations. Do not mix with planting soil or use as backfill.
 - D. Fill excavations for trees and shrubs with water and allow water to percolate out prior to planting.
 - E. Backfill pits with three parts topsoil and one part manure thoroughly mixed prior to placing.
 - F. Place Agriform tablets in planting pit prior to backfilling at the following rate: three per each tree, one per each shrub.
- 1.5. PLANTING TREES AND SHRUBS
 - A. Set balled and burlapped (B&B) stock on layer of compacted planting soil mixture, plumb and in center of pit or trench with top of ball at same elevation as adjacent finished landscape grades.
 - B. Backfill surface for planting trees and shrubs, retain on bottoms. When set, place additional backfill around base and sides of ball, and work each layer to settle backfill and eliminate voids and air pockets. When excavation is approximately 2/3 full, water thoroughly before placing remainder of backfill. Repeat watering until no more is absorbed. Water again after placing final layer of backfill.
 - B. Set container grown stock, as specified, for balled burlapped stock, except cut cans on sides with an approved can cutter an from plantball so as not to damage root balls.
 - C. Distribute backfill to allow for mulching.
 - D. Apply anti-desiccant, using power spray, to provide an adequate film over trunks, branches, stems, twigs and foliage.
 - 1. If deciduous trees or shrubs are moved when in full-leaf, spray with anti-desiccant at nursery before moving and spray again 2 weeks after planting.
 - E. Remove and replace excessively pruned or misformed stock resulting from improper pruning.
 - F. Wrap tree trunks of 2 inches caliper and larger. Start at ground and cover trunk to height of first branches and securely attach. Insert tree trunk for injury, improper pruning and insect infestation and take corrective measures before wrapping.
 - G. Guy and stake trees immediately after planting, as indicated.

DECIDUOUS TREES

EVERGREEN TREES

LARGE DECIDUOUS SHRUBS

EVERGREEN SHRUBS

DECIDUOUS SHRUBS

GRASSES

LANDSCAPE BOULDERS

TURF GRASS

TAN GRANITE LANDSCAPE ROCK

No.	Sym.	Common Name/ Biological Name	Planting Size/ Remarks	Mature Size
Deciduous Shade Trees:				
4	ABM	Autumn Blaze Maple/ <i>Acer x freemanii</i> 'Jeffersred'	2' cal/ B&B	50' Ht. & 40' Spd.
3	FMA	Pellodora Green Ash/ <i>Fraxinus pennsylvanica</i>	2' cal/ B&B	60' Ht. & 40' Spd.
2	RLJ	Redmond Lindl/ <i>Nananthus americana</i> 'Redmond'	2' cal/ B&B	40' Ht. & 25' Spd.
4	RSP	Redspire Pear/ <i>Pyrus calleryana</i> 'Redspire'	2' cal/ B&B	40' Ht. & 30' Spd.
2	SHA	Shademaster Locust/ <i>Gleditsia triacanthos</i> <i>inermis</i>	2' cal/ B&B	50' Ht. & 35' Spd.
Evergreen Trees:				
2	AUS	Australian Pine/ <i>Pinus nigra</i>	8' Tall/ B&B	50' Ht. & 20' Spd.
2	CBS	Colorado Blue Spruce/ <i>Picea pungens</i>	8' Tall/ B&B	60' Ht. & 25' Spd.
Deciduous Shrubs:				
12	ATR	Althea- Rose of Sharon / <i>Hibiscus syriacus</i>	18"-24" Spread/ #5	10' Ht. & 5' Spd.
9	BMS	Blue Mist Spire/ <i>Caryopteris x clandonensis</i>	18"-24" Spread/ #5	13' Ht. & 3' Spd.
6	CPL	Common Purple Lilac/ <i>Syringa vulgaris</i>	2-3" Tall/ #7	12' Ht. & 8' Spd.
10	ELA	English Lavender/ <i>Leucadendron angustifolia</i> 'Munstead'	18"-24" Spread/ #5	10' Ht. & 6-8' Spd.
6	FOR	Forsythia/ <i>Forsythia x intermedia</i> 'Spring Glory'	18"-24" Spread/ #5	8' Ht. & 5' Spd.
6	MKL	Miss Kim Lilac/ <i>Syringa patula</i> 'Miss Kim'	18"-24" Spread/ #5	5' Ht. & 5' Spd.
9	PFG	Goldenfinger Potentilla/ <i>Potentilla fruticosa</i>	18"-24" Spread/ #5	2' Ht. & 2' Spd.
16	RGB	Rose Gold Gloryberry/ Berberis thunbergii 'Rosy Glow'	18"-24" Spread/ #5	4' Ht. & 4' Spd.
20	YUL	Yuzuki Viburnum/ <i>Viburnum tomentosum</i>	18"-24" Spread/ #5	4' Ht. & 4' Spd.
12	WPA	Winnipeg Parks/ <i>Rosa x Winnipeg Parks</i>	18"-24" Spread/ #5	3' Ht. & 4' Spd.
Evergreen Shrubs:				
8	GMD	Green Mound Juniper/ <i>Juniperus procumbens</i> Green Mound	18"-24" Spread/ #5	1' Ht. & 6' Spd.
15	MUG	Mugo Pine/ <i>Pinus mugo</i>	18"-24" Spread/ #5	6' Ht. & 5' Spd.
Grasses:				
30	HFG	Fountain Grass/ <i>Pennisetum alopecuroides</i> 'Fountain Grass'	#1	2-3' Ht. & 2' Spd.
9	MAG	Maiden Grass/ <i>Miscanthus sinensis</i> 'Gracillimus'	#5	4' Ht. & 5' Spd.

*ALL PLANT TOTALS ON THE PLANT LIST SHALL BE VERIFIED WITH PLANT NUMBERS ON THE LANDSCAPE PLANS.

REQUIREMENTS FOR R-8 ZONING
IMPROVED AREAS:
TRACK A = 17,268 SQ. FT.
TRACK B = 24,407 SQ. FT.
STREET FRONTAGE = 5,297 SQ. FT.
TOTAL IMPROVED AREA = 46,972 SQ. FT.

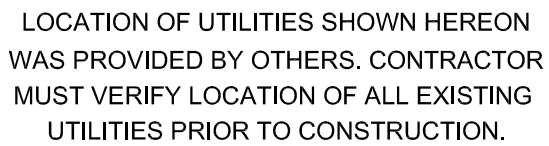
1 TREE REQUIRED FOR EVERY 2,500 SQ. FT. OF IMPROVED AREA.
 $46,972 / 2,500 = 18.8$ ROUND TO 19.
TREES REQUIRED = 19 TREES

1 SHRUB REQUIRED FOR EVERY 300 SQ.FT. OF IMPROVED AREA.
 $46,972 / 300 = 156.5$ ROUND TO 157
SHRUBS REQUIRED = 157 Shrubs

NONE MORE THAN 20% OF TREES AND 15% OF SHRUBS MAY BE OF ONE SPECIES.

NUMBER OF TREES: 19 Trees Provided

NUMBER OF SHRUBS: $147 \text{ (16 gallon shrubs)} + 10 \text{ (1 gallon plants 30/3-10)} = 157 \text{ Shrubs Provided.}$



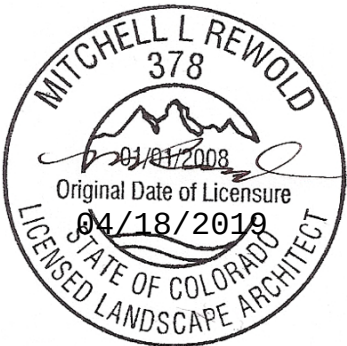
ACCEPTANCE BLOCK

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CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY PLANNER

DATE _____



Pepper Ridge Subdivision Landscape Plan
W. Indian Creek Drive
Grand Junction, Colorado

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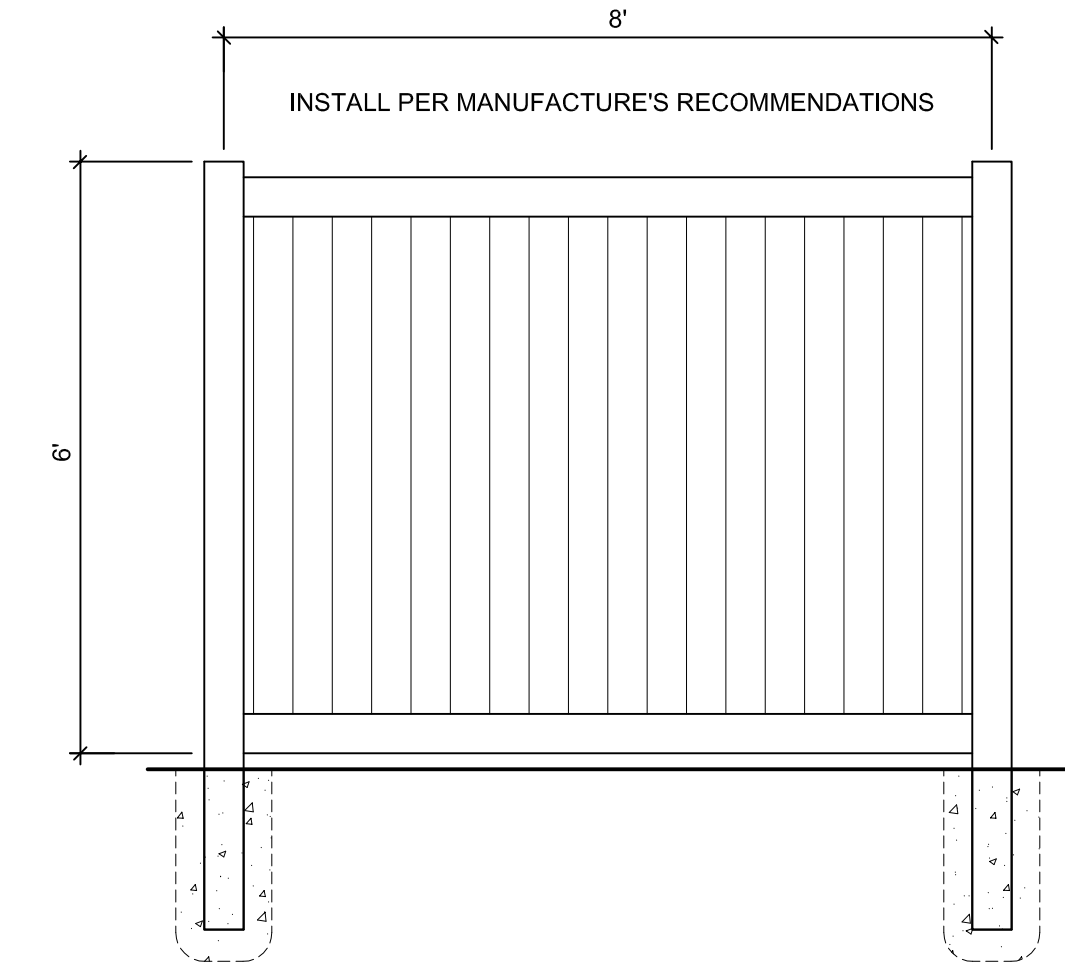
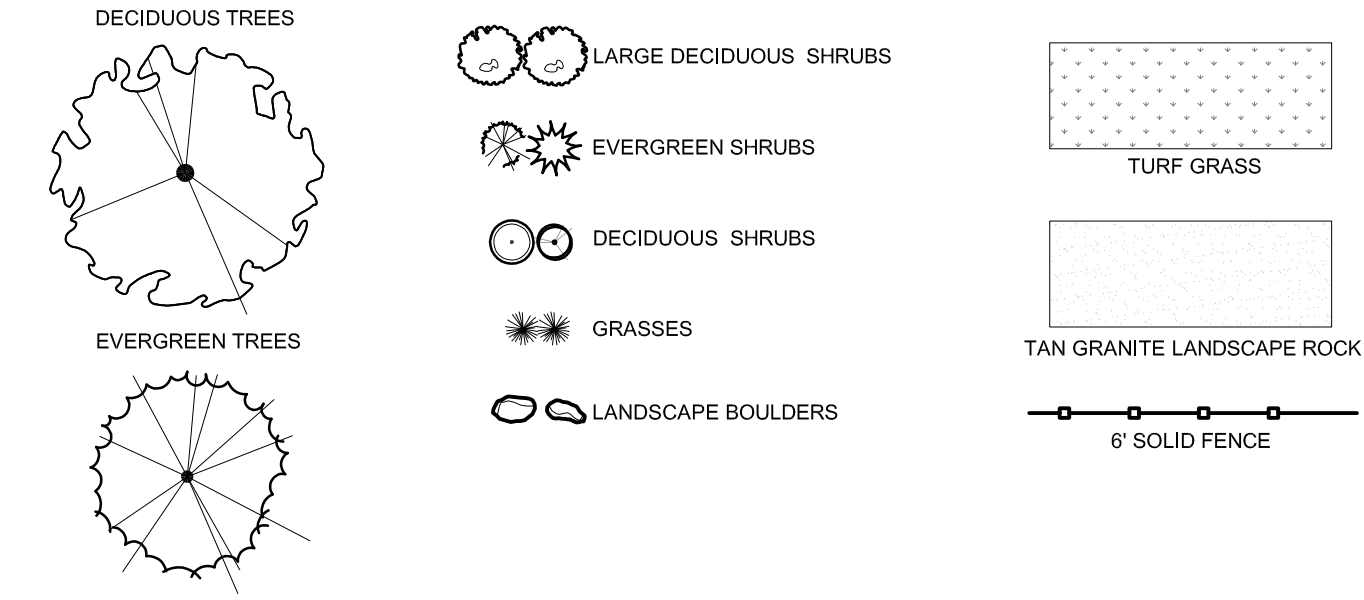
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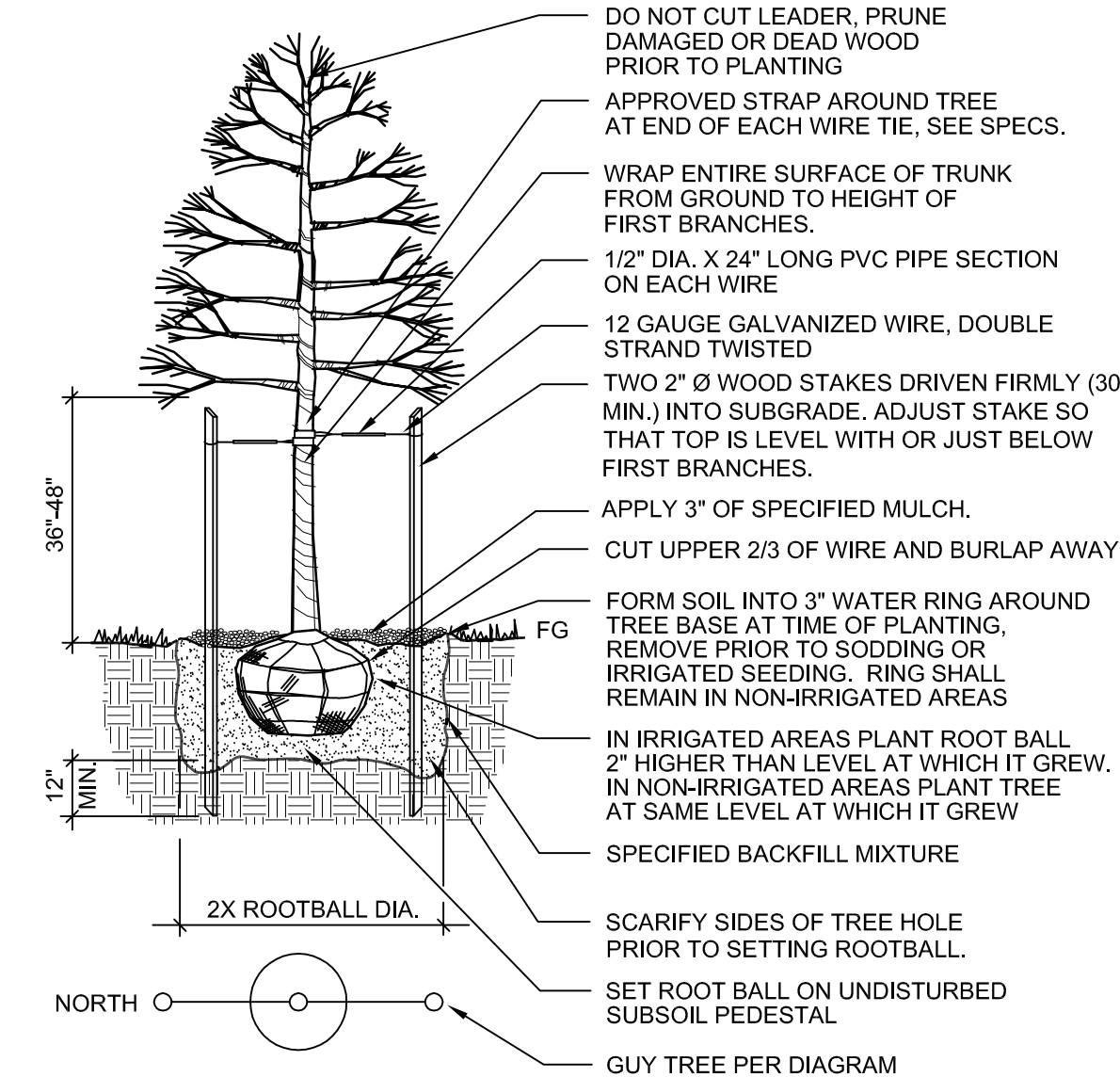


1 Landscape Plan
SCALE: 1"=20'-0"

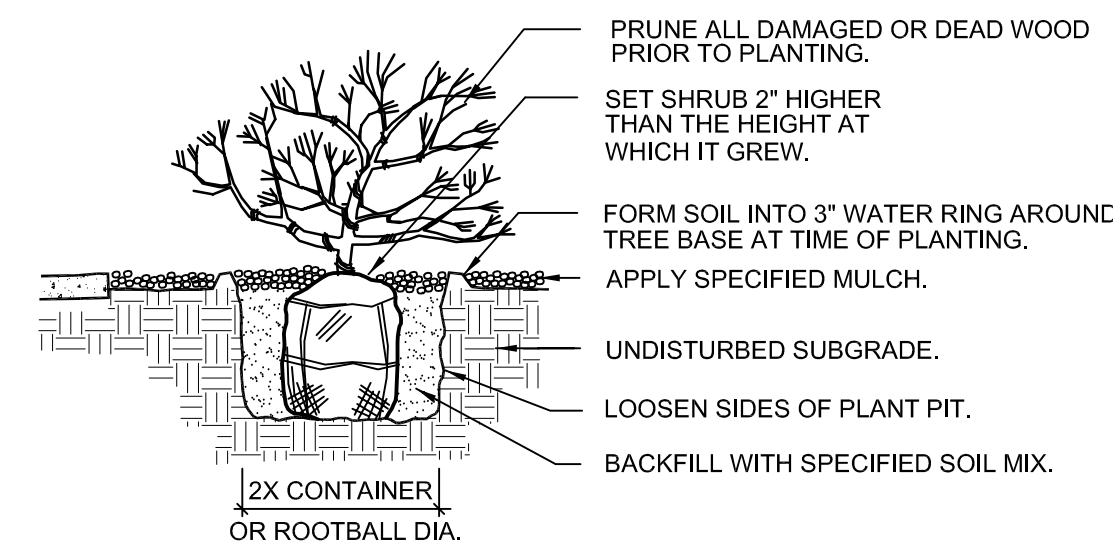
LANDSCAPE LEGEND



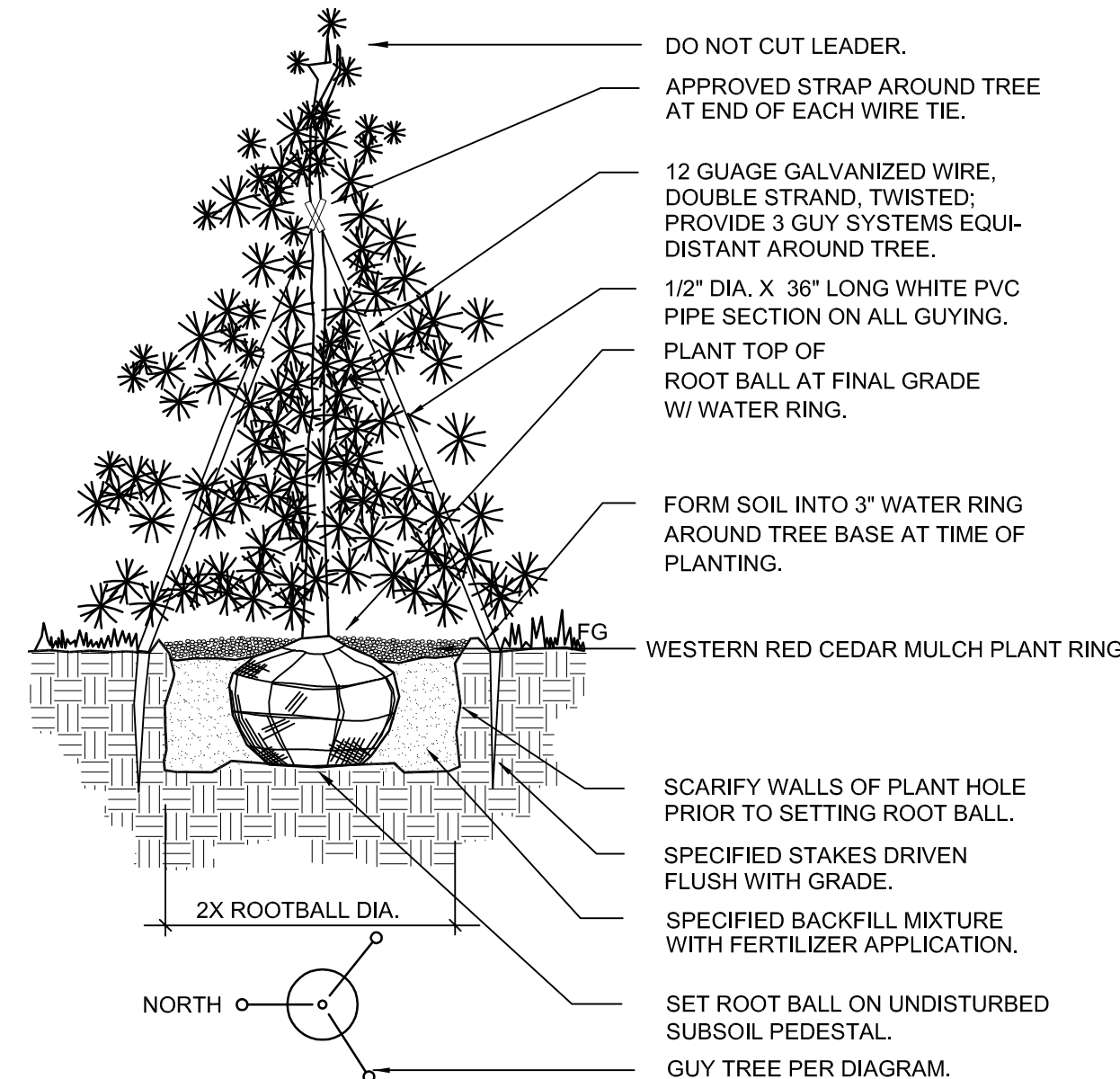
D 6' Tall - Solid White Vinyl Fence
SCALE: 3/4" = 1'-0"



A Tree Planting Detail
SCALE: NTS



C Shrub Planting Detail
SCALE: NTS



B Evergreen Tree Planting Detail
SCALE: NTS

UTILITY NOTIFICATION
CENTER OF COLORADO
811

LOCATION OF UTILITIES SHOWN HEREON
WAS PROVIDED BY OTHERS. CONTRACTOR
MUST VERIFY LOCATION OF ALL EXISTING
UTILITIES PRIOR TO CONSTRUCTION.

ACCEPTANCE BLOCK
THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S
DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY
THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF
THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR
OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE
PROFESSIONAL OF RECORD.
CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY PLANNER DATE



Pepper Ridge Subdivision Landscape Plan
W. Indian Creek Drive
Grand Junction, Colorado

ISSUED FOR:		
No	Date	Remarks
12.12.18	Site Plan Review	
04.18.19	Site Plan Review	

PROJECT NO: 18252
PHASE: PLAN REVIEW

DRAWING TITLE:
LANDSCAPE
PLAN

SHEET NUMBER
L2

City of Grand Junction

Review Comments

Date: June 5, 2019 **Comment Round No.** 2 **Page No.** 1 of 6
Project Name: Pepper Ridge Subdivision **File No:** SUB-2019-3
Project Location: South end of W Indian Creek Drive

Check appropriate ☒ if comments were mailed, emailed, and/or picked up.

Property Owner(s): Dr. Ronald Vincent

Mailing Address: 498 Kings Point Drive, Camdenton, MO 65020

Email: **Telephone:** (970) 640-9372

Date Picked Up: **Signature:**

Representative(s): Land Consulting & Development LLC – Attn: Kim Kerk

Mailing Address: 529 25 ½ Road, Suite B108, Grand Junction, CO 81505-7185

☒ **Email:** Kimk355@outlook.com **Telephone:** (970) 640-6913

Date Picked Up: **Signature:**

Developer(s):

Mailing Address:

Email: **Telephone:**

Date Picked Up: **Signature:**

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner

Email: scottp@gjcity.org **Telephone:** (970) 244-1447

Dev. Engineer: Jarrod Whelan

Email: jarrodw@gjcity.org **Telephone:** (970) 244-1443

City of Grand Junction

REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Site Plan (Sheet C-4):

a. Label/identify location of proposed HOA 6' tall solid fence adjacent to Presley Avenue as identified within the Landscaping Plan.

b. In the Bulk Requirements for R-8 Zone Block, delete, Minimum Lot Area, Minimum Street Frontage, Maximum Height of Structure, Minimum Lot Width and Minimum Units per Gross Acre be eliminated since these numbers do not correspond to current bulk requirements for the R-8 zone district. Also, for the Minimum Side Yard Setback, revise the Zoning Code reference from Section 6.7 D. 3. A., as the new Code section is now 21.03.050 (a) (1).

c. For the area of existing right-of-way to be vacated for W. Indian Creek Drive (1,938 sq. ft.), existing sidewalk, curb/gutter and asphalt pavement will need to be removed. What type of ground cover is being proposed after removal? Revise Landscaping Plan to incorporate this area and ground cover proposed.

Code Reference: V-22 of the SSIDS Manual.

Applicant's Response:

Document Reference:

2. Subdivision Plat:

- a. In the Dedication Block, delete the two (2) paragraphs for “All Utility Easements are dedicated....” and “A Utility Easement over and across Tracts A & B.....” since no utility easements are identified on Sheet 2. However, see Review Comment #2 d., if applicable.
- b. In the Dedication Block, delete the paragraph for “An easement over a portion of Tract B is dedicated.....” since the other Drainage Easement paragraph identified in the Dedication Block accomplishes the dedication. No need to state twice.
- c. On Sheet 2, The arrows identifying the existing 22’ Utility and Access Easement as identified in Book 2793, Page 125 are not correct. Please adjust arrows to also include the land area encompassing the proposed 8’ right-of-way dedication.
- d. Improvement Survey indicates an existing gas line located at the southwest corner of the property not located within an easement. Please label a Utility Easement on plat if not covered by a previously dedicated easement, to cover this gas line and also provide Model Dedication Language for a Utility Easement in Dedication Block, if necessary.

Code Reference: V-15 of the SSIDS Manual.

Applicant's Response:

Document Reference:

3. Easement & Right-of-Way Vacations:

- a. The Sanitary Sewer Easements as described in Book 1384, Page 473, 474 are public easements and will need to be vacated with review and approval required from the both the Planning Commission and City Council. City Project Manager will schedule vacation requests for the June 25, 2019 Planning Commission meeting and the August 7, 2019 City Council meeting. City Project Manager will recommend conditional approval for these vacations to the Planning Commission and City Council on the condition that a new sanitary sewer line is installed and in service within the new right-of-way, since this existing sewer line is currently in service.
- b. Utility & Drainage Easement as described in Book 1385, Page 731 is a public easement and will need to be vacated with review and approval required from both the Planning Commission and City Council. City Project Manager will schedule vacation request for the June 25, 2019 Planning Commission meeting and the August 7, 2019 City Council meeting.
- c. Drainage Easement as described in Book 1385, Page 732 is a public easement and will need to be vacated with review and approval required from the both the Planning Commission and City Council. City Project Manager will schedule vacation request for the June 25, 2019 Planning Commission meeting and the August 7, 2019 City Council meeting.
- d. Vacation of right-of-way for a portion of West Indian Creek Drive. City Project Manager will schedule vacation request for the June 25, 2019 Planning Commission meeting and the August 7, 2019 City Council meeting.

PRIVATE EASEMENTS

- e. Submitted Easement Termination Document does not accomplish what the intention is as Ronald Vincent does not have authority to terminate the private 10’ Drainage Easement as identified in Reception # 1911395 (Book 17, Page 120) as the easement was for the benefit of the HOA for Pepper Tree Filing No. 4. In order to correctly relinquish easement, the HOA from Pepper Tree Filing No. 4 will need to release their interest in that portion of the easement. Please have applicant's attorney revise document as necessary and resubmit for review.
- f. City Project Manager and City Development Engineer are in agreement to leave the recorded 22’ private utility easement and ingress/egress for the benefit of the Legends East property as identified within Book 2793, Page 125 as is. As proposed with the Pepper Ridge Subdivision plat, this easement would be located within the 8’ right-of-way dedication for Presley Avenue and the 14’ Multi-

Purpose Easement. If existing private utilities for the benefit of Legend East Subdivision are still located within this easement, access to these utilities would still be permitted through the proposed City right-of-way and multi-purpose easement as dedicated on the Pepper Ridge plat. No further response required. If, however applicant wanted to clean-up title work on the property and vacate the easement, applicant would need to have the Legends East HOA relinquish their interest within this easement. If so, submit relinquishment document for review and approval prior to recording. Code Reference: Section 21.02.100 of the Zoning & Development Code.

Applicant's Response:

Document Reference:

5. Landscaping Plan:

See Review Comment #1. c. and revise as applicable.

Code Reference: V-10 of the SSIDS Manual.

Applicant's Response:

Document Reference:

6. Conveyance Document(s) & CCR's:

a. Warranty Deed: Eliminate the blank space for the recording reception number for Pepper Ridge Filing No. 1 as this will not get filed in. Just reference the recorded subdivision plat by name.

b. Warranty Deed: Document references Private Irrigation, Detention/Drainage, Multi-Use and Utility Easements as identified on the plat. However, no such easements exist on the plat. Delete as necessary.

c. Warranty Deed: Delete reference to Exhibit A and just reference the subdivision plat by name.

d. CCR's: In Article II, Section 6. c., the correct Zoning Code reference should be 21.04.040 (i), not 21.04.40 as identified. Revise as necessary.

e. See Assistant City Attorney review comments and revise as necessary.

Code Reference: IV-2 of the SSIDS Manual.

Applicant's Response:

Document Reference:

7. Public Correspondence Received:

City Project Manager has received one additional letter from the public concerning the proposed application. I have included this attachment for the applicant's information and file.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

PLANS

Review Comment: C1:

Add site address.

Applicant's Response:

Document Reference:

Review Comment: C3:

Add notes on plans to landscape area where City infrastructure (Curb, gutter, sidewalk and streets) are scheduled to be removed and relocated.

Applicant's Response:

Document Reference:

Review Comment: 2ND REQUEST

C9, C10, C11, C12, C14, C15:

Dimension Top of Pipe to Bottom of Pipe (dimension between pipelines).

Applicant's Response:
Document Reference:

Review Comment: C12:

Add street Station equation for Presley Ave.

Applicant's Response:
Document Reference:

Review Comment: C16:

Where are proposed storm inlet designations 1, 2, and 3?

Applicant's Response:
Document Reference:

Review Comment: C17:

Add street names to Storm Plans 3 and 5 for clarity.

Applicant's Response:
Document Reference:

Review Comment: C19:

The section view in the bottom left corner, label it as a V-Pan Cut-Off Wall Section Detail.

Applicant's Response:
Document Reference:

LANDSCAPE PLAN

Review Comment: Sheet 2:

Landscape areas where City infrastructure (Curb, gutter, sidewalk and streets) are scheduled to be removed and relocated.

Applicant's Response:
Document Reference:

PLAT

Review Comment: There is a gas line in the southwest corner that needs to be placed within an easement.

Add the following to the Notes:

1. Excavation and structural foundation plans prepared by a Professional Engineer registered In the State of Colorado are required for each lot.

Applicant's Response:
Document Reference:

Sheet 1 of 2

1. No additional comments or suggestions.

Applicant's Response:

Document Reference:

Sheet 2 of 2

1. No additional comments or suggestions.

Applicant's Response:

Document Reference:

CCR's:

The applicant needs to consult CCIOA and make sure that the Declarations include everything required or explain how it is exempt from CCIOA. For example, there is no mention of the type of common interest community this intended to be, i.e. planned community. It refers to the properties as being Lot 6 of filing 4 but indicates no subdivision of properties. The plat for Pepper Ridge Filing No. 1 must be connected as the plat for the common interest community.

Applicant's Response:

Document Reference:

CCRs and Warranty Deed:

The owner of the property is Ronald D. Vincent. The declarant and the owner signing on the documents must be Ronald D. Vincent, not Dr. Ronald Vincent.

Applicant's Response:

Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

- Consider realigning the water main connection and SS to west Indian connection to achieve a better separation on wet utilities, also the water main can be 2-foot off the edge of oil to help with this separation.
- Water services were moved with the last round of comment on sheet C-15 but not changed on sheet C-7.
- Wet tap should be coordinated with the existing inline valve as to be west of the valve.
- Change waterline notes as markedup.

- In general, design water profile to maintain 54-inch cover; add fittings per std detail to address utility conflicts. Sometimes utility conflicts can be addressed by deflecting pipe joints (in lieu of fittings) provided valves, fire hydrants and services are at design grade. With this in mind, please re-visit the pipe plan and profiles.
- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

Applicant's Response:

Review Agency: 5-2-1 Drainage Authority

Contact Name: Mark Barslund

Email / Telephone Number: markb@gjcity.org (970) 256-4106

The submitted SWMP does not include BMP details.

Please submit a CSWMP in accordance with section 1500 of the Mesa County/ City of Grand Junction SWMM manual. www.521drainageauthority.org

Received SWMP. Need: fees, O&M, state permit, application.

Applicant's Response:

REVIEW AGENCIES

(Responding with "No Comment" or have not responded as of the due date)

The following Review Agencies have not responded as of the comment due date.

1. Palisade Irrigation District

The Petitioner is required to submit electronic responses, labeled as "**Response to Comments**" for the following agencies:

1. **City Planning**
2. **City Development Engineer**
3. **City Surveyor**
4. **Assistant City Attorney**
5. **5-2-1 Drainage Authority**
6. **Ute Water Conservancy District**

Date due: **September 5, 2019**

Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Applicant's Signature

Date

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION VACATING PORTIONS OF UTILITY, DRAINAGE AND SANITARY
SEWER EASEMENTS LOCATED WITHIN THE PROPOSED
PEPPER RIDGE SUBDIVISION**

LOCATED AT THE SOUTH END OF W. INDIAN CREEK DRIVE

RECITALS:

A vacation of portions of publically dedicated Utility, Drainage and Sanitary Sewer Easements has been requested by the developer, Ronald Vincent in anticipation of further subdividing and developing the property for future residential development for the proposed Pepper Ridge Subdivision. The applicant's request is to vacate portions of the existing Utility & Drainage Easements and separate Sanitary Sewer Easements and relocate and reroute the existing sanitary sewer main/pipe within the proposed new street right-of-way (an extension of W. Indian Creek Drive) as part of the subdivision development for Pepper Ridge Subdivision. The applicant would grant new easements as necessary on the proposed subdivision plat to avoid the anticipated building locations and lot lines and also by doing a general clean-up of the property by removing excess easements from the property that are no longer necessary.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate public Utility, Drainage and Sanitary Sewer Easements with conditions are consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following described portions of publicly dedicated Utility, Drainage and Sanitary Sewer Easements are hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents and/or dedication documents.
2. The vacation of the sanitary sewer easements are conditioned upon a new sanitary sewer main/pipe being rerouted and installed in accordance with City standards within new right-of-way granted to the City in a location approved by the City either by separate instrument or on a subdivision plat.

Easement #1: Portion of 15' Utility & Drainage Easement to be vacated:

A PART OF THAT 15-FOOT-WIDE UTILITY AND DRAINAGE EASEMENT DESCRIBED IN BOOK 1385 AT PAGE 731 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID 15-FOOT-WIDE UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

Easement #2: Portion of 15' Drainage Easement to be vacated:

A PART OF THAT 15-FOOT-WIDE SANITARY SEWER EASEMENT DESCRIBED IN BOOK 1385 AT PAGE 732 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID 15-FOOT-WIDE DRAINAGE EASEMENT LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

Easement #3: Sanitary Sewer Easement to be vacated:

A PART OF THAT SANITARY SEWER EASEMENT DESCRIBED IN BOOK 1384 AT PAGE 473 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID SANITARY SEWER EASEMENT LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

Easement #4: Portion of 20' Sanitary Sewer Easement to be vacated:

A PART OF THAT 20-FOOT-WIDE SANITARY SEWER EASEMENT DESCRIBED IN BOOK 1384 AT PAGE 474 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1

EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA,
STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID 20-FOOT-WIDE SANITARY SEWER EASEMENT
LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED
AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

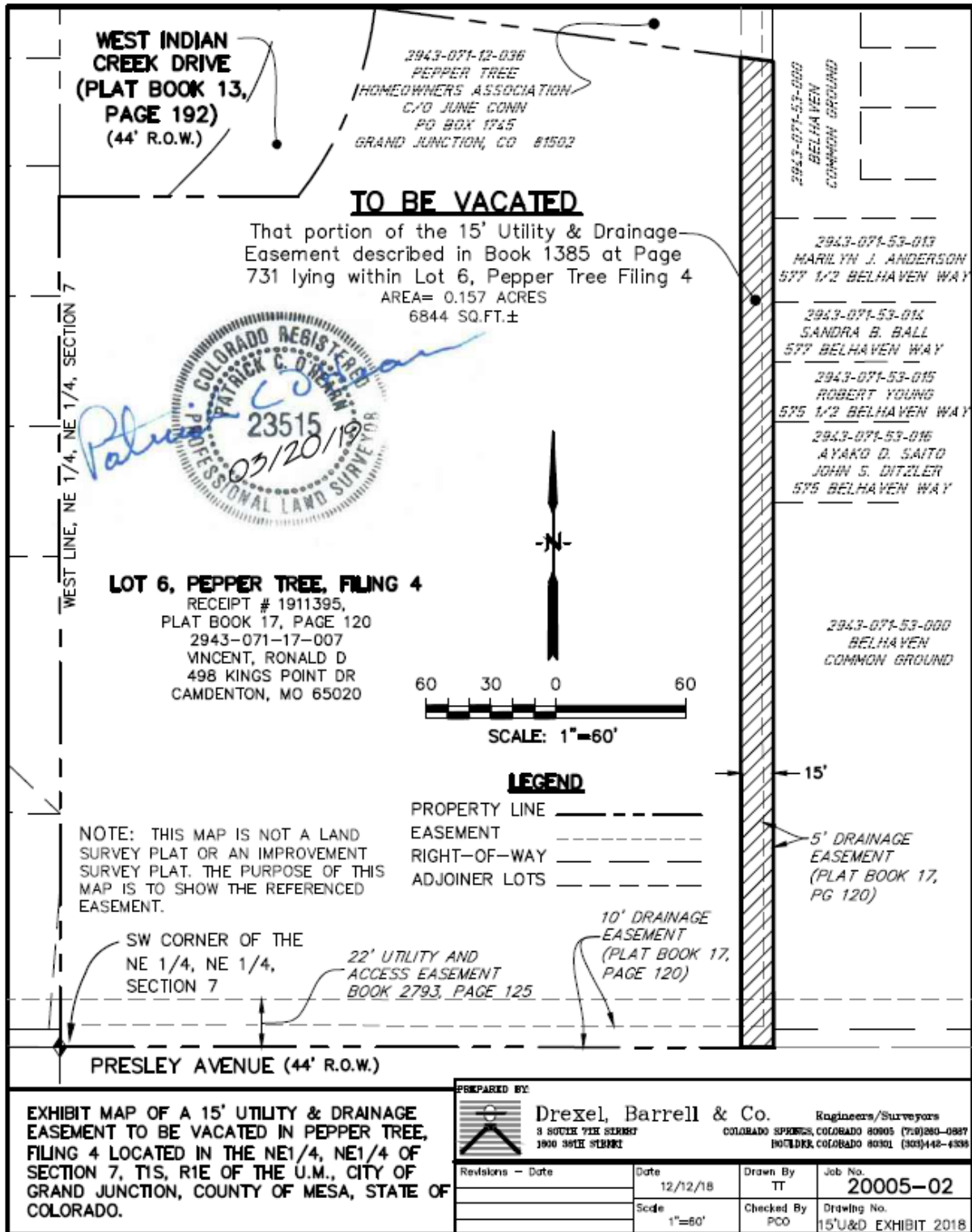
PASSED and ADOPTED this _____ day of _____, 2019

ATTEST:

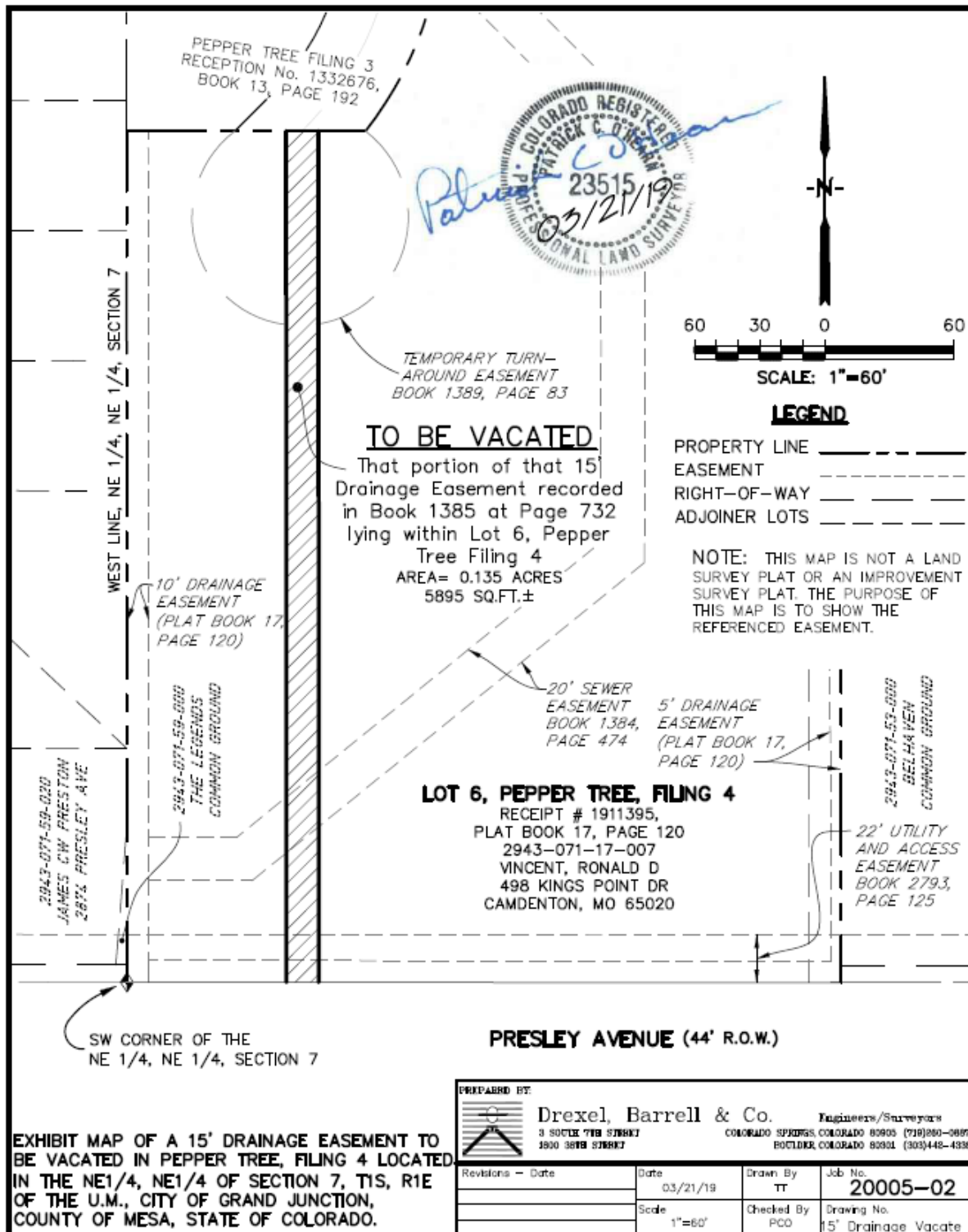
President of City Council

City Clerk

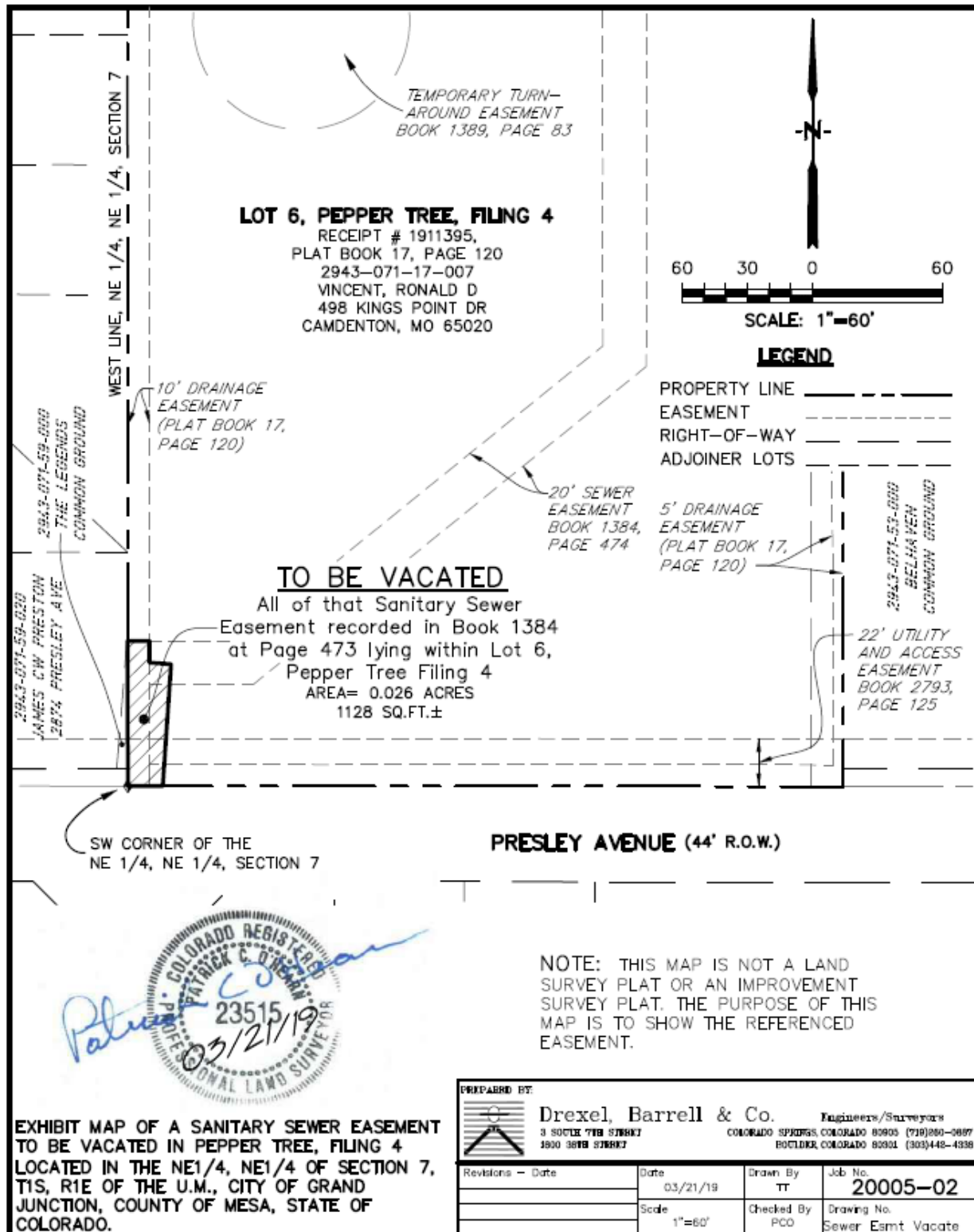
Easement #1: Portion of 15' Utility & Drainage Easement



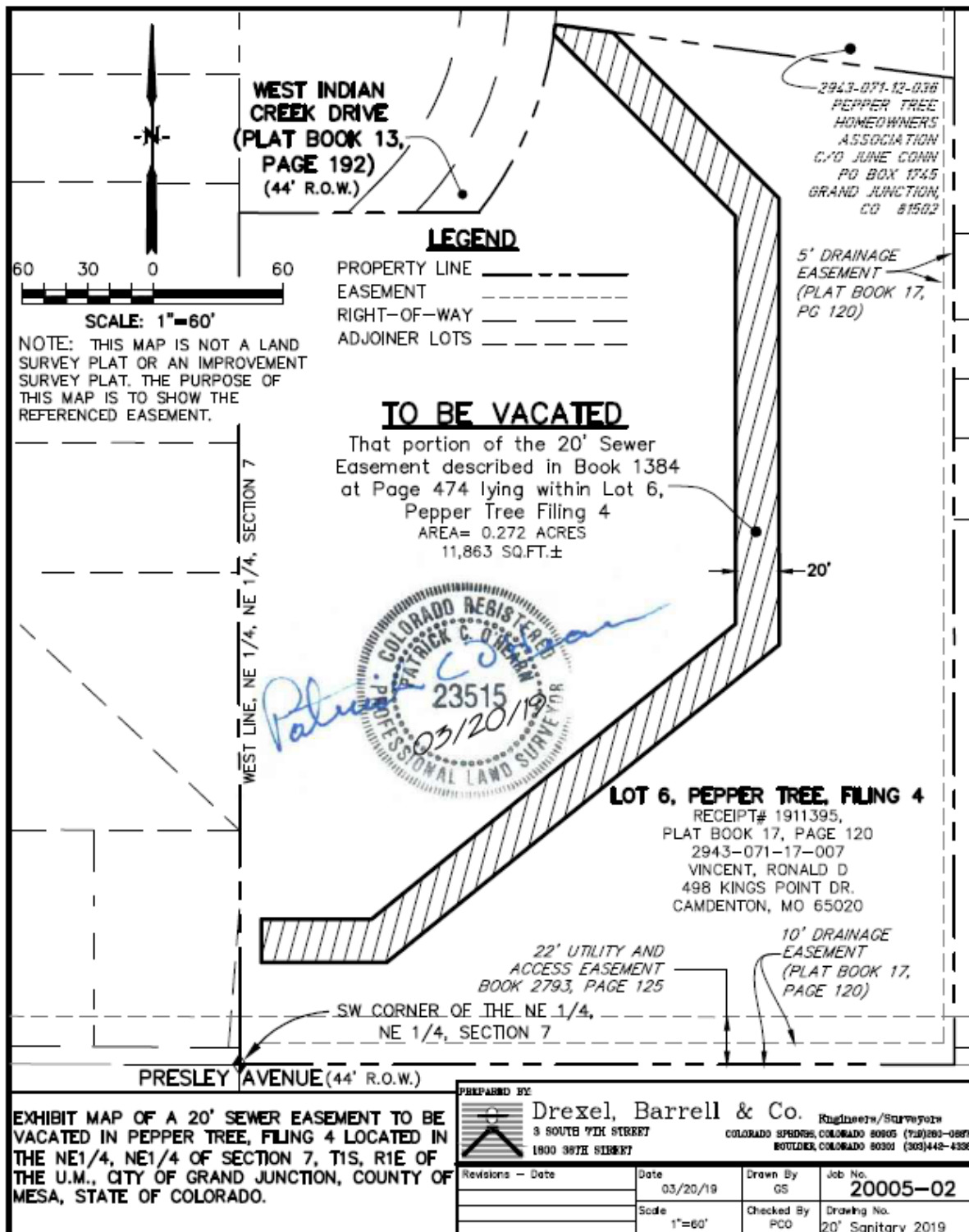
Easement #2: Portion of 15' Drainage Easement



Easement #3: Sanitary Sewer Easement



Easement #4: Portion of 20' Sanitary Sewer Easement



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF THE WEST INDIAN CREEK DRIVE
RIGHT-OF-WAY AND A TEMPORARY TURNAROUND IDENTIFIED WITHIN THE
PEPPER TREE FILING NO. THREE SUBDIVISION PLAT**

LOCATED AT THE SOUTH END OF WEST INDIAN CREEK DRIVE

Recitals:

A vacation of a portion of right-of-way for W. Indian Creek Drive and a Temporary Turnaround has been requested by the developer, Ronald Vincent in anticipation of further subdividing and developing the abutting property to the south for future residential development for the proposed Pepper Ridge Subdivision. The applicant is proposing a slight re-alignment of the right-of-way from the current platted right-of-way for W. Indian Creek Drive in conjunction with the development of Pepper Ridge Subdivision. The re-alignment will create 1,938 sq. ft. (0.04 acres) of excess right-of-way that was platted as part of the Pepper Tree, Filing No. Three subdivision as recorded in Plat Book 13, Page 76. With the grant of new right-of-way as proposed, the Temporary Turnaround Easement on Lot 6 of Pepper Tree Filing No. 4 as recorded in the Mesa County Public records in Plat Book 17 at Page 120 will no longer be necessary. These areas of right-of-way contain no existing utility infrastructure.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate certain rights-of-way dedicated and/or appearing within the Pepper Tree Filing No. Three subdivision plat is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED RIGHT-OF-WAY IS HEREBY VACATED SUBJECT TO THE LISTED CONDITIONS:

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.
2. Prior to recording of an ordinance vacating the portions of public rights-of-way located at the south end of W. Indian Creek Drive, new right-of-way shall be granted to the City that connects W. Indian Creek Drive to Presley Avenue either by separate instrument or on a subdivision plat.

A PORTION OF THE RIGHT-OF-WAY FOR WEST INDIAN CREEK DRIVE, DEDICATED ON THE FINAL PLAT OF PEPPER TREE FILING No. THREE, A SUBDIVISION RECORDED AT RECEPTION NUMBER 1332676 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

“COMMENCING” AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7 AND CONSIDERING THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO BEAR NORTH 00°01'11" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE NORTH 00°01'11" WEST, ALONG SAID WEST LINE, A DISTANCE OF 392.99 FEET TO THE SOUTHWEST CORNER OF SAID PEPPER TREE FILING No. THREE;

THENCE SOUTH 89°59'09" EAST, ALONG THE SOUTHERLY LINE OF SAID PEPPER TREE FILING No. 3, A DISTANCE OF 50.04 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID WEST INDIAN CREEK DRIVE AND THE **“POINT OF BEGINNING”**;

THENCE NORTH 44°58'46" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 21.97 FEET TO A POINT OF CURVE;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 33°47'55", A RADIUS OF 128.00 FEET, AN ARC LENGTH OF 75.51 FEET AND A CHORD WHICH BEARS NORTH 28°04'48" EAST, A DISTANCE OF 74.42 FEET TO A NON-TANGENT POINT;

THENCE SOUTH 04°47'16" EAST, A DISTANCE OF 32.11 FEET TO A POINT OF CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 16°54'11", A RADIUS OF 156.50 FEET, AN ARC LENGTH OF 46.17 FEET, AND A CHORD WHICH BEARS SOUTH 13°14'22" EAST, A DISTANCE OF 46.00 FEET TO A NON-TANGENT POINT OF CURVE ON THE SOUTHERLY LINE OF SAID PEPPER TREE FILING No. 3, WHENCE THE RADIUS POINT BEARS NORTH 53°47'59" WEST;

THENCE ALONG SAID SOUTHERLY LINE OF PEPPER TREE FILING NO. THREE THE FOLLOWING 3 (three) COURSES:

1) SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01°51'49", A RADIUS OF 172.00 FEET, AN

ARC LENGTH OF 5.59 FEET AND A CHORD WHICH BEARS S 37°07'55" WEST, A DISTANCE OF 5.59 FEET TO A NON-TANGENT POINT;

2) NORTH 48°36'43" WEST, A DISTANCE OF 0.04 FEET;

3) NORTH 89°59'09" WEST, A DISTANCE OF 60.37 FEET TO THE **"POINT OF BEGINNING"**.

CONTAINING 0.044 ACRES OR 1938 SQUARE FEET, MORE OR LESS.

Along with the Temporary Turn Around Easement granted to the City of Grand Junction in the document recorded in the Mesa County Clerk and Recorder's records in Book 1389 at Page 83 and as last depicted on Pepper Tree Filing No. Four plat recorded in the Mesa County Clerk and Recorder's records in Plat Book No. 17 at Page 120.

See Exhibit A.

Introduced on first reading this _____ day of _____, 2019 and ordered published in pamphlet form.

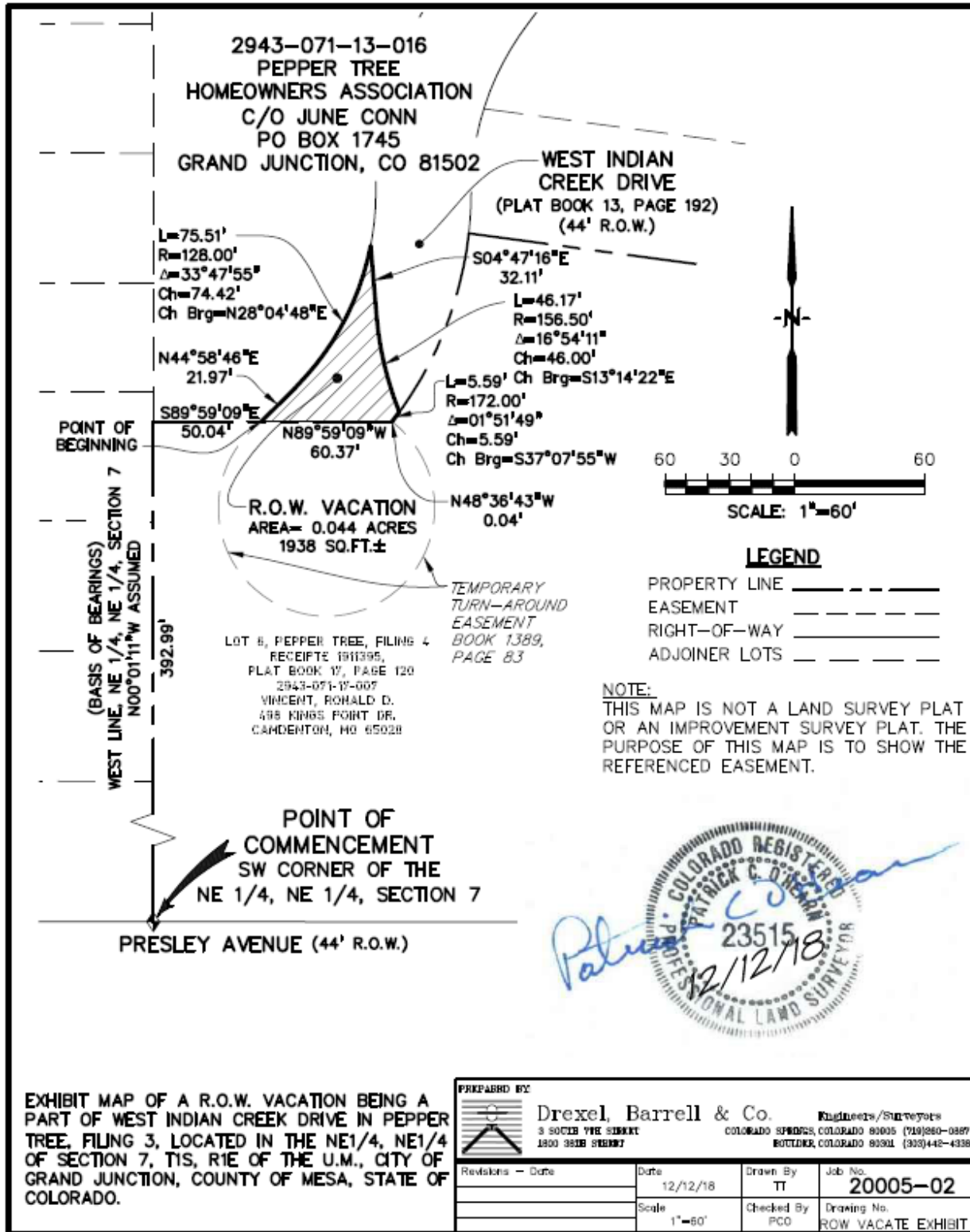
Adopted on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

Exhibit A





Grand Junction Planning Commission

Regular Session

Item #4.

Meeting Date: June 25, 2019

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

Consider a request by the Applicant, Sunshine of Delta, to Vacate Right-of-Way situated between 383 29 Road and 379 29 Road.

RECOMMENDATION:

Staff recommends approval

EXECUTIVE SUMMARY:

The Applicant, Sunshine of Delta, Inc., is requesting a vacation of a section of unimproved right-of-way between 383 29 Road and 379 29 Road. This right-of-way has a total area of 14,500 square feet (0.33 acres). The Applicant currently has two other projects under review, which include a simple subdivision (SSU-2019-131) and rezone request (RZN-2019-263). As part of the simple subdivision application, the Applicant is proposing to dedicate a 52-foot-wide right-of-way 70 feet south of the existing right-of-way that will serve to allow for better access to the neighboring properties to the west (2896 and 2896 ½ Florida Street).

BACKGROUND OR DETAILED INFORMATION:

Sitting between properties located at 383 29 Road and 379 29 Road is an existing 50-foot wide right-of-way, annexed into the City limits in 2008. This right-of-way is currently unimproved, and the parcel adjacent to the north (383 29 Road) is zoned C-1 (Light Commercial), while the parcel adjacent to the south (379 29 Road) is zoned R-12 (Residential – 12 units/acre). Because of the location of the existing right-of-way, if it were to be extended to the west, it would split the middle of the property situated at 2896 ½ Florida Street, which would not be conducive to accommodating future

development of that parcel. Instead, the Applicant is proposing to vacate the existing right-of-way and dedicate a new 52-foot wide right-of-way as part of a separate simple subdivision process, which will be situated approximately 70 feet south. This will provide for better access to the properties to the west if/when they are ready to develop. An illustration of this is depicted in Attachment 1, Exhibit 1.2. There are no objections from review agencies including utility providers with the proposed right-of-way vacation.

The right-of-way that is proposed to be vacated is referred to in a quit claim deed (book 1146, page 343, reception number 1158634) dated April 24, 1978 from Thomas & Margaret Allen to Mesa County. In the quit claim deed, the property is described as “An easement over and across the following described tract to be used for public road purposes”. In 2008, this property was annexed into the City limits as part of the Sunshine-Moir Annexation. In that annexation Resolution, the area to be vacated was considered as “Unnamed portions of right-of-way along the southern border of 383 29 Road”. As such, given the use of this area for “public road purposes” and provided for in C.R.S. 43-2-301, a public road shall be vacated via ordinance.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on February 28, 2019 at 6:30 pm at Lincoln Orchard Mesa Elementary, located at 2888 B ½ Road in Grand Junction. The Applicant provided an overview of the right-of-way vacation, simple subdivision, and rezone proposal for the property. There were a total of four people in attendance, including two citizens, the Applicant, and City planning staff. Attendees had initial concerns about what was proposed, and were informed that the purpose this project was to move the access south approximately 70 feet to accommodate better access to the parcels to the west. Following the explanation of the project, there were no additional issues expressed. Public notice for this application was provided in accordance with Sec. 21.02.080(g) of the Code, including posting notification signs on the subject property on all public rights-of-way.

ANALYSIS

The criteria for review is set forth in Section 21.02.100 (c) of the Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

(1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City;

The request to vacate the existing right-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan, or other adopted plans and

policies of the City, as these plans do not directly address right-of-way vacations. However, the vacation in general is consistent with Goal 1 / Policy C of the City's Comprehensive Plan that provides "The City will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers". In addition, the vacation is consistent with Goal 11 / Policy A: "The City will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth". Therefore, staff has found this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation;

As a condition of approval, the Applicant will be required to dedicate a 52-foot right-of-way as part of the proposed simple subdivision (City File Number SSU-2019-131), which will allow access to the property to the west at 2896 ½ Florida Street. With this condition, no parcel shall be landlocked as a result of this vacation, therefore, staff has found this criterion has been met.

(3) Access to any parcel shall be not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

No comments were received from utility review agencies or adjacent property owners indicating that the requested vacation will unreasonably restrict access or reduce or devalue any property provided that a new right-of-way is conveyed to provide access to 2896 ½ Florida Street, as indicated in the proposed simple subdivision (SSU-2019-131). As such, staff finds this criterion has been met.

(4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services;

Staff, referral agencies, and adjacent property owners have not identified any adverse impacts on the health, safety and/or welfare of the community or adverse impacts to the quality of public facilities and services provided. Staff, therefore find this criterion has been met.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

This vacation request does not impact the provision of adequate public facilities and services, specifically considering the right-of-way is not currently improved and no public facilities/utilities are located within it. Mesa County, utility providers, and adjacent property owners did not identify any impacts to public facilities or services during the

staff review process. Therefore, Staff finds that this criterion has been met.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will not change as a result of the proposed vacation, as right-of-way will remain undeveloped. At some point in the future, development will be required to construct this portion of right of way and at that time the City would assume maintenance responsibilities for the public street. With the elimination of the existing right-of-way, the Applicant will better be able to develop the property as needed to avoid the impact to the anticipated building locations and lot development. This vacation will also serve as a general clean-up of the property by removing an excessive encumbrance from the property that will no longer be necessary or useful for its intended public purpose. This will likely benefit the Applicant's overall site development and will benefit the neighboring property to the west with improved public access. Therefore, Staff finds that this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Sunshine of Delta Right-of-Way Vacation, VAC-2019-107, directly between 383 29 Road and 379 29 Road, the following findings of fact have been made with the following condition of approval:

1. The request conforms with Section 21.02.100 (c) of the Zoning & Development Code.
2. The requested vacation does not conflict with the goals and policies of the Comprehensive Plan.

Condition 1. Prior to recording of an ordinance vacating the right-of-way, new right-of-way shall be dedicated to the City consistent with the application in City File Number SSU-2019-131.

Therefore, Staff recommends conditional approval of the requested vacation.

SUGGESTED MOTION:

Madam Chairman, on the Sunshine of Delta Right-of-Way Vacation, situated directly between 383 29 Road and 379 29 Road, City file number VAC-2019-107, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and condition as listed in the staff report.

Attachments

1. Attachment 1 - Maps-Exhibits
2. Attachment 2 - Application Packet
3. Attachment 3 - ROW Vacation Orinance

Existing Conditions

Exhibit 1.1



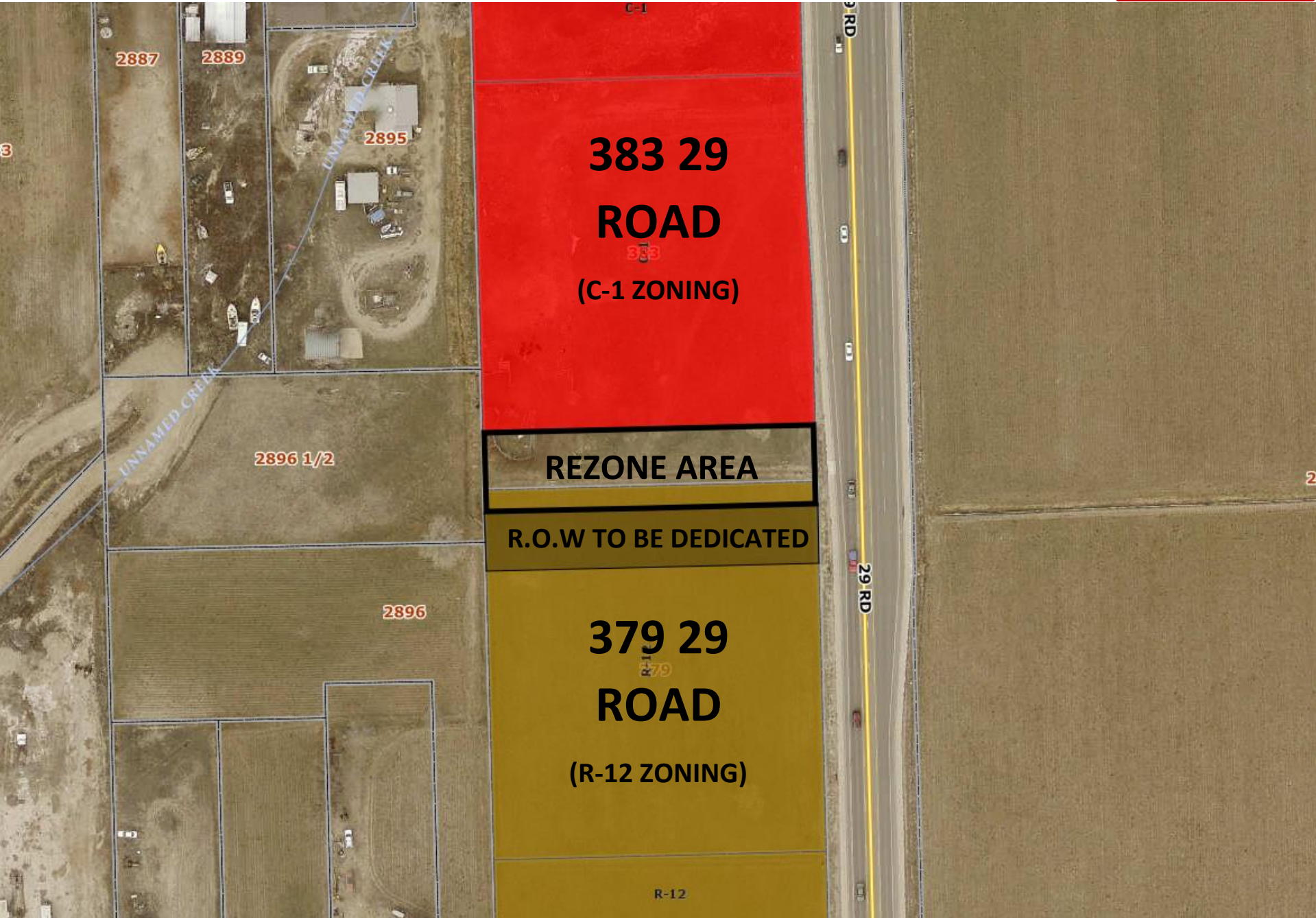
Easement Vacation/ROW Dedication Proposal

Exhibit 1.2



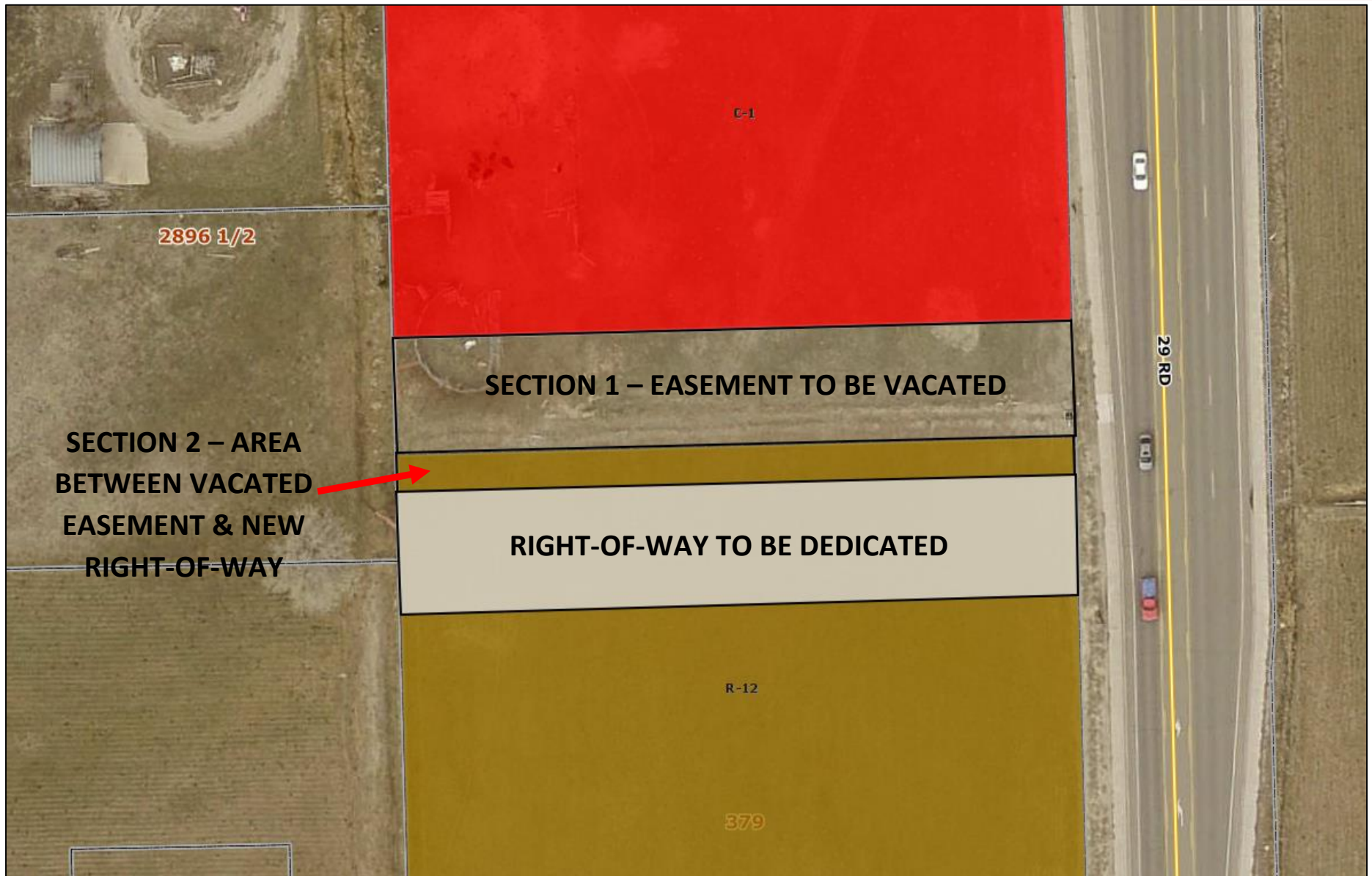
Rezone Proposal Area

Exhibit 1.3



Rezone Proposal Area (Close-In)

Exhibit 1.4



Proposal Result

Exhibit 1.5



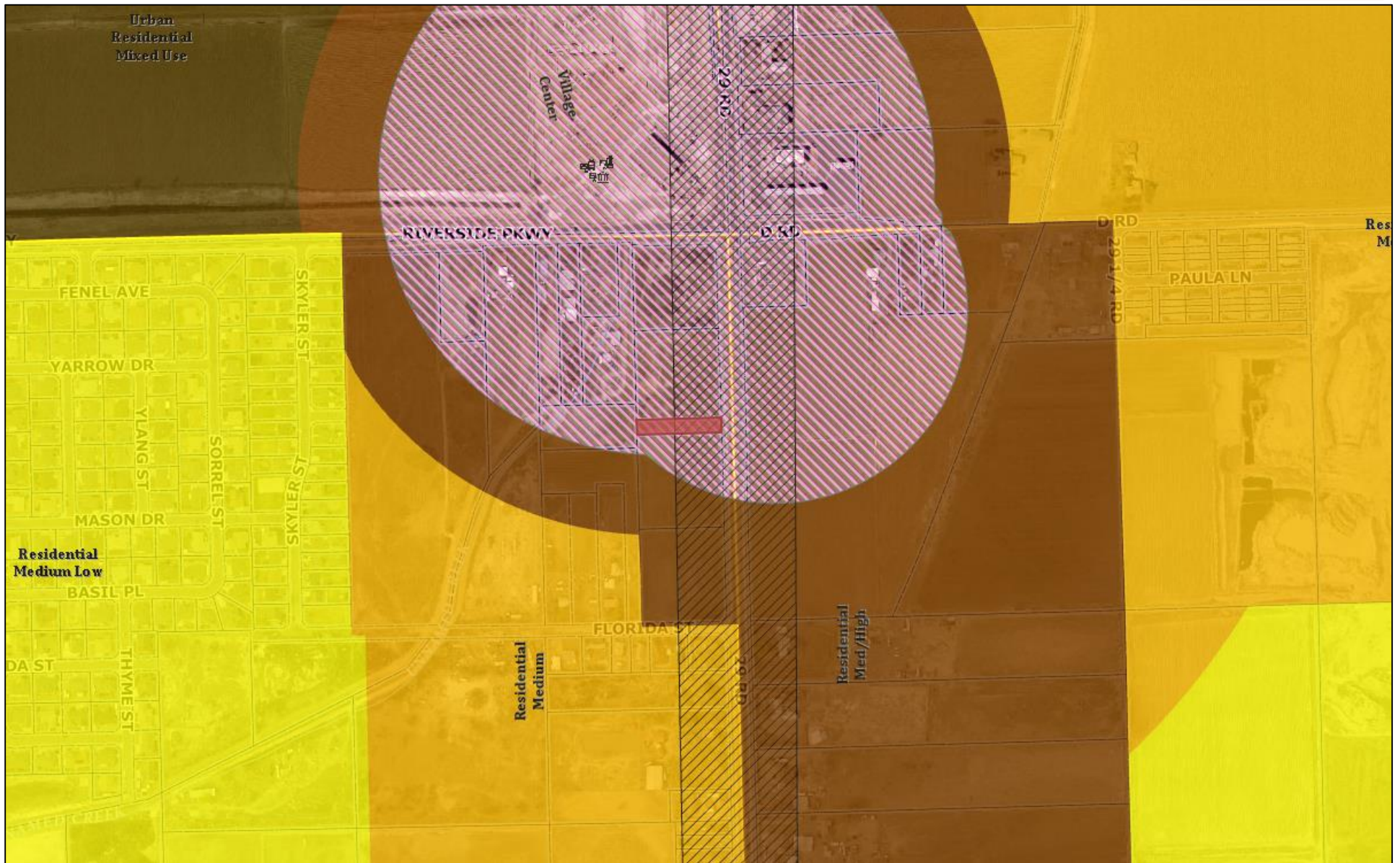
Vicinity Map

Exhibit 1.6



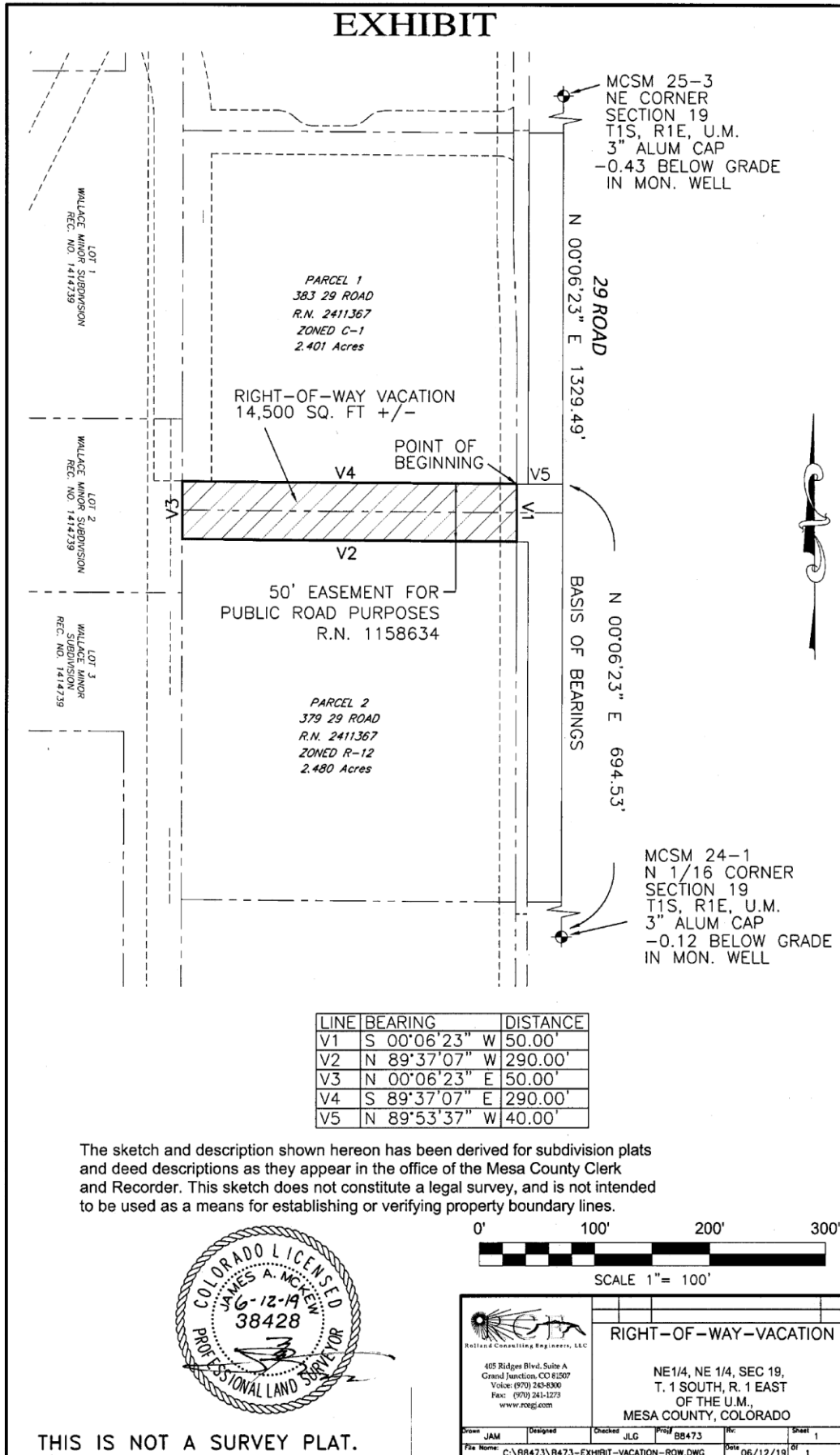
Future Land Use Map

Exhibit 1.7



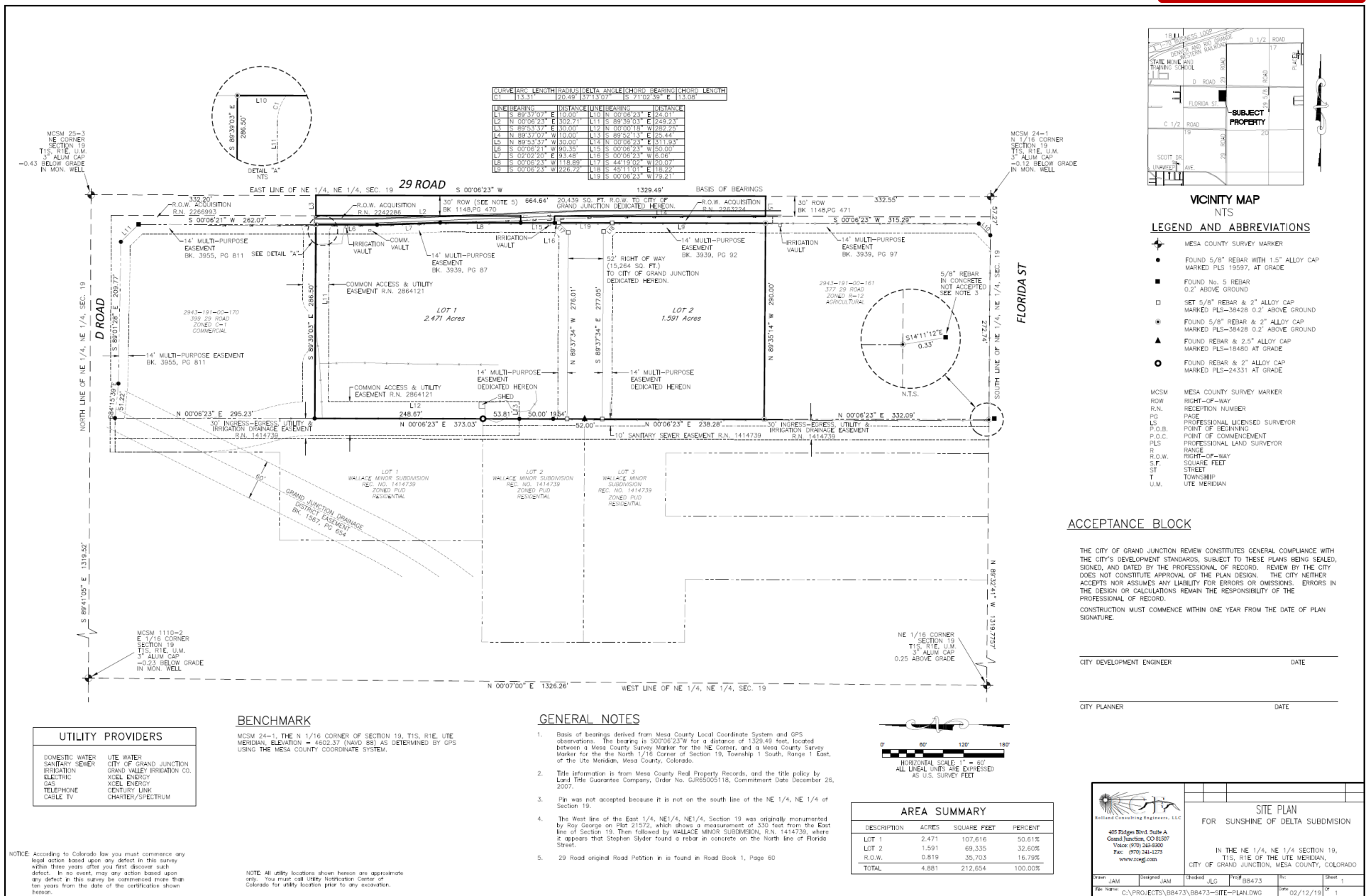
Easement Vacation Exhibit

Exhibit 1.8



THIS IS NOT A SURVEY PLAT.

Exhibit 1.9



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:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

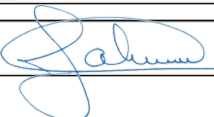
We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application 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

Signature of Legal Property Owner



Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Sunshine of Delta, Inc ("Entity") is the owner of the following property:

(b) 379 and 383 29 Road, Grand Junction, CO 81501

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) representative for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

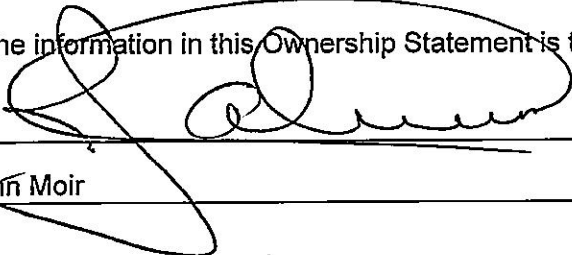
On behalf of Entity, I have reviewed the application for the (d) simple subdivison/lot line adjustment

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e)

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: 

Printed name of person signing: John Moir

State of Colorado)

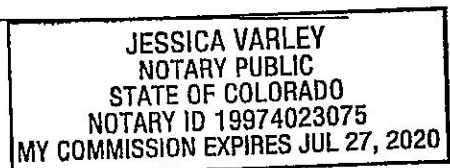
County of Mesa) ss.

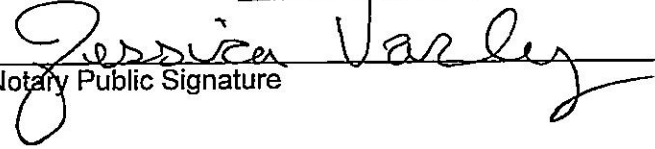
Subscribed and sworn to before me on this 19 day of February, 20 20

by John Moir

Witness my hand and seal.

My Notary Commission expires on 07-27-2020




Notary Public Signature

111-2 PAGE DOCUMENT



STATE DOCUMENTARY FEE
Date: October 29, 2007
\$ 69.00

WARRANTY DEED

THIS DEED, Made on this day of October 29, 2007, between
FRED R. BERRY AND DOROTHY C. BERRY

of the said County of MESA and State of COLORADO, the Grantor(s), and
SUNSHINE OF DELTA, INC.

whose legal address is PO BOX 516 FRUITA, CO 81521
of the said County of MESA and State of COLORADO, the Grantee(s):

WITNESS, That the Grantor(s), for and in consideration of the sum of (\$690,000.00)
*** Six Hundred Ninety Thousand and 00/100 *** DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these
presents does grant, bargain, sell, convey and confirm unto the Grantee(s), his heirs and assigns forever, all the
real property, together with improvements, if any, situate, lying and being in the said County of
MESA and State of Colorado, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

also known as street number 377, 379, & 383 29 ROAD GRAND JUNCTION CO 81501

TOGETHER with all and singular and hereditaments and appurtenances thereto belonging, or in anywise appertaining
and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right
title interest, claim and demand whatsoever of the Grantor(s), either in law or equity, of, in and to the above bargained
premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s),
his heirs and assigns forever. The Grantor(s), for himself, his heirs and personal representatives, does covenant, grant,
bargain, and agree to and with the Grantee(s), his heirs and assigns, that at the time of the enrolling and delivery
of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible
estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain,
sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other
grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever,
subject to general taxes for the year 2007 and those specific Exceptions described by reference to recorded documents as
reflected in the Title Documents accepted by Grantee(s) in accordance with Section 8a (Title Review) of the Contract to
Buy and Sell Real Estate relating to the above described property; distribution utility easements (including cable TV);
those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual
knowledge and which were accepted by Grantee(s) in accordance with Section 8b (Matters not Shown by the Public Records) and
Section 8c (Survey Review) of the Contract to Buy and Sell Real Estate relating to the above described real property;
inclusion of the Property within any special tax district; and, the benefits and burdens of any recorded declaration and
party wall agreements, if any and other NONE
The Grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable
possession of the Grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole
or any part thereof. The singular number shall include the plural, and the plural the singular, and the use of any gender
shall be applicable to all genders.

IN WITNESS WHEREOF the Grantor(s) has executed this deed on the date set forth above.

By: Fred R. Berry
FRED R. BERRY

Dorothy C. Berry
DOROTHY C. BERRY

STATE OF COLORADO)
said County of MESA) ss.

The foregoing instrument was acknowledged before me on this day of October 29, 2007,
by FRED R. BERRY AND DOROTHY C. BERRY

My commission expires 12-5-09
Witness my hand and official seal.

Jessica Miller
Notary Public



My Commission Expires 12/05/2008
County of Mesa

Name and Address of Person Creating Newly Created Legal Description (38-35-106.5, C.R.S.)

Escrow# GJ65005118
Title# GJR65005118

When Recorded Return to: SUNSHINE OF DELTA, INC.

PO BOX 516 FRUITA, CO 81521

Form 84 08/29/04 WD1 WARRANTY DEED (Photographic)



(5583135)

EXHIBIT A

PARCEL 1:

BEGINNING AT A POINT 660 FEET SOUTH OF THE NORTHEAST CORNER OF THE E¼ NE¼ NE¼
OF 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN ON THE EAST
BOUNDARY OF SAID SECTION 19;
THENCE WEST 330 FEET;
THENCE NORTH 330 FEET;
THENCE EAST 330 FEET;
THENCE SOUTH ALONG THE EAST BOUNDARY OF SAID SECTION 19 TO THE POINT OF
BEGINNING;
EXCEPT ROAD AS DESCRIBED IN INSTRUMENT RECORDED IN BOOK 714 AT PAGE 521;
ALSO EXCEPT THE EAST 30 FEET THEREOF FOR PUBLIC ROAD RIGHT OF WAY, AS DESCRIBED
IN INSTRUMENT RECORDED MAY 9, 1978 IN BOOK 1148 AT PAGE 470; AND ALSO EXCEPTING
THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY, A COLORADO POLITICAL
SUBDIVISION, BY INSTRUMENT RECORDED JULY 12, 2005 IN BOOK 3939 AT PAGE 85,
COUNTY OF MESA, STATE OF COLORADO.

PARCEL 2:

BEGINNING AT A POINT 990 FEET SOUTH OF THE NORTHEAST CORNER OF THE E¼ NE¼ NE¼
OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN ON THE EAST
BOUNDARY OF SAID SECTION 19;
THENCE WEST 330 FEET;
THENCE NORTH 330 FEET;
THENCE EAST 330 FEET;
THENCE SOUTH ALONG THE EAST BOUNDARY OF SAID SECTION 19 TO THE POINT OF
BEGINNING;
EXCEPT ROAD AS DESCRIBED IN INSTRUMENT RECORDED IN BOOK 714 AT PAGE 521;
ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY, A
COLORADO POLITICAL SUBDIVISION, BY INSTRUMENT RECORDED JULY 12, 2005 IN BOOK
3939 AT PAGE 90,
COUNTY OF MESA, STATE OF COLORADO.

PARCEL 3:

BEGINNING AT A POINT 1320 FEET SOUTH OF THE NORTHEAST CORNER OF THE E¼ NE¼ NE¼
OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN ON THE EAST
BOUNDARY OF SAID SECTION 19;
THENCE WEST 330 FEET;
THENCE NORTH 330 FEET;
THENCE EAST 330 FEET;
THENCE SOUTH ALONG THE EAST BOUNDARY OF SAID SECTION 19 TO THE POINT OF
BEGINNING;
EXCEPT ROAD AS DESCRIBED IN INSTRUMENT RECORDED IN BOOK 714 AT PAGE 521;
ALSO EXCEPT THE EAST 30 FEET THEREOF FOR PUBLIC ROAD RIGHT OF WAY, AS DESCRIBED
IN INSTRUMENT RECORDED MAY 9, 1978 IN BOOK 1148 AT PAGE 471;
ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY, A
COLORADO POLITICAL SUBDIVISION, BY INSTRUMENT RECORDED JULY 12, 2005 IN BOOK
3993 AT PAGE 95,
COUNTY OF MESA, STATE OF COLORADO.

State of Colorado
County of Mesa

Recorded at 9:02 o'clock A.M., APR 24 1978
Reception No. 1158634
Earl Sawyer Recorder.

BOOK 1146 PAGE 343

Thomas L. Allen and Margaret A. Allen,
husband and wife

whose address is Grand Junction

said County of Mesa, and State of

Colorado, for the consideration of ten dollars and

other valuable consideration Dollars, in hand paid,

hereby sell(s) and quit claim(s) to County of Mesa

whose address is

County of Mesa, and State of Colorado, the following real

property, in the County of Mesa, and State of Colorado, to wit:

An easement over and across the following described tract to be
used for public road purposes, to-wit:

Beginning at a point 685 feet South of the Northeast corner of the
East one-quarter, Northeast one-quarter, Northeast one-quarter,
Section 19, Township 1 South, Range 1 East, Ute Meridian on the
East boundary of said Section, thence West 330 feet, thence North
along the West boundary of said East one-quarter, Northeast one-
quarter, Northeast one-quarter 50 feet, thence East 330 feet,
thence South 50 feet along the East boundary of said East one-
quarter, Northeast one-quarter, Northeast one-quarter to the Point
of Beginning.

with all its appurtenances

Signed this 24th day of April, 1978.

Thomas L. Allen

Thomas L. Allen, as husband

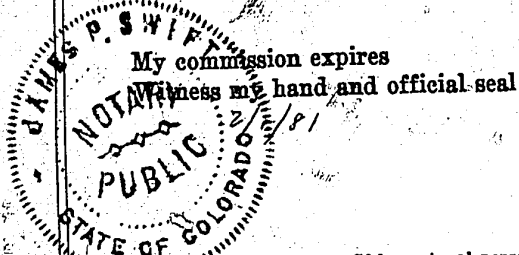
Margaret A. Allen

Margaret A. Allen, as wife

STATE OF COLORADO,

said County of Mesa

The foregoing instrument was acknowledged before me this 24th
day of APRIL, 1978, by ~~JAMES P. SWIFT~~ THOMAS L. &
MARGARET ALLEN



James P. Swift

Notary Public.

Acknowledgment.—If by natural person or persons here insert name or names; if by person acting in representative or
official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or descrip-
tion; if by officer of corporation, then insert name of such officer or officers as the president or other officers of such cor-
poration, naming it.

NEIGHBORHOOD MEETING FOR PROPOSED LOT LINE SIMPLE SUBDIVISION (LOT LINE ADJUSTMENT)

Hello Neighbors,

Per City of Grand Junction requirements, we the owners of the vacant land property known as 379 and 383 29 Road, Grand Junction, CO hereby invite you to attend a neighborhood meeting of ours.

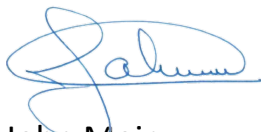
The subject property is about 4.15 acres and is currently zoned R12 (residential) and C1 (light commercial).

It is our intention is to move the existing unnamed east/west right of way (situated between 379 and 383 29 Road) south approximately 45 to 50 feet to line up better with the property to the west at 2895 1/2 Florida Street. The request will require an easement vacation as well as a simple subdivision.

The meeting will be a time for you to ask any and all questions you may have with regards to this endeavor of us the landowners, and City representatives, so you will know what's going on with the property in your neighborhood.

The meeting will take place on Thursday, February 28th, 2019 at 6:30pm at Lincoln Orchard Mesa Elementary School, in the Cafeteria at 2888 B 1/2 Rd, Grand Junction, CO.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Moir", with a stylized flourish at the end.

John Moir

(Sunshine of Delta, Inc)

Minutes from the Neighborhood Meeting for Proposed Right-of-Way Vacation and Lot Line Adjustment

Date: February 28, 2019

Time: 6:30 PM

Location: Lincoln Orchard Mesa Elementary

Minutes: Per City of Grand Junction requirements a meeting was held in order to discuss with the public the Proposed Right-of-Way Vacation and Lot Line Adjustment at 379 & 383, 29 Road. John Moir was present representing Sunshine of Delta and Jace Hochwalt was present representing the City of Grand Junction Planning Department. The meeting commenced promptly at 6:30 PM. Two neighbors attended the meeting and asked several questions regarding the purpose of the proposal. It was explained to them that it was a simple lot line adjustment with a vacationing of one right of way and the platting of a new right of way to the south. The neighbors were satisfied and left without signing in.

At 7:00 it was agreed to draw the meeting to a close.

John Moir

(Sunshine of Delta, Inc)

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: 1/29/2019
Project Name: Lot Line at 383 29 Road
Project Street Address: 383 29 Road, Grand Junction, CO 81501
Assessor's Tax Parcel Number: 2943-191-00-169
Project Owner Name: Sunshine of Delta, Inc
City or County project file #: _____
Name of Water Purveyor: Ute Water
Applicant Name/Phone Number: John Moir
Applicant E-mail: moir28@gmail.com

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be NA square feet.
 - b. All dwelling units will ☐, will not ☐ include an approved automatic sprinkler system.
Comments: No buildings on the property at this time
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:
No buildings on the property at this time
 - b. List each building that will be provided with an approved fire sprinkler system:
No buildings on the property at this time
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):

Comments: No buildings on the property at this time

Note:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: **Ute** **Clifton** **Grand Junction**
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain:

Print Name and Title of Water Supplier Employee completing this Form:

Date: _____

Contact phone/E-mail of Water Supplier: _____

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

EXHIBIT

RIGHT-OF-WAY VACATION

A Right-of-Way Vacation within the Northeast 1/4, Northeast 1/4 of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, being a portion Parcel 1 and Parcel 2 of Reception Number 2411367, Mesa County, State of Colorado;

COMMENCING from the North 1/16 Corner of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, whence the Northeast Corner of Section 19 bears N 00°06'23" E, a distance of 1329.49 feet, with all bearings being relative thereto.

THENCE N 00°06'23" E a distance of 694.53 feet;

THENCE N 89°53'37" W a distance of 40.00 feet to a point on the westerly Right-of-Way of 29 Road, said point being the **POINT OF BEGINNING**;

THENCE S 00°06'23" W along said westerly Right-of-Way a distance of 50.00 feet;

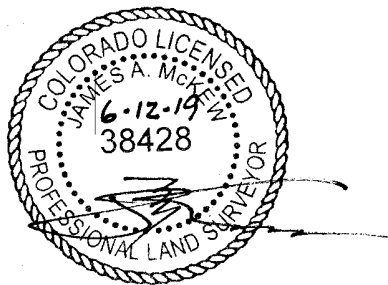
THENCE N 89°37'07" W leaving the aforementioned Right-of-Way a distance of 290.00 feet to a point on the westerly line of the aforementioned Parcel 2;

THENCE N 00°06'23" E a distance of 50.00 feet along said westerly line of Parcel 2 and the westerly line of Parcel 1;

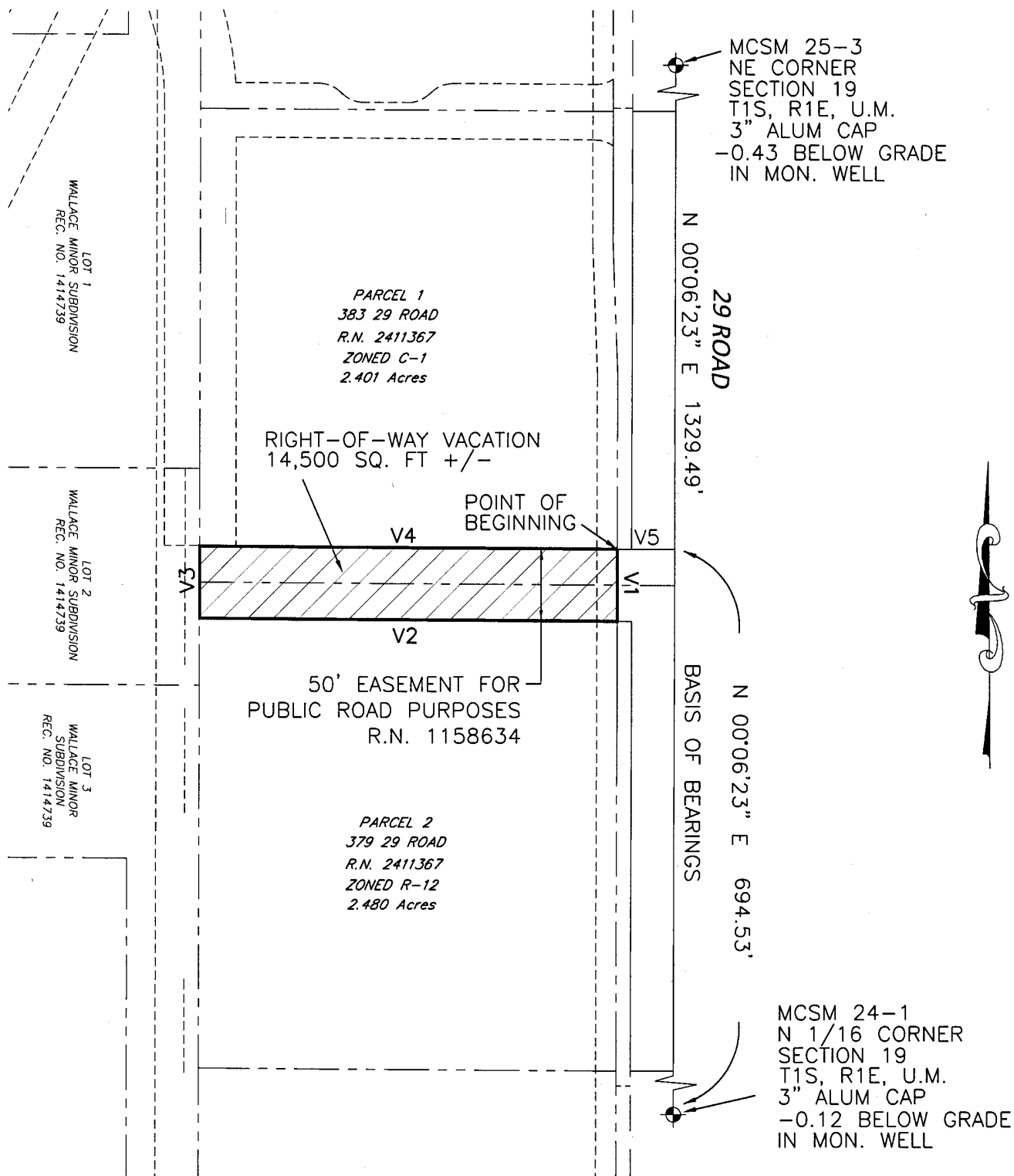
THENCE S 89°37'07" E leaving said westerly line of Parcel 1, a distance of 290.00 feet to a point on the westerly Right-of-Way of 29 Road, said point being the **POINT OF BEGINNING**;

CONTAINING 14,500 square feet, more or less.

This description was prepared by James A. McKew for Rolland Consulting Engineers, 405 Ridges Blvd., Grand Junction, Colorado.

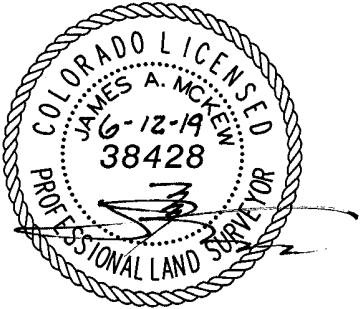
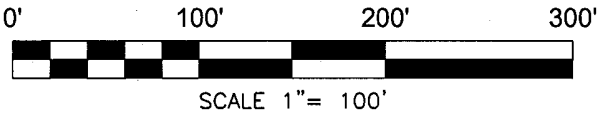


EXHIBIT



LINE	BEARING	DISTANCE
V1	S 00°06'23" W	50.00'
V2	N 89°37'07" W	290.00'
V3	N 00°06'23" E	50.00'
V4	S 89°37'07" E	290.00'
V5	N 89°53'37" W	40.00'

The sketch and description shown hereon has been derived for subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



THIS IS NOT A SURVEY PLAT.

		RIGHT-OF-WAY-VACATION	
405 Ridges Blvd, Suite A Grand Junction, CO 81507 Voice: (970) 243-8300 Fax: (970) 241-1273 www.rcegi.com		NE1/4, NE 1/4, SEC 19, T. 1 SOUTH, R. 1 EAST OF THE U.M., MESA COUNTY, COLORADO	
Drawn JAM	Designed	Checked JLG	Proj# BB473
File Name: C:\BB473\B473-EXHIBIT-VACATION-ROW.DWG		Date 06/12/19	Sheet 1 of 1

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF UNNAMED 50-FOOT-WIDE RIGHT-OF-WAY

LOCATED BETWEEN 379 29 ROAD AND 383 29 ROAD

RECITALS:

A vacation of a publicly dedicated 50-foot-wide wide right-of-way has been requested by the Applicant, Sunshine of Delta, Inc. The applicant's request is to vacate the existing right-of-way and rededicate a new 52-foot-wide right-of-way 70 feet south of the existing right-of-way, in anticipation for better access to accommodate for future development of properties to the west.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate the 52-foot-wide right-of-way between 379 and 383 29 Road is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

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

The following described portions of public right-of-way is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.
2. Prior to recording of an ordinance vacating the right-of-way, new right-of-way shall be dedicated to the City consistent with the application in City File Number SSU-2019-131.

RIGHT-OF-WAY VACATION

A Right-of-Way Vacation within the Northeast 1/4, Northeast 1/4 of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, being a portion Parcel 1 and Parcel 2 of Reception Number 2411367, Mesa County, State of Colorado;

COMMENCING from the North 1/16 Corner of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, whence the Northeast Corner of Section 19 bears N 00°06'23" E, a distance of 1329.49 feet, with all bearings being relative thereto.

THENCE N 00°06'23" E a distance of 694.53 feet;
THENCE N 89°53'37" W a distance of 40.00 feet to a point on the westerly Right-of-Way of 29 Road, said point being the POINT OF BEGINNING;
THENCE S 00°06'23" W along said westerly Right-of-Way a distance of 50.00 feet;
THENCE N 89°37'07" W leaving the aforementioned Right-of-Way a distance of 290.00 feet to a point on the westerly line of the aforementioned Parcel 2;
THENCE N 00°06'23" E a distance of 50.00 feet along said westerly line of Parcel 2 and the westerly line of Parcel 1;
THENCE S 89°37'07" E leaving said westerly line of Parcel 1, a distance of 290.00 feet to a point on the westerly Right-of-Way of 29 Road, said point being the POINT OF BEGINNING;

CONTAINING 14,500 square feet, more or less.

See Attached Exhibit.

Introduced on first reading this _____ day of _____, 2019 and ordered published in pamphlet form.

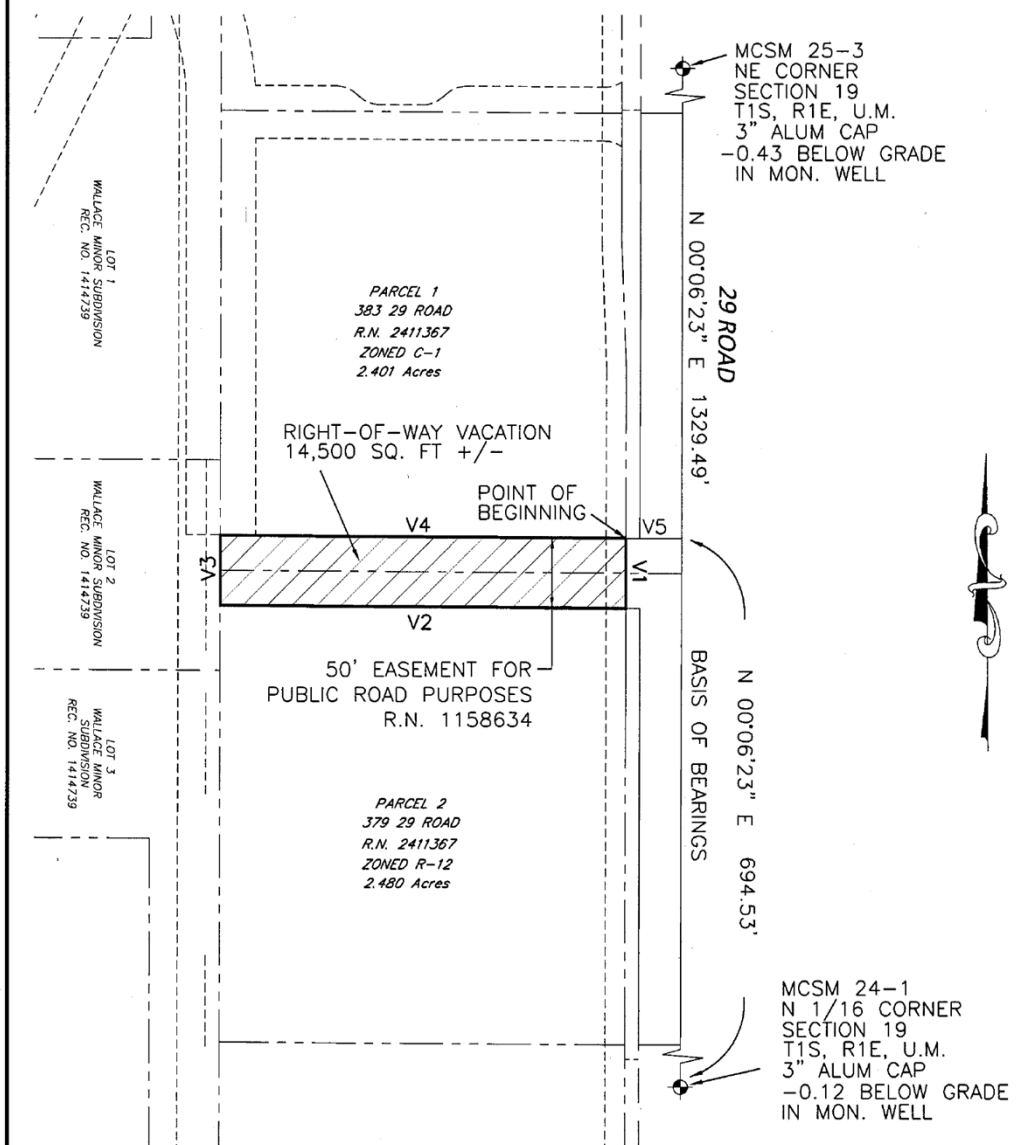
Adopted on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

City Clerk

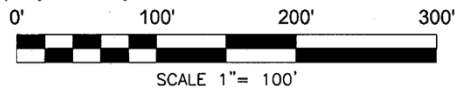
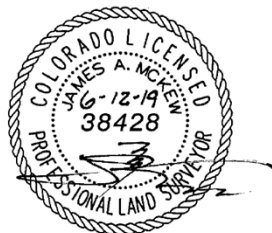
Mayor

EXHIBIT



LINE	BEARING	DISTANCE
V1	S 00°06'23" W	50.00'
V2	N 89°37'07" W	290.00'
V3	N 00°06'23" E	50.00'
V4	S 89°37'07" E	290.00'
V5	N 89°53'37" W	40.00'

The sketch and description shown hereon has been derived for subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



		RIGHT-OF-WAY-VACATION	
405 Ridges Blvd., Suite A Grand Junction, CO 81507 Voice: (970) 243-8300 Fax: (970) 241-1273 www.roland.com		NE1/4, NE 1/4, SEC 19, T. 1 SOUTH, R. 1 EAST OF THE U.M., MESA COUNTY, COLORADO	
Drawn	JAM	Designed	Checked
File Name:	C:\B8473\B473-EXHIBIT-VACATION-ROW.DWG	Date	06/12/19
Sheet	1	Of	1

THIS IS NOT A SURVEY PLAT.



Grand Junction Planning Commission

Regular Session

Item #5.

Meeting Date: June 25, 2019

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

Consider a request by the Applicant, Sunshine of Delta, to Rezone a Portion of the properties situated at 383 29 Road and 379 29 Road, totaling approximately 0.44 acres, to C-1 (Light Commercial).

RECOMMENDATION:

Staff recommends approval of the request

EXECUTIVE SUMMARY:

The Applicant, Sunshine of Delta, Inc., is requesting the rezone 19,294 square feet (0.44 acres) to C-1 (Light Commercial), which is comprised of two sections as indicated in Attachment #1, Exhibit 1.4. Section 1, is an area totaling 0.33 acres, and is property currently reserved for public road purposes, but the Applicant is concurrently requesting the right-of-way to be vacated. Given that this area is currently reserved for public road purposes, it does not have a zoning designation, but will require one following the proposed vacation. Section 2, which is the remaining area, is a small strip of property 0.11 acres in size currently zoned R-12 (Residential – 12 units/acre) situated between the existing right-of-way that is proposed to be vacated and a proposed right-of-way to be dedicated in a simple subdivision.

BACKGROUND OR DETAILED INFORMATION:

Between properties located at 383 29 Road and 379 29 Road is an existing 50-foot wide unimproved right-of-way. The Applicant has requested the vacation of 0.33 acres of unimproved right-of-way (shown in Attachment 1, Exhibit 1.4, Section 1), and should this vacation be approved (File VAC-2019-107), this area will need to be zoned. The

Applicant is requesting this be zoned to C-1 (Light Commercial). The property abutting the right-of-way to the north (383 29 Road) is currently zoned C-1 (Light Commercial), while the property to the south (379 29 Road) is zoned R-12 (Residential – 12 units/acre).

In addition, the Applicant is proposing a simple subdivision (SSU-2019-131), which will include the dedication of a new 52-foot-wide right-of-way. With the new right-of-way dedication, the Applicant would like to rezone a small remnant strip of 0.11 acres (indicated in Attachment 1, Exhibit 1.4 as Section 2) north of the proposed ROW dedication from its existing R-12 zone district to C-1 (Light Commercial). These combined rezone requests will result in zoning the entirety of the northern property (383 29 Road) to C-1 (Light Commercial) as indicated in Attachment 1, Exhibit 1.5.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on February 28, 2019 at 6:30 pm at Lincoln Orchard Mesa Elementary, located at 2888 B ½ Road in Grand Junction. The Applicant provided an overview of the right-of-way vacation, simple subdivision, and rezone proposal for the property. There were a total of four people in attendance, including two citizens, the Applicant, and City planning staff. Attendees had initial concerns about what was proposed, and were informed that the purpose this project was to move the access south approximately 70 feet to accommodate better access to the parcels to the west. Following the explanation of the project, there were no additional issues expressed.

Public notice for this application was provided in accordance with Sec. 21.02.080(g) of the Code, including posting notification signs on the subject property on all public rights-of-way.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may Rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following criteria:

- (1) Subsequent events have invalidated the original premise and findings; and/or

For this rezone proposal, there are two sections being rezoned, as illustrated in Attachment 1, Exhibit 1.4. Section 1 is 0.33-acres, comprised of unimproved right-of-way that is proposed to be vacated. This right-of-way was annexed into the city without a zone district. Because property cannot exist in the city without a valid zone district, staff has found that the event (subject to approval of VAC-2019-107) to vacate the right of way will in fact invalidate the original premise of which this property was not assigned a zone district. Therefore, staff finds this criterion has been met for the 0.33

acres (Section 1).

Section 2 (subject to approval of SSU-2019-131) of the proposed rezone is a 0.11-acre area that is situated between the right-of-way to be vacated, and the new right-of-way that is to be dedicated. This section of property is currently zoned R-12 (Residential 12 units/acre). However, this section is approximately 20 feet in width and cannot be used to reasonably accommodate uses in the R-12 zone district (given that minimum front setbacks in the R-12 zone district are 20 feet).

With the Simple Subdivision proposal (SSU-2019-131), the original premise will be invalidated of an R-12 zone district, as this narrow strip of property when combined with the right-of-way vacation will result in a strip of land approximately 45 feet by 290 feet, which would result in a challenging if not prohibitively difficult property to develop in a manner conforming to the bulk standards assigned to this zone district. As such, staff finds this criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

With the widening of both 29 Road and D Road/Riverside Parkway, the area is capable of handling more intense uses than in the past. Development projects in the immediate area has also spurred a change in the character of the area. This includes the Maverick convenience store and gas station situated at 2902 D Road, as well as the proposed Golden Gate Petroleum convenience store and gas station, to be situated at 399 29 Road which is currently under review.

The proposed C-1 (Light Commercial) zoning designation is in conformance with the Comprehensive Plan Future Land Use Map, which designates the area as Village Center Mixed Use. This rezone would accommodate for more commercial services by enlarging the area of commercially zoned land on the subject site. This rezone request will maintain consistency with the changing character of the area. As such, staff finds that the character and the condition of the area has/is changing and has found this criterion to have been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Adequate public and community facilities and services are available to the property and are sufficient to serve the various uses allowed in the proposed C-1 zone district. Ute Water and City sanitary sewer are presently located within the 29 Road right-of-way on the east side of the site. The property can also be served by Xcel Energy for electric and natural gas services. Access to commercial facilities, retail, offices and restaurants, etc., can be accessed near the intersection of 29 Road and North Avenue,

approximately one-mile north of the subject site. Grand Junction Fire Station #4 is approximately 1.5 miles from the subject site. Staff has found there to be adequate public and community facilities available to serve the proposed C-1 zone district and its potential uses. Therefore, Staff finds this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

The C-1 (Light Commercial) zone district comprises about 5% of the total acreage zoned within the City, while the R-12 (Residential - 12 units/acre) zone district comprises less than 1% of the total acreage zoned within the City. The portions of property in this proposal have a negligible impact on the availability of C-1 zoned property and as such, Staff is unable to make the determination that an inadequate supply of C-1 zoned property is present in this area. Therefore, Staff finds this criterion has not been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Because of the new alignment of right-of-way, this rezone request will resolve issues of unusable land due to zone district bulk standards as well as resolving an issue of a portion of property not having a zone district designation. Providing a zone district designation to these properties to enable reasonable development of the subject areas and to accommodate for more commercial services in the immediate area has been found by staff to be a benefit to the community and area. Therefore, staff finds that this criterion has been met.

This Rezone request is consistent with the Future Land Use Map designation of Village Center Mixed Use, which allows a variety of zoning designations, including C-1 (Light Commercial). The Rezone is also consistent with the following vision, goals and/or policies of the Comprehensive Plan:

Goal 1 – Policy A:

City and County land use decision will be consistent with the Future Land Use Map.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing RZN-2019-263, a request to Rezone 0.44 acres to C-1 (Light Commercial), the following findings of fact have been made with the following conditions of approval:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;

2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Condition 1. Prior to recording of an ordinance for the rezone, RZN-2019-263, the proposed simple subdivision for City File Number SSU-2019-131 shall be approved and recorded.

Condition 2. Prior to recording of an ordinance for the rezone, RZN-2019-263, the right-of-way vacation ordinance for City File Number VAC-2019-107 shall be recorded.

Therefore, Staff recommends approval of the request to Rezone the property referred to in file number RZN-2019-263 to a C-1 (Light Commercial) zone district.

SUGGESTED MOTION:

Madam Chairman, on the Rezone request RZN-2019-263, I move that the Planning Commission forward a recommendation of approval for the Rezone of the property referred to in file number RZN-2019-263 to the C-1 (Light Commercial) zone district with the findings of fact and conditions listed in the staff report.

Attachments

1. Attachment 1 - Maps-Exhibits
2. Attachment 2 - Application Packet
3. Attachment 3 - Zoning Ordinance

Existing Conditions

Exhibit 1.1



Easement Vacation/ROW Dedication Proposal

Exhibit 1.2



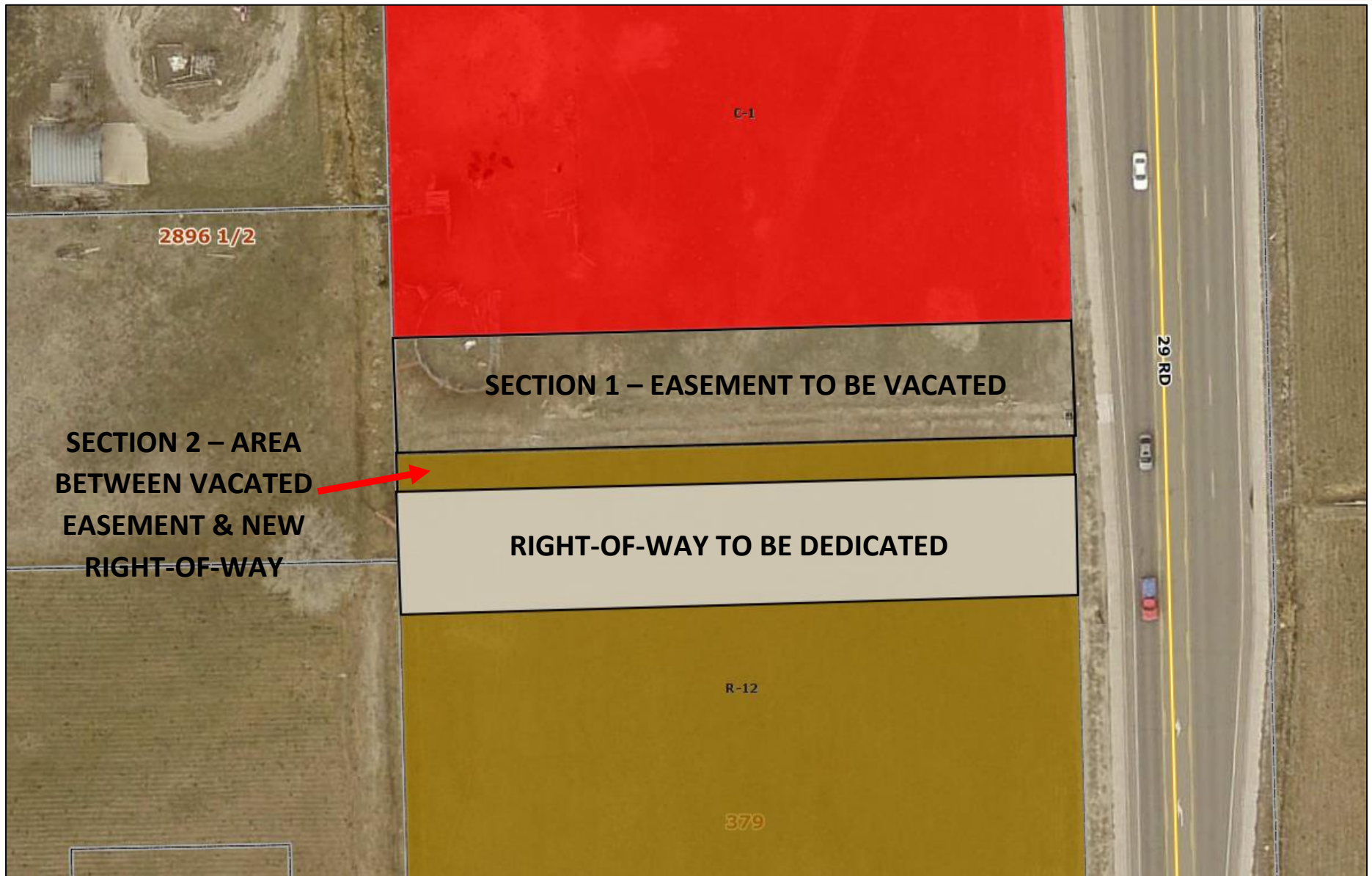
Rezone Proposal Area

Exhibit 1.3



Rezone Proposal Area (Close-In)

Exhibit 1.4



Proposal Result

Exhibit 1.5



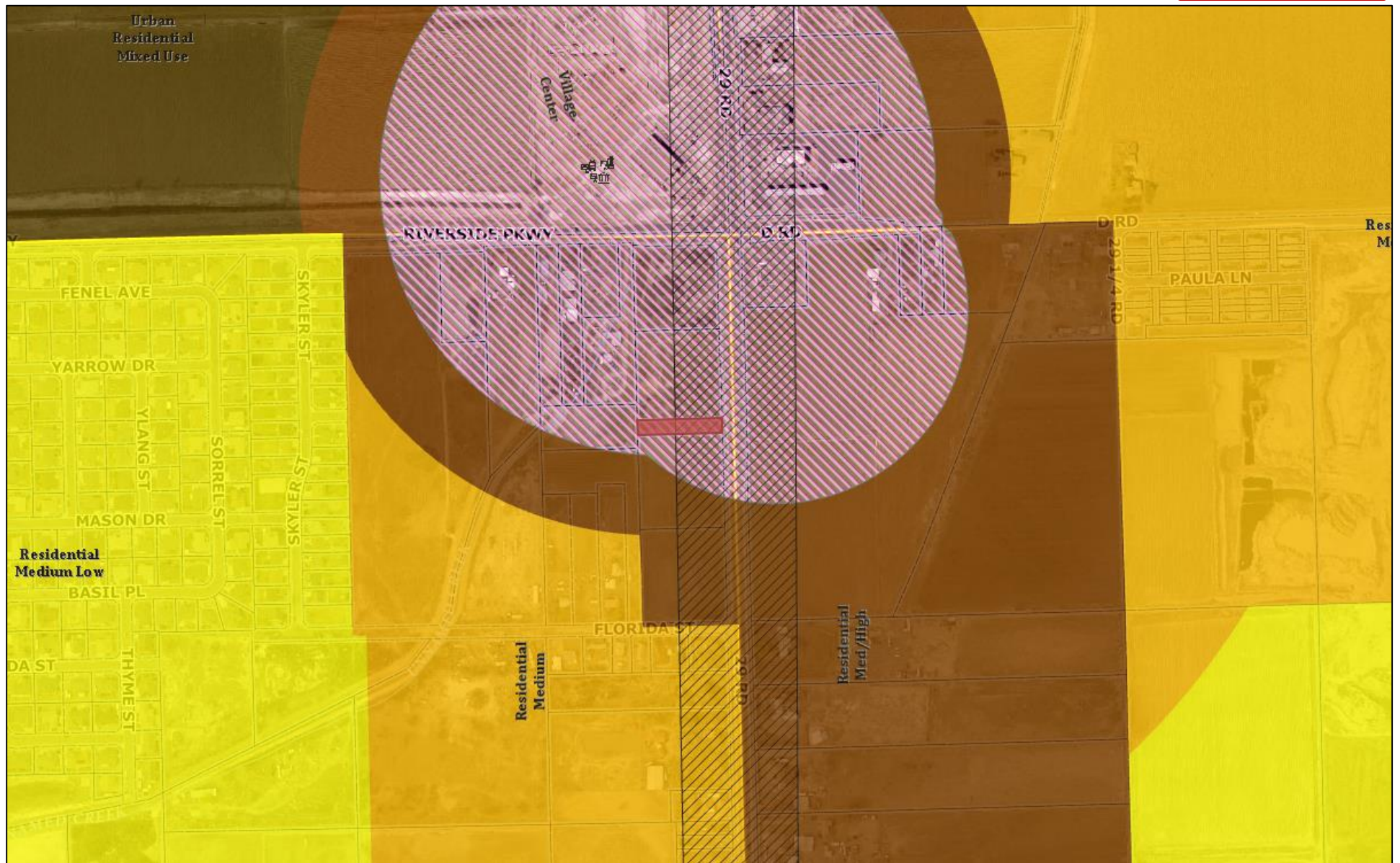
Vicinity Map

Exhibit 1.6



Future Land Use Map

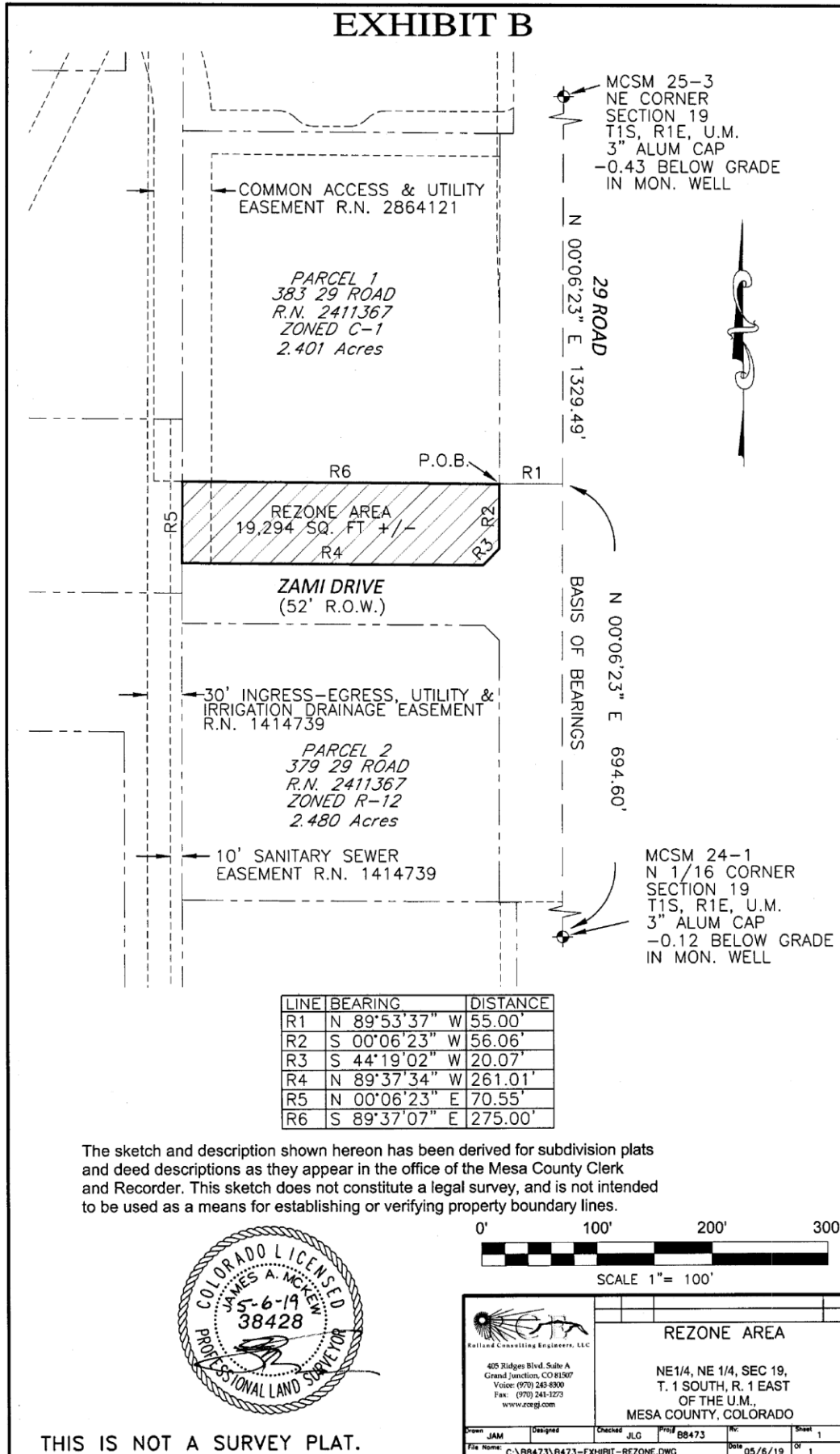
Exhibit 1.7



Rezone Area Exhibit

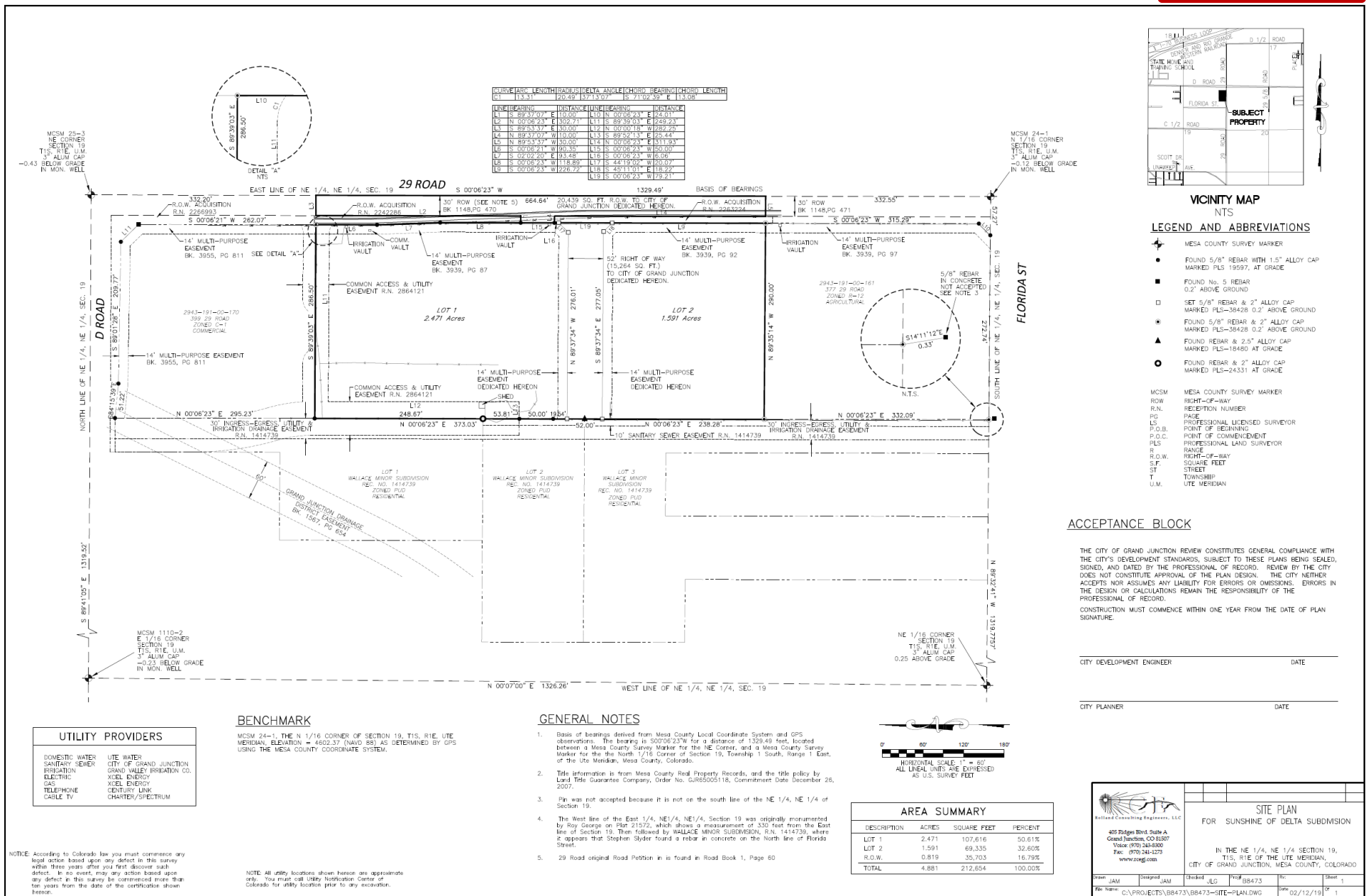
Exhibit 1.8

EXHIBIT B



THIS IS NOT A SURVEY PLAT.

Exhibit 1.9



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:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

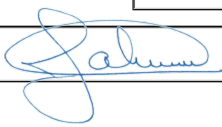
We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application 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

Signature of Legal Property Owner

 for Sunshine of Delta, Inc

Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Sunshine of Delta, Inc ("Entity") is the owner of the following property:

(b) 379 and 383 29 Road, Grand Junction, CO 81501

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) representative for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

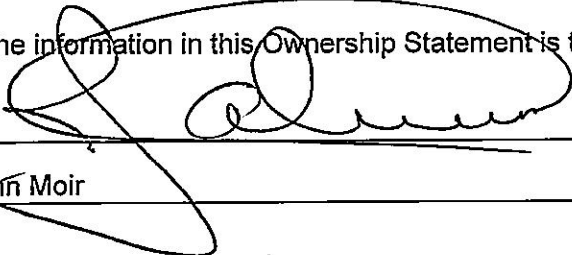
On behalf of Entity, I have reviewed the application for the (d) simple subdivison/lot line adjustment

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e)

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: 

Printed name of person signing: John Moir

State of Colorado)

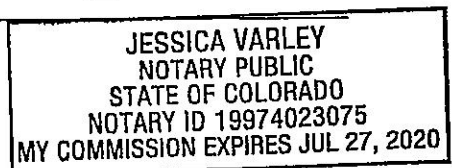
County of Mesa) ss.

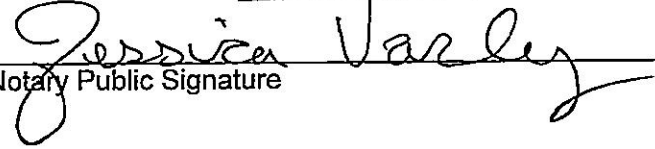
Subscribed and sworn to before me on this 19 day of February, 20 20

by John Moir

Witness my hand and seal.

My Notary Commission expires on 07-27-2020




Notary Public Signature

May 1st, 2019
John Moir
Rep. for Sunshine of Delta, Inc

NARRATIVE TO ACCOMPANY THE APPLICATION FOR A RE-ZONE FOR A PART OF 383 29 ROAD, GRAND JUNCTION, CO

City of Grand Junction:

Sunshine of Delta, Inc. is requesting Re-Zone for part of parcel #2943-191-00-169, (383 29 Road, Grand Junction, CO).

In a separate application, the applicant is proposing to realign the current ROW between this parcel and parcel #2943-191-00-171, (379 29 Road), approximately 70' to the south. This proposal extends the boundary of (383 29 Road) approximately 44.5 feet to the south.

The proposal presented here is to rezone this additional area (within 383 29 Road parcel) to the C-1 zoning classification from the current R-12 zoning classification.

In support of this request, common sense should dictate that the re-alignment of a parcel should carry along with it the realignment of the underlying zoning. With regards to the City of Grand Junction's Code 21.02.140 (amendment and rezoning) it is also clear that with the proposed realignment of the right of way; "the character and/or condition of the area has changed such that the amendment is consistent with the Plan".

NEIGHBORHOOD MEETING FOR PROPOSED LOT LINE SIMPLE SUBDIVISION (LOT LINE ADJUSTMENT)

Hello Neighbors,

Per City of Grand Junction requirements, we the owners of the vacant land property known as 379 and 383 29 Road, Grand Junction, CO hereby invite you to attend a neighborhood meeting of ours.

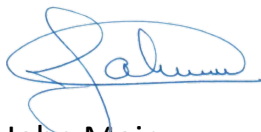
The subject property is about 4.15 acres and is currently zoned R12 (residential) and C1 (light commercial).

It is our intention is to move the existing unnamed east/west right of way (situated between 379 and 383 29 Road) south approximately 45 to 50 feet to line up better with the property to the west at 2895 1/2 Florida Street. The request will require an easement vacation as well as a simple subdivision.

The meeting will be a time for you to ask any and all questions you may have with regards to this endeavor of us the landowners, and City representatives, so you will know what's going on with the property in your neighborhood.

The meeting will take place on Thursday, February 28th, 2019 at 6:30pm at Lincoln Orchard Mesa Elementary School, in the Cafeteria at 2888 B 1/2 Rd, Grand Junction, CO.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Moir", with a stylized flourish at the end.

John Moir

(Sunshine of Delta, Inc)

Minutes from the Neighborhood Meeting for Proposed Right-of-Way Vacation and Lot Line Adjustment

Date: February 28, 2019

Time: 6:30 PM

Location: Lincoln Orchard Mesa Elementary

Minutes: Per City of Grand Junction requirements a meeting was held in order to discuss with the public the Proposed Right-of-Way Vacation and Lot Line Adjustment at 379 & 383, 29 Road. John Moir was present representing Sunshine of Delta and Jace Hochwalt was present representing the City of Grand Junction Planning Department. The meeting commenced promptly at 6:30 PM. Two neighbors attended the meeting and asked several questions regarding the purpose of the proposal. It was explained to them that it was a simple lot line adjustment with a vacationing of one right of way and the platting of a new right of way to the south. The neighbors were satisfied and left without signing in.

At 7:00 it was agreed to draw the meeting to a close.

John Moir

(Sunshine of Delta, Inc)

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: 1/29/2019
Project Name: Lot Line at 383 29 Road
Project Street Address: 383 29 Road, Grand Junction, CO 81501
Assessor's Tax Parcel Number: 2943-191-00-169
Project Owner Name: Sunshine of Delta, Inc
City or County project file #: _____
Name of Water Purveyor: Ute Water

Applicant Name/Phone Number: John Moir
Applicant E-mail: moir28@gmail.com

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be NA square feet.
 - b. All dwelling units will ☐, will not ☐ include an approved automatic sprinkler system.
Comments: No buildings on the property at this time
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:
No buildings on the property at this time
 - b. List each building that will be provided with an approved fire sprinkler system:
No buildings on the property at this time
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):

Comments: No buildings on the property at this time

Note:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: **Ute** **Clifton** **Grand Junction**
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain:

Print Name and Title of Water Supplier Employee completing this Form:

Date: _____

Contact phone/E-mail of Water Supplier: _____

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

EXHIBIT A

REZONE AREA

A Rezone area within the Northeast 1/4, Northeast 1/4 of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, being a portion Parcel 1 of Reception Number 2411367, Mesa County, State of Colorado;

COMMENCING from the North 1/16 Corner of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, whence the Northeast Corner of Section 19 bears N 00°06'23" E, a distance of 1329.49 feet, with all bearings being relative thereto.

THENCE N 00°06'23" E a distance of 694.60 feet

THENCE N 89°53'37"W a distance of 55.00 feet to the **POINT OF BEGINNING**;

THENCE S 00°06'23" W a distance of 56.06 feet;

THENCE S 44°19'02" W a distance of 20.07 feet;

THENCE N 89°37'34" W a distance of 261.01 feet to a point on the westerly line of said Parcel 1;

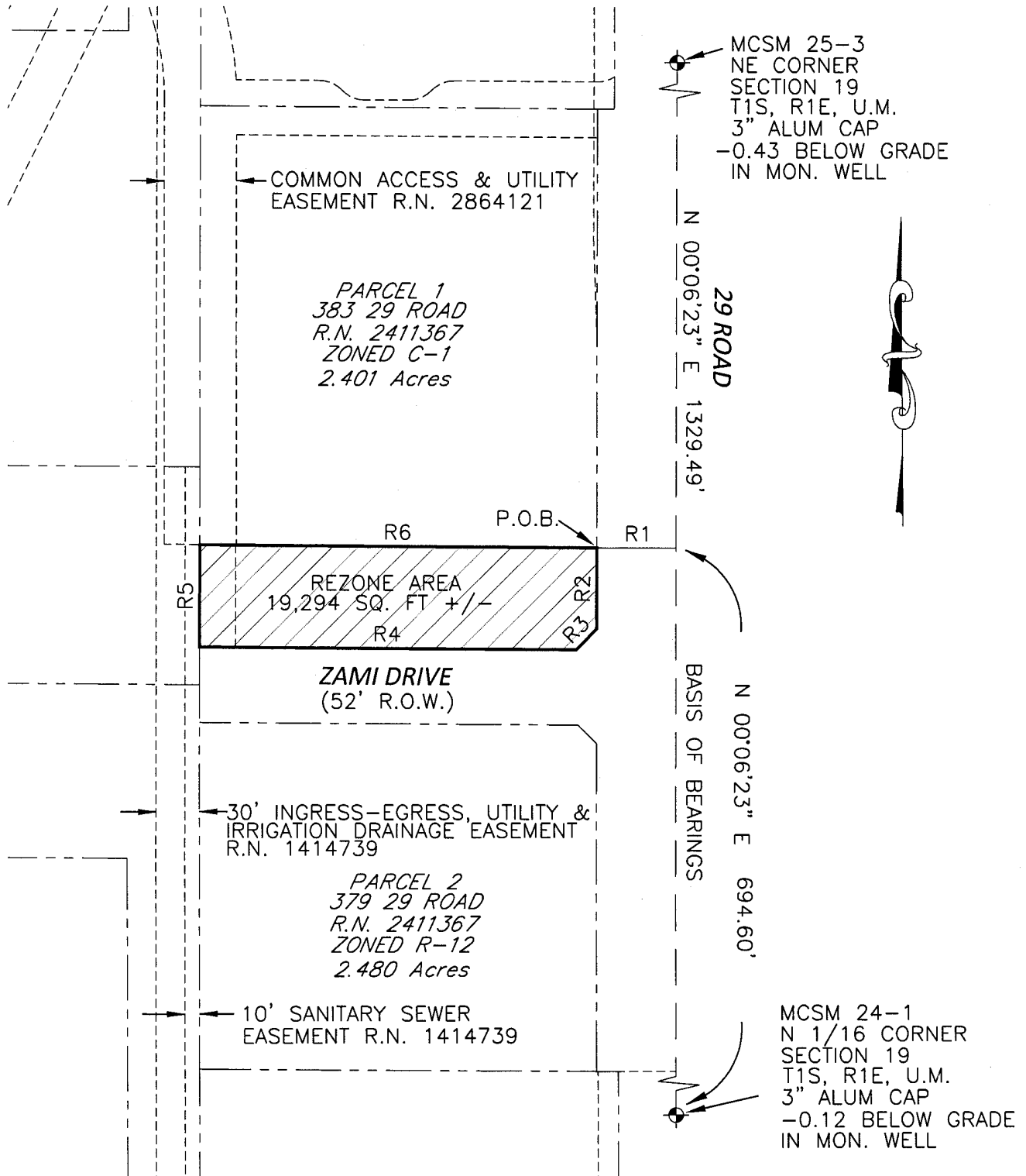
THENCE N 00°06'23" E along said westerly line, a distance of 70.55 feet;

THENCE S 89°37'07" E, leaving the aforementioned westerly line of Parcel 1, a distance of 275.00 feet to the **POINT OF BEGINNING**;

CONTAINING 19,294 square feet, more or less.

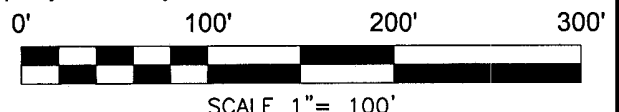
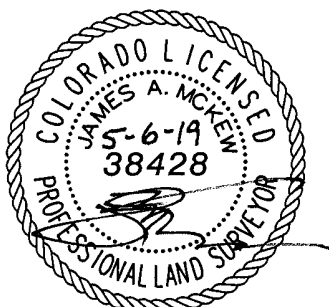
This description was prepared by James A. McKew for Rolland Consulting Engineers, 405 Ridges Blvd., Grand Junction, Colorado.

EXHIBIT B



LINE	BEARING	DISTANCE
R1	N 89°53'37" W	55.00'
R2	S 00°06'23" W	56.06'
R3	S 44°19'02" W	20.07'
R4	N 89°37'34" W	261.01'
R5	N 00°06'23" E	70.55'
R6	S 89°37'07" E	275.00'

The sketch and description shown hereon has been derived for subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



THIS IS NOT A SURVEY PLAT.

		REZONE AREA NE1/4, NE 1/4, SEC 19, T. 1 SOUTH, R. 1 EAST OF THE U.M., MESA COUNTY, COLORADO	
405 Ridges Blvd, Suite A Grand Junction, CO 81507 Voice: (970) 243-8300 Fax: (970) 241-1273 www.rceng.com	Drawn JAM Designed Checked JLG Proj# 88473 Rev. Date 05/6/19 Sheet 1 of 1	File Name: C:\88473\B473-EXHIBIT-REZONE.DWG	

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING THE SUNSHINE OF DELTA PROPERTY TO C-1
(LIGHT COMMERCIAL)**

LOCATED AT 383 AND 379 29 ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Sunshine of Delta property to the C-1 (Light Commercial) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Village Center Mixed Use of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-1 (Light Commercial) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned C-1 (Light Commercial) subject to the listed conditions:

1. Prior to recording of an ordinance for the rezone, RZN-2019-263, the right-of-way vacation ordinance for City File Number VAC-2019-107 shall be recorded.
2. Prior to recording of an ordinance for the rezone, RZN-2019-263, the proposed simple subdivision for City File Number SSU-2019-131 shall be approved and recorded.

A Rezone area within the Northeast 1/4, Northeast 1/4 of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, being a portion Parcel 1 of Reception Number 2411367, Mesa County, State of Colorado;

COMMENCING from the North 1/16 Corner of Section 19, Township 1 South, Range 1 East, of the Ute Meridian, whence the Northeast Corner of Section 19 bears N 00°06'23" E, a distance of 1329.49 feet, with all bearings being relative thereto.

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THENCE S 44°19'02" W a distance of 20.07 feet;

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THENCE N 00°06'23" E along said westerly line, a distance of 70.55 feet;

THENCE S 89°37'07" E, leaving the aforementioned westerly line of Parcel 1, a distance of 275.00 feet to the **POINT OF BEGINNING**;

CONTAINING 19,294 square feet, more or less.

See Exhibit B.

Introduced on first reading this _____ day of _____, 2019 and ordered published in pamphlet form.

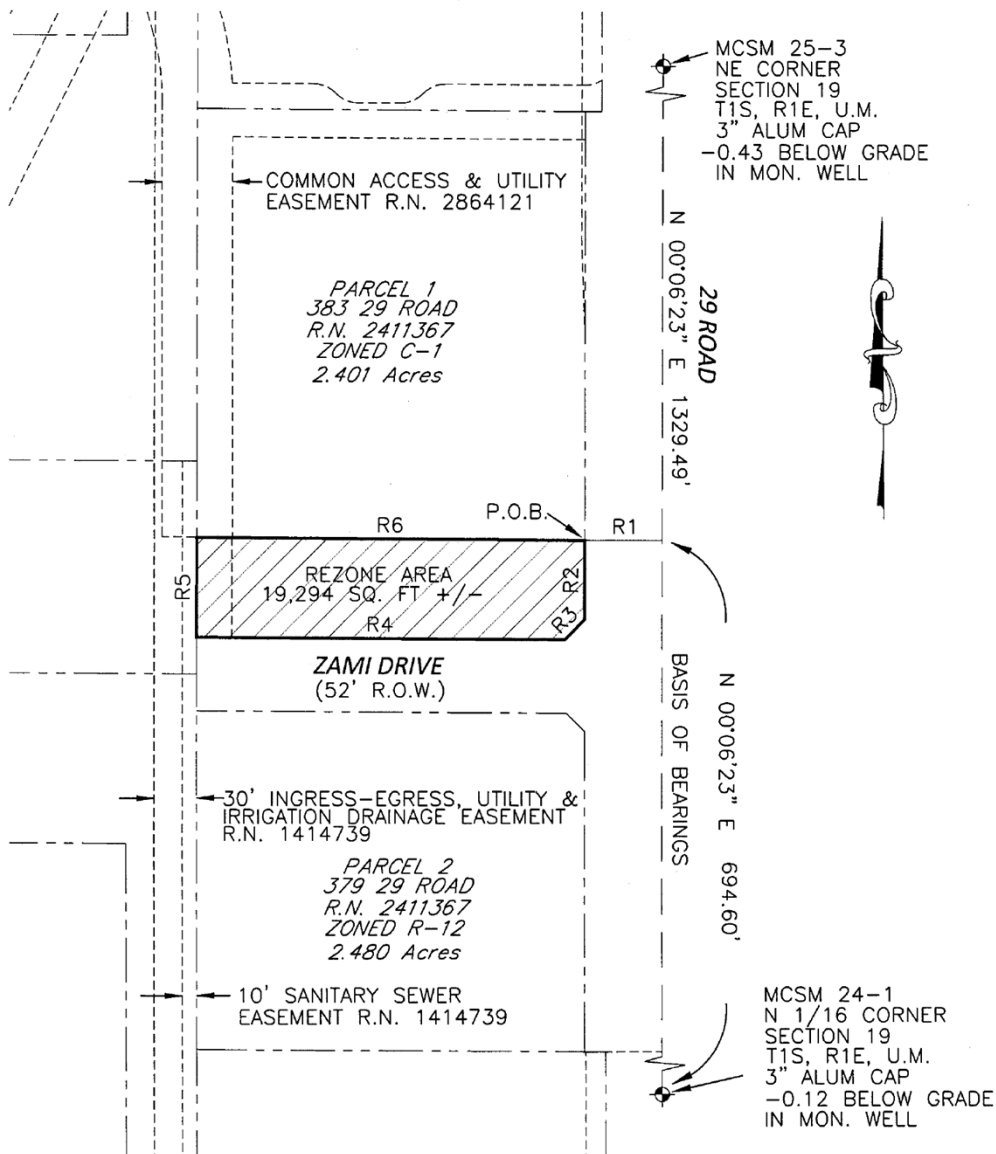
Adopted on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

City Clerk

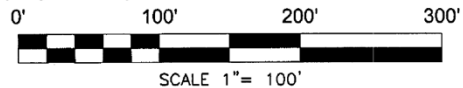
Mayor

EXHIBIT B



LINE	BEARING	DISTANCE
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		REZONE AREA NE1/4, NE 1/4, SEC 19, T. 1 SOUTH, R. 1 EAST OF THE U.M., MESA COUNTY, COLORADO	
405 Ridges Blvd. Suite A Grand Junction, CO 81507 Voice: (970) 243-8900 Fax: (970) 241-3273 www.hcegi.com	Drawn: JAM Designed: Checked: JLG Plotted: B8473 Date: 05/6/19	Sheet: 1 Of: 1	File Name: C:\B8473\B473-EXHIBIT-REZONE.DWG

THIS IS NOT A SURVEY PLAT.