To access the Agenda and Backup Materials electronically, go to www.gjcity.org

PLANNING COMMISSION AGENDA
VIRTUAL MEETING VIA GOTOWEBINAR

TUESDAY, DECEMBER 8, 2020 @ 6:00 PM

This meeting will be conducted as a VIRTUAL MEETING

Due to current health precautions associated with COVID-19, the City of Grand Junction is providing alternative ways for residents to participate in public meetings. Information on ways the public can participate remotely in public meetings is below.

- Provide comment by 6pm on December 7th at www.GJspeaks.org or by emailing comdev@gjcity.org
- Comment by phone. Dial the telephone number **(970) 609-9688** and enter the four-digit code provided for each item. You can then leave a message, which will be submitted as a public comment both as an audio file and as text translation.
- Attend the meeting virtually by using the link below. Registration is required.

https://attendee.gotowebinar.com/register/8148497577474213903

Call to Order - 6:00 PM

Consent Agenda

1. Consider a request by the City of Grand Junction to Vacate Two Portions of Public Right-of-Way and Public Utility Easements within the proposed Riverfront at Dos Rios Development. | Staff Presentation | Phone-in comments enter **6277**

2. Consider a request by Hoosang David Gowhari and Elizabeth Ann Gowhari Revocable Trust to Vacate a Portion of the Public Right-of-Way of Amir Drive and the abutting 14-foot Multi-Purpose Easement, Located at 2026 South Broadway. | Staff Presentation | Phone-in comments enter **9584**

3. Consider a Request by the Colorado Department of Transportation to Vacate Approximately 127 Square Feet of Grand Avenue and First Street Abutting the Southeastern Property Line of the Property Located at 200 West Grand Avenue. | Staff Presentation | Phone-in comments enter **3054**

Regular Agenda

1. Consider a request by DRK Associates LLC and DAK Investing LLC to rezone 3.63 acres, located at 2572, 2574, 2576 and 2580 Patterson Road from R-8 (Residential 8 du/ac) to MXOC (Mixed Use Opportunity Corridor). | Staff Presentation | Phone-in comments enter **3910**

2. Consider a Request by Senergy Builders, LLC to Rezone Four Parcels Totaling Approximately 1.48 acres from a B-1 (Neighborhood Business) Zone District to an M-U (Mixed Use) Zone District Located at 518 28 Road. | Staff Presentation | Phone-in comments enter **6644**

3. Consider a request by Mesa County Valley School District 51 to vacate a public alley right-of-way adjacent to five properties located at 520, 522, 538, 542 and 552 West Main Street and a public sewer easement located at 552 West Main Street.

Other Business

Adjournment

Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: December 8, 2020

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Consider a request by the City of Grand Junction to Vacate Two Portions of Public Right-of-Way and Public Utility Easements within the proposed Riverfront at Dos Rios Development. | Staff Presentation | Phone-in comments enter **6277**

RECOMMENDATION:

Staff recommends approval of the requests

EXECUTIVE SUMMARY:

The Applicant, the City of Grand Junction, is requesting 1) vacation of two portions of public right-of-way that are adjacent to properties recently acquired by the City; and 2) vacation of public utility easements in order to facilitate development of the Riverfront at Dos Rios planned development. The requests to vacate are consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The City is in the process of developing the Riverfront at Dos Rios planned development south of the Riverside Neighborhood from Hale Avenue to the 5th Street/Highway 50 viaduct on the northeast bank of the Colorado River. The Outline Development Plan (ODP) adopted by City Council in April 2019 and amended in May 2020 consists of a mix of uses including residential, commercial, light industrial, outdoor recreation and open space. Over the past several years, the City has platted this property in anticipation of the development as well as to sell properties within the site. To date, two properties have been transferred to private property owners: one

within the planned development and one outside the planned development.

The City has continued to acquire property in the northeast corner of the proposed development. In this area, there are streets that were platted (O'Boyles Sub-division – 1908) to serve these parcels that are no longer needed to provide access. The new streets within the planned development area will provide access as these parcels are absorbed into the ODP and a new subdivision plat is recorded. The final two parcels within the planned area located at 636 and 636-1/2 Lawrence Street have now been acquired by the City. Thus, the street and alley right-of-way and the utility easements to these properties are now able to be vacated.

NOTIFICATION REQUIREMENTS

As required by Section 21.02.080(e) of the Zoning and Development Code, a Neighborhood Meeting was held on November 19, 2020 for the proposed Amended PD/ODP. Three people attended the meeting along with City Staff. Questions concerned clarification of new properties to be included in the ODP, the land uses proposed, access on the Riverside Parkway and the construction schedule for the infrastructure. There were no objections noted to the proposed vacations or the Dos Rios development plans.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property and the subject property was posted with an application sign on November 9, 2020. The notice of this public hearing was published December 1, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review of vacation requests are 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 Junction Circulation Plan and other adopted plans and policies of the City.

These portions of right-of-way will no longer be needed once the new interior streets and utility infrastructure within the Riverfront at Dos Rios development are completed. None of these streets are depicted on the Circulation Plan since they are all to be local streets to serve the proposed development. The new street network will adequately serve the proposed mix of land uses. Since the utility easements will no longer be needed to serve the homes on the two recently acquired properties, vacation of them is inconsequential.

Further, the vacation requests are consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy A. City and County land use decisions will be consistent with the Future Land Use Map.

Goal 5 / Policy B. Encourage mixed-use development and identification of locations for increased density.

Goal 7 / Policy A. In making land use and development decisions, the City and County will balance the needs of the community.

Thus, staff has found the requests to vacate existing public rights-of-way and utility easements do not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and finds this criterion has been met.

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

The request to vacate these rights-of-way and the utility easements will not render any properties landlocked. The new street network to be constructed will provide adequate access to all properties within the Riverfront at Dos Rios development. 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;

With the recording of a new plat incorporating the two parcels that used the right-of-way and easements into the existing Lot 6 of the Riverfront at Dos Rios Filing Three, the vacation of the portions of right-of-way and utility easements will not physically impact access to any parcel. 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);

As previously stated, access to all parcels within the Riverfront at Dos Rios will be gained from the recently platted rights-of-way, which are currently under construction or will be in the near future. No comments were received from utility service providers that these vacation requests would create any adverse impacts or that facilities or services would be diminished. In staff's review no adverse impacts were noted either and the quality of public facilities and services shall remain the same or improve with

the newly constructed streets. Therefore, staff 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

As stated in criterion 4 above, there were no comments from utility service providers that these vacations would inhibit the provision of adequate public facilities and services to any property. In staff's review no adverse impacts were noted either and the quality of public facilities and services shall remain the same or improve with the newly constructed streets 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.

This area of the City was developed many years ago. The benefits of the vacation requests are the ability for the Applicant to develop the property with street and utility infrastructure that is constructed to current City standards as well as the construction and alignment of streets consistent with the City's adopted Circulation Plan. The new infrastructure in place will allow for additional development in an area that has been vacant for many years increasing economic benefits overtime for the City. As such, staff finds that this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request to vacate two portions of right-of-way and public utility easements within the proposed Riverfront at Dos Rios development located along the northeast bank of the Colorado River between Hale Avenue and the 5th Street/Highway 50 viaduct, City file numbers VAC-2020-581 and VAC-2020-658, the following findings of fact have been made:
The request conforms with Section 21.02.100 (c) of the of the Zoning and Development Code.

Therefore, Staff recommends approval of the vacation requests with the following condition.

Condition 1: The vacations shall not become effective until a new plat has been recorded that incorporates the two parcels that previously used the right-of-way and easements into the existing Lot 6 of the Riverfront at Dos Rios Filing Three or minimally incorporates the two parcels into a single parcel, the two parcels being those formerly located at 636 and 636-1/2 Lawrence Street.

<u>SUGGESTED MOTION:</u>

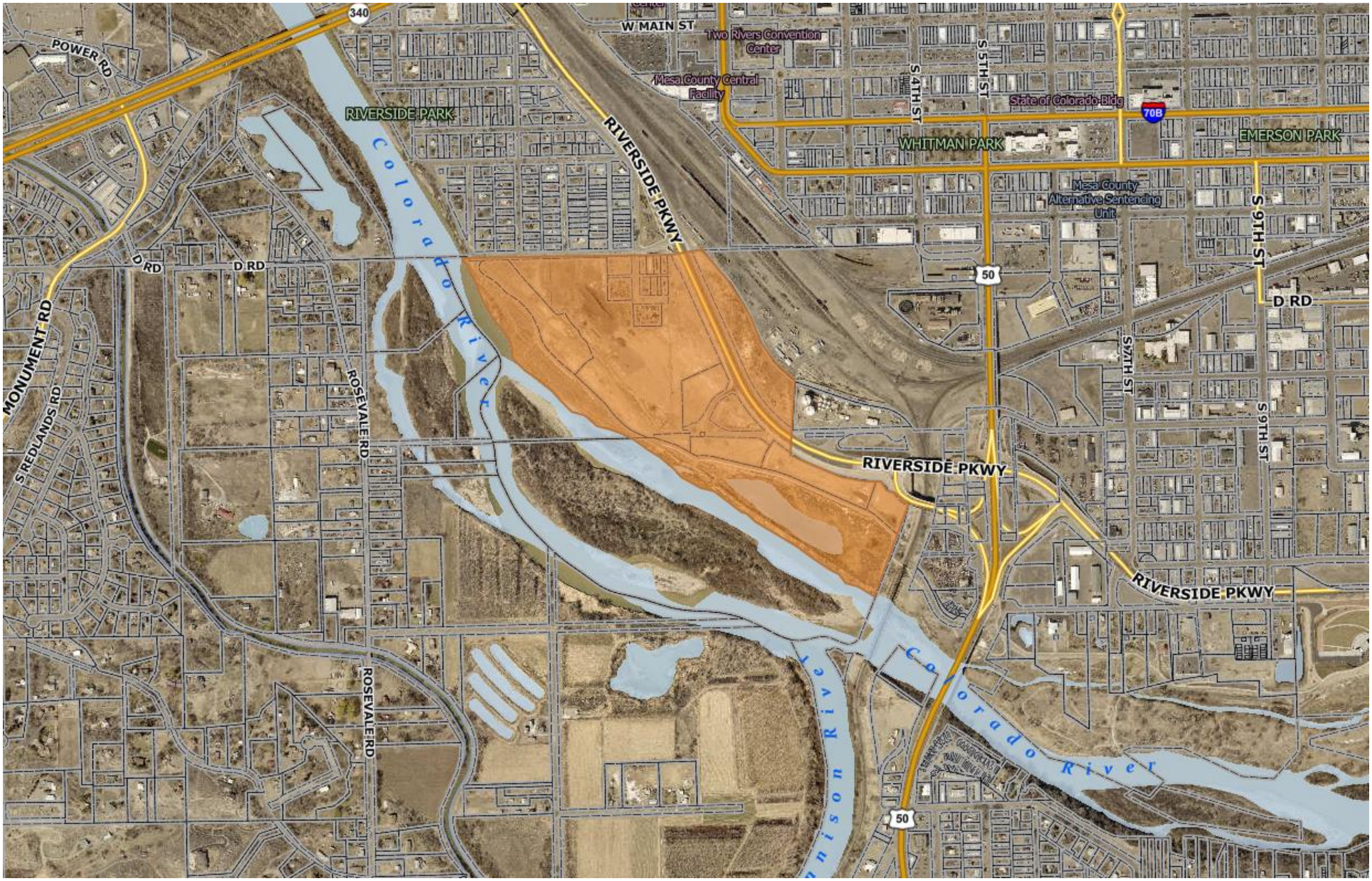
Chairman, on the request to vacate two segments of public right-of-way within the proposed Riverfront at Dos Rios development, City file number VAC-2020-581, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and condition listed in the staff report.

Chairman, on the request to vacate public utility easements within the proposed Riverfront at Dos Rios development, City file number VAC-2020-658, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and condition listed in the staff report.

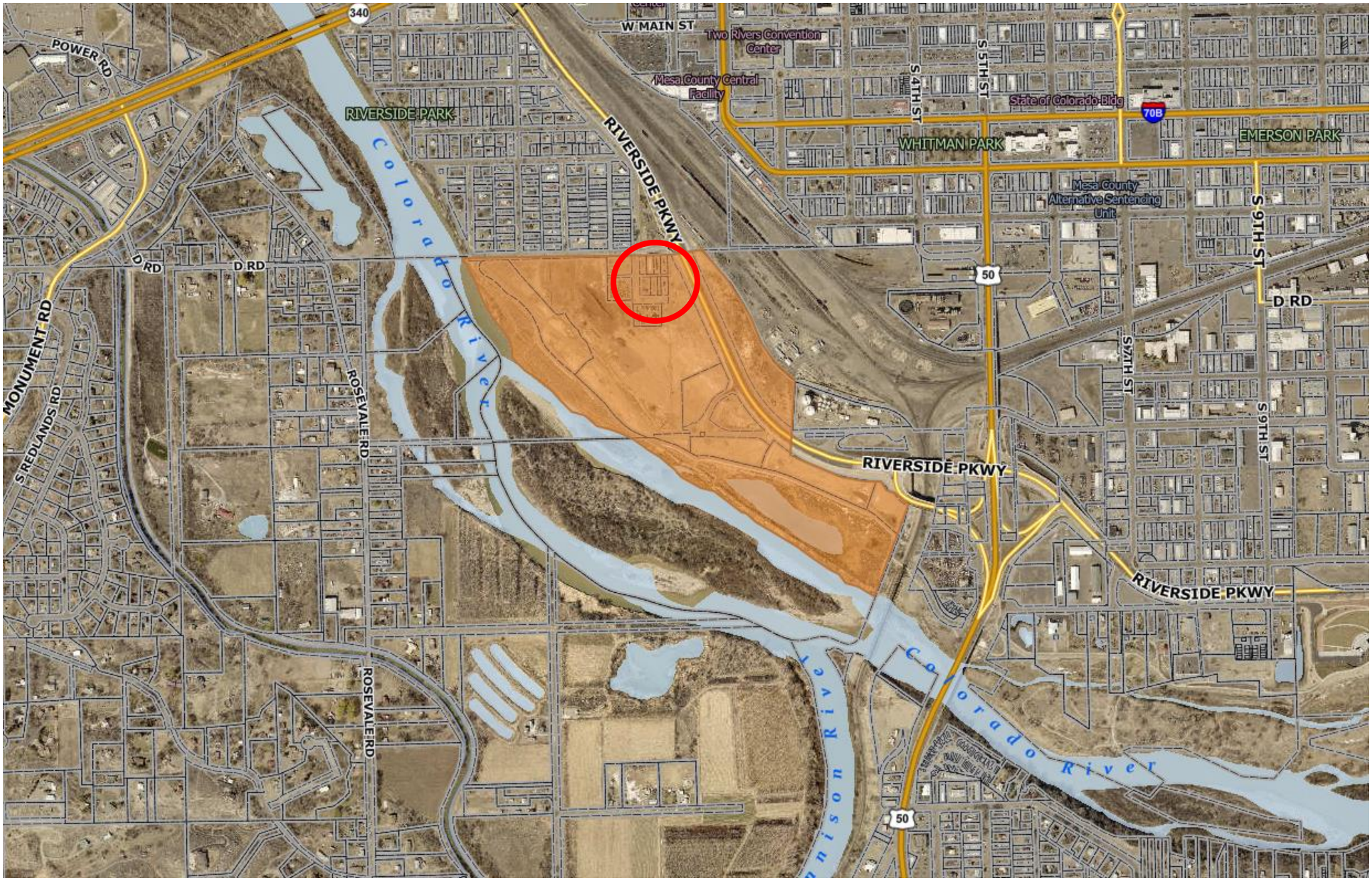
Attachments

1. Location and Site Maps
2. Dos Rios Easement Vacation Resolution
3. Dos Rios Vacations Ordinance

RIVERFRONT AT DOS RIOS SITE LOCATION MAP



RIVERFRONT AT DOS RIOS RIGHT-OF-WAY AND EASEMENT VACATIONS VICINITY (Red Circle)



RIVERFRONT AT DOS RIOS RIGHT-OF-WAY (Orange) AND EASEMENT (Green) VACATIONS

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

A RESOLUTION VACATING PUBLIC EASEMENTS WITHIN THE RIVERFRONT AT DOS RIOS DEVELOPMENT LOCATED ALONG THE NORTHEAST BANK OF THE COLORADO RIVER BETWEEN HALE AVENUE AND THE 5th STREET/HIGHWAY 50 VIADUCT

RECITALS:

Vacation of a publicly dedicated Utility Easements by the property owner, the City of Grand Junction is requested in anticipation of future mixed-use development.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate public utility easements is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code.

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

The following described areas and depicted on Exhibit A shall be vacated subject to the following condition:

Condition 1: The vacations shall not become effective until a new plat has been recorded that replaces the street network and utility easements required to serve the properties formerly located at 636 and 636-1/2 Lawrence Street.

Parcel 1

A Parcel of land being a 20 foot wide Utility Easement having been retained by Ordinance Number 4929, as same as recorded under Reception Number 2926853, and being described as Parcels 2 and 3 in said Ordinance 4929, said parcel located within Lot 6, RIVERFRONT AT DOS RIOS FILING THREE, Section 22, Township 1 South, Range 1 West, Ute Meridian, as same is recorded at Reception Number 2942736, said Public Records of Mesa County; in the City of Grand Junction, Mesa County, Colorado and being more particularly described as follows.

Commencing at the northwest corner of Lot 12 of Block 1 of O'BOYLE'S SUB-DIVISION, as same is recorded at Reception Number 61369, Public Records of Mesa County, Colorado; thence S89°56'44"E a distance of 124.99 feet to the northeast corner of Lot 8 of said Block 1 being the Point of Beginning; thence N0°13'53"E a distance of 20.00 feet; thence S89°56'44"E a distance of 75.11 feet; thence S0°13'53"W a distance of 20.00 feet; thence N89°56'44"W a distance of 75.11 feet to the Point of Beginning.

CONTAINING 1504 Square Feet or 0.03 Acres, more or less, as described.

Parcel 2

A Parcel of land being a Utility Easement having been retained by Ordinance Numbers 4929 and 4948, as same as recorded under Reception Number 2926853 and 2937273 respectively, and being Parcel 5 and a Portion of Parcel 4 described in said Ordinance 4929, said parcel located within Lot 6, RIVERFRONT AT DOS RIOS FILING THREE, Section 22, Township 1 South, Range 1 West, Ute Meridian, as same is recorded at Reception Number 2942736, said Public Records of Mesa County; in the City of Grand Junction, Mesa County, Colorado and being more particularly described as follows.

Commencing at the northwest corner of Lot 12 of Block 1 of O'BOYLE'S SUB-DIVISION, as same is recorded at Reception Number 61369, Public Records of Mesa County, Colorado; thence S89°56'44"E a distance of 124.99 feet to the northeast corner of Lot 8 said Block 1; thence S0°13'53"W a distance of 130.00 feet to the southeast corner said Lot 8 being the Point of Beginning; thence S89°56'44"E a distance of 74.92 feet; thence S0°13'53"W a distance of 60.00 feet; thence N89°56'44"W a distance of 223.03 feet to a point on the easterly line of Lawrence Avenue a right-of-way dedicated on said plat filed under Reception Number 2942736; thence 32.01 feet along a curve to the left having a radius of 330.50 feet, a central angle of 5°33'00" and a chord which bears N20°25'31"E a distance of 32.00 feet; thence S89°56'44"E a distance of 137.06 feet; thence N0°13'53"E a distance of 30.00 feet to the Point of Beginning, except for that area included within the 14 foot multipurpose easement dedicated on the RIVERFRONT AT DOS RIOS FILING THREE plat recorded in the Mesa County Clerk and Recorders records at Reception Number 2942736.

CONTAINING 8317 Square Feet or 0.19 Acres, more or less, as described.

The basis of bearings is the North Line of the NE 1/4 NE 1/4 of Sec. 22, T. 1S., R. 1W., Ute Meridian, S89°56'44"E, MCLCS, as shown on Reception Number 2942736.

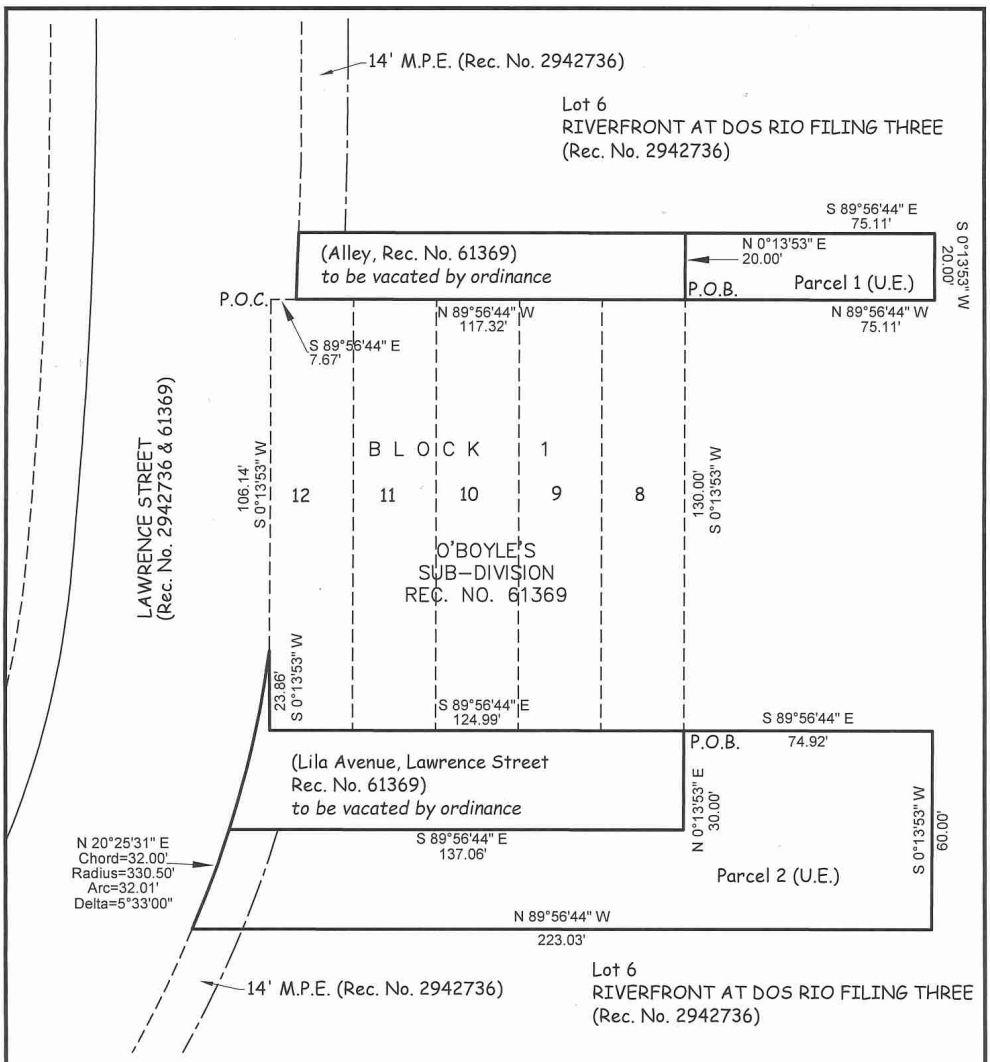
PASSED and ADOPTED this ____ day of _____ 2021

_____
President of City Council

ATTEST:

_____
City Clerk

EXHIBIT A



The basis of bearings is the North Line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 22, T. 1S., R. 1W., Ute Meridian, S89°56'44"E, MCLCS, as shown on Reception Number 2942736.

ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
T.	TOWNSHIP
R.	RANGE
Rec.	Reception
No.	Number
U.E.	Utility Easement
M.P.E.	Multipurpose Easement

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
RENEE BETH PARRISH
38266
12-1-2020

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

0 20' 40'

1 inch = 40 ft.
Lineal Units = U.S. Survey Foot

DRAWN BY: R. B. P.
DATE: 12-01-2020
SCALE: 1" = 40'
APPR. BY: B.H. & K.A.

Located in the NE $\frac{1}{4}$ of Sec. 22, T. 1S., R. 1W.
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF Grand Junction COLORADO

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CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE VACATING PREVIOUSLY-PLATTED PUBLIC RIGHTS-OF-WAY WITHIN THE RIVERFRONT AT DOS RIOS DEVELOPMENT LOCATED ALONG THE NORTHEAST BANK OF THE COLORADO RIVER BETWEEN HALE AVENUE AND NEAR THE 5th STREET/HIGHWAY 50 VIADUCT

Recitals:

The City is in the process of developing the Riverfront as Dos Rios planned development south of the Riverside Neighborhood from Hale Avenue to the 5th Street/Highway 50 viaduct on the northeast bank of the Colorado River. An Outline Development Plan (ODP) adopted by City Council in April 2019 and amended in May 2020 consists of a mix of uses including residential, commercial, light industrial, outdoor recreation and open space. Over the past several years, the City has platted this property in anticipation of the development as well as to sell properties within the site. To date, two properties have been transferred to private property owners.

The City has continued to acquire property in the northeast corner of the proposed development. In this area, there are streets that were platted (O'Boyles Subdivision – 1908) to serve these parcels that are no longer needed to provide access. The new streets within the planned development will provide access as these parcels are absorbed into the ODP and a new subdivision plat is recorded. The final two parcels within the planned area are located at 636 and 636-1/2 Lawrence Street have now been acquired by the City. Thus, the street and alley rights-of-way and a utility easement to these properties are now able to be vacated.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate portions of public rights-of-way is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code. The following described areas and depicted on Exhibit A shall be vacated subject to the following condition:

Condition 1: The vacations shall not become effective until a new plat has been recorded that replaces the street network and utility easements required to serve the properties formerly located at 636 and 636-1/2 Lawrence Street.

Parcel 1

A Parcel of land being a portion of the 20 foot wide Alley within Block 1 of O'BOYLE'S SUB-DIVISION located in Section 22, Township 1 South, Range 1 West of the Ute

Meridian, as same is recorded at Reception Number 61369, Public Records of Mesa County, Colorado being more particularly described as follows.

Commencing at the northwest corner of Lot 12 of said Block 1 of O'BOYLE'S SUB-DIVISION; thence S89°56'44"E along the south line of said alley a distance of 7.67 feet to Point of Beginning; thence 20.01 feet along a curve to the left said curve having a radius of 1829.00 feet, a central angle of 0°37'37" and a chord which bears N2°13'10"E a distance of 20.01 feet; thence S89°56'44"E a distance of 116.63 feet; thence S0°13'53"W a distance of 20.00' to the northeast corner of Lot 8 of said Block 1; thence N89°56'44"W along the south line of said alley a distance of 117.32 feet to the point of beginning.

CONTAINING 2339 Square Feet or 0.05 Acres, more or less, as described.

Parcel 2

A Parcel of land being a portion of the 60 foot wide right-of-way for Lila Avenue and a portion of the 55 foot wide right-of-way for Lawrence Street within the O'BOYLE'S SUB-DIVISION located in Section 22, Township 1 South, Range 1 West of the Ute Meridian, as same is recorded at Reception Number 61369, Public Records of Mesa County, Colorado being more particularly described as follows.

Commencing at the northwest corner of Lot 12 of said Block 1 of O'BOYLE'S SUB-DIVISION; thence S0°13'53"W along the west line of said Lot 12 a distance of 106.14 feet to the Point of Beginning; thence continuing S0°13'53"W a distance of 23.86 feet to the southwest corner said Lot 12; thence S89°56'44"E along the north line of said Lila Avenue a distance of 124.99 feet to the southeast corner of Lot 8 of said Block 1 of O'BOYLE'S SUB-DIVISION; thence S0°13'53"W a distance of 30.00 feet to the north line of that portion of Lila Avenue vacated by Ordinance No. 4929, modified by Ordinance 4948; thence N89°56'44"W along said north Ordinance line a distance of 137.06 feet to an angle point on the west line of Lot 6, RIVERFRONT AT DOS RIOS FILING THREE as same is recorded under Reception Number 2942736; thence 55.29 feet along a curve to the left having a radius of 330.50 feet, a central angle of 9°35'09" and a chord which bears N12°51'17"E a distance of 55.23 feet to the Point of Beginning.

CONTAINING 4032 Square Feet or 0.09 Acres, more or less, as described.

The basis of bearings is the North Line of the NE 1/4 NE 1/4 of Sec. 22, T. 1S., R. 1W., Ute Meridian, S89°56'44"E, MCLCS, as shown on Reception Number 2942736.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PREVIOUSLY DESCRIBED DEDICATED RIGHTS-OF-WAY ARE HEREBY VACATED SUBJECT TO THE CONDITION STATED ABOVE.

Introduced on first reading this _____ day of _____, 2020 and ordered published in pamphlet form.

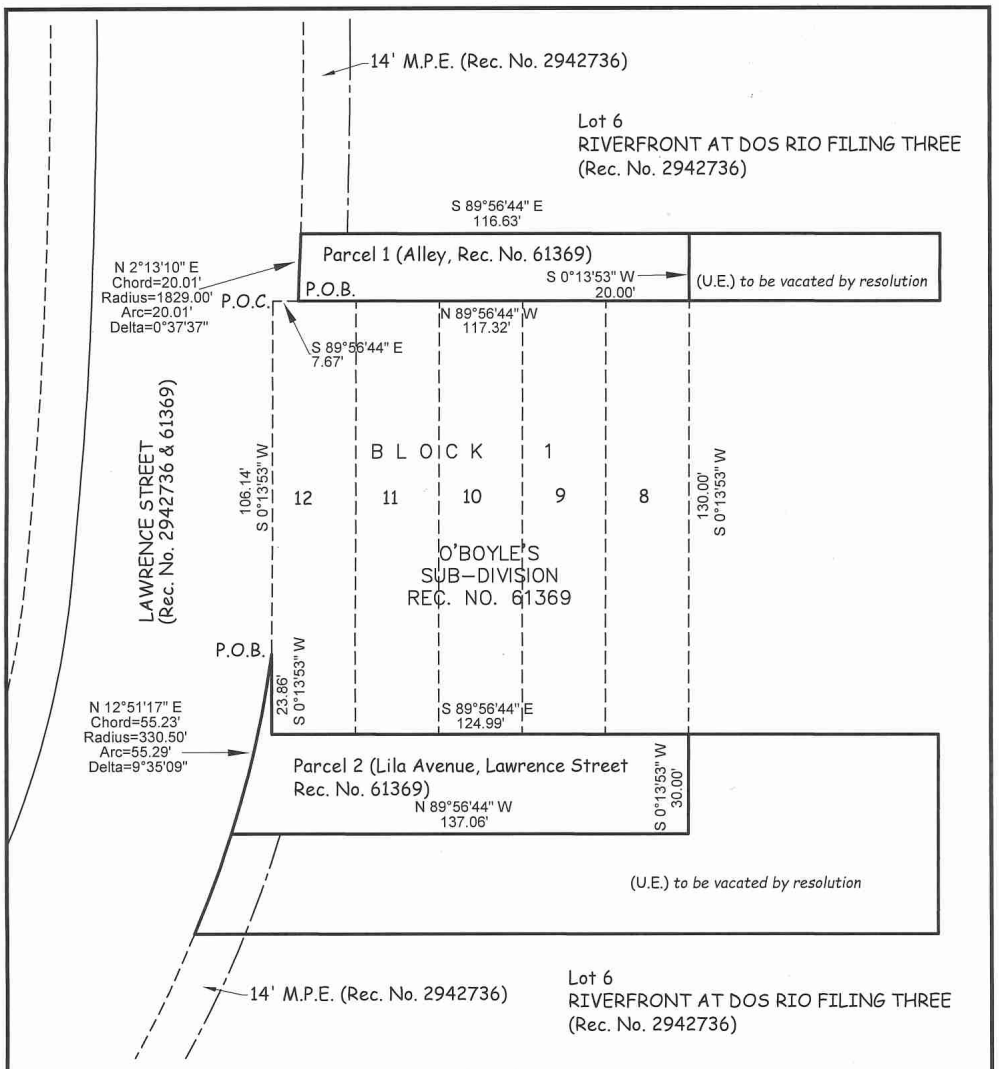
Adopted on second reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

_____ _____

City Clerk Mayor

EXHIBIT A



The basis of bearings is the North Line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 22, T. 1S., R. 1W., Ute Meridian, S89°56'44"E, MCLCS, as shown on Reception Number 2942736.

ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
T.	TOWNSHIP
R.	RANGE
Rec.	Reception
No.	Number
U.E.	Utility Easement
M.P.E.	Multipurpose Easement

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR RENEE BETH PARRISH 38268 12-1-2020

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

0 20' 40'

1 inch = 40 ft.

Lineal Units = U.S. Survey Foot

DRAWN BY: R. B. P.
DATE: 12-01-2020
SCALE: 1" = 40'
APPR. BY: B.H. & K.A.

Located in the NE $\frac{1}{4}$ of Sec. 22, T. 1S., R. 1W.
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF Grand Junction COLORADO

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Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: December 8, 2020

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a request by Hoosang David Gowhari and Elizabeth Ann Gowhari Revocable Trust to Vacate a Portion of the Public Right-of-Way of Amir Drive and the abutting 14-foot Multi-Purpose Easement, Located at 2026 South Broadway. | Staff Presentation | Phone-in comments enter **9584**

RECOMMENDATION:

Staff recommends approval of the requests.

EXECUTIVE SUMMARY:

The applicants, Hoosang David Gowhari and Elizabeth Ann Gowhari Revocable Trust, are requesting vacation of a portion of public right-of-way known as Amir Drive and the abutting 14' multi-purpose easement in anticipation of future development of the site. The existing Amir Drive right-of-way was originally offered to the City with the recording of a Warranty Deed in 2017 (Reception Number 2817666). The 14-foot multi-purpose easement abutting the right-of-way of Amir Drive was granted on the Amir Subdivision plat in 2020 (Reception Number 2911895), however the right-of-way and 14-foot multi-purpose easement have never developed and the area remains vacant land. The requested vacations are consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The existing right-of-way for Amir Drive was offered to the City in 2017 with the recording of a Warranty Deed (Reception Number 2817666) and the 14' multi-purpose

easement abutting the right-of-way of Amir Drive was dedicated on the subdivision plat for Amir Subdivision (Reception Number 2911895) in 2020, which combined and adjusted lot lines for all properties that the applicant's owned (23.55-acres). The applicants are currently in the process of subdividing their 23.55-acre parcel of land into a platted subdivision and have received approval of a Preliminary Plan (City file SUB-2020-55) to develop 47 single-family detached lots over four (4) phases/filings, to be named Magnolia Ridge Estates. The Final Subdivision Plan for Filing One of Magnolia Ridge Estates is currently in the review process (City file SUB-2020-478) and will develop 13 of the 47 lots. At this time, the applicants are requesting to vacate a portion of the existing right-of-way of Amir Drive and abutting 14-foot multi-purpose easement in anticipation of this new subdivision proposal. The remaining portion of the 30' wide Amir Drive right-of-way and 14-foot multi-purpose easement that extends to and along South Broadway that is not requested to be vacated will remain in place in accordance with the approved Preliminary Plan for Magnolia Ridge Estates which identifies additional right-of-way within this area. At time of future filings, an additional 22' of right-of-way will be granted for the complete build-out of Amir Drive that was approved as a 52' wide right-of-way as identified on the Preliminary Plan.

As currently exists, the right-of-way for Amir Drive was offered in order to grant access to the applicant's other owned properties at the time. However, with the consolidation and platting of all of the applicants' properties with the Amir Subdivision in 2020 and with the approval of the Preliminary Plan for Magnolia Ridge Estates, this right-of-way and multi-purpose easement are no longer necessary in some of their present locations. With the approval of the Preliminary Plan for the new Magnolia Ridge Estates, the location of Amir Drive has been re-aligned within the development and will be platted in a new location upon future filings that will correspond with the approved Preliminary Plan.

As stated previously, to date, no development has taken place and no utility infrastructure have ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way location of Amir Drive or in the multi-purpose easement.

Upon future development of the site, new rights-of-way and/or multi-purpose easements for the proposed development will be dedicated as necessary on a new subdivision plat or by separate instrument.

NOTIFICATION REQUIREMENTS

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 September 4, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards were sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on November 25, 2020. The notice of the Planning

Commission public hearing was published on December 1, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are 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 Junction Circulation Plan and other adopted plans and policies of the City;

The vacation of this portion of right-of-way for Amir Drive and 14-foot multi-purpose easement does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. The proposed vacation of right-of-way and easement will have no impact on public facilities or services provided to the general public since to date, the right-of-way is not required for development and no utility infrastructure has ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way or multi-purpose easement. Upon future development of the site, new internal rights-of-way and easements will be required to be granted to the City or other utility agencies as part of the development review process, as applicable.

Further, the vacation requests are consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy A. City and County land use decisions will be consistent with the Future Land Use Map.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Goal 5 / Policy A. In making land use and development decisions, the City and County will balance the needs of the community.

Goal 5 / Policy C. Increasing the capacity of housing developers to meet housing demand.

Therefore, staff has found the request to vacate existing public right-of-way and 14-foot multi-purpose easement does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore this criterion has been met.

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

The existing dedicated right-of-way for Amir Drive and adjacent 14-foot multi-purpose easement have never been developed nor infrastructure installed. As noted, the applicants are currently in the process of subdividing their 23.55-acre parcel of land into a platted subdivision and have received approval of a Preliminary Plan (City file SUB-2020-55) to develop 47 single-family detached lots over four (4) phases/filings, to be named Magnolia Ridge Estates. As stated previously, to date, no present development which requires the right-of-way and no utility infrastructure have ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way location of Amir Drive or in the multi-purpose easement. Since this right-of-way has never developed, access to any developed existing residential lot will not be landlocked as a result of the vacation request and thus 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;

As provided in (2) above, Amir Drive and the abutting 14-foot multi-purpose easement requested to be vacated will 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;

Amir Drive and the abutting 14-foot multi-purpose easement have not been developed or utilities installed. No comments were received from utilities or other service providers that these vacation requests would impact any existing utilities, create any adverse impacts, or that facilities or services would be diminished, therefore staff has found that 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

Amir Drive and the abutting 14’ multi-purpose easement have never been developed nor utilities installed. Therefore, neither staff nor utility providers have identified that the requested right-of-way and easement vacation would not inhibit the provision of adequate public facilities and services, 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 requests since no right-of-way nor utility infrastructure has ever been installed. With the elimination of this portion of Amir Drive along with the dedicated 14-foot multi-purpose easement, the applicant can make ready for the new development and develop their property in accordance with their approved Preliminary Plan. Upon concurrent development of the site, new rights-of-way and/or multi-purpose easements for the proposed subdivision development will be dedicated as necessary on a new subdivision plat or by separate instrument. As such, Staff finds that this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request to vacate a portion of the right-of-way of Amir Drive as set forth in the attached description and sketch along with the abutting 14' multi-purpose easement, City file numbers VAC-2020-479 and VAC-2020-481, located at 2026 South Broadway, the following findings of fact have been made:

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

Therefore, Staff recommends approval of the requests.

SUGGESTED MOTION:

Mr. Chairman, on the request to vacate a portion of the 14-foot multi-purpose easement abutting the right-of-way of Amir Drive as set forth in the attached description and sketch, City file number VAC-2020-481, located at 2026 South Broadway, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact as listed in the staff report with the condition that the City Council vacate the portion of public right-of-way of Amir Drive as identified on the attached description and sketch.

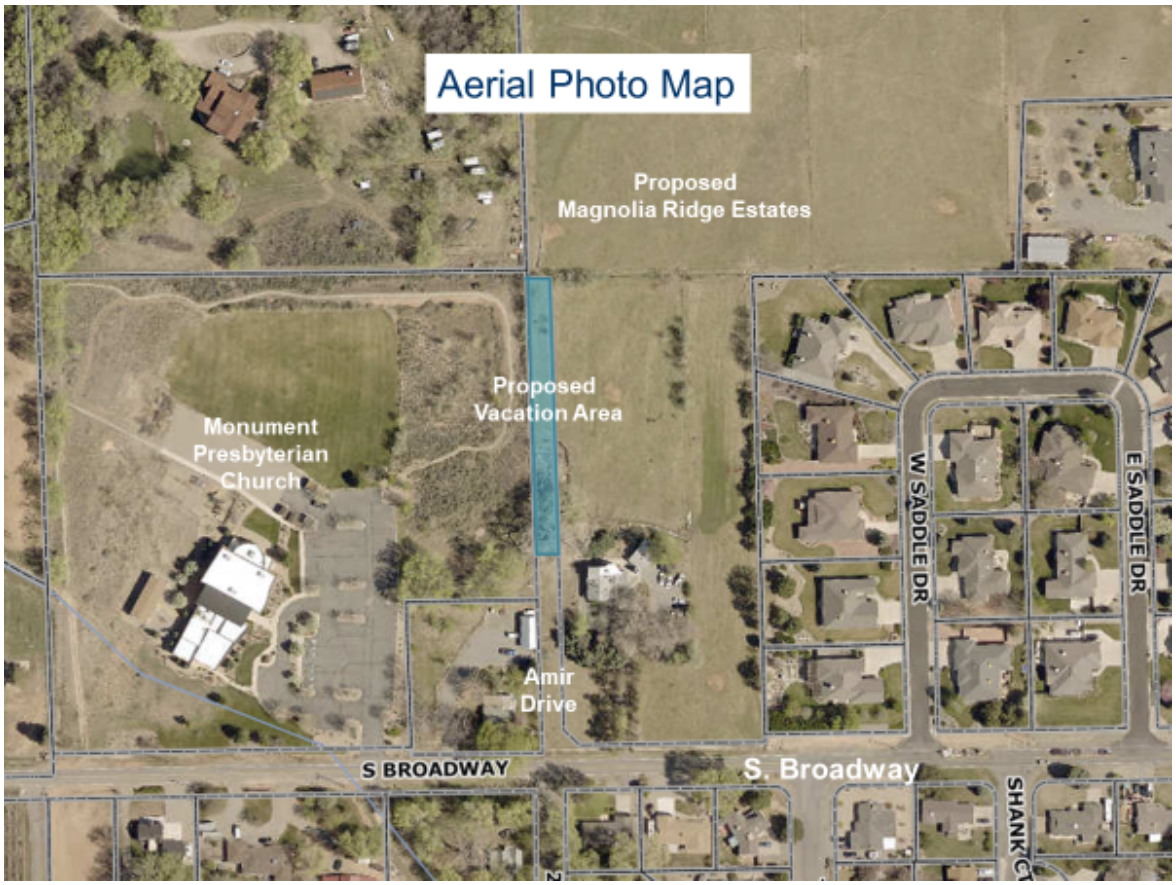
Mr. Chairman, on the request to vacate a portion of public right-of-way of Amir Drive as set forth in the attached description and sketch, City file number VAC-2020-479, located at 2026 South Broadway, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

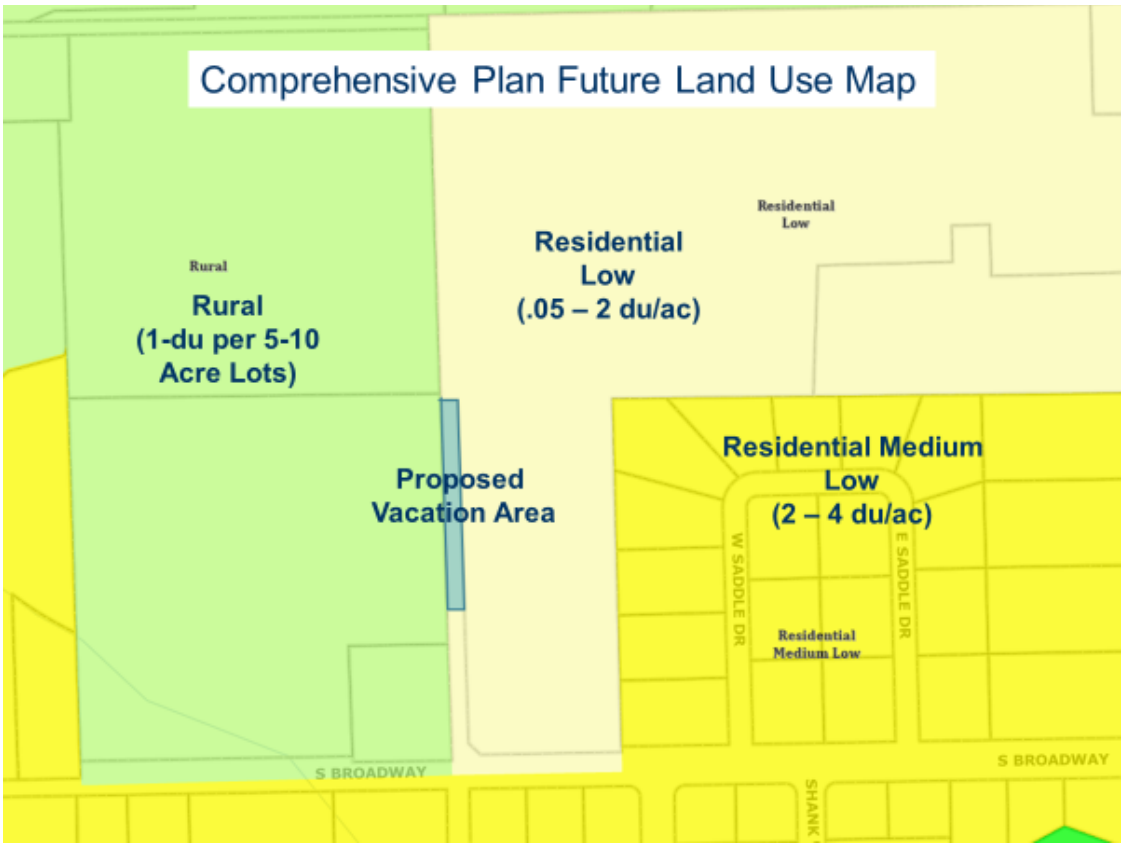
Attachments

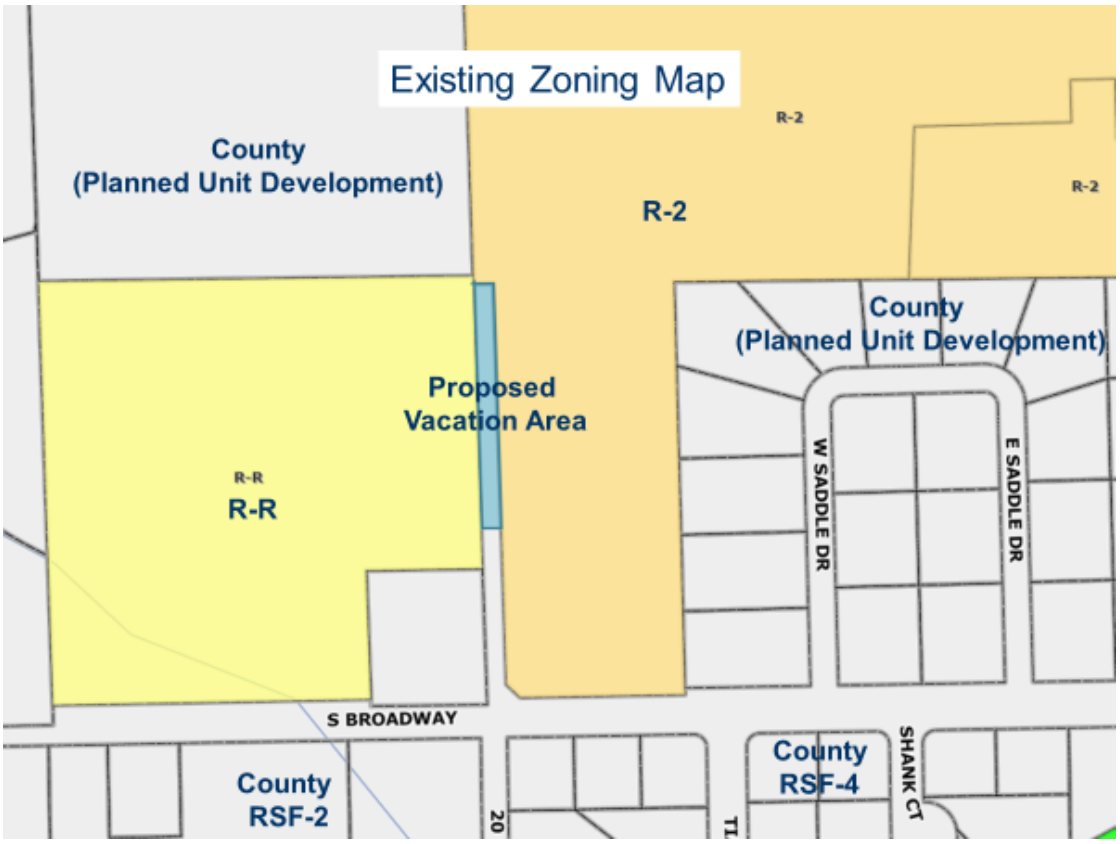
1. Site Location, Aerial & Zoning Maps
2. Development Application - Dated 8-17-20
3. Preliminary Plan - Approved - Magnolia Ridge Estates

4. Vacation Ordinance
5. Vacation Resolution

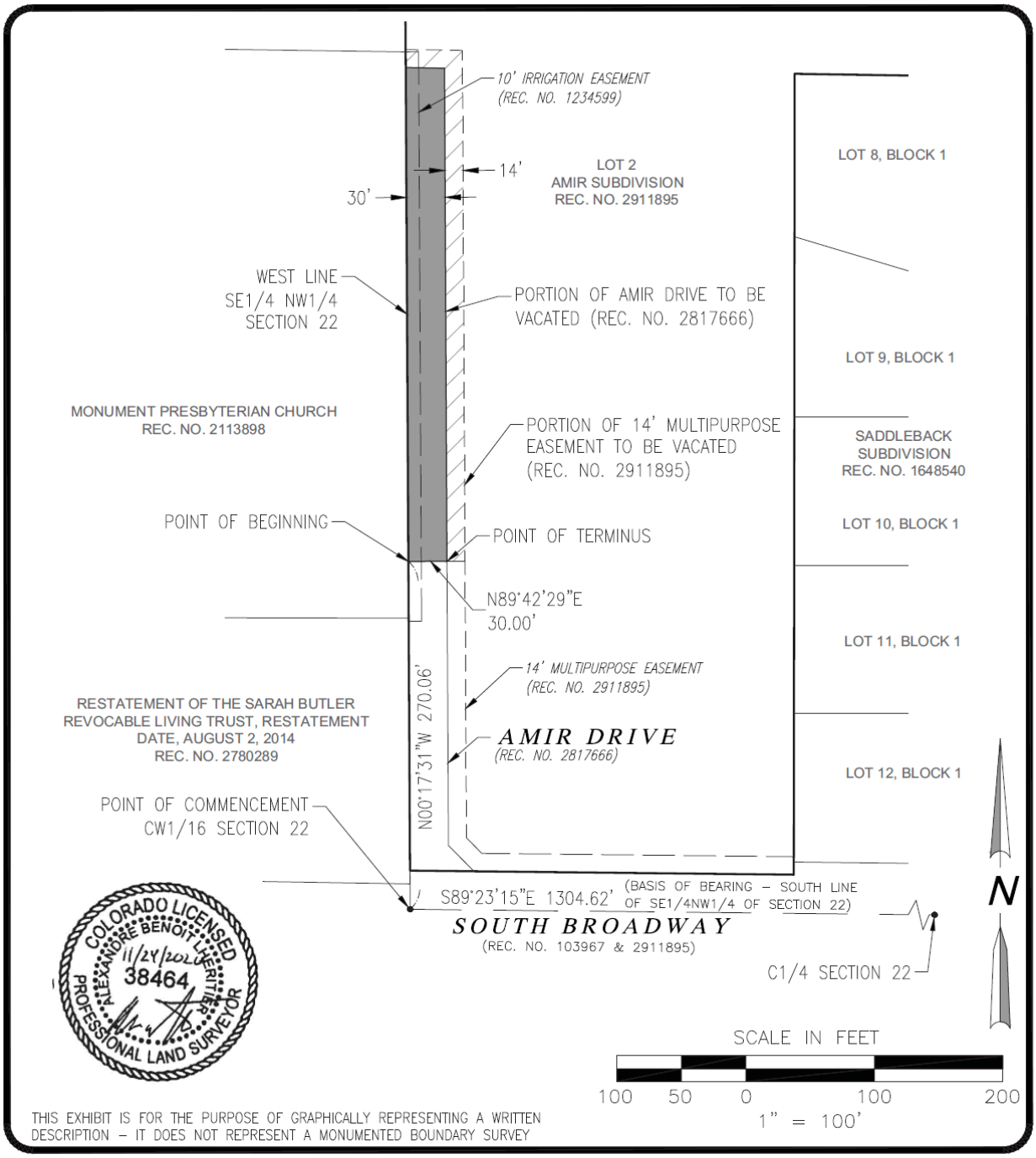
Site Location Map
Proposed
Magnolia Ridge Estates
Proposed
Vacation Area
Monument
Presbyterian
Church
Amir
Drive
W SADDLE DR
E SADDLE DR
20 1/2 RD
20 1/2 Road
20 1/2 RD
S BROADWAY
S. Broadway
S BROADWAY


Aerial Photo Map
Proposed
Magnolia Ridge Estates
Proposed
Vacation Area
Monument
Presbyterian
Church
Amir
Drive
S BROADWAY
S. Broadway
W SADDLE DR
E SADDLE DR
SHANK CT


Comprehensive Plan Future Land Use Map
Rural
Rural
(1-du per 5-10
Acre Lots)
Residential
Low
Residential
Low
(.05 – 2 du/ac)
Proposed
Vacation Area
Residential Medium
Low
(2 – 4 du/ac)
W SADDLE DR
E SADDLE DR
Residential
Medium Low
S BROADWAY
S BROADWAY


Existing Zoning Map
County
(Planned Unit Development)
R-2
R-2
R-2
County
(Planned Unit Development)
Proposed
Vacation Area
R-R
R-R
W SADDLE DR
E SADDLE DR
S BROADWAY
County
RSF-2
County
RSF-4
SHANK CT

Proposed Vacation Area:



Magnolia Ridge Estates Filing 1
Amir Drive Vacation

PROJECT NO:	DATE:	DRAWN BY:	CHECKED BY:
F19-061	11/23/2020	ABL	ABL

- Civil & Consulting Engineering
- Construction Management & Site Planning
- Feasibility Studies Permit Expediting
- Environmental Scientists
- Project Management
- Hydrologic Studies

Prepared By
VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
(970) 245-9051

Google Street View from S. Broadway looking north showing the granted but undeveloped Amir Drive right-of-way (Photo dated July, 2019)

CITY OF Grand Junction COLORADO
COMMUNITY DEVELOPMENT

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: Major Subdivision Final Plan/ Vacation of ROW

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: 563 20 1/2 Road & 2026 S. Broadway Site Acreage: Approx. 24 acres

Site Tax No(s): 2947-222-40-001 & 2947-222-00-184(subject to change) Site Zoning: R2 (Residential, 2 du/ ac)

Project Description: Development of a high-quality single-family subdivision.
Vacation of ROW & MPE.

Property Owner Information	Applicant Information	Representative Information
Name: David & Elizabeth Gowhari	Name: David & Elizabeth Gowhari	Name: Vortex Engineering, INC.
Street Address: 563 20 1/2 Road	Street Address: 563 20 1/2 Road	Street Address: 861 Rood Avenue
City/State/Zip: Grand Junction,CO 81507	City/State/Zip: Grand Junction,CO 81507	City/State/Zip: Grand Junction,CO 81501
Business Phone #: (970)260-7189	Business Phone #: (970)260-7189	Business Phone #: (970)245-9051
E-Mail: hedd1320@aol.com	E-Mail: hedd1320@aol.com	E-Mail: aasgari@vortexeng.us
Fax #:	Fax #:	Fax #: (970)245-9051
Contact Person: David & Elizabeth Gowhari	Contact Person: Same as property owner	Contact Person: Adam Asgari
Contact Phone #: (970)260-7189	Contact Phone #: (970)260-7189	Contact Phone #: (970)245-9051

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: 08/17/2020

Signature of Legal Property Owner: _____ Date: 08/17/2020

OWNERSHIP STATEMENT - TRUST

(a) David Hooshang & Elizabeth Ann Gowhari Revocable ("Trust") is the owner of the following property:

(b) 563 20 1/2 Rd & 2026 S. Broadway, Grand Junction, CO 81507

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 is also attached.

I, (c) David Hooshang & Elizabeth Ann Gowhari , am the Trustee for the Trust. I have the legal authority to bind the Trust to agreements concerning financial obligations and this property. I have attached the most recently recorded Statement of Authority of the Trust.

- (●) My legal authority to bind the Trust both financially and concerning this property is unlimited.
- ( ) My legal authority to bind the Trust financially and/or concerning this property is limited in the following manner:

All other Trustees and their authority to bind the Trust are listed and described here:

- (●) Trust is the sole owner of the property.
- ( ) Trust owns the property with other(s). The other owners of the property are:

(d)

On behalf of Trust, I have reviewed the application for the (e) Simple Subdivision

I understand the continuing duty to inform the City planner of any changes in my authority to bind the Trust or regarding any interest in the property, such as ownership, easement, right-of-way, encroachment, boundary disputes, lienholder and any other interest in the property.

- (●) I and the Trustees have no knowledge of any possible conflicts between the boundary of the property and abutting properties.
- ( ) I and the Trustees have the following knowledge (indicate who has the knowledge) and evidence concerning possible boundary conflicts between the property and the abutting property(ies):

(f)

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

Signature of Partnership representative: David Hooshang & Elizabeth Ann Gowhari

Printed name of person signing: David Hooshang & Elizabeth Ann Gowhari

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 09 day of September, 2019

by David Hooshang & Elizabeth Ann Gowhari

Witness my hand and seal.

My Notary Commission expires on Jun 19, 2021

JENNIFER CHRISTENSEN
Notary Public – State of Colorado
Notary ID 20024020423
My Commission Expires Jun 19, 2021

Notary Public Signature

RECEPTION #: 2497668, BK 4888 PG 736 07/15/2009 at 02:23:15 PM, 1 OF 1, R $5.00
S $1.00 Janice Rich, Mesa County, CO CLERK AND RECORDER

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity[1] named **The Hooshang David Gowhari and Elizabeth Ann Gowhari Revocable Trust Dated October 12, 2007**, and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

2. The type of entity is a:
   - ☑ trust
   - ☐ nonprofit corporation
   - ☐ limited liability company
   - ☐ general partnership
   - ☐ limited partnership
   - ☐ registered limited liability partnership
   - ☐ registered limited liability limited partnership
   - ☐ limited partnership association
   - ☐ government or governmental subdivision or agency
   - ☐ corporation
   - ☐ _____

3. The entity is formed under the laws of **State of** Colorado

4. The mailing address for the entity is 563 20½ Rd
   Grand Junction, Colo. 81507

5. The ☑ name ☐ position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is **Hooshang David Gowhari and Elizabeth Ann Gowhari**.

6.[2] The authority of the foregoing person (s) to bind the entity is ☐ not limited ☐ limited as follows: _____.

7. Other matters concerning the manner in which the entity deals with interests in real property:
   _____

Executed this _____.

Hooshang David Gowhari TRUSTEE
Hooshang David Gowhari, Trustee

Elizabeth Ann Gowhari, Trustee
Elizabeth Ann Gowhari, Trustee

STATE OF California
COUNTY OF Orange } SS:

The foregoing instrument was acknowledged before me this 7th day of **July**, by **Hooshang David Gowhari and Elizabeth Ann Gowhari as trustees of The Hooshang David Gowhari and the Elizabeth Ann Gowhari Revocable Trust Dated October 12, 2007**.

Witness my hand and official seal.

Notary Public

My commission expires: 3/21/2010

[1]This form should not be used unless the entity is capable of holding title to real property.
[2]The absence of any limitation shall be prima facie evidence that no such limitation exists.
[3]The statement of authority must be recorded to obtain the benefits of the statute.

BRANDON BAKKER
COMM. #1653109
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My Comm. Expires March 21, 2010

Stmtauth.doc

WARRANTY DEED

The Hooshang David Gowhari and The Elizabeth Ann Gowhari Revocable Trust Dated October 12, 2007, **Grantor,** whose legal address is 563 20 ½ Road, Grand Junction, Colorado, 81507, who is the fee simple owner of that certain real property located in Mesa County, Colorado as described in that certain Warranty Deed recorded with the Mesa County Clerk and Recorder on October 16, 2007 at Reception No. 2407816 for and in consideration of Ten and 00/100 Dollars, ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to **The City of Grand Junction, a Colorado home rule municipality, Grantee,** whose address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the tract or parcel of land described in the attached Exhibit A, which is incorporated herein by this reference, and depicted on the attached Exhibit B, which is incorporated herein by this reference, containing 18,710 square feet, (0.430 acres), more or less, for public right-of-way purposes for Amir Drive;

No Consideration

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 13th day of October, 2017.

GRANTOR: The Hooshang David Gowhari and The Elizabeth Ann Gowhari Revocable Trust Dated October 13, 2007

By: _____
Hooshang David Gowhari, Trustee

By: Elizabeth Ann Gowhari
Elizabeth Ann Gowhari, Trustee

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 13th day of October, 2017 by Hooshang David Gowhari and Elizabeth Ann Gowhari as Trustees of The Hooshang David Gowhari and The Elizabeth Ann Gowhari Revocable Trust Dated October 13, 2007.

My commission expires July 31, 2021.
Witness my hand and official seal.

SELESTINA SANDOVAL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19994023991
My Commission Expires July 31, 2021

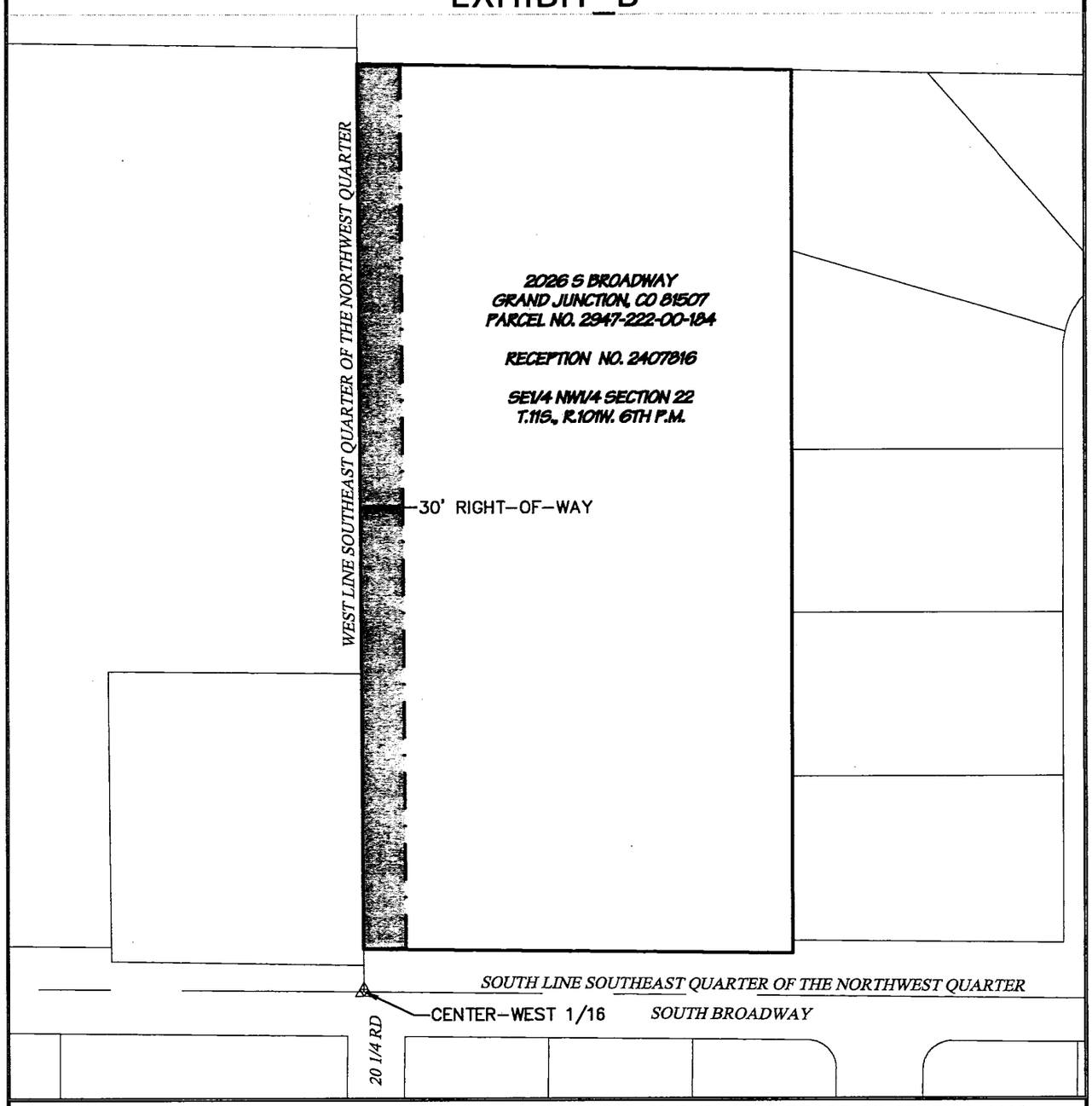
Selestina Sandoval
Notary Public

EXHIBIT A

The west thirty feet (30') of a parcel of land as recorded at Reception No. 2407816, situated in the southeast quarter of the northwest quarter of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado,

Containing 18,710 Sq. feet (0.430 acres), more or less.

EXHIBIT_B



1" = 100'
0 100
U.S. Survey feet

THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

RIVER CITY CONSULTANTS
744 Horizon Court, Suite 110
Grand Junction, CO 81506
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

Drawn: AKT	Checked: KST	2/7/17	Job No. 0637-002

S:\PROJECTS\0637 Gowhar\002 Gowhar\ Concept Plan\0637-002 ROW.dwg

RECEPTION#: 2892679, at 8/27/2019 1:01:56 PM, 1 of 1
Recording: $13.00, Tina Peters, Mesa County, CO. CLERK AND RECORDER

RECEPTION #: 2407815, BK 4536 PG 359 10/16/2007 at 04:04:34 PM, 1 OF 1, R $5.00
S $1.00 Doc Code: WD Janice Rich, Mesa County, CO CLERK AND RECORDER

* This document is being re-recorded to make a minor correction in the title name

WARRANTY DEED

HOOSHANG D. GOWHARI and ELIZABETH ANN GOWHARI, whose address is 563 20 ½ Road, Grand Junction, Colorado, Grantor(s), for and in consideration of the sum of ten and no/100 Dollars ($10.00), the receipt and sufficiency of which is hereby acknowledged, hereby sell(s), grant(s) and convey(s) to THE HOOSHANG DAVID GOWHARI AND ~~THE~~ * ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, whose address is 563 20 ½ Road, Grand Junction, Colorado, Grantee, its successors and assigns forever, the following described real property situate in the County of Mesa, State of Colorado, to wit:

LOT 1 GOWHARI MINOR SUBDIVISION SEC 22 11S 101W - 19.60AC

Together with any and all water, water rights, ditch and ditch rights of way thereunto appertaining and used in connection therewith;

Tax Parcel Number: 2947-222-40-001

also known as street address: 563 20 ½ Road, Grand Junction, Colorado.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor(s) hereby covenanting that they will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 12TH day of October, 2007.

Hooshang D. Gowhari
HOOSHANG D. GOWHARI

Elizabeth Ann Gowhari
ELIZABETH ANN GOWHARI

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 12 day of October, 2007, by HOOSHANG D. GOWHARI and ELIZABETH ANN GOWHARI.

My commission expires 2/12/08.
Witness my hand and official seal.

NOTARY PUBLIC BARBARA E. BELL STATE OF

Barbara E. Bell
Notary Public

RECEPTION#: 2892680, at 8/27/2019 1:01:56 PM, 1 of 1
Recording: $13.00, Tina Peters, Mesa County, CO. CLERK AND RECORDER

RECEPTION #: 2407816, BK 4536 PG 360 10/16/2007 at 04:04:34 PM, 1 OF 1, R $5.00
S $1.00 Doc Code: WD Janice Rich, Mesa County, CO CLERK AND RECORDER

* This document is being re-recorded to make a minor correction in the title name

WARRANTY DEED

HOOSHANG D. GOWHARI and ELIZABETH ANN GOWHARI, whose address is 563 20 ½ Road, Grand Junction, Colorado, Grantor(s), for and in consideration of the sum of ten and no/100 Dollars ($10.00), the receipt and sufficiency of which is hereby acknowledged, hereby sell(s), grant(s) and convey(s) to THE HOOSHANG DAVID GOWHARI AND ~~THE~~ * ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, whose address is 563 20 ½ Road, Grand Junction, Colorado, Grantee, its successors and assigns forever, the following described real property situate in the County of Mesa, State of Colorado, to wit:

S2SE4NW4 SEC 22 11S 101W EXC BEG N 0DEG35'55SEC E646.52FT FR SE COR NW4 N 88DEG31'09SEC W 1308.46FT N0DEG16'37SEC E 11.92FT S 88DEG52'23SEC E 1308.42FT S0DEG35'55SEC W 20FT TO BEG + EXC BEG SE COR OF NW4 SEC22 11S 101W N 88DEG50'09SEC W 1006.50FT N 00DEG35'55SEC E 652.08FT S 88DEG31'09SEC E 1006.57FT S 00DEG35'55SEC W 646.52FT TO BEG

Together with any and all water, water rights, ditch and ditch rights of way thereunto appertaining and used in connection therewith;

Tax Parcel Number: 2947-222-00-184

also known as street address: 2026 S. Broadway, Grand Junction, Colorado.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor(s) hereby covenanting that they will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 12th day of October, 2007.

Hooshang D. Gowhari
HOOSHANG D. GOWHARI

Elizabeth Ann Gowhari
ELIZABETH ANN GOWHARI

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 12 day of October, 2007, by HOOSHANG D. GOWHARI and ELIZABETH ANN GOWHARI.

My commission expires ~~Bx~~ 2/12/08.
Witness my hand and official seal.

Barbara E. Bell
Notary Public

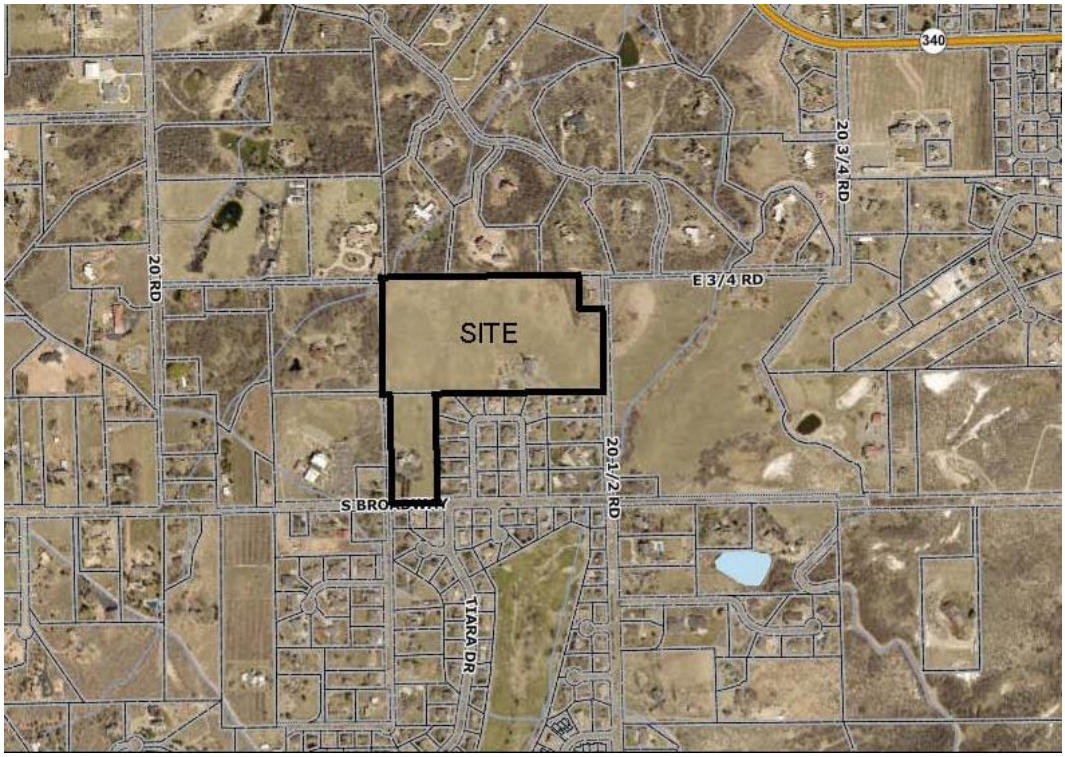
NOTARY PUBLIC
BARBARA E. BELL
STATE OF COLORADO

Project Narrative
for
Magnolia Ridge Estates
Final Plan – Filing 1
Vacation of Amir Drive Right-of-way

Date:	August 12, 2020
Prepared by:	Robert W. Jones II, P.E. Vortex Engineering and Architecture, Inc. 861 Rood Avenue Grand Junction, CO 81501 970-245-9051 VEI# F19-061
Submitted to:	City of Grand Junction 250 N. 5th Street Grand Junction, CO 81501
Type of Design:	Final Plan/Plat Approval, Filing 1 Vacation of Public Right-of-way
Owner:	David and Elizabeth Gowhari 563 20 ½ Road Grand Junction, CO 81507
Property Address:	563 20 ½ Road and 2026 S. Broadway Grand Junction, CO 81507
Tax Schedule No:	2947-222-46-001 2947-222-46-002

1. Project Intent

This application is to request Final Plat/Plan approval for Filing 1 of Magnolia Ridge Estates Subdivision in accordance with Section 21.02.070(s), Final Plat, and a vacation of the Amir Drive right-of-way and 14' multi-purpose easement located on the west side of the development in accordance with Section 21.02.100, Vacation of Public Right-of-Way of the Grand Junction Municipal Code (GJMC).



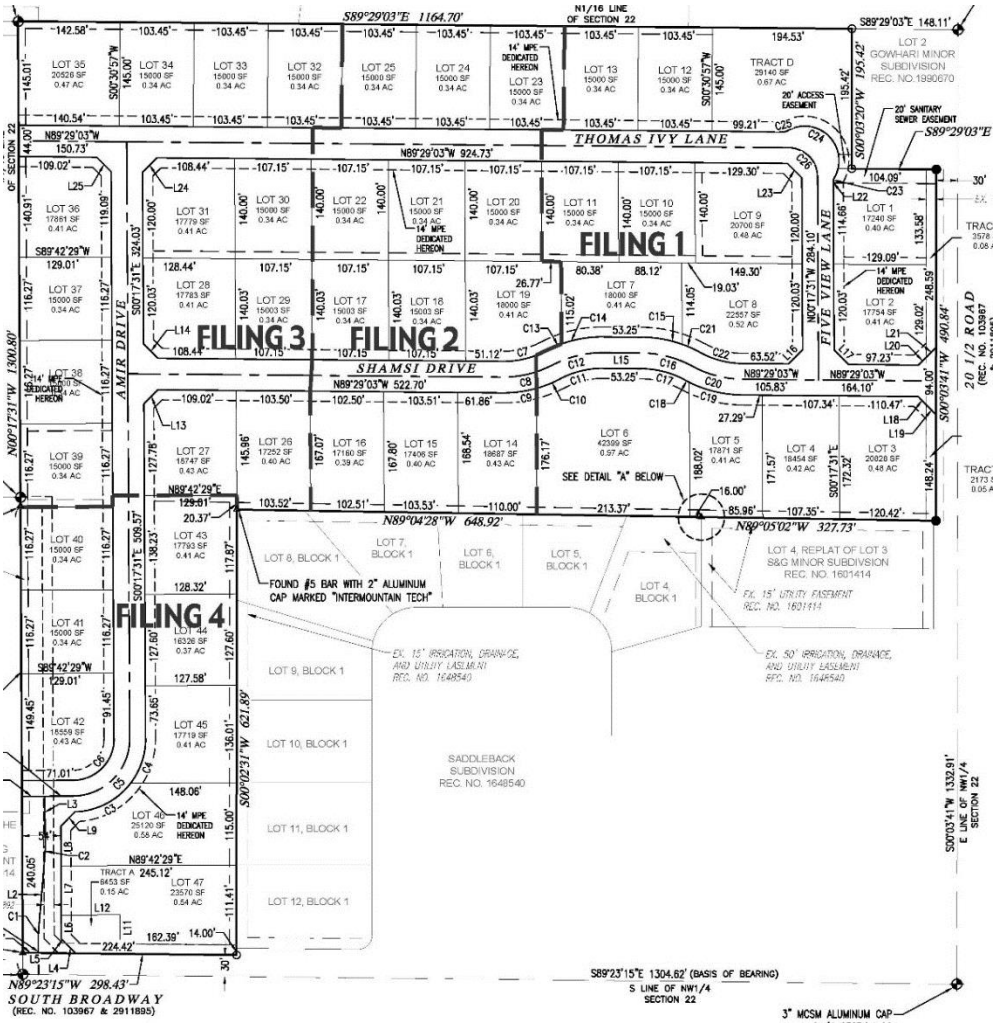
2. Project Description

The site is located at 563 20 ½ Road and 2026 South Broadway and contains two parcels that are currently zoned R2 (Residential, 2 du/ac). The property was recently reviewed as the Amir Subdivision to combine the original two parcels into a single building site while maintaining the applicant's home on a separate lot. The Amir Subdivision plat was recorded on January 17, 2020.

The applicant intends to develop a high-quality single-family subdivision consistent with the R2 zoning and other City standards. The home located at 563 20 ½ Road will be retained as part of the Filing 1 subdivision improvements.

The Preliminary Plan was approved with 47 lots with an overall density of 2.0 dwelling units per acre. Lots have been designed to meet the R2 bulk standards including minimum lot size and all building setbacks. A 14' landscaped tract on 20 ½ Road and South Broadway will be owned and

maintained by the HOA. A vault for irrigation water will be in a tract located at the entrance located on South Broadway and will also be owned by the HOA.



Vacation of Amir Drive Right-of-Way and Multi-purpose Easement

The right-of-way for Amir Drive and 14' multi-purpose easement was previously dedicated by separate instrument to the City of Grand Junction at Reception No. 2817666 and with the Amir Subdivision plat. The applicant has requested that the right-of-way for Amir Drive and 14' multi-purpose easement be vacated in their entirety with this application. The right-of-way that was previously dedicated for Amir Drive was based on an earlier subdivision design which has been revised; now, approximately 70% of the existing right-of-way is located in the wrong location for the new subdivision design. The applicant would like to vacate the existing right-of-way and will dedicate new right-of-way and 14' multi-purpose easement with the plat for Filing 4 of the Magnolia Ridge Estates subdivision.

The approval criteria from Section 21.02.070(s)(2) for a Final Plat and 21.02.100(c), Vacation of Public Right-of-Way, have been addressed within this project narrative.

Legal Descriptions

The legal description of 2947-222-46-001 and 2947-222-46-002 is:
Lots 1 and 2 of the Amir Subdivision

The legal description of Amir Drive and 14' multi-purpose easement is:
All of Amir Drive right-of-way and the 14' multi-purpose easement on Amir Drive and South Broadway. See associated Exhibit for the delineation of the specific area to be vacated. The private irrigation easement shown on the Exhibit is for the sole benefit of the applicant and is not a public easement.

Access and Internal Circulation
Access to Filing 1 of the Magnolia Ridge Estates subdivision comes from 20 ½ Road. Internal streets will be constructed to urban residential street standards with a 44' right-of-way with curb, gutter and sidewalks in accordance with City standards.

Drainage
The site slopes from the south to the northeast corner with an elevation change of 4742' to 4700'. A detention facility will be constructed in a tract that is landscaped, owned and maintained by the Homeowners Association (HOA). The tract is located in the northeast corner of the site which is the low point for the property. A final drainage report has been included with this application which provides specific details that address how stormwater will be addressed with the new development.

Geotechnical Hazards Investigation
A Geotechnical Hazards Investigation dated February 4, 2020 was conducted on site by Huddleston-Berry Engineering and Testing, LLC (HBET). The subsurface investigation consisted of eleven test pits, excavated on November 12, 2019. The report found that "the test pits generally encountered native silt and sand soils in the shallow subsurface above gravel and cobble soils or sandstone/siltstone bedrock. However, shallow bedrock was encountered in the northeast corner of the site. Groundwater was encountered in the subsurface at depths of between 4.0 and 9.5 feet at the time of the investigation. The native soils are non-plastic to slightly plastic and are anticipated to be slightly collapsible. The native bedrock materials may contain highly expansive bentonite."
The report goes on to state that no geologic hazards were identified which would preclude development of this property. Based upon the available data sources, field investigation, and nature of the proposed construction, HBET does not believe that there are any geologic conditions

which should preclude subdivision of the site. However, foundations, pavements, and earthwork will have to consider the impacts of shallow groundwater, moisture sensitive soils, and/or moisture sensitive bedrock at the site. Please see the report for specific details.

Irrigation

The proposed development will be served by two headgates as follows:

Headgate 228 with a 3" line and 5 water shares

Headgate 228.2 with a 6" line and 22 shares

Redlands Water and Power provide the irrigation to the subject property and have confirmed the number of water shares, headgate and water line data. A tract located at the entrance off South Broadway is provided to address irrigation water for the proposed development and will be owned and maintained by the HOA.

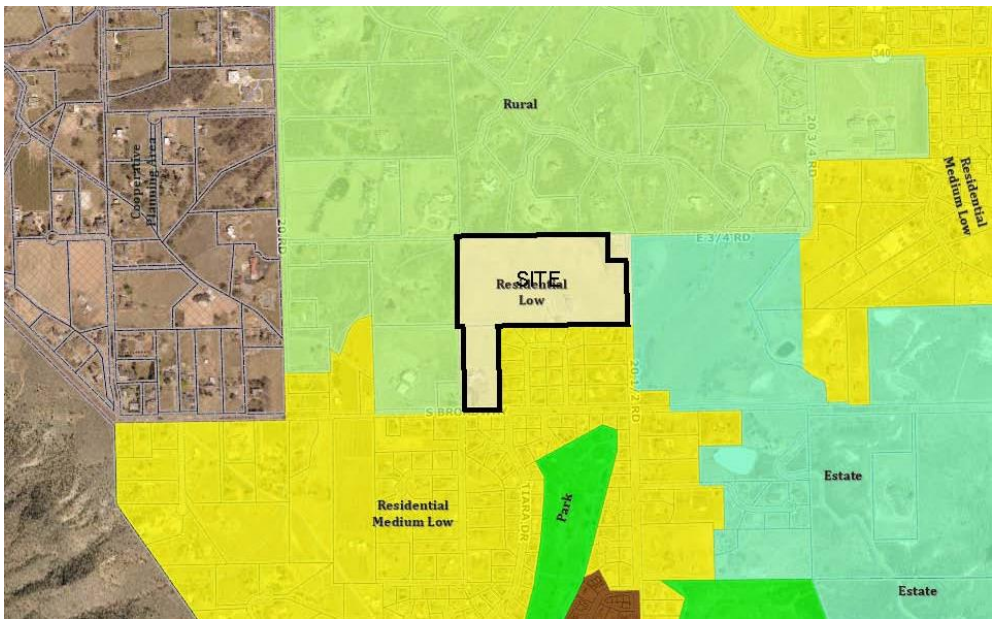
3. Public Notice and Neighborhood Meeting

Public notice for the proposed development will be provided in accordance with Section 21.02.070(a)(3), Notice, of the GJMC, including posting the subject property on all public rights-of-way upon acceptance of the development application.

4. Comprehensive Plan and Zoning

Future Land Use Map

The Comprehensive Plan's Future Land Use Map shows the property as Residential Low (RL, .5 ac/du – 2 du/ac) land use classification. The R2 zone district implements the Residential Low land use classification and is within the middle range of the Comprehensive Plan's anticipated density.

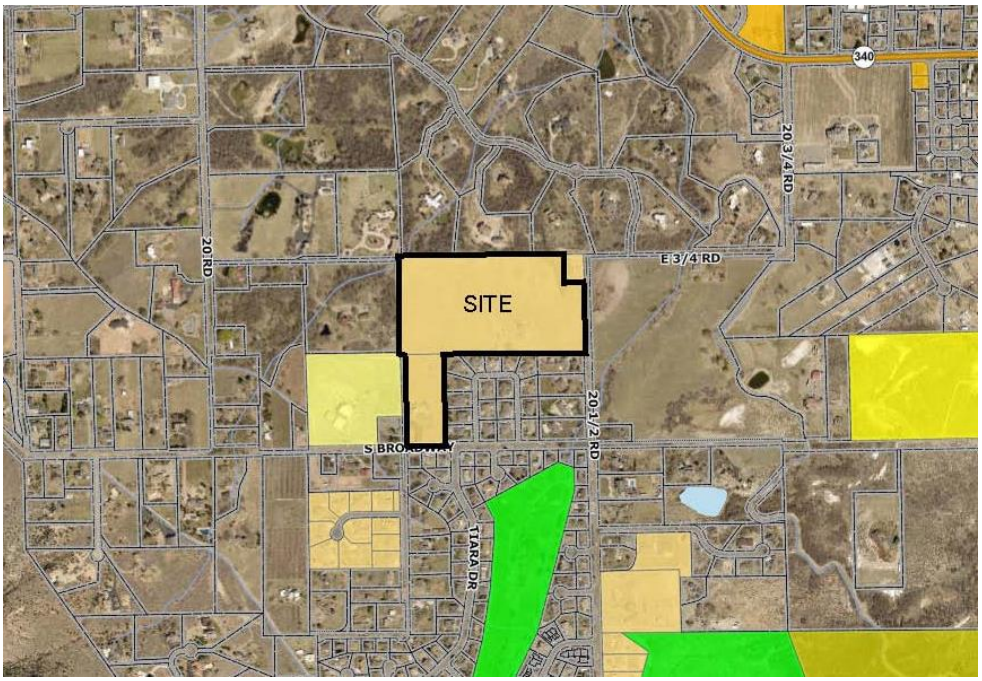


The site is subject to the Redlands Area Plan, Title 34 of the GJMC. The most significant element of the Redlands Area Plan pertains to the protection of the dark skies in the Redlands area of the community. The street lights for the subdivision have been selected to be durable, attractive and to reduce the unnecessary use of lighting when possible. Please see plan details for specific information related to the street lighting for this development.

In addition to compliance with the Redlands Area Plan, the proposed subdivision meets a number of the goals and policies of the Comprehensive Plan:

Goal 1, Policy D: For development that requires municipal services, those services shall be provided by a municipality or district capable of providing municipal services.
Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.
Goal 8, Policy D: Use outdoor lighting that reduces glare and light spillage, without compromising safety.

<u>Zoning and Surrounding Land Use</u>
The development site is zoned R2 (Residential 2 du/ac). The R2 zone district provides the mid-range of density anticipated by the Comprehensive Plan for this area of the community. The proposed subdivision is consistent with the purpose of the R2 zone district which is to provide areas for medium-low density, single-family and two-family residential uses where adequate public facilities and services exist.



Surrounding area zoning and land uses include:

North – Mesa County RSF-2, with single-family land uses
South – Mesa County PUD and RSF-4, with single-family land uses
West – City RR, Mesa County PUD and RSF-2, with single-family land uses
East – City R2 and Mesa County RSF-2, with single-family land uses

The area surrounding the development site is primarily located within unincorporated Mesa County and has developed under County regulations without many of the urban services such as curb, gutters, sidewalks and pedestrian and bicycle facilities that exist within the City limits. Many, if not all, of the area roads do not have shoulders or sidewalk facilities; however, the proposed development will be constructed to current City standards that include such facilities.

5. Utility Providers

All required and necessary utilities shall be provided concurrent with development of the subdivision. Utility providers for the proposed development have the capacity and willingness to serve the development. Public facilities such as medical, parks and public safety are available to serve development on this site within 1-3 miles of the site.

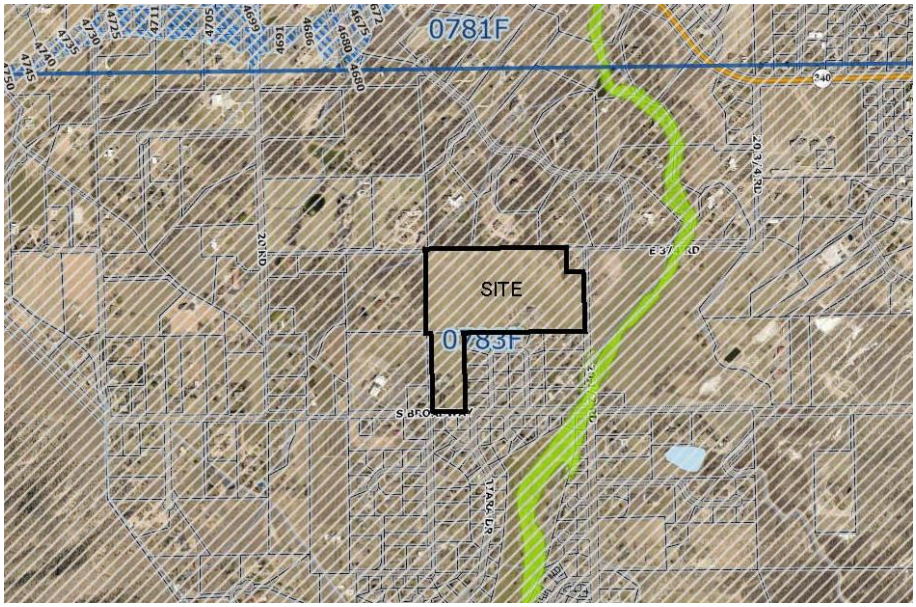
Utility providers for the site are as follows:

Sewer: City of Grand Junction/Persigo Wastewater Treatment Plant
Water: Ute Water Conservation District
Drainage: Outside of district boundary
Irrigation: Redlands Water and Power Company
Electric: Xcel

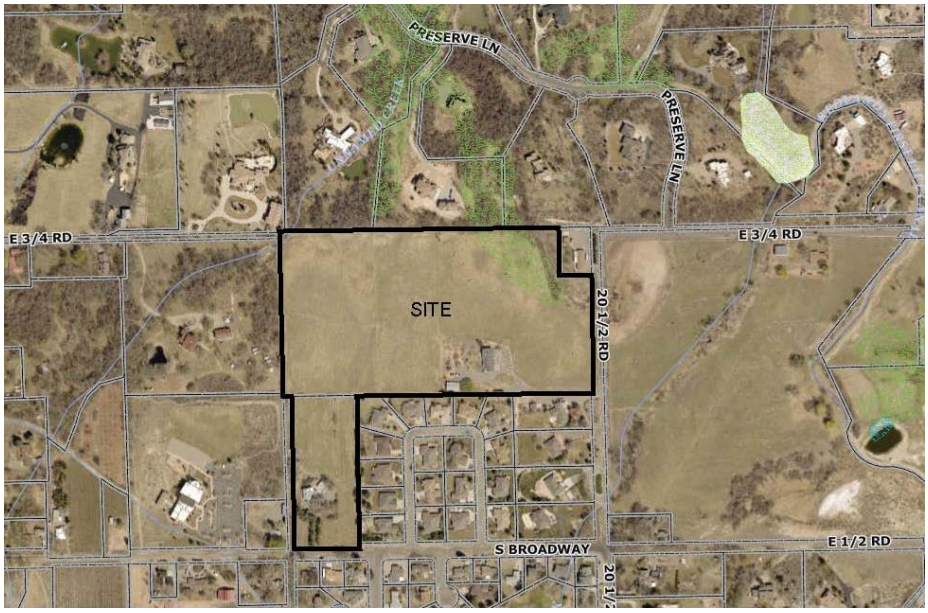
All utilities shall be constructed to current standards and specifications of the utility and service provider at the time of development. Please see applicable Utility plan sheets for specific details.

6. Floodplain and Wetlands

The subject property is located in Zone X – outside the 0.2% annual chance floodplain on FEMA Panel #0783F.



There are 0.02 acres of wetlands that have been identified on the subject property by ERO Consultants. The Wetland Review report has been reviewed as part of the Preliminary Plan review process and should be consulted for specific findings and information.



7. Approval Criteria

Section 21.02.070(s)(2), Approval Criteria, states that the final plat shall demonstrate compliance with all of the following:

(i) The same criteria as the preliminary subdivision plan in subsection (r) of this section; and
Response: See responses listed below for compliance with Section 1.02.070(r): **These criteria have been met**.

(ii) The preliminary subdivision plan approval and any conditions attached thereto. A part of the land area within the preliminary subdivision plan may be approved for platting.
Response: The final plan and plat are in compliance with the Preliminary Plan approval granted by the City Community Development Department.
This criterion has been met.

Section 21.02.070(r), Approval Criteria for Preliminary Plans:

(i) The preliminary subdivision plan will be in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans;
Response: The proposed development supports the Residential Low land use classification of the Comprehensive Plan and the R2 zone district which implements the Comprehensive Plan. The proposed development proposes the maximum density that is anticipated by the Comprehensive Plan and allowed by the R2 zone district. In addition, the proposed plan meets several of the goals and policies of the Comprehensive Plan as noted earlier in this report. The proposed plan meets the requirements of the Grand Junction Circulation Plan and all applicable sections of the Redlands Area Plan, particularly for the night lighting standards with construction of the minimum number of street lights necessary.
This criterion has been met.

(ii) The subdivision standards in Chapter 21.06 GJMC;
Response: All provisions of Chapter 21.06 have been incorporated into the design of the proposed subdivision including landscaping, parking, circulation, signage and public streets. Please see applicable plan sheets for specific construction detail.
This criterion has been met.

(iii) The zoning standards in Chapters 21.03 and 21.04 GJMC;
Response: All provisions of Chapter 21.03 have been met through the R2 zone district bulk standards and Chapter 21.04 through the use provisions as allowed in the R2 zone district.
This criterion has been met.

(iv) Other standards and requirements of this code and other City policies and regulations;
Response: The proposed development has been designed to meet all design guidelines and regulations such as the SWMM manual and TEDS requirements as well as adopted plans such as the Comprehensive Plan and Redlands Area plan.

This criterion has been met.

(v) Adequate public facilities and services will be available concurrent with the subdivision;
Response: As noted earlier in this report when addressing utilities, all required utilities shall be provided with development of the proposed subdivision. Public facilities such as schools, medical services, sales and retail, police and fire services are available to serve the proposed development within 1-3 miles.
This criterion has been met.

(vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
Response: There are no adverse or negative impacts anticipated upon the natural or social environments. Other impacts from the development have been mitigated through the design process that complies with the City of Grand Junction's subdivision design guidelines and the Grand Valley Circulation Plan.
This criterion has been met.

(vii) Compatibility with existing and proposed development on adjacent properties;
Response: Adjacent properties have been developed as single-family subdivisions through the Mesa County Planning process. There are not any vehicular connections between the proposed subdivision and the existing subdivisions to the north and south. The proposed development is compatible with the existing single-family subdivisions which were previously constructed and platted through the County. The proposed development will exceed the standards by which the adjacent properties have been developed in that urban level services such as sidewalks will be provided, whereas sidewalks do not exist for properties developed in unincorporated Mesa County.
This criterion has been met.

(viii) Adjacent agricultural property and land uses will not be harmed;
Response: There are no agricultural properties adjacent to the subject site.
This criterion is not applicable.

(ix) Is neither piecemeal development nor premature development of agricultural land or other unique areas;
Response: The subdivision is consistent with the anticipated residential type and density of development as noted in the Comprehensive Plan and is neither piecemeal nor premature development. The parcels being developed are actually completing the residential development for this area because only the parcel located to the east contains any development potential for this area of the community.
This criterion has been met.

(x) There is adequate land to dedicate for provision of public services; and

Response: There is adequate land for provision of public services which are necessary for the proposed development. All required necessary and required public services are either available to serve the proposed development or will be constructed as part of the development in accordance with City of Grand Junction requirements and other service providers.

This criterion has been met.

(xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

Response: The project will not cause an undue burden on the City for maintenance of facilities; all improvements have been designed in accordance with the requirements and standards of the City.

This criterion has been met.

Section 21.02.100(c), Vacation of Public Right-of-Way Approval Criteria, states the vacation of the right-of-way or easement shall conform to the following:

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

Response: Although the right-of-way for Amir Drive is being vacated, new right-of-way will be dedicated to the public with Filing 4 of the Magnolia Ridge Estates subdivision in a location that fits with the design of the overall development. The requirement to provide a stub street to adjacent property where needed will be included with the future dedication. The street network will be consistent with the goals of the Grand Junction Circulation Plan for level of service and providing connections between properties to provide an efficient street network.

This criterion has been met.

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

Response: No parcel shall be landlocked as a result of the requested vacation. All required stub streets to adjacent parcels shall be provided as needed to provide for future development.

This criterion has been met.

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

Response: The requested vacation shall not restrict access to any property. Future dedication of right-of-way as part of Filing 4 will ensure that stub streets will be provided to adjacent parcels where needed and appropriate.

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);
Response: The current right-of-way for Amir Drive has been dedicated to the public but has never been constructed, therefore there will be no adverse impacts on the health, safety or welfare of the general public. The future dedication of right-of-way in the correct location for street alignment and stub streets to adjacent properties will ensure that the public needs for health, safety and welfare will be met.
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
Response: As noted, Amir Drive has never been constructed and does not physically exist and cannot be used. The future right-of-way for Amir Drive will facilitate the provision of public facilities, services and utilities when dedicated with the development of Filing 4 of the Magnolia Ridge Estates subdivision.
This criterion has been met.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.
Response: The current right-of-way is dedicated but not constructed, therefore there is no maintenance required. The new right-of-way will be dedicated and constructed in a manner that will facilitate development and provision of all necessary and required services. Only that portion of required right-of-way will be dedicated that is necessary for efficient traffic circulation and maintenance.
This criterion has been met.

8. Development Schedule

Construction of infrastructure improvements for Filing 1 of the Magnolia Ridge Estates subdivision is anticipated to begin within 90 days of approval of the application and constructions plans.

9. Conclusion

After demonstrating how the Magnolia Ridge Estates Filing 1 and the request to vacate public right-of-way application meets the goals and policies of the Comprehensive Plan, the Zoning and Development Code and other development regulations of the City, the applicant respectfully

requests approval of the Final Plat and Plans and vacation of public right-of-way as identified in this application.

10. Limitations/Restrictions

This report is a site-specific report and is applicable only for the client for whom our work was performed. The review and use of this report by City of Grand Junction, affiliates, and review agencies is fully permitted and requires no other form of authorization. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering, Inc. and is to be taken in its entirety. Excerpts from this report when taken out of context may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

The recommendations and findings outlined in this report are based on: 1) The site visit and discussion with the owner, 2) the site conditions disclosed at the specific time of the site investigation of reference, 3) various conversations with planners and utility companies, and 4) a general review of the zoning and transportation manuals. Vortex Engineering, Inc. assumes no liability for the accuracy or completeness of information furnished by the client or municipality/agency personnel. Site conditions are subject to external environmental effects and may change over time. Use of this report under different site conditions is inappropriate. If it becomes apparent that current site conditions vary from those reported, the design engineering should be contacted to develop any required report modifications. Vortex Engineering, Inc. is not responsible and accepts no liability for any variation of assumed information.

Vortex Engineering, Inc. represents this report has been prepared within the limits prescribed by the owner and in accordance with the current accepted practice of the civil engineering profession in the area. No warranty or representation either expressed or implied is included or intended in this report or in any of our contracts.

WARRANTY DEED

The Hooshang David Gowhari and The Elizabeth Ann Gowhari Revocable Trust Dated October 12, 2007, Grantor, whose legal address is 563 20 ½ Road, Grand Junction, Colorado, 81507, who is the fee simple owner of that certain real property located in Mesa County, Colorado as described in that certain Warranty Deed recorded with the Mesa County Clerk and Recorder on October 16, 2007 at Reception No. 2407816 for and in consideration of Ten and 00/100 Dollars, ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to **The City of Grand Junction, a Colorado home rule municipality, Grantee,** whose address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the tract or parcel of land described in the attached Exhibit A, which is incorporated herein by this reference, and depicted on the attached Exhibit B, which is incorporated herein by this reference, containing 18,710 square feet, (0.430 acres), more or less, for public right-of-way purposes for Amir Drive;

No Consideration

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 13th day of October, 2017.

GRANTOR: The Hooshang David Gowhari and The Elizabeth Ann Gowhari Revocable Trust Dated October 13, 2007

By: _____
Hooshang David Gowhari, Trustee

By: Elizabeth Ann Gowhari
Elizabeth Ann Gowhari, Trustee

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 13th day of October, 2017 by Hooshang David Gowhari and Elizabeth Ann Gowhari as Trustees of The Hooshang David Gowhari and The Elizabeth Ann Gowhari Revocable Trust Dated October 13, 2007.

My commission expires July 31, 2021.
Witness my hand and official seal.

SELESTINA SANDOVAL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19994023991
My Commission Expires July 31, 2021

Selestina Sandoval
Notary Public

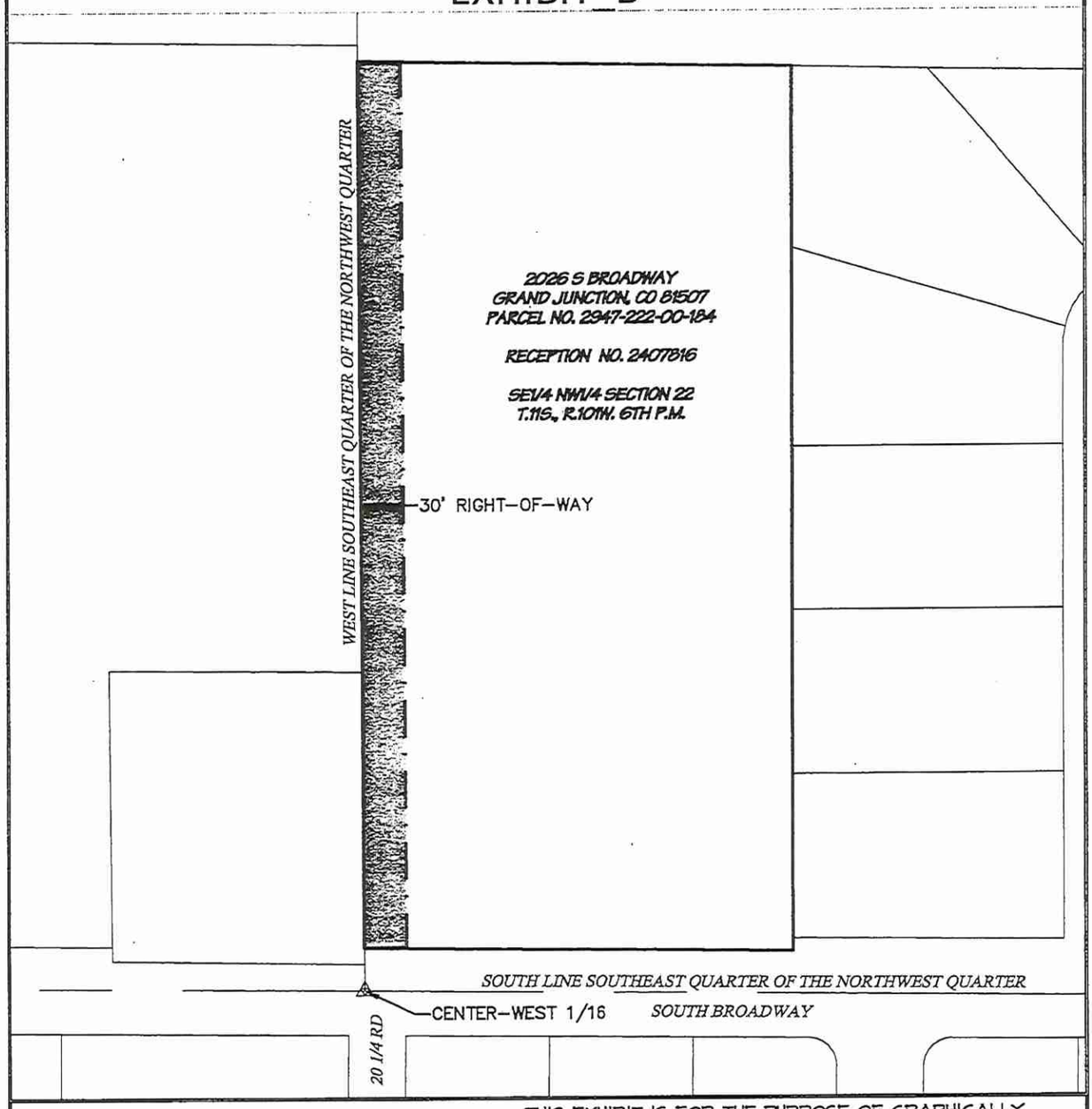
SHEET 1 OF 3

EXHIBIT A

The west thirty feet (30') of a parcel of land as recorded at Reception No. 2407816, situated in the southeast quarter of the northwest quarter of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado,

Containing 18,710 Sq. feet (0.430 acres), more or less.

EXHIBIT B



1" = 100'
0 100
U.S. Survey feet

THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

RIVER CITY CONSULTANTS
744 Horizon Court, Suite 110
Grand Junction, CO 81506
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

Drawn: AKT	Checked: KST	2/7/17	Job No. 0637-002

S:\PROJECTS\0637 Gowhari\002 Gowhari Concept Plan\0637-002 ROW.dwg

Amir Drive Right-Of-Way and 14' Multipurpose Easement Vacation

A parcel of land located in the SE1/4NW1/4 of Section 22, Township 11 South, Range 101 West, 6th Principal Meridian, City of Grand Junction, Mesa County, Colorado, more particularly described as:

All of Amir Drive as dedicated to the City of Grand Junction in the Warranty Deed recorded with the Clerk and Recorder of Mesa County as Reception Number 2817666 and dedicated to the City of Grand Junction on the Amir Subdivision plat recorded with the Clerk and Recorder of Mesa County as Reception Number 2911895.

Parcel contains 18,901 Sq. feet (0.430 acres), more or less.

ALSO,

A parcel of land located in the SE1/4NW1/4 of Section 22, Township 11 South, Range 101 West, 6th Principal Meridian, City of Grand Junction, Mesa County, Colorado, more particularly described as:

All of the 14' Multipurpuse Easement along Amir Drive and South Broadway as dedicated in the Amir Subdivision Plat recorded with the Clerk and Recorder of Mesa County as Reception Number 2911895.

Parcel contains 12,780 Sq. feet (0.293 acres), more or less.

Boundary descriptions prepared by:
Alex Lheritier, PLS 38464
Vortex Engineering, Inc.
861 Rood Avenue
Grand Junction, CO 81501

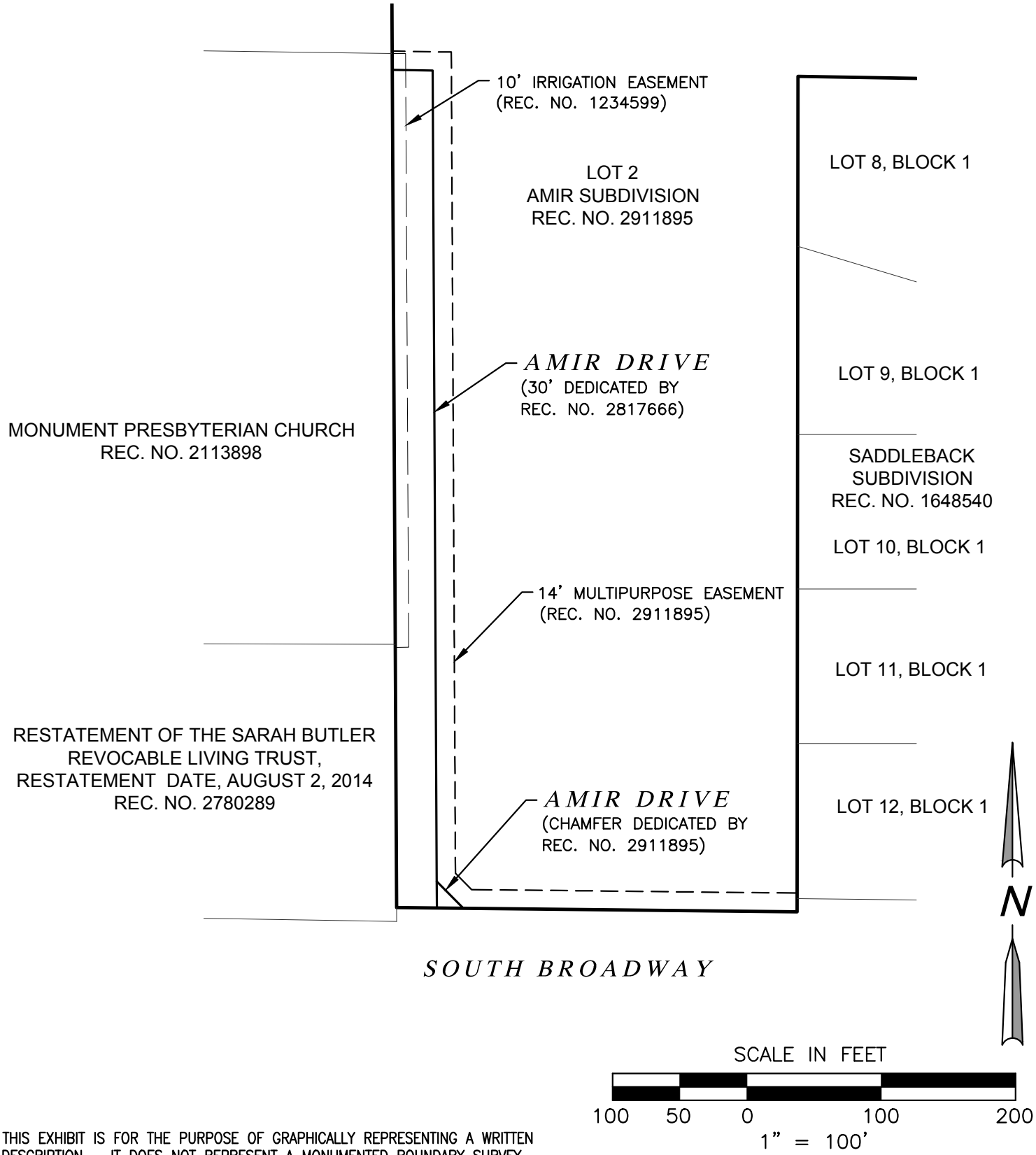
Irrigation Easement Vacation

A parcel of land located in the SE1/4NW1/4 of Section 22, Township 11 South, Range 101 West, 6th Principal Meridian, City of Grand Junction, Mesa County, Colorado, more particularly described as:

All of the 10' Irrigation Easement granted by Reception Number 1234599 recorded with the Clerk and Recorder of Mesa County.

Parcel contains 4,420 Sq. feet, more or less.

Boundary descriptions prepared by:
Alex Lheritier, PLS 38464
Vortex Engineering, Inc.
861 Rood Avenue
Grand Junction, CO 81501



THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION – IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

Magnolia Ridge Estates Filing 1
Amir Drive Vacation and
Irrigation Easement Vacation

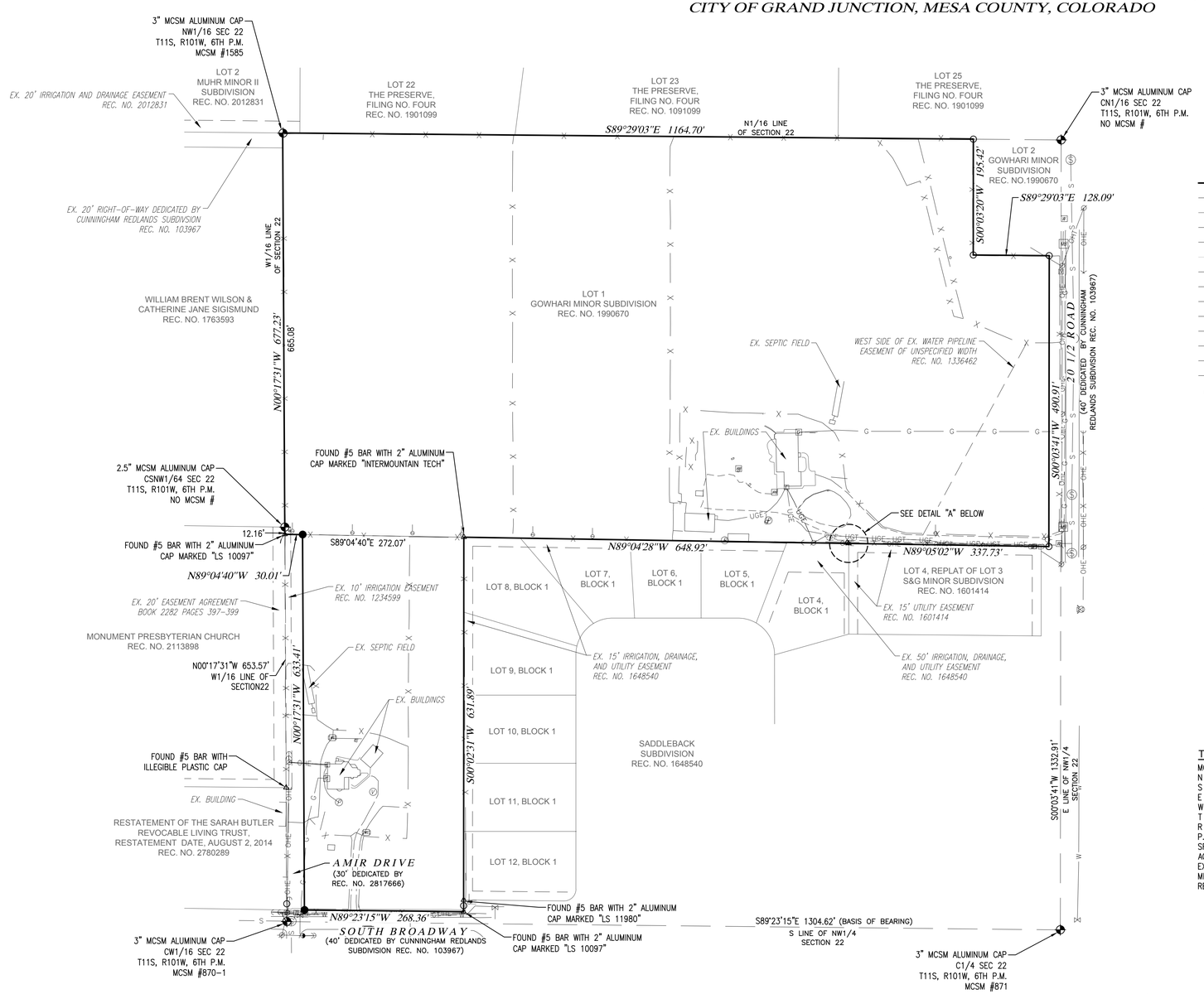
PROJECT NO:	DATE:	DRAWN BY:	CHECKED BY:
F19-061	08/10/2020	ABL	ABL

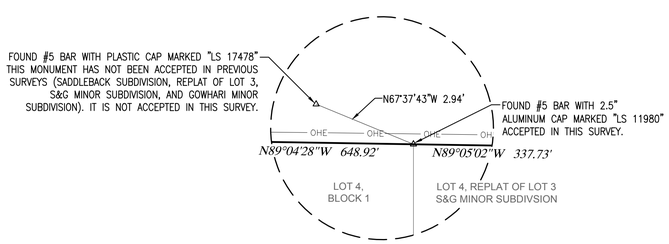
- Civil & Consulting Engineering
- Construction Management & Site Planning
- Feasibility Studies Permit Expediting
- Environmental Scientists
- Project Management
- Hydrologic Studies

Prepared By
VORTEX
ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
(970) 245-9051

IMPROVEMENT SURVEY PLAT

LOT 1, GOWHARI MINOR SUBDIVISION AND OTHER LANDS SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPLE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO





DETAIL "A"
N.T.S.

LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- ADJOINING PROPERTY LINE
- EXISTING EASEMENT
- EXISTING EDGE OF ASPHALT
- EXISTING EDGE OF GRAVEL
- EXISTING SANITARY SEWER LINE
- EXISTING UNDERGROUND TELECOM
- EXISTING OVERHEAD TELECOM
- EXISTING UNDERGROUND POWER
- EXISTING OVERHEAD POWER
- EXISTING GAS LINE
- EXISTING WATER LINE
- EXISTING FENCE
- SANITARY SEWER MH
- WATER VALVE
- ELECTRIC METER
- FIRE HYDRANT
- POWER POLE
- WATER METER
- STREET LIGHT
- WATER SPIGOT
- TELEPHONE PEDESTAL
- IRRIGATION BOX
- GAS METER
- IRRIGATION VALVE
- SIGNS
- IRRIGATION PUMP
- MAILBOX
- IRRIGATION RISER
- FOUND MESA COUNTY SURVEY MONUMENT (MCSM)
- FOUND MONUMENT AS NOTED
- FOUND #5 BAR WITH 2" ALUMINUM CAP MARKED "LS 20677"
- SET #5 BAR WITH 2" ALUMINUM CAPPED MARKED "VORTEX ENGINEERING PLS 38464" SET IN CONCRETE

TABLE OF ABBREVIATIONS

MCSM –	MESA COUNTY SURVEY MONUMENT
N –	NORTH
S –	SOUTH
E –	EAST
W –	WEST
T –	TOWNSHIP
R –	RANGE
P.M. –	PRINCIPLE MERIDIAN
SF –	SQUARE FEET
AC –	ACRES
EX. –	EXISTING
MPE –	MULTIPURPOSE EASEMENT
REC. NO. –	RECEPTION NUMBER

N

SCALE IN FEET
100 50 0 100 200
1" = 100'
LINEAL UNITS = U.S. SURVEY FEET

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, OF THE 6TH PRINCIPLE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

LOT 1, GOWHARI MINOR SUBDIVISION (REC. NO. 1990670) AND:

COMMENCING AT THE C-S-NW1/4 OF SAID SECTION 22, FROM WHICH THE CW1/16 CORNER OF SAID SECTION 22 BEARS S00°17'31"E 665.73 FEET; RUNNING THENCE S00°17'31"E 12.16 FEET; THENCE S89°04'40"E 30.01 FEET TO THE POINT OF BEGINNING;

RUNNING THENCE S89°04'40"E 272.07 FEET; THENCE S00°02'31"W 631.89 FEET; THENCE N89°23'15"W 268.36 FEET; THENCE N00°17'31"W 633.41 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 23.55 ACRES.

NOTES

1. BASIS OF BEARING: USING THE MESA COUNTY REAL TIME VIRTUAL REFERENCE NETWORK, A BEARING AND DISTANCE OF N89°23'15"W AND 1304.62 FEET BETWEEN A FOUND 3" MCSM BRASS CAP MARKING THE C1/4 OF SECTION 22 (MCSM #871) AND A FOUND 3" MCSM ALUMINUM CAP MARKING THE CW1/16 OF SECTION 22 (MCSM #870-1).
2. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.
3. TITLE INFORMATION PROVIDED BY ABSTRACT & TITLE COMPANY OF MESA COUNTY, FILE NO. 10400CEM, DATED 9/20/19.

SURVEYOR'S STATEMENT

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS SURVEY WAS PERFORMED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

FOR REVIEW

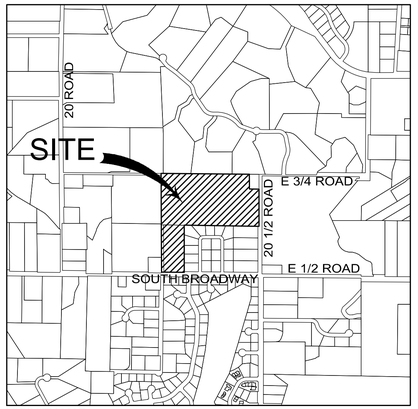
DAVID AND ELIZABETH GOWHARI
LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
Fax (970) 245-7639

FIELDWORK: ABL	DRAWING: AMIR IMPROVEMENT PLAT.DWG	DATE: 9/24/19
DRAWN BY: ABL	JOB NUMBER: F19-061	SHEET 1 OF 1

MAGNOLIA RIDGE ESTATES FILING 1

A REPLAT OF LOTS 1 AND 2, AMIR SUBDIVISION (REC. NO. 2911895)
AND VACATED AMIR DRIVE (REC. NO. XXXXXXX)
SITUATED IN THE SE1/4NW1/4 OF SECTION 22,
TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPAL MERIDIAN,
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



VICINITY MAP
N.T.S.

PLAT NOTES

1. BASIS OF BEARING: USING THE MESA COUNTY REAL TIME VIRTUAL REFERENCE NETWORK, A BEARING AND DISTANCE OF N89°23'15"W AND 1304.62 FEET BETWEEN A FOUND 3" BRASS CAP MARKING THE C1/4 OF SECTION 22 (MCSM #871) AND A FOUND 3" ALUMINUM CAP MARKING THE CW1/16 OF SECTION 22 (MCSM #870-1).
2. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.
3. BLANKET RESERVATION OF RIGHT-OF-WAY FOR ANY DITCHES OR CANALS CONSTRUCTED BY AUTHORITY OF UNITED STATES, REC. NO. 102319.
4. TITLE INFORMATION PROVIDED BY ABSTRACT & TITLE COMPANY OF MESA COUNTY, FILE NO. 10400CEM, DATED 09/12/2019.

SURVEYOR'S CERTIFICATE

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF MAGNOLIA RIDGE ESTATES FILING 1 WAS SURVEYED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

FOR REVIEW

OWNERSHIP CERTIFICATE / DEDICATION STATEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED, THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, IS THE OWNER OF RECORD OF THAT REAL PROPERTY SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPLE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, THE OWNERSHIP OF WHICH IS DEMONSTRATED AT RECEPTIONS NO. 2892679 AND 2892680 OF THE RECORDS IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER. SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 AND 2 OF THE AMIR SUBDIVISION (REC. NO. 2911895) AND VACATED AMIR DRIVE (REC. NO. _____).

PARCELS CONTAINS 23.81 ACRES.

SAID OWNERS HAVE CAUSED THE DESCRIBED REAL PROPERTY TO BE SURVEYED, LAID OUT, AND TO BE PUBLICLY KNOWN AS "MAGNOLIA RIDGE ESTATES FILING 1"

ALL STREETS, ROADS AND RIGHTS-OF-WAY ARE DEDICATED TO THE CITY OF GRAND JUNCTION FOR THE USE OF THE PUBLIC FOREVER.

AS EASEMENT OVER TRACT D IS DEDICATED TO THE CITY OF GRAND JUNCTION AS PERPETUAL EASEMENT FOR THE INSPECTION, INSTALLATION, OPERATION, MAINTENANCE AND REPAIR OF DETENTION AND DRAINAGE FACILITIES AND APPURTENANT THERETO. THE CITY OF GRAND JUNCTION IS DEDICATED REASONABLE INGRESS/EGRESS ACCESS TO THE DRAINAGE/DETENTION EASEMENT AREA. THE OWNER(S) AND/OR THE PROPERTY OWNERS' ASSOCIATION, IF ONE EXISTS, IS NOT RELIEVED OF ITS RESPONSIBILITY TO INSPECT, INSTALL, OPERATE, MAINTAIN, AND REPAIR THE DETENTION AND DRAINAGE FACILITIES.

TRACT E IS DEDICATED TO THE CITY OF GRAND JUNCTION FOR THE USE OF THE PUBLIC FOREVER.

ALL MULTIPURPOSE EASEMENTS ARE DEDICATED TO THE CITY OF GRAND JUNCTION AS PERPETUAL EASEMENTS FOR CITY APPROVED UTILITIES INCLUDING THE INSTALLATION, OPERATION, MAINTENANCE, AND REPAIR OF SAID UTILITIES AND APPURTENANCES WHICH MAY INCLUDE BUT ARE NOT LIMITED TO, ELECTRIC LINES, CABLE TV LINES, NATURAL GAS PIPELINES, SANITARY SEWER LINES, STORM SEWERS, WATER LINES, TELEPHONE LINES, TRAFFIC CONTROL FACILITIES, STREET LIGHTING, LANDSCAPING, TREES AND GRADE STRUCTURES.

ALL EASEMENTS INCLUDE THE RIGHT OF INGRESS AND EGRESS ON, ALONG, OVER, UNDER, THROUGH AND ACROSS BY THE BENEFICIARIES, THEIR SUCCESSORS, OR ASSIGNS, TOGETHER WITH THE RIGHT TO TRIM OR REMOVE INTERFERING TREES AND BRUSH, AND IN DRAINAGE AND DETENTION/RETENTION EASEMENTS OR TRACTS, THE RIGHT TO DREDGE; PROVIDED HOWEVER, THAT THE BENEFICIARIES/OWNERS SHALL UTILIZE THE SAME IN A REASONABLE AND PRUDENT MANNER. FURTHERMORE, THE OWNERS OF SAID LOTS OR TRACTS HEREBY PLATTED SHALL NOT BURDEN OR OVERBURDEN SAID EASEMENTS BY ERECTING OR PLACING ANY IMPROVEMENTS THEREON WHICH MAY IMPEDE THE USE OF THE EASEMENT AND/OR PREVENT THE REASONABLE INGRESS AND EGRESS TO AND FROM THE EASEMENT.

TRACTS A, B, C, AND D AND DRAINAGE AND IRRIGATION EASEMENTS TO BE GRANTED TO THE HOMEOWNERS' ASSOCIATION BY SEPARATE INSTRUMENT.

SAID OWNERS HEREBY ACKNOWLEDGE THAT ALL LIEN HOLDERS OR ENCUMBRANCES, IF ANY, ASSOCIATED WITH THE INTERESTS OF THIS PLAT HAVE BEEN REPRESENTED HEREON.

_____
HOOSHANG DAVID GOWHARI, TRUSTEE DATE

_____
ELIZABETH ANN GOWHARI, TRUSTEE DATE

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO)
)§
COUNTY OF MESA)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI AS TRUSTEES OF THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, ON THIS _____ DAY OF _____, 20__

MY COMMISSION EXPIRES _____

WITNESS MY HAND AND OFFICIAL SEAL

_____
NOTARY PUBLIC

CITY OF GRAND JUNCTION APPROVAL

MAGNOLIA RIDGE ESTATES FILING 1, A SUBDIVISION OF THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, IS HEREBY APPROVED AND DEDICATIONS ACCEPTED THIS _____ DAY OF _____, 20__.

_____ _____
CITY MANAGER MAYOR

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)§
COUNTY OF MESA)

I CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK __.M., ON THIS _____ DAY OF _____, 20__ AND WAS RECORDED AT RECEPTION NO. _____.
DRAWER NO. _____, FEES _____.

BY: _____ _____
CLERK AND RECORDER DEPUTY

TITLE CERTIFICATION

ABSTRACT & TITLE COMPANY OF MESA COUNTY, A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF COLORADO, HEREBY CERTIFIES THAT WE HAVE EXAMINED TITLE TO THE HEREON DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED TO THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD; THAT ALL EASEMENTS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD ARE SHOWN HEREON.

_____
NAME AND TITLE DATE
ABSTRACT & TITLE COMPANY OF MESA COUNTY

LIENHOLDERS RATIFICATION OF PLAT

THE UNDERSIGNED, HEREBY CERTIFIES THAT IT IS A HOLDER OF A SECURITY INTEREST UPON A PORTION OF THE PROPERTY HEREON DESCRIBED AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LANDS DESCRIBED IN SAID DEDICATION BY THE OWNERS THEREOF AND AGREE THAT ITS SECURITY INTEREST WHICH IS RECORDED WITH RECEPTION NUMBER 2454073 OF THE PUBLIC RECORDS OF MESA COUNTY, COLORADO SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN THEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____(TITLE), WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS _____ DAY OF _____, 20__.

BY: _____

FOR: _____

NOTARY PUBLIC CERTIFICATION

STATE OF _____)
)§
COUNTY OF _____)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY _____,
LIENHOLDER ON THE PROPERTY CURRENTLY LOCATED AT 2026 SOUTH BROADWAY, GRAND JUNCTION, CO 81507, ON THIS _____ DAY OF _____, 20__.

MY COMMISSION EXPIRES _____

WITNESS MY HAND AND OFFICIAL SEAL

FOR CITY USE ONLY:

ASSOCIATED RECORDED DOCUMENTS

RECEPTION NO.	DOCUMENT TYPE
_____	_____
_____	_____
_____	_____
_____	_____

REVISION 1: 10/09/2020

Magnolia Ridge Estates Filing 1

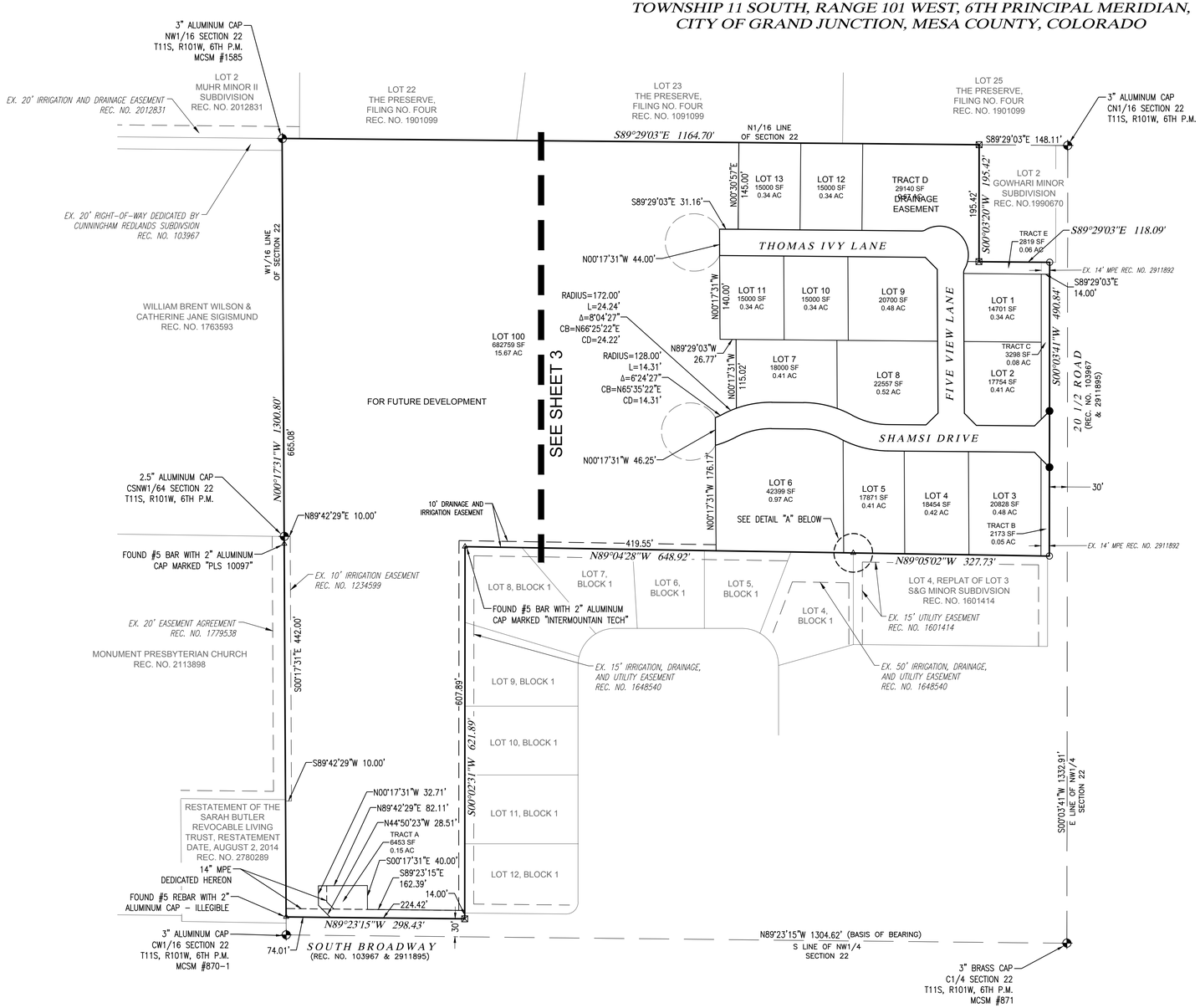
LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
Fax (970) 245-7639

FIELDWORK: ABL	DRAWING: MAGNOLIA RIDGE ESTATES F1.DWG	DATE: 06/19/2020
DRAWN BY: ABL	JOB NUMBER: F19-061	SHEET 1 OF 3

MAGNOLIA RIDGE ESTATES FILING 1

A REPLAT OF LOTS 1 AND 2, AMIR SUBDIVISION (REC. NO. 2911895)
AND VACATED AMIR DRIVE (REC. NO. XXXXXXX)
SITUATED IN THE SE1/4NW1/4 OF SECTION 22,
TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPAL MERIDIAN,
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY
- LOT LINE
- ROAD CENTERLINE
- SECTION LINE
- ADJOINING PROPERTY LINE
- IRRIGATION EASEMENT
- 14' MULTIPURPOSE EASEMENT
- EXISTING 14' MULTIPURPOSE EASEMENT
- EXISTING EASEMENT (AS NOTED)

- FOUND SURVEY CONTROL MONUMENT
- △ FOUND MONUMENT AS NOTED
- ⊠ FOUND #5 REBAR WITH 2" ALUMINUM CAP MARKED "PLS 20677"
- ○ FOUND #5 REBAR WITH 2" ALUMINUM CAP MARKED "PLS 38464"
- ● SET #5 REBAR WITH 2" ALUMINUM CAP MARKED "PLS 38464" IN CONCRETE

TABLE OF ABBREVIATIONS

MCSM –	MESA COUNTY SURVEY MONUMENT
N –	NORTH
S –	SOUTH
E –	EAST
W –	WEST
C –	CENTER
T –	TOWNSHIP
R –	RANGE
L –	CURVE LENGTH
Δ –	CURVE DELTA
CB –	CHORD BEARING
CD –	CHORD DISTANCE
SF –	SQUARE FEET
AC –	ACRES
EX. –	EXISTING
MPE –	MULTIPURPOSE EASEMENT
REC. NO. –	RECEPTION NUMBER
P.M. –	PRINCIPLE MERIDIAN

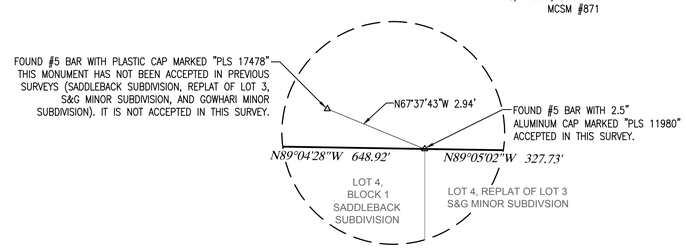
AREA SUMMARY:

RESIDENTIAL LOTS (13):	5.81 AC.	24.4%
RESERVE LOT 100:	15.67 AC.	65.8%
TRACT A (IRRIGATION):	0.15 AC.	0.6%
TRACT B&D (LANDSCAPING):	0.13 AC.	0.5%
TRACT D (DETENTION POND):	0.67 AC.	2.8%
TRACT E (SEWER TRACT):	0.06 AC.	0.3%
RIGHT-OF-WAY:	1.31 AC.	5.5%
TOTAL:	23.81 AC.	100%

SURVEYOR'S CERTIFICATE

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF MAGNOLIA RIDGE ESTATES FILING 1 WAS SURVEYED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

FOR REVIEW



DETAIL "A"
N.T.S.

N

SCALE IN FEET
100 50 0 100 200
1" = 100'
LINEAL UNITS = U.S. SURVEY FEET

REVISION 1: 10/09/2020

Magnolia Ridge Estates Filing 1

LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
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FIELDWORK: ABL	DRAWING:MAGNOLIA RIDGE ESTATES F1.DWG	DATE: 06/19/2020
DRAWN BY: ABL	JOB NUMBER: F19-061	SHEET 2 OF 3

MAGNOLIA RIDGE ESTATES FILING 1

A REPLAT OF LOTS 1 AND 2, AMIR SUBDIVISION (REC. NO. 2911895)
AND VACATED AMIR DRIVE (REC. NO. XXXXXXX)
SITUATED IN THE SE1/4NW1/4 OF SECTION 22,
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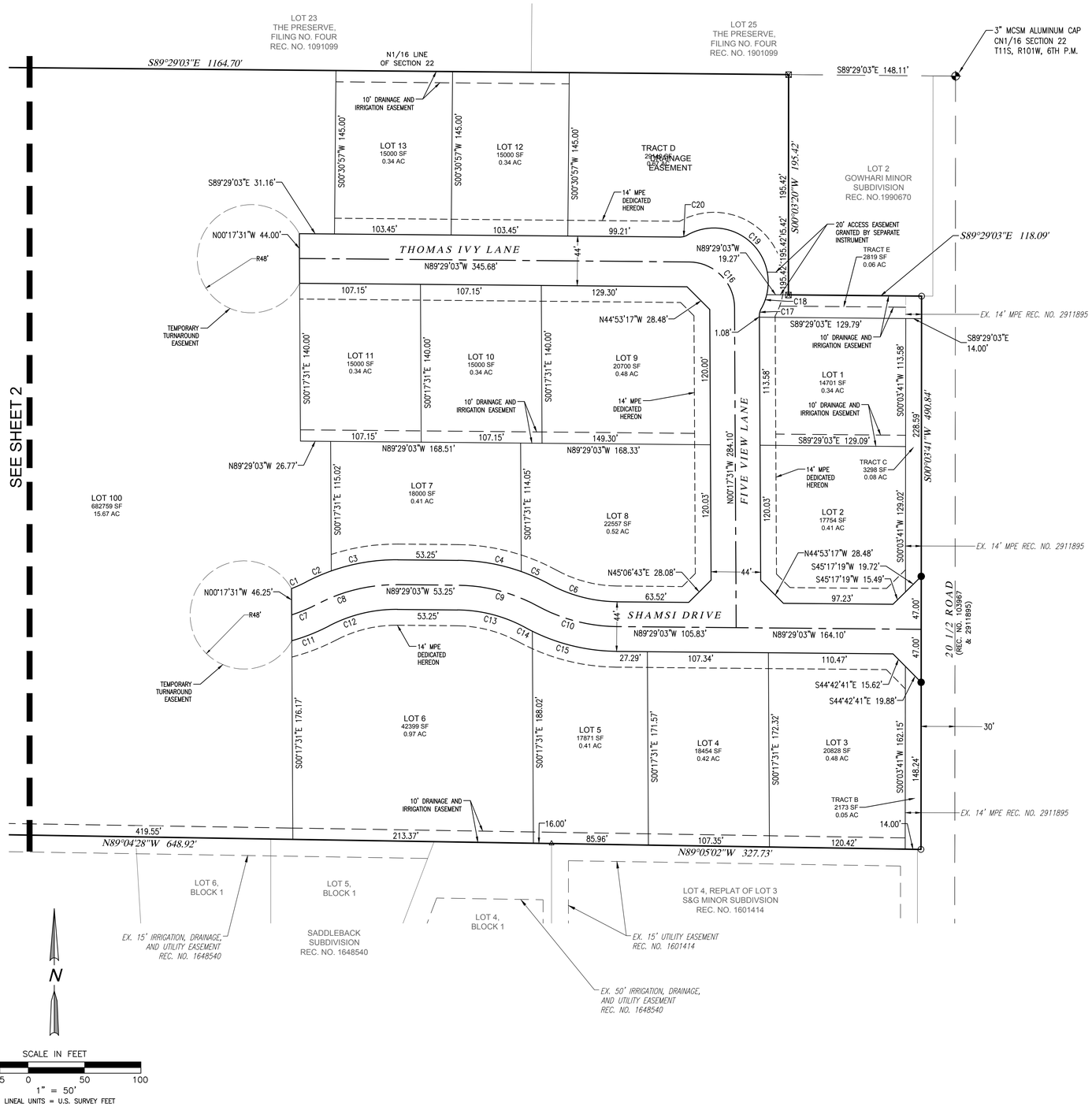

Curve Table					
Curve #	Radius	Delta	Length	Chord Bearing	Chord Distance
C1	128.00'	6°24'27"	14.31'	N65°35'22"E	14.31'
C2	172.00'	8°04'27"	24.24'	N66°25'22"E	24.22'
C3	172.00'	20°03'22"	60.21'	N80°29'16"E	59.90'
C4	172.00'	19°05'34"	57.32'	S79°56'16"E	57.05'
C5	172.00'	9°02'15"	27.13'	S65°52'22"E	27.10'
C6	128.00'	28°07'48"	62.84'	S75°25'09"E	62.21'
C7	150.00'	9°35'13"	25.10'	S67°10'45"W	25.07'
C8	150.00'	28°07'48"	73.64'	S76°27'03"W	72.91'
C9	150.00'	28°07'48"	73.64'	N75°25'09"W	72.91'
C10	150.00'	28°07'48"	73.64'	N75°25'09"W	72.91'
C11	172.00'	11°54'58"	35.77'	N68°20'38"E	35.71'
C12	128.00'	28°07'48"	62.84'	N76°27'03"E	62.21'
C13	128.00'	28°07'48"	62.84'	S75°25'09"E	62.21'
C14	172.00'	2°18'50"	6.95'	S62°30'39"E	6.95'
C15	172.00'	25°48'59"	77.50'	S76°34'33"E	76.85'
C16	40.50'	89°11'32"	63.05'	N44°53'17"W	56.87'
C17	13.50'	29°23'49"	6.93'	S14°24'24"W	6.85'
C18	48.00'	15°42'38"	13.16'	N21°15'00"E	13.12'
C19	48.00'	132°57'49"	111.39'	N53°05'14"W	88.03'
C20	13.50'	30°05'05"	7.09'	N75°28'25"E	7.01'

LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY
- LOT LINE
- ROAD CENTERLINE
- SECTION LINE
- ADJOINING PROPERTY LINE
- IRRIGATION EASEMENT
- 14' MULTIPURPOSE EASEMENT
- EXISTING 14' MULTIPURPOSE EASEMENT
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- FOUND SURVEY CONTROL MONUMENT
- FOUND MONUMENT AS NOTED
- FOUND #5 REBAR WITH 2" ALUMINUM CAP MARKED "PLS 20677"
- FOUND #5 REBAR WITH 2" ALUMINUM CAP MARKED "PLS 38464"
- SET #5 REBAR WITH 2" ALUMINUM CAP MARKED "PLS 38464" IN CONCRETE

AREA SUMMARY:

RESIDENTIAL LOTS (13):	5.81 AC.	24.4%
RESERVE LOT 100:	15.67 AC.	65.8%
TRACT A (IRRIGATION):	0.15 AC.	0.6%
TRACT B&D (LANDSCAPING):	0.13 AC.	0.5%
TRACT D (DETENTION POND):	0.67 AC.	2.8%
TRACT E (SEWER TRACT):	0.06 AC.	0.3%
RIGHT-OF-WAY:	1.31 AC.	5.5%
TOTAL:	23.81 AC.	100%

TABLE OF ABBREVIATIONS

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MPE –	MULTIPURPOSE EASEMENT
REC. NO. –	RECEPTION NUMBER
P.M. –	PRINCIPLE MERIDIAN

SURVEYOR'S CERTIFICATE

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF MAGNOLIA RIDGE ESTATES FILING 1 WAS SURVEYED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

FOR REVIEW

REVISION 1: 10/09/2020

Magnolia Ridge Estates Filing 1

LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
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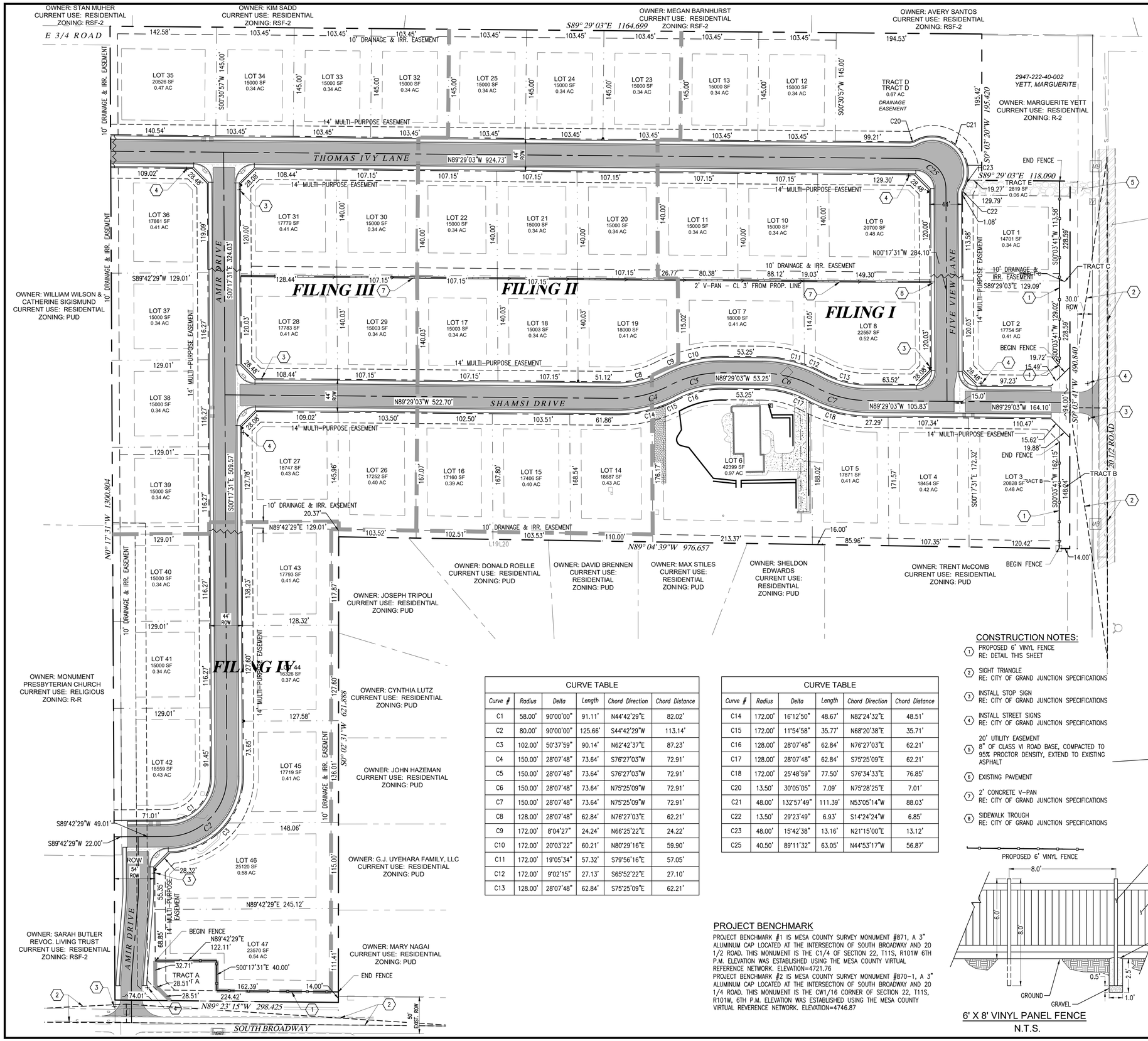
FIELDWORK: ABL	DRAWING: MAGNOLIA RIDGE ESTATES F1.DWG	DATE: 06/19/2020
DRAWN BY: ABL	JOB NUMBER: F19-061	SHEET 3 OF 3



SCALE IN FEET

60 30 0 60 120

1" = 60'

GENERAL NOTES

1. ALL CONSTRUCTION TO CONFORM TO THE CURRENT CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS AND PLANNING STANDARDS AND SPECIFICATIONS.
2. CONTRACTOR MUST CONTACT CITY OF GRAND JUNCTION TRAFFIC OPERATIONS SUPERVISOR PRIOR TO CONSTRUCTION OR PLACEMENT OF TRAFFIC CONTROL DEVICES/FEATURES (STRIPING, SIGNALS, MEDIANS, ETC.) FOR CONSTRUCTION IN THE RIGHT-OF-WAY ONLY.
3. REFER TO THE GEOTECHNICAL INVESTIGATION BY HUDDLESTON-BERRY ENGINEERING AND TESTING, LLC, DATED 02-04-20 FOR RECOMMENDATIONS REGARDING PAVEMENT, SLABS, FOUNDATIONS AND GROUNDWATER MITIGATION REQUIREMENTS.
4. LIGHTING TO BE DESIGNED BY UTILITY PROVIDER. (XCEL ENERGY)
5. ALL SANITARY SEWER MANHOLES ARE 48" I.D. UNLESS NOTED OTHERWISE.
6. FOR STREET SECTIONS SEE ROAD PLAN & PROFILE SHEETS.

UTILITY PROVIDERS INFORMATION

UTILITY	PROVIDER	PHONE NUMBER
SANITARY SEWER	CITY OF GRAND JUNCTION	970-244-1554
DRAINAGE	GRAND VALLEY DRAINAGE DISTRICT	970-242-4343
DOMESTIC WATER	UTE WATER CONSERVANCY DISTRICT	970-242-7491
IRRIGATION	REDLANDS WATER AND POWER CO.	970-243-2173
ELECTRICITY	XCEL ENERGY	800-895-4999
NATURAL GAS	XCEL ENERGY	800-895-4999
TELEPHONE	CENTURYLINK	800-603-6000
CABLE TELEVISION	SPECTRUM	833-780-1880

PROPOSED LAND USE TABLE

USE	AREA	AC	% OF TOTAL	OWNER
SINGLE FAMILY LOTS (47 TOTAL)	823,279 S.F.	18.900	79.39%	PRIVATE
IRRIGATION TRACT (A)	6,453 S.F.	0.148	0.62%	HOA
LANDSCAPING TRACT (B)	2,173 S.F.	0.050	0.21%	HOA
LANDSCAPING TRACT (C)	3,578 S.F.	0.082	0.35%	HOA
DETENTION POND TRACT (D)	29,140 S.F.	0.669	2.81%	HOA
SANITARY SEWER TRACT (E)	2,819 S.F.	0.065	0.27%	HOA
RIGHT-OF-WAY	169,509 S.F.	3.891	16.35%	PUBLIC
TOTAL	1,036,951 S.F. – 23.805 AC.			

CONSTRUCTION NOTES:

1. PROPOSED 6' VINYL FENCE
   RE: DETAIL THIS SHEET
2. SIGHT TRIANGLE
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
3. INSTALL STOP SIGN
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
4. INSTALL STREET SIGNS
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
5. 20' UTILITY EASEMENT
   8" OF CLASS VI ROAD BASE, COMPACTED TO 95% PROCTOR DENSITY, EXTEND TO EXISTING ASPHALT
6. EXISTING PAVEMENT
7. 2' CONCRETE V-PAN
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
8. SIDEWALK TROUGH
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS

CURVE TABLE

Curve #	Radius	Delta	Length	Chord Direction	Chord Distance
C1	58.00'	90°00'00"	91.11'	N44°42'29"E	82.02'
C2	80.00'	90°00'00"	125.66'	S44°42'29"W	113.14'
C3	102.00'	50°37'59"	90.14'	N62°42'37"E	87.23'
C4	150.00'	28°07'48"	73.64'	S76°27'03"W	72.91'
C5	150.00'	28°07'48"	73.64'	S76°27'03"W	72.91'
C6	150.00'	28°07'48"	73.64'	N75°25'09"W	72.91'
C7	150.00'	28°07'48"	73.64'	N75°25'09"W	72.91'
C8	128.00'	28°07'48"	62.84'	N76°27'03"E	62.21'
C9	172.00'	8°04'27"	24.24'	N66°25'22"E	24.22'
C10	172.00'	20°03'22"	60.21'	N80°29'16"E	59.90'
C11	172.00'	19°05'34"	57.32'	S79°56'16"E	57.05'
C12	172.00'	9°02'15"	27.13'	S65°52'22"E	27.10'
C13	128.00'	28°07'48"	62.84'	S75°25'09"E	62.21'

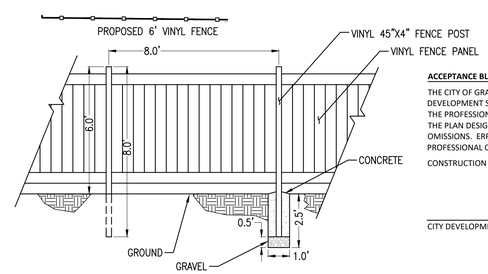
CURVE TABLE

Curve #	Radius	Delta	Length	Chord Direction	Chord Distance
C14	172.00'	16°12'50"	48.67'	N82°24'32"E	48.51'
C15	172.00'	11°54'58"	35.77'	N68°20'38"E	35.71'
C16	128.00'	28°07'48"	62.84'	N76°27'03"E	62.21'
C17	128.00'	28°07'48"	62.84'	S75°25'09"E	62.21'
C18	172.00'	25°48'59"	77.50'	S76°34'33"E	76.85'
C20	13.50'	30°05'05"	7.09'	N75°28'25"E	7.01'
C21	48.00'	132°57'49"	111.39'	N53°05'14"W	88.03'
C22	13.50'	29°23'49"	6.93'	S14°24'24"W	6.85'
C23	48.00'	15°42'38"	13.16'	N21°15'00"E	13.12'
C25	40.50'	89°11'32"	63.05'	N44°53'17"W	56.87'

PROJECT BENCHMARK

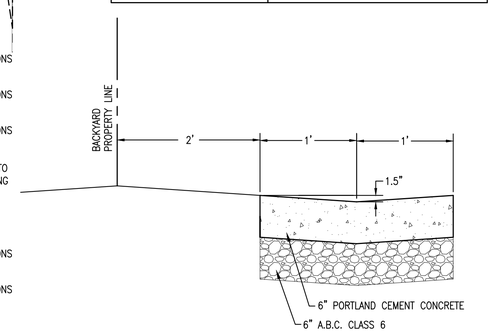
PROJECT BENCHMARK #1 IS MESA COUNTY SURVEY MONUMENT #871, A 3" ALUMINUM CAP LOCATED AT THE INTERSECTION OF SOUTH BROADWAY AND 20 1/2 ROAD. THIS MONUMENT IS THE C1/4 OF SECTION 22, T11S, R101W 6TH P.M. ELEVATION WAS ESTABLISHED USING THE MESA COUNTY VIRTUAL REFERENCE NETWORK. ELEVATION=4721.76

PROJECT BENCHMARK #2 IS MESA COUNTY SURVEY MONUMENT #870-1, A 3" ALUMINUM CAP LOCATED AT THE INTERSECTION OF SOUTH BROADWAY AND 20 1/4 ROAD. THIS MONUMENT IS THE CW1/16 CORNER OF SECTION 22, T11S, R101W, 6TH P.M. ELEVATION WAS ESTABLISHED USING THE MESA COUNTY VIRTUAL REVERENCE NETWORK. ELEVATION=4746.87



6' X 8' VINYL PANEL FENCE

N.T.S.



V-PAN DETAIL

N.T.S.

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

VORTEX ENGINEERING, INC.
• CONSTRUCTION MANAGERS & SITE PLANNERS
• PROJECT MANAGERS
• CIVIL & CONSULTING ENGINEERS
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
Fax (970) 245-7639

James C. Atkinson
PROFESSIONAL ENGINEER
COLORADO LICENSE No. 18828

FOR REVIEW - NOT FOR CONSTRUCTION

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REV.	DATE	BY	REVISIONS
2	7/29/20	KA	REVISIONS PER ROUND 3 COMMENTS FROM CITY 7-13-20
1	6/2/20	KA	REVISIONS PER ROUND 2 COMMENTS FROM CITY 5-22-20

Site Plan

Magnolia Ridge Estates Final Plans - Phase 1

563 20 1/2 Road
Grand Junction, CO 81507

PROJECT NO: F19-061
DATE: 04/17/2020
SCALE: change per sheet
f19-061 site.dwg

~SHEET~
C2.0

City of Grand Junction
Review Comments

Date: September 30, 2020 **Comment Round No.** 1 **Page No.** 1 of 9

Project Name: Magnolia Ridge Estates, Filing 1 **File No:** SUB-2020-478 VAC-2020-479 & 481
Project Location: 563 20 ½ Road

Check appropriate [X] **if comments were mailed, emailed, and/or picked up.**

Property Owner(s): David & Elizabeth Gowhari
[ ] **Mailing Address:** 563 20 ½ Road, Grand Junction, CO 81507
[X] **Email:** Hedd1320@aol.com **Telephone:** (970) 260-7189
[ ] **Date Picked Up:** _____ **Signature:** _____

Representative(s): Vortex Engineering Inc. – Attn: Adam Asgari
[ ] **Mailing Address:** 861 Rood Avenue, Grand Junction, CO 81501
[X] **Email:** aasgari@vortexeng.us **Telephone:** (970) 245-9051
[ ] **Date Picked Up:** _____ **Signature:** _____

Developer(s):
[ ] **Mailing Address:**
[ ] **Email:** **Telephone:**
[ ] **Date Picked Up:** _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott D. Peterson
Email: scottp@gjcity.org **Telephone:** (970) 244-1447

Dev. Engineer: Rick Dorris
Email: rickdo@gjcity.org **Telephone:** (970) 256-4034

City of Grand Junction
REQUIREMENTS
(with appropriate Code citations)

CITY PLANNING

1. Proposal is to request approval of a Final Subdivision Plan regarding Magnolia Ridge Estates, Filing 1 to develop 13 single-family detached lots and one (1) large lot reserved for future residential development on a total of 23.81-acres in an existing R-2 (Residential - 2 du/ac) zone district. The Comprehensive Plan Future Land Use Map designation for this property is Residential Low (.5 – 2 du/ac). Preliminary Plan was reviewed and approved under City file # SUB-2020-55. No additional response required.

Applicant's Response:
Document Reference

2. Subdivision Plat (Filing 1):
a. See City Surveyor review comments and revise as applicable.
b. On Sheet 1, in the Dedication Block, revise rights-of-way sentence to the proper Model Dedication Language as follows; “All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever.”
c. Construction Plan Set Drawings (Sheet C2.0) indicate both Drainage & Irrigation Easements across lots in some areas, however the subdivision plat only identifies Irrigation Easements. Please address discrepancies and revise as applicable.
d. On Sheet 3, label Tract D as a “Drainage Easement.” On Sheet 1, in the Dedication Block, add the following paragraph; “An easement over Tract D is dedicated to the City of Grand Junction as perpetual easements for the inspection, installation, operation, maintenance and repair of detention and drainage facilities and appurtenants thereto. The City of Grand Junction is dedicated reasonable ingress/egress access to the drainage/detention easement areas. The owner(s) and/or the property owners’ association, if one exists, is not relieved of its responsibility to inspect, install, operate, maintain, and repair the detention and drainage facilities.”
e. On Sheet 3, for clarity, label the Reception # for the existing 14’ Multi-Purpose Easement within proposed Tract B.
f. On Sheet 1, in the Dedication Block, add City Model Dedication Language for the “All Easements include the right of ingress and egress……..”
g. On Sheet 1, in the Dedication Block, revise Tract E paragraph to read as follows; “Tract E is dedicated to the City of Grand Junction for the use of the public forever.”
h. If the existing Irrigation Easement as identified with Reception # 1234599 is not vacated privately since it is a private easement between two adjacent landowners, Applicant’s Surveyor will need to identify easement on the subdivision plat. Please address further on applicant’s intention.
Code Reference: V-15 of the SSIDS Manual.
Applicant’s Response:
Document Reference:

3. Construction Plan Set Drawings:
See City Development Engineer review comments and revise as applicable.
Applicant’s Response:
Document Reference:

4. Revocable Permit:
City Surveyor has reviewed the submitted legal descriptions and map exhibit for proposed private irrigation lines that cross rights-of-way and is requesting a couple of changes (see attached comments). Once changes are made and approved, City Project Manager will prepare Revocable Permit document for applicable signatures in preparation for recording at time of subdivision plat recording. Applicant will be responsible for all associated recording fees. Submit WORD document of legal descriptions to City Project Manager and sign and stamp exhibit in preparation for Revocable Permit issuance.
Code Reference: Section 21.02.180 (d) (2) (i) of the Zoning and Development Code.
Applicant’s Response:
Document Reference:

5. Temporary Turn-Around Easement:
See City Fire Department review comment. Provide legal descriptions and map exhibit for review and approval for Temporary Turn-Around Easements to be located at the end of Shamsi Drive & Thomas Ivy Lane within Filing 1. Once legal descriptions and map exhibits are approved, Assistant City Attorney will prepare documents for property owner's signature. Applicant will be responsible for all recording fees.
Code Reference: IV-2 of the SSIDS Manual.
Applicant's Response:
Document Reference:

6. Conveyance Document(s) & CCR's:
a. Assistant City Attorney is currently reviewing submitted CCR's and Deed documents. Once review is complete, City Project Manager will forward requested revisions to Applicant's Representative.
b. CCR's: In Section 7.03, it states that garages shall be constructed to accommodate three standard sized automobiles. Should this statement be re-worded? As written, it appears that no single, two or above three car garages would be permitted in the subdivision.
Code Reference: IV-2 of the SSIDS Manual.
Applicant's Response:
Document Reference:

7. Landscaping Plan:
a. On Sheet L1, within proposed Tract A, label the type of ground-cover proposed around the irrigation facility.
b. On Sheet L1, within proposed Tract A, it appears that several of the plant materials are located within the future north/south right-of-way. Suggest moving these plants outside of the future right-of-way to be adjacent to the irrigation facility within Tract A or added to Tract D. As proposed, the area appears to be very tight on space. Would not want to remove landscaping within the right-of-way at a later date when future phases are developed. Same comment for the intersection with Shamsi Drive/20 ½ Road and Tracts B & C, seems very cramped.
c. On Sheet L2, label Shamsi Drive and Thomas Ivy Lane on both cross-sections, as applicable.
Code Reference: V-10 of the SSIDS Manual.
Applicant's Response:
Document Reference:

8. Fees:
a. City Park Fee: $743 per lot payable at time of Planning Clearance issuance (2021 Fee Rate).
b. City 10% Open Space Fee: Assistant City Attorney is currently reviewing submitted MAI Appraisal Report. Once review is complete, City Project Manager will notify applicant's representative for any additional revisions, if necessary.
c. School Impact Fee: $920 per dwelling unit payable at time of Planning Clearance issuance.
d. City Planning Inspection Fee: $55.00 payable at time of subdivision plat recording.
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.
f. City Development Engineer will provide Public Works required fees at time of Second Round of review.
Code Reference: Section 21.06.020 and 030 of the Zoning and Development Code.
Applicant's Response:
Document Reference:

9. Amir Drive and Multi-Purpose Easement Vacation Requests:
a. Submit WORD document of proposed vacation legal descriptions and have applicant's Surveyor sign & stamp vacation exhibit.
b. City Project Manager will process proposed vacation requests (City file # VAC-2020-479 & 481) for an upcoming Planning Commission meeting on November 10, 2020 and City Council on December 2, 2020. City Project Manager will notify applicant if for any reason this schedule would change. If applicant cannot attend these hearing dates, please notify City Project Manager for alternative dates.
Code Reference: Section 21.02.100 of the Zoning & Development Code.
Applicant's Response:
Document Reference:

CITY DEVELOPMENT ENGINEER

Review comments delivered to engineer of record during a scheduled meeting. Resubmittal required.

Vacation Requests: No Exceptions Taken.
Applicant's Response:
Document Reference:

CITY SURVEYOR – Renee Parent – reneep@gjcity.org (970) 256-4003

SHEET 1:
Tract E needs to be dedicated to the HOA. An addition language dedicating the Sanitary sewer easement to the City of Grand Junction for purposes of sanitary sewer maintenance (and no other public utility) needs to be added to the dedication.
This may not be an issue (City legal should offer their opinion), but the listed Deed of Trust covers the wrong owner name. A corrective warranty deed corrected the Trust name, but it was never corrected on the Deed of Trust.
Applicant's Response:
Document Reference:

SHEET 2:
The dimension of 337.73' is wrong on detail "A".
A match line needs to be added to sheet 2 for Lot 100 that carries over to sheet 3 and labeled such.
The current proposed description vacating Amir Drive is unclear. The vacation is to include what is called on the associated exhibit the "Amir chamfer", here onward referred to as the chamfer. When Amir Subdivision was platted the chamfer was dedicated as part of a tract of land for South Broadway. On the proposed plat the right of way for South Broadway includes the reception number from the Amir Subdivision plat, which would include the chamfer. Adding mention of the chamfer to the proposed vacation document would clarify that the chamfer is to be included in the vacation.
Applicant's Response:
Document Reference:

SHEET 3:
The wrong sheet scale is shown in lower left. It should be 50 scale.
A match line needs to be added to sheet 3 for Lot 100 that refers back to sheet 2 and labeled such.
Lot 100 label needs to be added.
The dimensions of curves C1 and C11 need to be verified.
There is a tangent at the southwest corner of Tract E that needs to be labeled.
Add to Tract E a mention that it is a sanitary sewer easement.

Verify the 15.49' dimension at the southeast corner of Lot 2.
Eliminate the easement hatching that appears across the east end of Shamsi Drive right of way.
Add leaders to clarify that the 94.00 foot dimension is across the width of the Shamsi Drive right of way where it abuts 20 ½ Road.
Applicant's Response:
Document Reference:

Easement Vacation:
I believe the irrigation easement should be vacated in a separate document as it is not public. Final direction should come from the city attorney's office.

Reviewed vacation document and exhibits - no issues identified and it does not look like any utilities were built in these locations.
Applicant's Response:
Document Reference:

CITY FIRE DEPARTMENT – Rusty Ratzloff – rustyr@gjcity.org (970) 549-5854

1. The submitted fire flow indicates a predicted flow at 20 PSI of 3,578.25 GPM. This fire flow is accepted.

2. The access into the development is acceptable.

3. The interior traffic circulation is accepted. Temporary emergency fire department turn arounds shall need to be provided on Shamsi Drive and Thomas Ivy Lane until construction of subdivision roads provides interconnection. This shall be accomplished with emergency turnarounds complying with Section 503 and Appendix D of the IFC or by connecting the streets with a temporary road having a drivable surface capable of supporting 80,000 pound minimum, H-20 loading.

4. The hydrant locations are accepted.

5. The water main lines are accepted.
Applicant's Response:
Document Reference:

Vacation Requests:
The Grand Junction Fire Department has no objections to the vacation of the public multi-purpose easement adjacent to the undeveloped Amir Drive and South Broadway rights-of-way as identified on the recorded Amir Subdivision plat. All applicable fire codes to be addressed during the site plan review process.

The Grand Junction Fire Department has no objections to the vacation of the recorded but undeveloped 30 ft. ROW of Amir Drive. A second mean of egress shall be provided from Magnolia Ridge Estates. All applicable fire codes to be addressed during the site plan review process.
Applicant's Response:
Document Reference:

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

1. Magnolia Ridge Estates Filing 1 is an acceptable subdivision name.
2. Addresses will be available after final subdivision approval.

3. FYI – the vault for irrigation water and/or the pump house will likely need a planning clearance. This has been required by Mesa County Building Department for other subdivisions. Address will be provided upon request to developer/builder.
Applicant's Response:
Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Building Department
Contact Name: Harry Middlemas
Email / Telephone Number: harry.middlemas@mesacounty.us (970) 244-1656

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.
A copy of the recorded site plan provided to building official.
Applicant's Response:

Review Agency: Xcel Energy
Contact Name: Brenda Boes
Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections to the Right-of-Way and Multi-Purpose Easement vacations however, existing utilities will need to be relocated at developer's expense.

Xcel has no objections to the subdivision request, however the Developer needs to be aware that at the time of submitting an application with Xcel the following will be required and could happen:

1. Accurate BTU loads for the new homes will be required.
2. If determined by area engineer that reinforcement is needed to Xcel's gas main to support added loads from subdivision, said reinforcement will be at Developers expense.
3. Reinforcement costs are required to be paid prior to installation.
4. Tariff changes have taken effect as of 10/1/2019 affecting the cost of subdivision lots averaging less than 60'. They will have a standard cost per lot.

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:

Review Agency: Ute Water Conservancy District
Contact Name: Jim Daugherty
Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

• Add to Sht C0.1 General Notes, Water Notes, Note 1. ...documents and the latest revision of the Ute Water Conservancy District Standards and Specifications obtained from UteWater.org\Specifications.
• Add to Sht C0.1 General Notes, Water Notes, Note 9. ...capped at main. Existing service(s) to be removed, salvaged in good condition and returned to the District.
• Change Sht C0.1 General Notes, Water Notes, Note 21 to reflect AWWA C105 (not C150).
• These are comments for the first filing only further review will be made as other filings are submitted.
• The water main in Five View Lane was wrongly moved to the west side; please move back to the east which will repair all of the callouts that didn't move.
• Per Ute Std Detail, FHs shall be in ROW and WSs on near side of water main shall go straight
• Add note to Sht C1.0 & Sht C4.0 (demo, utility etc.) to show the existing service(s) to be removed, salvaged in good condition and returned to the District, service shall be capped at the main.
• Sht 7.0, the waterline conflicts with SD; please address.
• The District will hold further comment on placement of utility services until the final design for other utilities are presented as a final design layout to review for conflicts.
• 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:

Vacation Requests:
• No objection.
Applicant's Response:

Review Agency: Colorado Parks and Wildlife
Contact Name: Zac Chrisman
Email / Telephone Number: Zachary.chrisman@state.co.us (970) 250-4506

Attached are CPW's comments regarding Magnolia Ridge Estates.
Applicant's Response:

Review Agency: Mesa County Stormwater
Contact Name: Josh Martinez
Email / Telephone Number: Joshua.martinez@mesacounty.us (970) 683-4206

Project will require a Mesa County Construction Stormwater Permit. Application can be completed online at: https://www.mesacounty.us/publicworks/permits/

Project will need to pay associated permit fees. Review Fee and Inspection Fee will be assessed based on acres of disturbance. Please note that plans will not be reviewed until Review Fee is paid.

Project will also need to submit a site specific Stormwater Management Plan and Site Map(s) for review/approval. Stormwater Management Plan Checklist should be utilized and can be located at: https://www.mesacounty.us/globalassets/public-works/permits/online-permit-system/stormwater-management-plan-checklist.pdf

A Post-Construction Stormwater Control Operations and Maintenance Agreement will need to be completed with Mesa County Stormwater Division. Agreement can be located at: https://stormwater.mesacounty.us/globalassets/stormwater/forms/documents/post-construction-om-agreement-form.pdf

Project will need to provide a copy of State Discharge Permit (CDPHE) to Mesa County Stormwater Division.
Applicant's Response:

Review Agency: Bureau of Reclamation
Contact Name: Alan Schroeder
Email / Telephone Number: aschroeder@usbr.gov (970) 248-0600

No comments; outside of our area of concern.
Applicant's Response:

Review Agency: Mesa County School District #51
Contact Name: Eddie Mort
Email / Telephone Number: eddie.mort@d51schools.org (970) 254-5100

Mesa County School District 51 has no issues or concerns regarding the Magnolia Ridge Estates development. The Redlands community is looking at a large surge in housing with some of the larger parcels being developed. These subdivisions as a whole will increase student enrollment that will surpass capacity at our schools that serve that area. We know this is a long term build but we need to discuss options for land and fees to build additional schools.
Applicant's Response:

Review Agency: Redlands Water & Power
Contact Name: Kyle Vanderberg
Email / Telephone Number: kylev@redlandswpc.com (970) 243-2173

1) RW&PC would like to provide photos of the piping done when the existing box was installed for reference. Photos of PVC pipes.
2) RW&PC REQUIRES new inline flow-meter on the new irrigation pipes after the wye from the outlet gates outside the gate box. Also with the meter, a meter readout is required to be placed within RW&PC easement in an accessible protected box.
3) RW&PC requires notice 5-days prior to any excavation within the RW&PC easement and notice 5-days prior to backfill for RW&PC inspection.
4) Current property shares are 28-Shares. Will this be adequate for future uses?
5) NO work to be done inside the existing headgate/outlet box.
6) RW&PC must be notified of any deviations from these plans prior to any work.
Applicant's Response:

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. N/A.

The following Review Agencies have <u>not</u> responded as of the comment due date.

1. Mesa County Engineering
2. Spectrum Communications
3. Century Link
4. Regional Transportation Planning Office (RTPO)
5. United States Postal Service
6. Assistant City Attorney

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. **City Fire Department**
5. **Assistant City Attorney**
6. **Ute Water Conservancy District**
7. **Mesa County Stormwater**
8. **Redlands Water & Power**

Date due: **December 29, 2020**

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**

October 23, 2020

Grand Junction Planning Dept.	RE:	Response to Comments
Scott Peterson, Senior Planner		Round 1
250 N. 5th Street	Project:	Magnolia Ridge Estates, Filing 1
Grand Junction, CO 81501	Location:	563 20 ½ Road, GJ
File: SUB-2020-478	VEI #:	F19-061

Dear Scott,

The following information is provided in response to Round 1 Review Comments dated September 30, 2020 from various City Departments and outside agencies.

CITY PLANNING

1. Proposal is to request approval of a Final Subdivision Plan regarding Magnolia Ridge Estates, Filing 1 to develop 13 single-family detached lots and one (1) large lot reserved for future residential development on a total of 23.81-acres in an existing R-2 (Residential - 2 du/ac) zone district. The Comprehensive Plan Future Land Use Map designation for this property is Residential Low (.5 – 2 du/ac). Preliminary Plan was reviewed and approved under City file # SUB-2020-55. No additional response required.
Response: Comment Acknowledged.

2. Subdivision Plat (Filing 1):
a. See City Surveyor review comments and revise as applicable.
Response: Comment acknowledged.

b. On Sheet 1, in the Dedication Block, revise rights-of-way sentence to the proper Model Dedication Language as follows; "All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever."
Response: Above language inserted.

c. Construction Plan Set Drawings (Sheet C2.0) indicate both Drainage & Irrigation Easements across lots in some areas, however the subdivision plat only identifies Irrigation Easements. Please address discrepancies and revise as applicable.
Response: Plat easements have been updated to match Site Plan

d. On Sheet 3, label Tract D as a "Drainage Easement." On Sheet 1, in the Dedication Block, add the following paragraph; "An easement over Tract D is dedicated to the City of Grand Junction as perpetual easements for the inspection, installation, operation, maintenance and

repair of detention and drainage facilities and appurtenant thereto. The City of Grand Junction is dedicated reasonable ingress/egress access to the drainage/detention easement areas. The owner(s) and/or the property owners' association, if one exists, is not relieved of its responsibility to inspect, install, operate, maintain, and repair the detention and drainage facilities."
Response: Above language inserted.

e. On Sheet 3, for clarity, label the Reception # for the existing 14' Multi-Purpose Easement within proposed Tract B.
Response: Correction made.

f. On Sheet 1, in the Dedication Block, add City Model Dedication Language for the "All Easements include the right of ingress and egress……..."
Response: Above language added..

g. On Sheet 1, in the Dedication Block, revise Tract E paragraph to read as follows; "Tract E is dedicated to the City of Grand Junction for the use of the public forever."
Response: Above language added.

h. If the existing Irrigation Easement as identified with Reception # 1234599 is not vacated privately since it is a private easement between two adjacent landowners, Applicant's Surveyor will need to identify easement on the subdivision plat. Please address further on applicant's intention.
Response: Easement has been identified on the plat. No vacation needed.

3. Construction Plan Set Drawings:
See City Development Engineer review comments and revise as applicable.
Response: Comment acknowledged.

4. Revocable Permit:
City Surveyor has reviewed the submitted legal descriptions and map exhibit for proposed private irrigation lines that cross rights-of-way and is requesting a couple of changes (see attached comments). Once changes are made and approved, City Project Manager will prepare Revocable Permit document for applicable signatures in preparation for recording at time of subdivision plat recording. Applicant will be responsible for all associated recording fees. Submit WORD document of legal descriptions to City Project Manager and sign and stamp exhibit in preparation for Revocable Permit issuance.
Code Reference: Section 21.02.180 (d) (2) (i) of the Zoning and Development Code.
Response: Changes have been made. Exhibit has been stamped and signed.

5. Temporary Turn-Around Easement:
See City Fire Department review comment. Provide legal descriptions and map exhibit for review and approval for Temporary Turn-Around Easements to be located at the end of Shamsi Drive & Thomas Ivy Lane within Filing 1. Once legal descriptions and map exhibits are approved, Assistant City Attorney will prepare documents for property owner's signature. Applicant will be responsible for all recording fees.
Code Reference: IV-2 of the SSIDS Manual.
Response: Descriptions and exhibit have been prepared and easements have been added to the plat.

6. Conveyance Document(s) & CCR's:
a. Assistant City Attorney is currently reviewing submitted CCR's and Deed documents. Once review is complete, City Project Manager will forward requested revisions to Applicant's Representative.
Response: Comment acknowledged.

b. CCR's: In Section 7.03, it states that garages shall be constructed to accommodate three standard sized automobiles. Should this statement be re-worded? As written, it appears that no single, two or above three car garages would be permitted in the subdivision.
Code Reference: IV-2 of the SSIDS Manual.
Response: Comment acknowledged.

7. Landscaping Plan:
a. On Sheet L1, within proposed Tract A, label the type of ground-cover proposed around the irrigation facility.
Response: Landscape rock has been added and labeled in the irrigation facility area.

b. On Sheet L1, within proposed Tract A, it appears that several of the plant materials are located within the future north/south right-of-way. Suggest moving these plants outside of the future right-of-way to be adjacent to the irrigation facility within Tract A or added to Tract D. As proposed, the area appears to be very tight on space. Would not want to remove landscaping within the right-of-way at a later date when future phases are developed. Same comment for the intersection with Shamsi Drive/20 ½ Road and Tracts B & C, seems very cramped.
Response: The landscaping has been pulled out of the future Right of Ways.

c. On Sheet L2, label Shamsi Drive and Thomas Ivy Lane on both cross-sections, as applicable.
Code Reference: V-10 of the SSIDS Manual.
Response: The street labels have been added to the landscape plans.

8. Fees:

a. City Park Fee: $743 per lot payable at time of Planning Clearance issuance (2021 Fee Rate).
Response: Comment acknowledged.

b. City 10% Open Space Fee: Assistant City Attorney is currently reviewing submitted MAI Appraisal Report. Once review is complete, City Project Manager will notify applicant's representative for any additional revisions, if necessary.
Response: Comment acknowledged.

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

d. City Planning Inspection Fee: $55.00 payable at time of subdivision plat recording.
Response: Comment acknowledged.

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.
Response: Comment acknowledged.

f. City Development Engineer will provide Public Works required fees at time of Second Round of review.
Code Reference: Section 21.06.020 and 030 of the Zoning and Development Code.
Response: Comment acknowledged.

9. Amir Drive and Multi-Purpose Easement Vacation Requests:
a. Submit WORD document of proposed vacation legal descriptions and have applicant's Surveyor sign & stamp vacation exhibit.
Response: Descriptions has been changed in accordance to City Surveyor comments. Exhibit has been stamped and signed.

b. City Project Manager will process proposed vacation requests (City file # VAC-2020-479 & 481) for an upcoming Planning Commission meeting on November 10, 2020 and City Council on December 2, 2020. City Project Manager will notify applicant if for any reason this schedule would change. If applicant cannot attend these hearing dates, please notify City Project Manager for alternative dates.
Code Reference: Section 21.02.100 of the Zoning & Development Code.
Response:

CITY DEVELOPMENT ENGINEER

Review comments delivered to engineer of record during a scheduled meeting. Resubmittal required.

Vacation Requests: No Exceptions Taken.
Response: Comment acknowledged.

CITY SURVEYOR – Renee Parent – reneep@gjcity.org (970) 256-4003

SHEET 1:
Tract E needs to be dedicated to the HOA.
Response: The city has requested that Tract E be dedicated to the City of Grand Junction.

An addition language dedicating the Sanitary sewer easement to the City of Grand Junction for purposes of sanitary sewer maintenance (and no other public utility) needs to be added to the dedication.
Response: No easement needed. Tract E will be dedicated to the City of Grand Junction.

This may not be an issue (City legal should offer their opinion), but the listed Deed of Trust covers the wrong owner name. A corrective warranty deed corrected the Trust name, but it was never corrected on the Deed of Trust.
Response: Comment acknowledged.

SHEET 2:
The dimension of 337.73' is wrong on detail "A".
Response: Dimension has been corrected.

A match line needs to be added to sheet 2 for Lot 100 that carries over to sheet 3 and labeled such.
Response: Match line added..

The current proposed description vacating Amir Drive is unclear. The vacation is to include what is called on the associated exhibit the "Amir chamfer", here onward referred to as the chamfer. When Amir Subdivision was platted the chamfer was dedicated as part of a tract of land for South Broadway. On the proposed plat the right of way for South Broadway includes the reception number from the Amir Subdivision plat, which would include the chamfer. Adding mention of the chamfer to the proposed vacation document would clarify that the chamfer is to be included in the vacation.
Response: Vacation description has been updated to specifically call out the chamfer. Updated description will be resubmitted.

SHEET 3:
The wrong sheet scale is shown in lower left. It should be 50 scale.
Response: Scale has been corrected.

A match line needs to be added to sheet 3 for Lot 100 that refers back to sheet 2 and labeled such.
Response: Match line added.

Lot 100 label needs to be added.
Response: Label added..

The dimensions of curves C1 and C11 need to be verified.
Response: Verified – dimensions are correct.

There is a tangent at the southwest corner of Tract E that needs to be labeled.
Response: Label added.

Add to Tract E a mention that it is a sanitary sewer easement.
Response: Tract is will be dedicated to the City of Grand Junction.

Verify the 15.49' dimension at the southeast corner of Lot 2.
Response: Verified – dimension is correct.

Eliminate the easement hatching that appears across the east end of Shamsi Drive right of way.
Response: Done.

Add leaders to clarify that the 94.00 foot dimension is across the width of the Shamsi Drive right of way where it abuts 20 ½ Road.
Response: Split 94.00' into two 47.00' labels.

Easement Vacation:
I believe the irrigation easement should be vacated in a separate document as it is not public. Final direction should come from the city attorney's office.
Response: Irrigation easement will not be vacated. It has been added back onto the plat.

Reviewed vacation document and exhibits - no issues identified and it does not look like any utilities were built in these locations.
Response: Comment acknowledged.

CITY FIRE DEPARTMENT – Rusty Ratzloff – rustyr@gjcity.org (970) 549-5854

1. The submitted fire flow indicates a predicted flow at 20 PSI of 3,578.25 GPM. This fire flow is accepted.
Response: Comment acknowledged.

2. The access into the development is acceptable.
Response: Comment acknowledged.

3. The interior traffic circulation is accepted. Temporary emergency fire department turn arounds shall need to be provided on Shamsi Drive and Thomas Ivy Lane until construction of subdivision roads provides interconnection. This shall be accomplished with emergency turnarounds complying with Section 503 and Appendix D of the IFC or by connecting the streets with a temporary road having a drivable surface capable of supporting 80,000 pound minimum, H-20 loading.
Response: Temporary turnaround easements have been added to the plat and documents have been prepared for City Attorney.

4. The hydrant locations are accepted.
Response: Comment acknowledged.

5. The water main lines are accepted.
Response: Comment acknowledged.

Vacation Requests:
The Grand Junction Fire Department has no objections to the vacation of the public multi-purpose easement adjacent to the undeveloped Amir Drive and South Broadway rights-of-way as identified on the recorded Amir Subdivision plat. All applicable fire codes to be addressed during the site plan review process.
Response: Comment acknowledged.

The Grand Junction Fire Department has no objections to the vacation of the recorded but undeveloped 30 ft. ROW of Amir Drive. A second mean of egress shall be provided from Magnolia Ridge Estates. All applicable fire codes to be addressed during the site plan review process.
Response: Comment acknowledged.

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

1. Magnolia Ridge Estates Filing 1 is an acceptable subdivision name.
Response: Comment acknowledged.

2. Addresses will be available after final subdivision approval.

Response: Comment acknowledged.

3. FYI – the vault for irrigation water and/or the pump house will likely need a planning clearance. This has been required by Mesa County Building Department for other subdivisions. Address will be provided upon request to developer/builder.
Response: Comment acknowledged.

OUTSIDE REVIEW AGENCY COMMENTS
(Non-City Agencies)

Review Agency: Mesa County Building Department
Contact Name: Harry Middlemas
Email / Telephone Number: harry.middlemas@mesacounty.us (970) 244-1656

MCBD has no objections to this project.
Response: Comment acknowledged.

The following must be provided to our office in paper form: The city approved Soil report, Drainage plan & TOF tabulation sheet.
Response: Comment acknowledged.

A copy of the recorded site plan provided to building official.
Response: Comment acknowledged.

Review Agency: Xcel Energy
Contact Name: Brenda Boes
Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections to the Right-of-Way and Multi-Purpose Easement vacations however, existing utilities will need to be relocated at developer's expense.
Response: Comment acknowledged.

Xcel has no objections to the subdivision request; however, the Developer needs to be aware that at the time of submitting an application with Xcel the following will be required and could happen:

1. Accurate BTU loads for the new homes will be required.
Response: Comment acknowledged.

2. If determined by area engineer that reinforcement is needed to Xcel's gas main to support added loads from subdivision, said reinforcement will be at Developers expense.
Response: Comment acknowledged.

3. Reinforcement costs are required to be paid prior to installation.
Response: Comment acknowledged.

4. Tariff changes have taken effect as of 10/1/2019 affecting the cost of subdivision lots averaging less than 60'. They will have a standard cost per lot.
Response: Comment acknowledged.

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.
Response: Comment acknowledged.

Review Agency: Ute Water Conservancy District
Contact Name: Jim Daugherty
Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

• Add to Sht C0.1 General Notes, Water Notes, Note 1. ...documents and the latest revision of the Ute Water Conservancy District Standards and Specifications obtained from UteWater.org\Specifications.
Response: Above language added.

• Add to Sht C0.1 General Notes, Water Notes, Note 9. ...capped at main. Existing service(s) to be removed, salvaged in good condition and returned to the District.
Response: Above language added.

• Change Sht C0.1 General Notes, Water Notes, Note 21 to reflect AWWA C105 (not C150).
Response: Correction made.

• These are comments for the first filing only further review will be made as other filings are submitted.
Response: Comment acknowledged.

• The water main in Five View Lane was wrongly moved to the west side; please move back to the east which will repair all of the callouts that didn't move.
Response: Comment acknowledged.

• Per Ute Std Detail, FHs shall be in ROW and WSs on near side of water main shall go straight
Response: Comment acknowledged.

• Add note to Sht C1.0 & Sht C4.0 (demo, utility etc.) to show the existing service(s) to be removed, salvaged in good condition and returned to the District, service shall be capped at the main.
Response: Above language added.

• Sht 7.0, the waterline conflicts with SD; please address.
Response: Comment acknowledged.

• The District will hold further comment on placement of utility services until the final design for other utilities are presented as a final design layout to review for conflicts.
Response: Comment acknowledged.

• ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
Response: Comment acknowledged.

• If you have any questions concerning any of this, please feel free to contact Ute Water.
Response: Comment acknowledged.

Vacation Requests:
• No objection.
Response: Comment acknowledged.

Review Agency: Colorado Parks and Wildlife
Contact Name: Zac Chrisman
Email / Telephone Number: Zachary.chrisman@state.co.us (970) 250-4506

Attached are CPW's comments regarding Magnolia Ridge Estates.
Response: Comment acknowledged.

Review Agency: Mesa County Stormwater
Contact Name: Josh Martinez
Email / Telephone Number: Joshua.martinez@mesacounty.us (970) 683-4206

Project will require a Mesa County Construction Stormwater Permit. Application can be completed online at: https://www.mesacounty.us/publicworks/permits/
Response: Comment acknowledged.

Project will need to pay associated permit fees. Review Fee and Inspection Fee will be assessed based on acres of disturbance. Please note that plans will not be reviewed until Review Fee is paid.
Response: Comment acknowledged.

Project will also need to submit a site specific Stormwater Management Plan and Site Map(s) for review/approval. Stormwater Management Plan Checklist should be utilized and can be located at: https://www.mesacounty.us/globalassets/public-works/permits/online-permit-system/stormwater-management-plan-checklist.pdf
Response: Comment acknowledged.

A Post-Construction Stormwater Control Operations and Maintenance Agreement will need to be completed with Mesa County Stormwater Division. Agreement can be located at: https://stormwater.mesacounty.us/globalassets/stormwater/forms/documents/post-construction-om-agreement-form.pdf
Response: Comment acknowledged.

Project will need to provide a copy of State Discharge Permit (CDPHE) to Mesa County Stormwater Division.
Response: Comment acknowledged.

Review Agency: Bureau of Reclamation
Contact Name: Alan Schroeder
Email / Telephone Number: aschroeder@usbr.gov (970) 248-0600

No comments; outside of our area of concern.
Response: Comment acknowledged.

Review Agency: Mesa County School District #51
Contact Name: Eddie Mort
Email / Telephone Number: eddie.mort@d51schools.org (970) 254-5100

Mesa County School District 51 has no issues or concerns regarding the Magnolia Ridge Estates development. The Redlands community is looking at a large surge in housing with some of the larger parcels being developed. These subdivisions as a whole will increase student enrollment that will surpass capacity at our schools that serve that area. We know this is a long-term build but we need to discuss options for land and fees to build additional schools.
Response: Comment acknowledged.

Review Agency: Redlands Water & Power
Contact Name: Kyle Vanderberg
Email / Telephone Number: kylev@redlandswpc.com (970) 243-2173

1) RW&PC would like to provide photos of the piping done when the existing box was installed for reference. Photos of PVC pipes.
Response: Comment acknowledged.

2) RW&PC REQUIRES new inline flow-meter on the new irrigation pipes after the wye from the outlet gates outside the gate box. Also with the meter, a meter readout is required to be placed within RW&PC easement in an accessible protected box.
Response: Comment acknowledged.

3) RW&PC requires notice 5-days prior to any excavation within the RW&PC easement and notice 5-days prior to backfill for RW&PC inspection.
Response: Comment acknowledged.

4) Current property shares are 28-Shares. Will this be adequate for future uses?
Response: Yes..

5) NO work to be done inside the existing headgate/outlet box.
Response: Comment acknowledged.

6) RW&PC must be notified of any deviations from these plans prior to any work.
Response: Comment acknowledged.

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. N/A.

The following Review Agencies have <u>not</u> responded as of the comment due date.

1. Mesa County Engineering
2. Spectrum Communications
3. Century Link
4. Regional Transportation Planning Office (RTPO)
5. United States Postal Service
6. Assistant City Attorney

The above referenced information is provided for your review and approval. Should you have any questions or require additional information, please do not hesitate to contact me at (970) 245-9051 or by email at rjones@vortexeng.us. Thank you for your assistance.

Sincerely,

Vortex Engineering & Architecture, Inc.

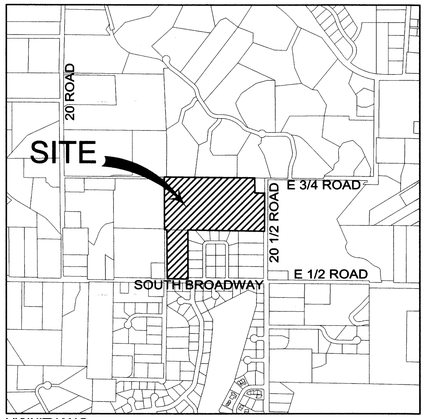
Robert W. Jones II, P.E.

cc: file

RECEPTION#: 2911895, at 1/31/2020 12:07:20 PM, 1 of 2
Recording: $23.00, Tina Peters, Mesa County, CO. CLERK AND RECORDER

AMIR SUBDIVISION

A REPLAT OF LOT 1, GOWHARI MINOR SUBDIVISION AND OTHER LANDS SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



VICINITY MAP
N.T.S.

PLAT NOTES

1. BASIS OF BEARING: USING THE MESA COUNTY REAL TIME VIRTUAL REFERENCE NETWORK, A BEARING AND DISTANCE OF N89°23'15"W AND 1304.62 FEET BETWEEN A FOUND 3" MCSM BRASS CAP MARKING THE C1/4 OF SECTION 22 (MCSM #871) AND A FOUND 3" MCSM ALUMINUM CAP MARKING THE CW1/16 OF SECTION 22 (MCSM #870-1).
2. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.
3. TITLE INFORMATION PROVIDED BY ABSTRACT & TITLE COMPANY OF MESA COUNTY, FILE NO. 10400CEM, DATED 1/15/20.

SURVEYOR'S CERTIFICATE

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF AMIR SUBDIVISION WAS SURVEYED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

EXECUTED THE 24TH DAY OF JANUARY, 2020.

COLORADO LICENSED
ALEXANDRE BENOIT LHERITIER
1/24/2020
38464
PROFESSIONAL LAND SURVEYOR

OWNERSHIP CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED, THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, IS THE OWNER OF RECORD OF THAT REAL PROPERTY SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPLE MERIDIAN, CITY OF GRAND JUNCTION, MESSA COUNTY, COLORADO, THE OWNERSHIP OF WHICH IS DEMONSTRATED AT RECEPTIONS NO. 2892679 AND 2892680 OF THE RECORDS IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER. SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1 OF THE GOWHARI MINOR SUBDIVISION (REC. NO. 1990670), AND:

COMMENCING AT THE C-S-NW1/4 OF SECTION 22, FROM WHICH THE CW1/16 CORNER BEARS S00°17'31"E 665.73 FEET; RUNNING THENCE S00°17'31"E 12.16 FEET; THENCE S89°04'40"E 30.01 FEET TO THE POINT OF BEGINNING;

RUNNING THENCE S89°04'40"E 272.07 FEET; THENCE S00°02'31"W 631.89 FEET; THENCE N89°23'15"W 268.36 FEET; THENCE N00°17'31"W 633.41 FEET TO THE POINT OF BEGINNING.

PARCELS CONTAINS 23.55 ACRES.

SAID OWNERS HAVE CAUSED THE DESCRIBED REAL PROPERTY TO BE SURVEYED, LAID OUT, AND TO BE PUBLICLY KNOWN AS "AMIR SUBDIVISION"

ALL RIGHTS-OF-WAY ARE DEDICATED TO THE CITY OF GRAND JUNCTION FOR THE USE OF THE PUBLIC FOREVER.

ALL MULTIPURPOSE EASEMENTS ARE DEDICATED TO THE CITY OF GRAND JUNCTION AS PERPETUAL EASEMENTS FOR CITY APPROVED UTILITIES INCLUDING THE INSTALLATION, OPERATION, MAINTENANCE, AND REPAIR OF SAID UTILITIES AND APPURTENANCES WHICH MAY INCLUDE BUT ARE NOT LIMITED TO, ELECTRIC LINES, CABLE TV LINES, NATURAL GAS PIPELINES, SANITARY SEWER LINES, STORM SEWERS, WATER LINES, TELEPHONE LINES, TRAFFIC CONTROL FACILITIES, STREET LIGHTING, LANDSCAPING, TREES AND GRADE STRUCTURES.

SAID OWNERS HEREBY ACKNOWLEDGE THAT ALL LIEN HOLDERS OR ENCUMBRANCES, IF ANY, ASSOCIATED WITH THE INTERESTS OF THIS PLAT HAVE BEEN REPRESENTED HEREON.

Hooshang David Gowhari — 1/17/2020
HOOSHANG DAVID GOWHARI, TRUSTEE — DATE

Elizabeth Ann Gowhari — 1/17/2020
ELIZABETH ANN GOWHARI, TRUSTEE — DATE

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO)
)§
COUNTY OF MESA)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY HOOSHANG DAVID GOWHARI AS TRUSTEE OF THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, ON THIS 17TH DAY OF January, 2020

MY COMMISSION EXPIRES June 19, 2021

WITNESS MY HAND AND OFFICIAL SEAL Jennifer Christensen

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO)
)§
COUNTY OF MESA)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY ELIZABETH ANN GOWHARI AS TRUSTEE OF THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, ON THIS 17TH DAY OF January, 2020

MY COMMISSION EXPIRES June 19, 2021

WITNESS MY HAND AND OFFICIAL SEAL Jennifer Christensen

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)§
COUNTY OF MESA)

I CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT 12:07 O'CLOCK P.M., ON THIS 31st DAY OF January, 2020 AND WAS RECORDED AT RECEPTION NO. 2911895.
DRAWER NO. E3-123, FEES $20 + $3.

BY: Tina Peters — CLERK AND RECORDER
DEPUTY

TITLE CERTIFICATION

ABSTRACT & TITLE COMPANY OF MESA COUNTY, A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF COLORADO, HEREBY CERTIFIES THAT WE HAVE EXAMINED TITLE TO THE HEREON DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED TO THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007; THAT THE CURRENT TAXES HAVE BEEN PAID;* THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD; THAT ALL EASEMENTS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD ARE SHOWN HEREON.

Cynthia M. Colborn TITLE OFFICER — 1-24-2020
NAME AND TITLE — DATE
ABSTRACT & TITLE COMPANY OF MESA COUNTY

*Current Taxes NOT PAID but not yet a lien

LIENHOLDERS RATIFICATION OF PLAT

THE UNDERSIGNED, HEREBY CERTIFIES THAT IT IS A HOLDER OF A SECURITY INTEREST UPON A PORTION OF THE PROPERTY HEREON DESCRIBED AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LANDS DESCRIBED IN SAID DEDICATION BY THE OWNERS THEREOF AND AGREE THAT ITS SECURITY INTEREST WHICH IS RECORDED WITH RECEPTION NUMBER 2896585 OF THE PUBLIC RECORDS OF MESA COUNTY, COLORADO SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN THEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT (TITLE), WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS 24TH DAY OF JANUARY, 2020.

BY: Paul J. Perea — PAUL J. PEREA

FOR: U.S. BANK, N.A.

NOTARY PUBLIC CERTIFICATION

STATE OF Colorado)
)§
COUNTY OF Mesa)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY Paul J. Perea,
LIENHOLDER ON THE PROPERTY CURRENTLY LOCATED AT 2026 SOUTH BROADWAY, GRAND JUNCTION, CO 81507, ON THIS 24th DAY OF January, 2020

MY COMMISSION EXPIRES June 19, 2021

WITNESS MY HAND AND OFFICIAL SEAL Jennifer Christensen

CITY OF GRAND JUNCTION APPROVAL

AMIR SUBDIVISON, A SUBDIVISION OF THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, IS HEREBY APPROVED AND DEDICATIONS ACCEPTED THIS 30 DAY OF January, 2020

CITY MANAGER — MAYOR

FOR CITY USE ONLY:

ASSOCIATED RECORDED DOCUMENTS

RECEPTION NO.	DOCUMENT TYPE

AMIR SUBDIVISION

LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

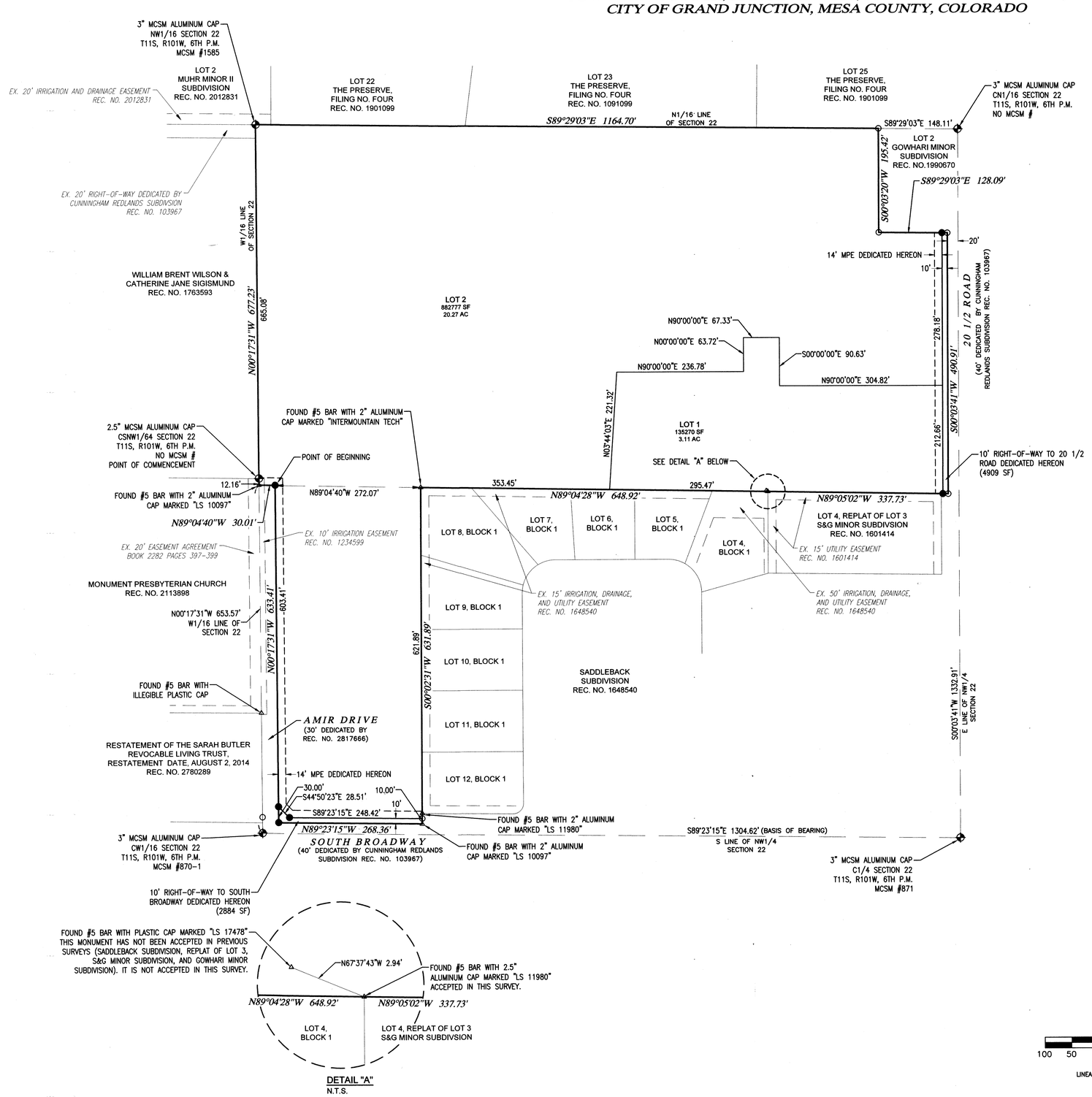
VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
Fax (970) 245-7639

FIELDWORK: ABL	DRAWING: AMIR SUBDIVISION.DWG	DATE: 1/15/20
DRAWN BY: ABL	JOB NUMBER: F19-061	SHEET 1 OF 2

RECEPTION#: 2911895, at 1/31/2020 12:07:20 PM, 2 of 2
Recording: $23.00, Tina Peters, Mesa County, CO. CLERK AND RECORDER

AMIR SUBDIVISION

A REPLAT OF LOT 1, GOWHARI MINOR SUBDIVISION AND OTHER LANDS SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



LEGEND

- PROPERTY BOUNDARY
- LOT LINE
- RIGHT-OF-WAY
- SECTION LINE
- ADJOINING PROPERTY LINE
- EXISTING EASEMENT
- FOUND MESA COUNTY SURVEY MONUMENT (MCSM)
- FOUND MONUMENT AS NOTED
- FOUND #5 REBAR WITH 2" ALUMINUM CAP MARKED "LS 20677"
- SET #5 BAR WITH 2" ALUMINUM CAPPED MARKED "VORTEX ENGINEERING PLS 38464" SET IN CONCRETE

AREA SUMMARY:

LOTS:	23.37 AC.	99.2%
RIGHT-OF-WAY:	0.18 AC.	0.8%
TOTAL:	23.55 AC.	100%

TABLE OF ABBREVIATIONS

MCSM –	MESA COUNTY SURVEY MONUMENT
N –	NORTH
S –	SOUTH
E –	EAST
W –	WEST
C –	CENTER
T –	TOWNSHIP
R –	RANGE
P.M. –	PRINCIPLE MERIDIAN
SF –	SQUARE FEET
AC –	ACRES
EX. –	EXISTING
MPE –	MULTIPURPOSE EASEMENT
REC. NO. –	RECEPTION NUMBER

SURVEYOR'S CERTIFICATE

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF AMIR SUBDIVISION WAS SURVEYED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

EXECUTED THE 24TH DAY OF JANUARY, 2020.

COLORADO LICENSED
LICENSE NUMBER
1/24/2020
38464
PROFESSIONAL LAND SURVEYOR

AMIR SUBDIVISION

LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
Fax (970) 245-7639

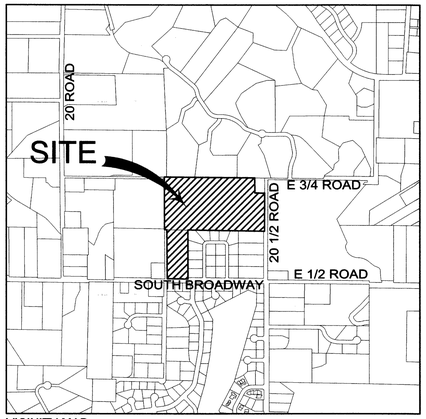
FIELDWORK: ABL	DRAWING: AMIR SUBDIVISION.DWG	DATE: 1/16/20
DRAWN BY: ABL	JOB NUMBER: F19-061	SHEET 2 OF 2

RECEPTION#: 2911895, at 1/31/2020 12:07:20 PM, 1 of 2
Recording: $23.00, Tina Peters, Mesa County, CO. CLERK AND RECORDER

File ID#: SSU-2019-567
Zoning: R-2
Not in Floodplain

AMIR SUBDIVISION

A REPLAT OF LOT 1, GOWHARI MINOR SUBDIVISION AND OTHER LANDS SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



VICINITY MAP
N.T.S.

PLAT NOTES

1. BASIS OF BEARING: USING THE MESA COUNTY REAL TIME VIRTUAL REFERENCE NETWORK, A BEARING AND DISTANCE OF N89°23'15"W AND 1304.62 FEET BETWEEN A FOUND 3" MCSM BRASS CAP MARKING THE C1/4 OF SECTION 22 (MCSM #871) AND A FOUND 3" MCSM ALUMINUM CAP MARKING THE CW1/16 OF SECTION 22 (MCSM #870-1).
2. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.
3. TITLE INFORMATION PROVIDED BY ABSTRACT & TITLE COMPANY OF MESA COUNTY, FILE NO. 10400CEM, DATED 1/15/20.

SURVEYOR'S CERTIFICATE

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF AMIR SUBDIVISION WAS SURVEYED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

EXECUTED THE 24TH DAY OF JANUARY, 2020.

COLORADO LICENSED LAND SURVEYOR 38464 PROFESSIONAL LAND SURVEYOR

OWNERSHIP CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED, THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, IS THE OWNER OF RECORD OF THAT REAL PROPERTY SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPLE MERIDIAN, CITY OF GRAND JUNCTION, MESSA COUNTY, COLORADO, THE OWNERSHIP OF WHICH IS DEMONSTRATED AT RECEPTIONS NO. 2892679 AND 2892680 OF THE RECORDS IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER. SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1 OF THE GOWHARI MINOR SUBDIVISION (REC. NO. 1990670), AND:

COMMENCING AT THE C-S-NW1/4 OF SECTION 22, FROM WHICH THE CW1/16 CORNER BEARS S00°17'31"E 665.73 FEET; RUNNING THENCE S00°17'31"E 12.16 FEET; THENCE S89°04'40"E 30.01 FEET TO THE POINT OF BEGINNING;

RUNNING THENCE S89°04'40"E 272.07 FEET; THENCE S00°02'31"W 631.89 FEET; THENCE N89°23'15"W 268.36 FEET; THENCE N00°17'31"W 633.41 FEET TO THE POINT OF BEGINNING.

PARCELS CONTAINS 23.55 ACRES.

SAID OWNERS HAVE CAUSED THE DESCRIBED REAL PROPERTY TO BE SURVEYED, LAID OUT, AND TO BE PUBLICLY KNOWN AS "AMIR SUBDIVISION"

ALL RIGHTS-OF-WAY ARE DEDICATED TO THE CITY OF GRAND JUNCTION FOR THE USE OF THE PUBLIC FOREVER.

ALL MULTIPURPOSE EASEMENTS ARE DEDICATED TO THE CITY OF GRAND JUNCTION AS PERPETUAL EASEMENTS FOR CITY APPROVED UTILITIES INCLUDING THE INSTALLATION, OPERATION, MAINTENANCE, AND REPAIR OF SAID UTILITIES AND APPURTENANCES WHICH MAY INCLUDE BUT ARE NOT LIMITED TO, ELECTRIC LINES, CABLE TV LINES, NATURAL GAS PIPELINES, SANITARY SEWER LINES, STORM SEWERS, WATER LINES, TELEPHONE LINES, TRAFFIC CONTROL FACILITIES, STREET LIGHTING, LANDSCAPING, TREES AND GRADE STRUCTURES.

SAID OWNERS HEREBY ACKNOWLEDGE THAT ALL LIEN HOLDERS OR ENCUMBRANCES, IF ANY, ASSOCIATED WITH THE INTERESTS OF THIS PLAT HAVE BEEN REPRESENTED HEREON.

Hooshang David Gowhari — 1/17/2020
HOOSHANG DAVID GOWHARI, TRUSTEE — DATE

Elizabeth Ann Gowhari — 1/17/2020
ELIZABETH ANN GOWHARI, TRUSTEE — DATE

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO)
)§
COUNTY OF MESA)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY HOOSHANG DAVID GOWHARI AS TRUSTEE OF THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, ON THIS 17TH DAY OF JANUARY, 2020

MY COMMISSION EXPIRES June 19, 2021

WITNESS MY HAND AND OFFICIAL SEAL Jennifer Christensen

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO)
)§
COUNTY OF MESA)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY ELIZABETH ANN GOWHARI AS TRUSTEE OF THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007, ON THIS 17TH DAY OF JANUARY, 2020

MY COMMISSION EXPIRES June 19, 2021

WITNESS MY HAND AND OFFICIAL SEAL Jennifer Christensen

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)§
COUNTY OF MESA)

I CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT 12:07 O'CLOCK P.M., ON THIS 31st DAY OF January, 2020 AND WAS RECORDED AT RECEPTION NO. 2911895.
DRAWER NO. E3-123, FEES $20 + $3.

BY: Tina Peters — CLERK AND RECORDER
DEPUTY

Please note: The red address numbers and text have been added digitally to the recorded subdivision plat.

TITLE CERTIFICATION

ABSTRACT & TITLE COMPANY OF MESA COUNTY, A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF COLORADO, HEREBY CERTIFIES THAT WE HAVE EXAMINED TITLE TO THE HEREON DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED TO THE HOOSHANG DAVID GOWHARI AND ELIZABETH ANN GOWHARI REVOCABLE TRUST DATED OCTOBER 12, 2007; THAT THE CURRENT TAXES HAVE BEEN PAID;* THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD; THAT ALL EASEMENTS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD ARE SHOWN HEREON.

Cynthia M. Colborn TITLE OFFICER — 1-24-2020
NAME AND TITLE — DATE
ABSTRACT & TITLE COMPANY OF MESA COUNTY

*Current Taxes NOT PAID but not yet a LIEN

LIENHOLDERS RATIFICATION OF PLAT

THE UNDERSIGNED, HEREBY CERTIFIES THAT IT IS A HOLDER OF A SECURITY INTEREST UPON A PORTION OF THE PROPERTY HEREON DESCRIBED AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LANDS DESCRIBED IN SAID DEDICATION BY THE OWNERS THEREOF AND AGREE THAT ITS SECURITY INTEREST WHICH IS RECORDED WITH RECEPTION NUMBER 2896585 OF THE PUBLIC RECORDS OF MESA COUNTY, COLORADO SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN THEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT (TITLE), WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS 24TH DAY OF JANUARY, 2020.

BY: PAUL J. PERRA

FOR: U.S. BANK, N.A.

NOTARY PUBLIC CERTIFICATION

STATE OF Colorado)
)§
COUNTY OF Mesa)

THIS PLAT WAS ACKNOWLEDGED BEFORE ME BY Paul J. Perra,
LIENHOLDER ON THE PROPERTY CURRENTLY LOCATED AT 2026 SOUTH BROADWAY, GRAND JUNCTION, CO 81507, ON THIS 24th DAY OF January, 2020

MY COMMISSION EXPIRES June 19, 2021

WITNESS MY HAND AND OFFICIAL SEAL Jennifer Christensen

CITY OF GRAND JUNCTION APPROVAL

AMIR SUBDIVISON, A SUBDIVISION OF THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, IS HEREBY APPROVED AND DEDICATIONS ACCEPTED THIS 30 DAY OF January, 2020

CITY MANAGER — MAYOR

FOR CITY USE ONLY:

ASSOCIATED RECORDED DOCUMENTS

RECEPTION NO.	DOCUMENT TYPE

AMIR SUBDIVISION

LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
Fax (970) 245-7639

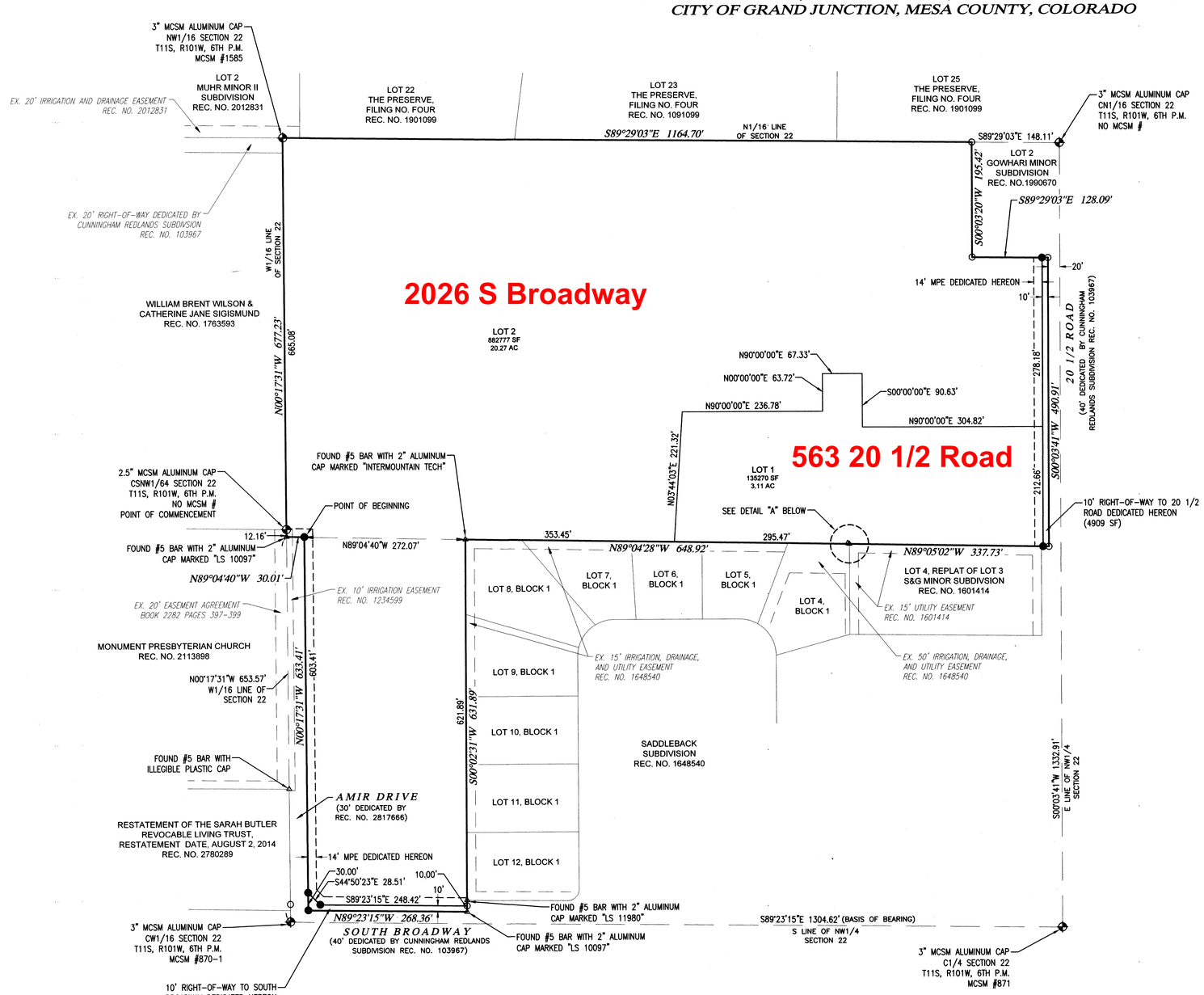
FIELDWORK: ABL	DRAWING: AMIR SUBDIVISION.DWG	DATE: 1/15/20
DRAWN BY: ABL	JOB NUMBER: F19-061	SHEET 1 OF 2

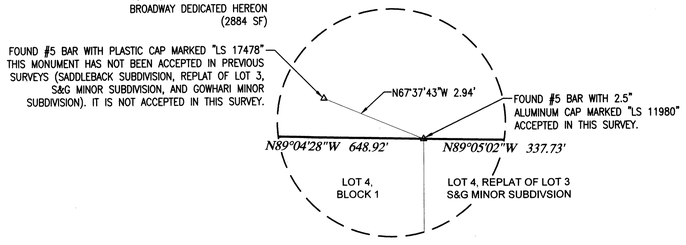
RECEPTION#: 2911895, at 1/31/2020 12:07:20 PM, 2 of 2
Recording: $23.00, Tina Peters, Mesa County, CO. CLERK AND RECORDER

File ID#: SSU-2019-567
Zoning: R-2
Not in Floodplain

AMIR SUBDIVISION

A REPLAT OF LOT 1, GOWHARI MINOR SUBDIVISION AND OTHER LANDS SITUATED IN THE SE1/4NW1/4 OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 101 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO





DETAIL "A"
N.T.S.

LEGEND

- PROPERTY BOUNDARY
- LOT LINE
- RIGHT-OF-WAY
- SECTION LINE
- ADJOINING PROPERTY LINE
- EXISTING EASEMENT
- FOUND MESA COUNTY SURVEY MONUMENT (MCSM)
- FOUND MONUMENT AS NOTED
- FOUND #5 REBAR WITH 2" ALUMINUM CAP MARKED "LS 20677"
- SET #5 BAR WITH 2" ALUMINUM CAPPED MARKED "VORTEX ENGINEERING PLS 38464" SET IN CONCRETE

AREA SUMMARY:

LOTS:	23.37 AC.	99.2%
RIGHT-OF-WAY:	0.18 AC.	0.8%
TOTAL:	23.55 AC.	100%

TABLE OF ABBREVIATIONS

MCSM –	MESA COUNTY SURVEY MONUMENT
N –	NORTH
S –	SOUTH
E –	EAST
W –	WEST
C –	CENTER
T –	TOWNSHIP
R –	RANGE
P.M. –	PRINCIPLE MERIDIAN
SF –	SQUARE FEET
AC –	ACRES
EX. –	EXISTING
MPE –	MULTIPURPOSE EASEMENT
REC. NO. –	RECEPTION NUMBER

SURVEYOR'S CERTIFICATE

I, ALEXANDRE B. LHERITIER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF AMIR SUBDIVISION WAS SURVEYED BY ME. IT IS BASED UPON MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF ACCORDING TO APPLICABLE STANDARDS OF PRACTICE. THIS IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

EXECUTED THE 24TH DAY OF JANUARY, 2020.

COLORADO LICENSED
LICENSE NUMBER
1/24/2020
38464
PROFESSIONAL LAND SURVEYOR

N

SCALE IN FEET
100 50 0 100 200
1" = 100'
LINEAL UNITS = U.S. SURVEY FEET

AMIR SUBDIVISION

LOCATED IN THE
SE1/4NW1/4 of Section 22, T11S, R101W, 6th P.M.
City of Grand Junction, Mesa County, Colorado

VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
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FIELDWORK: ABL	DRAWING: AMIR SUBDIVISION.DWG	DATE: 1/16/20
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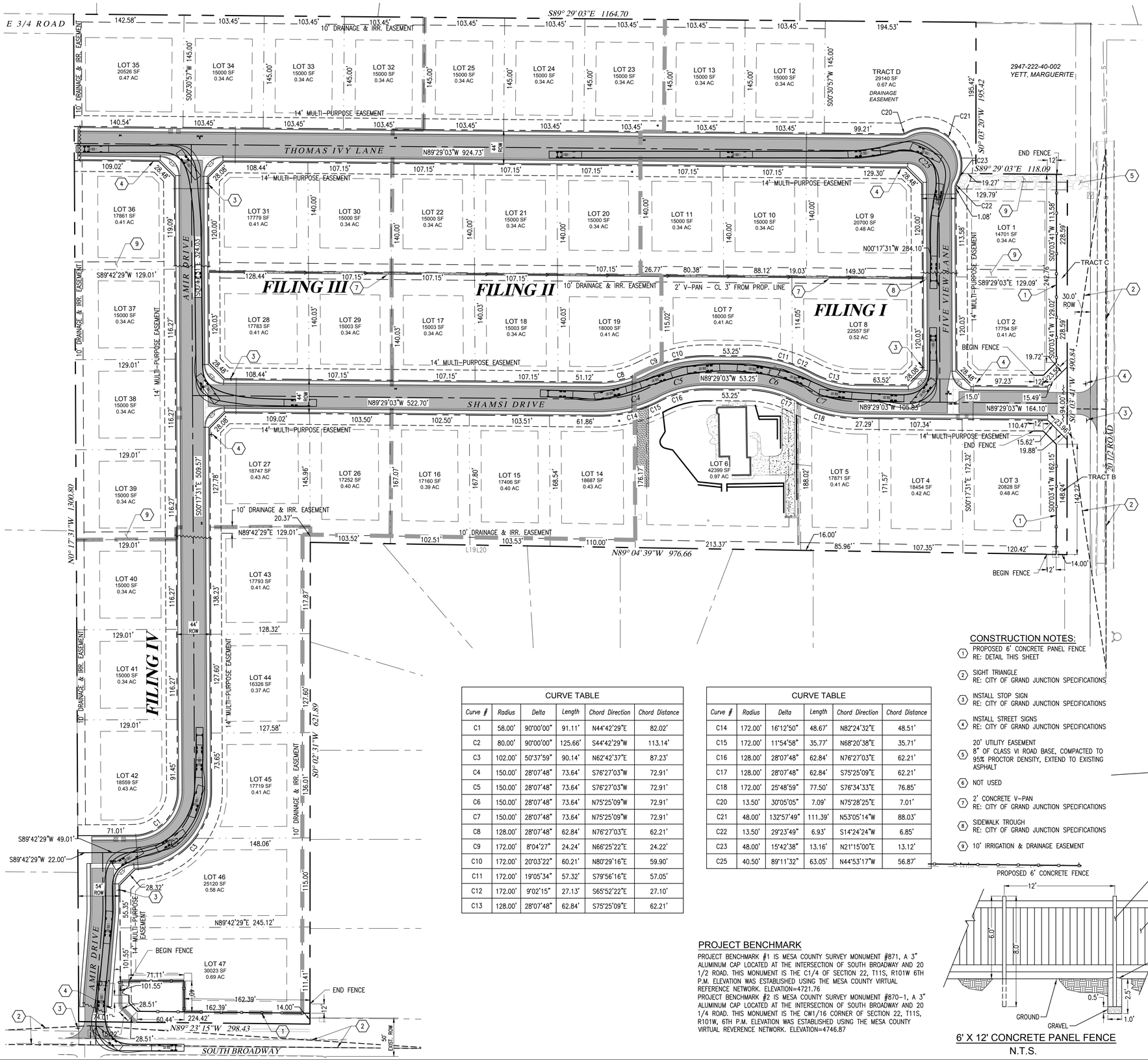
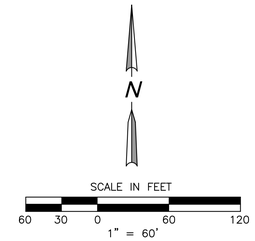




GENERAL NOTES

1. ALL CONSTRUCTION TO CONFORM TO THE CURRENT CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS AND PLANNING STANDARDS AND SPECIFICATIONS.
2. CONTRACTOR MUST CONTACT CITY OF GRAND JUNCTION TRAFFIC OPERATIONS SUPERVISOR PRIOR TO CONSTRUCTION OR PLACEMENT OF TRAFFIC CONTROL DEVICES/FEATURES (STRIPING, SIGNALS, MEDIANS, ETC.) FOR CONSTRUCTION IN THE RIGHT-OF-WAY ONLY.
3. REFER TO THE GEOTECHNICAL INVESTIGATION BY HUDDLESTON-BERRY ENGINEERING AND TESTING. LLC, DATED 02-04-20 FOR RECOMMENDATIONS REGARDING PAVEMENT, SLABS, FOUNDATIONS AND GROUNDWATER MITIGATION REQUIREMENTS.
4. LIGHTING TO BE DESIGNED BY UTILITY PROVIDER. (XCEL ENERGY)
5. ALL SANITARY SEWER MANHOLES ARE 48" I.D. UNLESS NOTED OTHERWISE.
6. FOR STREET SECTIONS SEE ROAD PLAN & PROFILE SHEETS.

UTILITY PROVIDERS INFORMATION

UTILITY	PROVIDER	PHONE NUMBER
SANITARY SEWER	CITY OF GRAND JUNCTION	970-244-1554
DRAINAGE	GRAND VALLEY DRAINAGE DISTRICT	970-242-4343
DOMESTIC WATER	UTE WATER CONSERVANCY DISTRICT	970-242-7491
IRRIGATION	REDLANDS WATER AND POWER CO.	970-243-2173
ELECTRICITY	XCEL ENERGY	800-895-4999
NATURAL GAS	XCEL ENERGY	800-895-4999
TELEPHONE	CENTURYLINK	800-603-6000
CABLE TELEVISION	SPECTRUM	833-780-1880

PROPOSED LAND USE TABLE

USE	AREA	AC	% OF TOTAL	OWNER
SINGLE FAMILY LOTS (47 TOTAL)	823,279 S.F.	18.90	79.39%	PRIVATE
IRRIGATION TRACT (A)	6,453 S.F.	0.15	0.62%	HOA
LANDSCAPING TRACT (B)	2,173 S.F.	0.05	0.21%	HOA
LANDSCAPING TRACT (C)	3,578 S.F.	0.08	0.35%	HOA
DETENTION POND TRACT (D)	29,140 S.F.	0.67	2.81%	HOA
SANITARY SEWER TRACT (E)	2,819 S.F.	0.07	0.27%	HOA
RIGHT-OF-WAY	169,509 S.F.	3.89	16.35%	PUBLIC
TOTAL	1,036,951 S.F. - 23.81 AC.			

CONSTRUCTION NOTES:

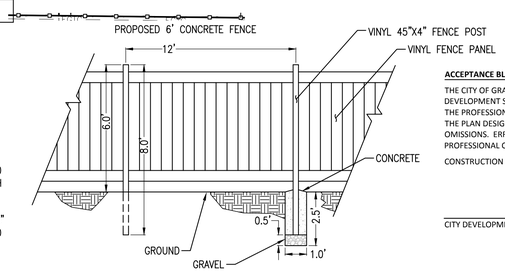
1. PROPOSED 6' CONCRETE PANEL FENCE
   RE: DETAIL THIS SHEET
2. SIGHT TRIANGLE
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
3. INSTALL STOP SIGN
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
4. INSTALL STREET SIGNS
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
5. 20' UTILITY EASEMENT
   8" OF CLASS VI ROAD BASE, COMPACTED TO 95% PROCTOR DENSITY, EXTEND TO EXISTING ASPHALT
6. NOT USED
7. 2' CONCRETE V-PAN
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
8. SIDEWALK TROUGH
   RE: CITY OF GRAND JUNCTION SPECIFICATIONS
9. 10' IRRIGATION & DRAINAGE EASEMENT

CURVE TABLE

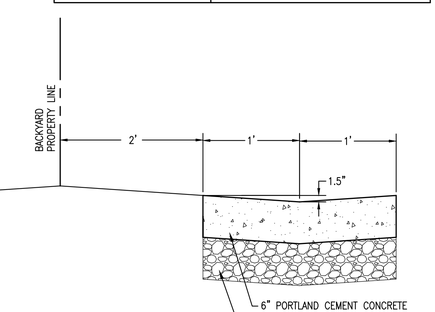
Curve #	Radius	Delta	Length	Chord Direction	Chord Distance
C1	58.00'	90°00'00"	91.11'	N44°42'29"E	82.02'
C2	80.00'	90°00'00"	125.66'	S44°42'29"W	113.14'
C3	102.00'	50°37'59"	90.14'	N62°42'37"E	87.23'
C4	150.00'	28°07'48"	73.64'	S76°27'03"W	72.91'
C5	150.00'	28°07'48"	73.64'	S76°27'03"W	72.91'
C6	150.00'	28°07'48"	73.64'	N75°25'09"W	72.91'
C7	150.00'	28°07'48"	73.64'	N75°25'09"W	72.91'
C8	128.00'	28°07'48"	62.84'	N76°27'03"E	62.21'
C9	172.00'	8°04'27"	24.24'	N66°25'22"E	24.22'
C10	172.00'	20°03'22"	60.21'	N80°29'16"E	59.90'
C11	172.00'	19°05'34"	57.32'	S79°56'16"E	57.05'
C12	172.00'	9°02'15"	27.13'	S65°52'22"E	27.10'
C13	128.00'	28°07'48"	62.84'	S75°25'09"E	62.21'

CURVE TABLE

Curve #	Radius	Delta	Length	Chord Direction	Chord Distance
C14	172.00'	16°12'50"	48.67'	N82°24'32"E	48.51'
C15	172.00'	11°54'58"	35.77'	N68°20'38"E	35.71'
C16	128.00'	28°07'48"	62.84'	N76°27'03"E	62.21'
C17	128.00'	28°07'48"	62.84'	S75°25'09"E	62.21'
C18	172.00'	25°48'59"	77.50'	S76°34'33"E	76.85'
C20	13.50'	30°05'05"	7.09'	N75°28'25"E	7.01'
C21	48.00'	132°57'49"	111.39'	N53°05'14"W	88.03'
C22	13.50'	29°23'49"	6.93'	S14°24'24"W	6.85'
C23	48.00'	15°42'38"	13.16'	N21°15'00"E	13.12'
C25	40.50'	89°11'32"	63.05'	N44°53'17"W	56.87'



6' X 12' CONCRETE PANEL FENCE
N.T.S.



V-PAN DETAIL
N.T.S.

PROJECT BENCHMARK

PROJECT BENCHMARK #1 IS MESA COUNTY SURVEY MONUMENT #871, A 3" ALUMINUM CAP LOCATED AT THE INTERSECTION OF SOUTH BROADWAY AND 20 1/2 ROAD. THIS MONUMENT IS THE C1/4 OF SECTION 22, T11S, R101W 6TH P.M. ELEVATION WAS ESTABLISHED USING THE MESA COUNTY VIRTUAL REFERENCE NETWORK. ELEVATION=4721.76
PROJECT BENCHMARK #2 IS MESA COUNTY SURVEY MONUMENT #870-1, A 3" ALUMINUM CAP LOCATED AT THE INTERSECTION OF SOUTH BROADWAY AND 20 1/4 ROAD. THIS MONUMENT IS THE CW1/16 CORNER OF SECTION 22, T11S, R101W, 6TH P.M. ELEVATION WAS ESTABLISHED USING THE MESA COUNTY VIRTUAL REVERENCE NETWORK. ELEVATION=4746.87

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

VORTEX ENGINEERING, INC.
• CONSTRUCTION MANAGERS & SITE PLANNERS
• PROJECT MANAGERS
• CIVIL & CONSULTING ENGINEERS
861 Rood Avenue
Grand Junction, CO 81501
Phone: (970) 245-9051
Fax (970) 245-7639

STEPHEN E. SWINDELL
PROFESSIONAL ENGINEER
COLORADO LICENSE No. 37688

FOR REVIEW - NOT FOR CONSTRUCTION

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REV.	DATE	COMMENT	BY
1	10/22/20	REVISED PER ROUND 1 CITY COMMENTS DATED 9/30/20	DJS

Site Plan
Magnolia Ridge Estates Final Plans - Phase 1
563 20 1/2 Road
Grand Junction, CO 81507

PROJECT NO: F19-061
DATE: 04/17/2020
f19-061 site.dwg

~SHEET~
C2.0

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF AMIR DRIVE RIGHT-OF-WAY AS RECORED WITHIN RECEPTION NUMBER 2817666

LOCATED AT 2026 S. BROADWAY

Recitals:

A vacation of a portion of public right-of-way of Amir Drive has been requested by the property owners, Hooshang David Gowhari and Elizabeth Ann Gowhari Revocable Trust Dated October 12, 2007, in anticipation of future subdivision development of the property. The existing right-of-way for Amir Drive was granted by Warranty Deed as recorded within Reception No. 2817666. Amir Drive has never been constructed and this right-of-way contains 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 a portion of public right-of-way for Amir Drive as granted by Warranty Deed by Reception No. 2817666, 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 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.

A parcel of land located in the SE1/4NW1/4 of Section 22, Township 11 South, Range 101 West, 6th Principal Meridian, City of Grand Junction, Mesa County, Colorado, being a portion of Amir Drive as deeded to the City of Grand Junction in the Warranty Deed recorded with the Clerk and Recorder of Mesa County as Reception Number 2817666 more particularly described as:

That portion of Amir Drive lying north of the following described line: Commencing at the CW1/16 of said Section 22, from which the C1/4 bears S89°23’15”E 1304.62 feet. Running thence N00°17’31”W 270.06 feet along the west line of the SE1/4NW1/4 of said Section 22 to the Point of Beginning. Running thence N89°42’29”E 30.00 feet to the east side of Amir Drive and the Point of Terminus.

Parcel contains approximately 11,496 sq. ft.

See Exhibit A.

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

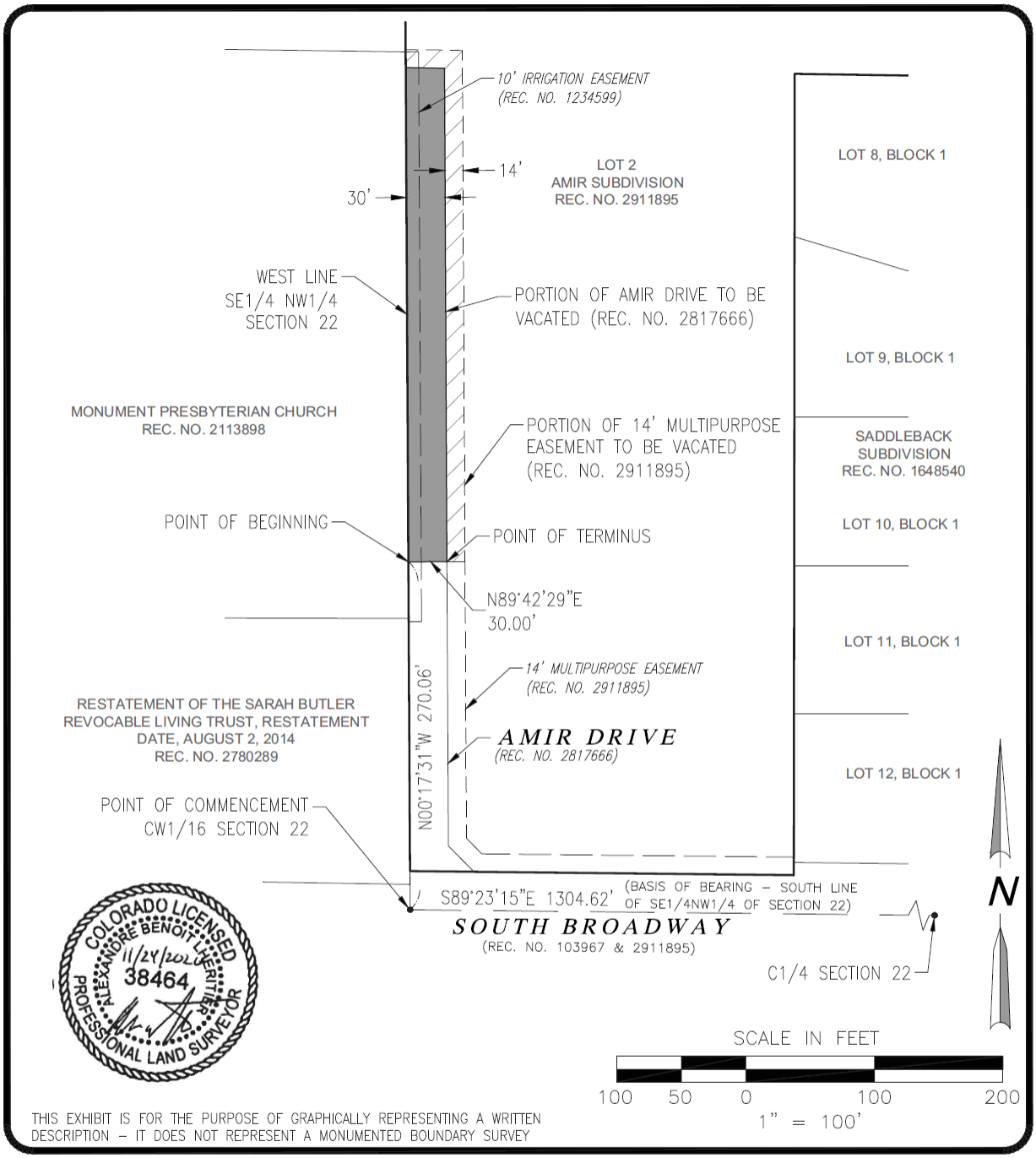
Adopted on second reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

_____ _____

City Clerk Mayor

Exhibit A:



Magnolia Ridge Estates Filing 1
Amir Drive Vacation

PROJECT NO:	DATE:	DRAWN BY:	CHECKED BY:
F19-061	11/23/2020	ABL	ABL

- Civil & Consulting Engineering
- Construction Management & Site Planning
- Feasibility Studies Permit Expediting
- Environmental Scientists
- Project Management
- Hydrologic Studies

Prepared By
VORTEX ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
(970) 245-9051

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION VACATING THE 14' MULTI-PURPOSE EASEMENT ABUTTING THAT PORTION OF AMIR DRIVE AS DEDICATED ON THE AMIR SUBDIVISION PLAT BY RECEPTION NUMBER 2911895.

LOCATED AT 2026 S. BROADWAY

RECITALS:

A vacation of the 14' Multi-Purpose Easement has been requested by the property owners, Hooshang David Gowhari and Elizabeth Ann Gowhari Revocable Trust Dated October 12, 2007, which is no longer necessary. The existing 14' Multi-Purpose Easement were conveyed to the public on the Amir Subdivision plat by Reception Number 2911895. The 14' Multi-Purpose Easement has never been developed and contains 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 a portion of the 14' Multi-Purpose Easement as identified on the Amir Subdivision plat is 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 publicly dedicated 14' Multi-Purpose Easement is hereby vacated subject to the listed condition:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents and/or dedication documents.

A parcel of land located in the SE1/4NW1/4 of Section 22, Township 11 South, Range 101 West, 6th Principal Meridian, City of Grand Junction, Mesa County, Colorado, being a portion of Amir Drive as deeded to the City of Grand Junction in the Warranty Deed recorded with the Clerk and Recorder of Mesa County as Reception Number 2817666 more particularly described as:

That portion of Amir Drive lying north of the following described line: Commencing at the CW1/16 of said Section 22, from which the C1/4 bears S89°23'15"E 1304.62 feet. Running thence N00°17'31"W 270.06 feet along the west line of the SE1/4NW1/4 of said Section 22 to the Point of Beginning. Running thence N89°42'29"E 30.00 feet to the east side of Amir Drive and the Point of Terminus.

Parcel contains approximately 11,496 sq. ft.

Along with;

That portion of the 14' Multipurpose Easement (dedicated on the Amir Subdivision Plat recorded with the Clerk and Recorder of Mesa County as Reception Number 2911895) adjacent to the portion of Amir Drive described above.

Parcel contains approximately 5,974 sq. ft.

See Exhibit A.

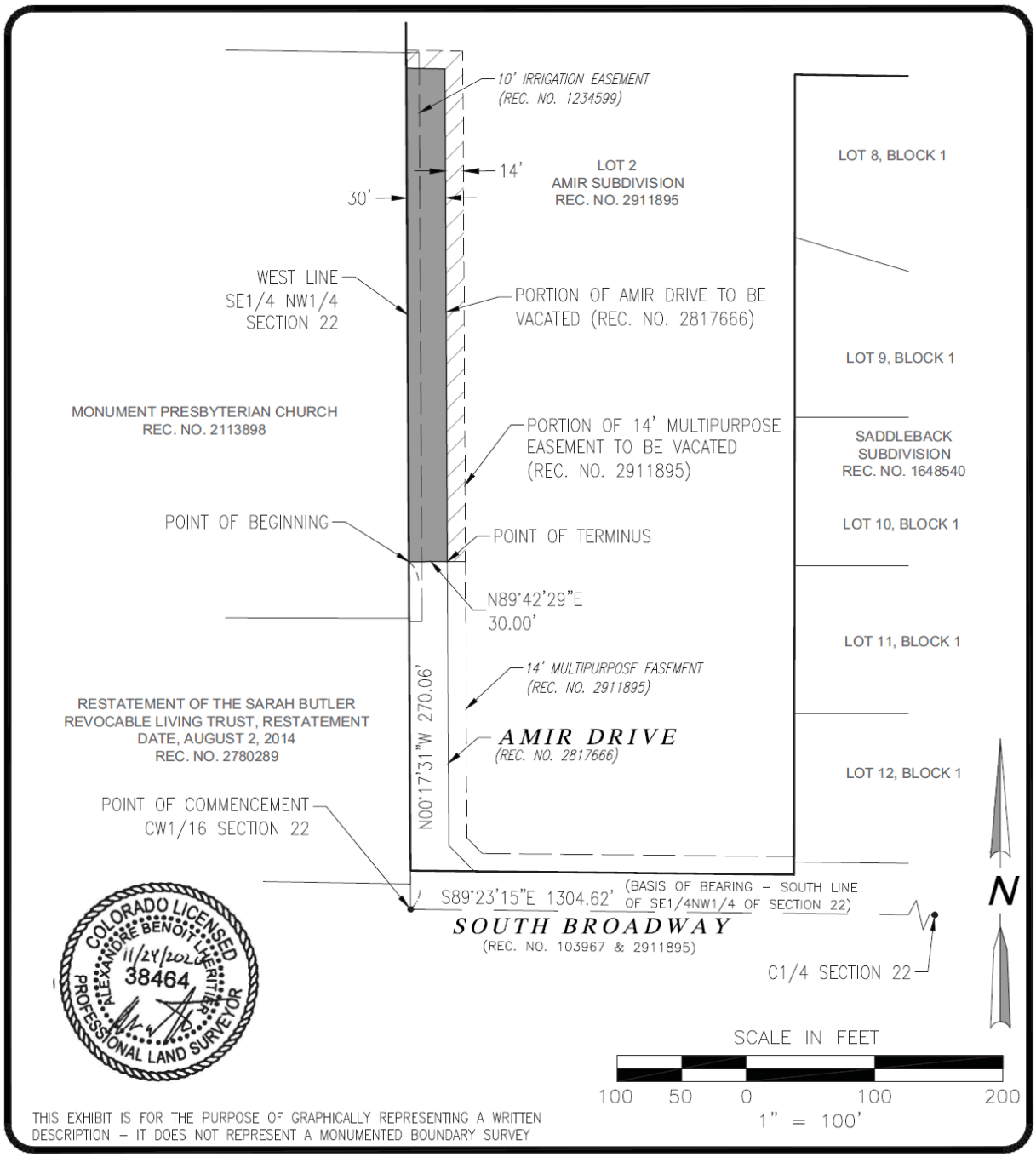
PASSED and ADOPTED this _____ day of _____, 2021.

ATTEST:

_____
President of City Council

_____
City Clerk

Exhibit A:



Magnolia Ridge Estates Filing 1
Amir Drive Vacation

PROJECT NO:	DATE:	DRAWN BY:	CHECKED BY:
F19-061	11/23/2020	ABL	ABL

- Civil & Consulting Engineering
- Construction Management & Site Planning
- Feasibility Studies Permit Expediting
- Environmental Scientists
- Project Management
- Hydrologic Studies

Prepared By
VORTEX
ENGINEERING, INC.
861 Rood Avenue
Grand Junction, CO 81501
(970) 245-9051

Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: December 8, 2020

Presented By: Jace Hochwalt, Senior Planner

Department: Community Development

Submitted By: Jace Hochwalt, Senior Planner

Information

SUBJECT:

Consider a Request by the Colorado Department of Transportation to Vacate Approximately 127 Square Feet of Grand Avenue and First Street Abutting the Southeastern Property Line of the Property Located at 200 West Grand Avenue. | Staff Presentation | Phone-in comments enter **3054**

RECOMMENDATION:

Staff recommends conditional approval of the request.

EXECUTIVE SUMMARY:

The Applicant, the Colorado Department of Transportation (CDOT), is requesting the vacation of approximately 127 square feet of Grand Avenue and First Street abutting the southeastern property line of the property located at 200 West Grand Avenue. The vacation request is in anticipation of a future modification of the First Street and Grand Avenue intersection to be constructed by CDOT, which will impact the access and parking for the property situated at 200 West Grand Avenue. The vacation will better define the property lines for 200 West Grand Avenue as it relates to the new right-of-way design, parking, and landscaping. The proposal is consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

In 2000, a Site Plan Review was completed through the City for the remodel of the entire site at 200 West Grand Avenue, inclusive of exterior site changes to parking and landscaping. As a condition of approval of that site plan review (known as City File

Number SPR-2000-147), the property owner of 200 West Grand Avenue was required to convey two small parcels totaling approximately 465 square feet to the City of Grand Junction for the purposes of “installation, operation, maintenance, repair and replacement of public roadway improvements and appurtenances”, as described and depicted in Exhibit 3. At that time, the primary reason for the right-of-way dedication was due to a portion of public sidewalk situated on private property. The conditional letter of approval was sent out for this project in November of 2000, and based on aerial photos, the project was constructed around 2004. Notably, both the Grand Avenue and First Street rights-of-way in the immediate area of the subject proposal are owned, controlled, and maintained by the Colorado Department of Transportation (CDOT), aside from the aforementioned 465 square-foot area conveyed to the City in 2000.

Since the site revisions and construction in 2004, there have been minimal changes to the property located at 200 W Grand Avenue. With that said, CDOT is currently in the process of a reconstruction and realignment project at the First Street and Grand Avenue intersection, which will affect I-70B (First Street) and State Highway 340 (Broadway/Grand Avenue). The project includes multi-modal improvements, as well as improvements to drainage, asphalt, lighting, traffic signals, access, landscaping, signing and striping. This project will impact several properties near the First Street and Grand Avenue intersection. As it relates to the property at 200 West Grand Avenue, access, parking, and landscaping will be impacted by the CDOT project. The existing access to the site off Grand Avenue will be eliminated and the street will be widened, which will modify the sidewalk location and eliminate existing parking spaces and landscaping on the south and east side of the site. CDOT is working with the property owners and the City as it relates to the site design for parking and landscaping (see Exhibit 2.2), and a minor site plan is currently under review. As proposed, all sidewalks will be within public right-of-way, and parking will remain on private property.

The vacation request encompasses 127 square feet of Grand Avenue and First Street, located adjacent to the southeast corner of the property at 200 West Grand Avenue (see Exhibit 2.1). With the redesign of the Grand Avenue and First Street intersection by CDOT, the requested vacation area is viewed as surplus right-of-way. Neither the City nor CDOT want private parking situated within right-of-way. The proposed vacation area lies between the existing private property of 200 West Grand Avenue and CDOT right-of-way which will be deeded to the property owner to accommodate additional on-site parking. While minimal in size, the requested right-of-way vacation will make for better functionality and definition of property lines due to the modifications being made to the intersection by CDOT. If the requested right-of-way vacation is not approved, the property owner would have to obtain a revocable permit to utilize the City’s right-of-way for parking.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed vacation of right-of-way was held on November 10, 2020 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team, property owner, and City staff were in attendance along with one area property owner. The Applicant team presented the purpose of the right-of-way vacation and also showed a site plan of the entire CDOT intersection project. There were no questions or concerns by attendees at the meeting.

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 November 12, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on November 27, 2020. The notice of the Planning Commission public hearing was published on December 1, 2020 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 as outlined below. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

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

While the reconstruction and realignment project proposed by CDOT does have impacts on several properties near the First Street and Grand Avenue intersection, the right-of-way vacation request will have no impact on any current or future vehicle or pedestrian access. The First Street and Grand Avenue intersection, also known as the I-70B and State Highway 340 intersection, is a CDOT controlled and maintained intersection. The Grand Junction Circulation Plan identifies Grand Avenue as a Principal Arterial and First Avenue as a Minor Arterial. The right-of-way vacation request adheres to the City's Circulation Plan, as it does not hinder the existing street classifications, and will maintain vehicular and nonvehicular circulation.

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

Goal 1: To implement the Comprehensive Pan in a consistent manner between the City, Mesa County, and other service providers.

Goal 5 / Policy A: In making land use and development decisions, the City and County will balance the needs of the community.

Goal 8 / Policy C: Enhance and accentuate the City ‘gateways’ including interstate interchanges, and other major arterial streets leading into the City.

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movements while protecting air, water, and natural resources.

Therefore, staff has found the request to vacate the existing public right-of-way does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore this criterion has been met.

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

This request is to vacate approximately 127 square feet of right-of-way adjacent to the southeast corner of the property at 200 West Grand Avenue. No parcels will be landlocked as a result of the proposed vacation request. The vacation does not have any effect on access points to the property at 200 West Grand Avenue or adjacent properties. 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;

As mentioned, CDOT is currently in the process of a reconstruction and realignment project for the First Street and Grand Avenue intersection. This project affects the property at 200 West Grand Avenue by eliminating the existing access off Grand Avenue, leaving the primary access to the property from the newly created Frontage Road to the east. With that said, the portion of right-of-way requested to be vacated would not physically impact access to any parcel. 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);

No public facilities or services are located within the proposed vacation area aside from a underground electric line owned and operated by Xcel Energy. However, the proposed Ordinance for this request identifies that the right-of-way to be vacated will remain as a public utility easement. Xcel has reviewed the proposal and has no concerns as long as an easement for the underground electric line is granted. No other comments were received from utilities or other service providers that this vacation request would create any adverse impacts or that facilities or services would be

diminished, therefore staff has found that this criterion to be 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

Upon completion of the CDOT reconstruction and realignment project, no sidewalk will exist in the right-of-way area proposed to be vacated. The only public facilities that will exist are an underground electrical line owned and operated by Xcel Energy. Neither staff nor utility providers have identified that this partial right-of-way vacation request will inhibit the provision of adequate public facilities and services. As indicated, the proposed Ordinance for this right-of-way vacation request identifies that the right-of-way to be vacated will remain as a public utility easement due to the existing underground utilities in the area. 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 nominally change as a result of the proposed vacation request. CDOT controls the First Street and Grand Avenue intersection (and immediately surrounding area). While minimal in size, the primary purpose of the vacation request is to better define the property lines for 200 West Grand Avenue as it relates to the new right-of-way design, parking, and landscaping due to the reconstruction and realignment project being completed by CDOT. As such, Staff finds that this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request from the Colorado Department of Transportation to vacate a 127 square foot portion of Grand Avenue and First Street, City file number VAC-2020-627, for the property located at 200 W. Grand Avenue, 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 of the Zoning and Development Code.

Condition 1: A Minor Site Plan review and approval will be required for the revision to parking and landscaping for the property at 200 West Grand Avenue.

Therefore, Staff recommends conditional approval of the request.

SUGGESTED MOTION:

Chairman, on the request to vacate approximately 127 square feet of Grand Avenue and First Street right-of-way, located at 200 W. Grand Avenue, City file number VAC-2020-627, 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. Exhibit 1 - Application Packet
2. Exhibit 2 - Maps and Illustrations
3. Exhibit 3 - Original ROW Warranty Deed
4. Exhibit 4 - Neighborhood Meeting Documentation

CITY OF Grand Junction COLORADO

COMMUNITY DEVELOPMENT

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: Right of Way vacation

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:	SE corner, 200 W Grand Ave, Grand Central Plaza Complex	Site Acreage:	Less than 200 SF
Site Tax No(s):	2945-151-23-000	Site Zoning:	C-1

Project Description: ROW vacation to accomodate new alignment of CDOT I-70B at 1st & Grand Ave and development of parking

Property Owner Information		Applicant Information		Representative Information	
Name:	Grand Central Plaza Condominium Assoc., Inc.	Name:	Colorado Department of Transportation	Name:	Doug Killerud
Street Address:	200 W Grand Ave	Street Address:	222 S 6th Street, Rm 317	Street Address:	222 S 6th St, Rm 317
City/State/Zip:	Grand Junction, CO 81501	City/State/Zip:	Grand Junction, CO 81051	City/State/Zip:	Grand Junction, CO 81501
Business Phone #:	970-412-8000	Business Phone #:	970-683-6238	Business Phone #:	970-683-6238
E-Mail:	321gmac@gmail.com	E-Mail:	douglas.killerud@state.co.us	E-Mail:	douglas.killerud@state.co.us
Fax #:		Fax #:		Fax #:	
Contact Person:	Mac Christensen	Contact Person:	Doug Killerud	Contact Person:	Doug Killerud
Contact Phone #:	970-412-8000	Contact Phone #:	970-683-6238	Contact Phone #:	970-683-6238

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	Douglas R Killerud	Date	10/21/20
Signature of Legal Property Owner	[illegible]	Date	10/21/2020

COLORADO
Department of Transportation
Region 3

222 South 6th Street, Rm 317
Grand Junction, CO 81501-2769

NHPP 070A-030
21986 – 1ST & GRAND AVE I-70B, GRAND JUNCTION
PROJECT NARRATIVE

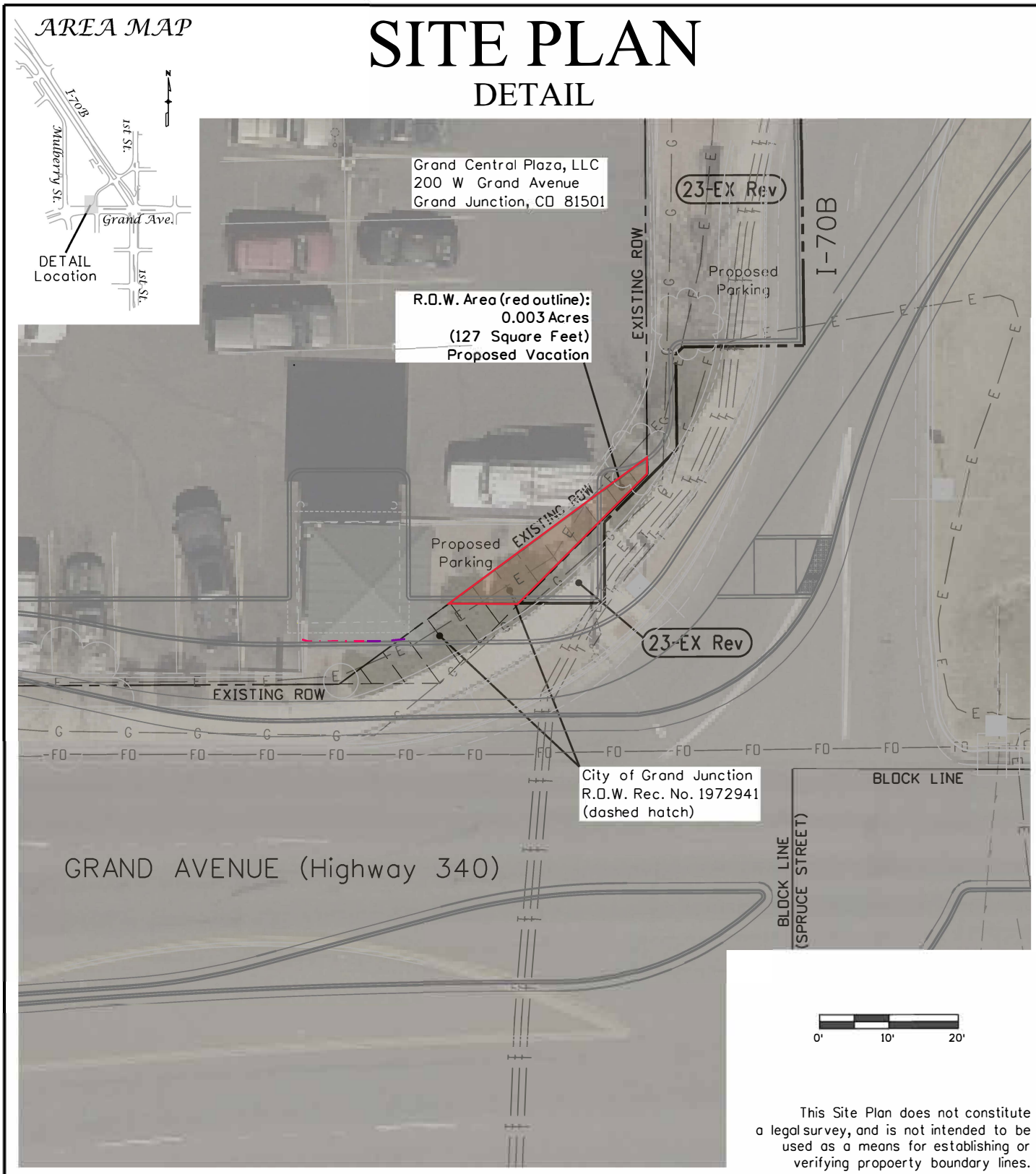
This project is located in the City of Grand Junction on I-70B and SH 340. The project includes reconstruction and realignment of I-70B, SH 340, N 1st St and Mulberry St. It includes multimodal improvements as well as improvements to drainage, asphalt, lighting, traffic signals, access, landscaping, signing and striping.

The ROW vacation is requested due to a small parcel necessary to complete construction of parking spaces at the Grand Central Plaza commercial condominiums, 200 W. Grand Ave. CDOT has an agreement in place that is satisfactory to CDOT and the Condo Association. We have received preliminary support from the City Community Development Department.

Thank you.

SITE PLAN

DETAIL



This Site Plan does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying propoerty boundary lines.

Colorado Department of Transportation

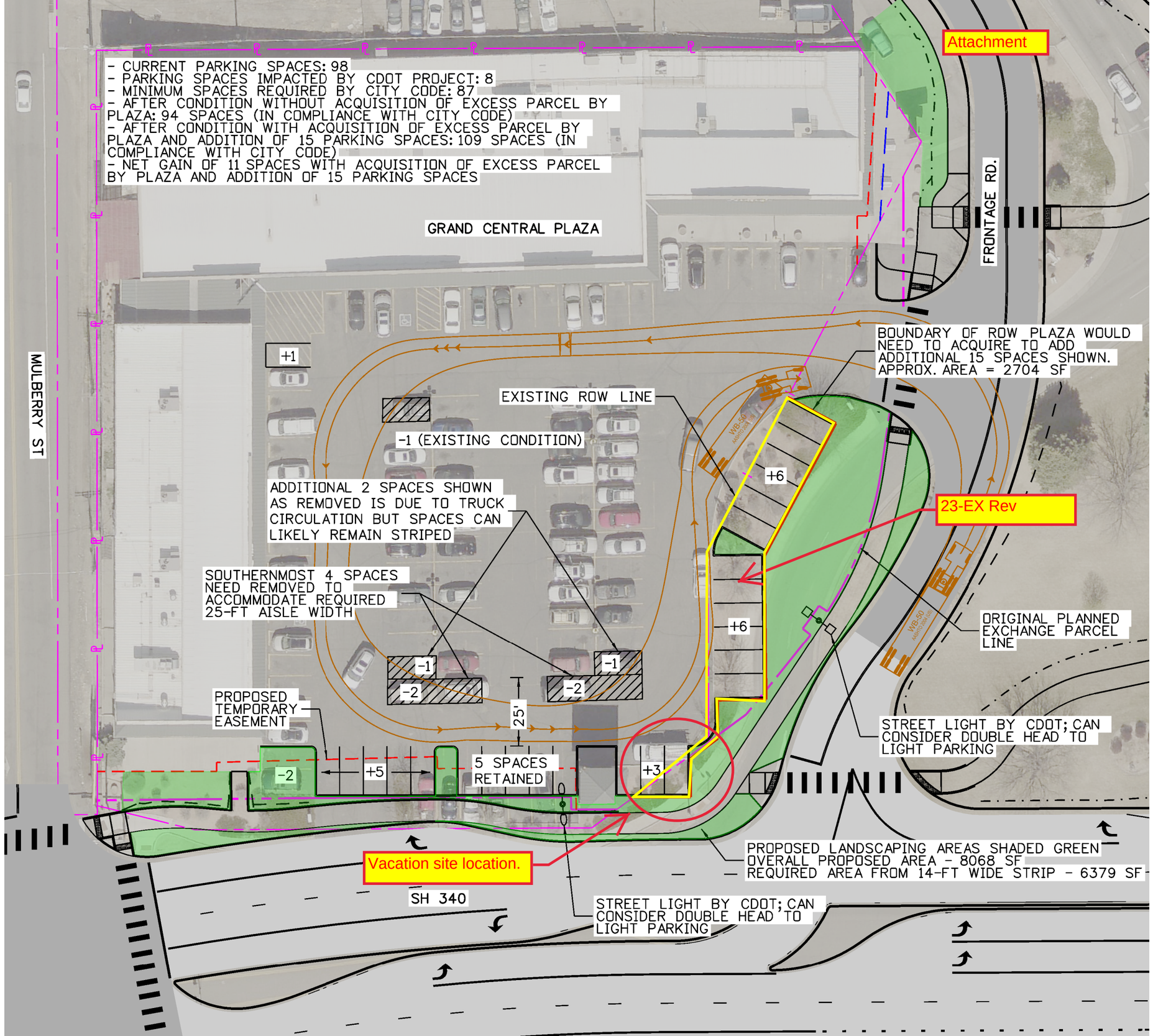
Region 3

222 South 6th Street
Room 317
Grand Junction, CO 81501
Phone: 970-683-6236
FAX: 970-683-6227

JMK

N

SITE PLAN			
Detail			
Project Number: NHPP 070A-030			
Project Location: I-70B 1st Street & Grand Avenue			
Project Code:	Last Mod. Date	Subset	Sheet No.
21986	10-22-20	n/a	1 OF 1


Attachment
- CURRENT PARKING SPACES: 98
- PARKING SPACES IMPACTED BY CDOT PROJECT: 8
- MINIMUM SPACES REQUIRED BY CITY CODE: 87
- AFTER CONDITION WITHOUT ACQUISITION OF EXCESS PARCEL BY PLAZA: 94 SPACES (IN COMPLIANCE WITH CITY CODE)
- AFTER CONDITION WITH ACQUISITION OF EXCESS PARCEL BY PLAZA AND ADDITION OF 15 PARKING SPACES: 109 SPACES (IN COMPLIANCE WITH CITY CODE)
- NET GAIN OF 11 SPACES WITH ACQUISITION OF EXCESS PARCEL BY PLAZA AND ADDITION OF 15 PARKING SPACES
GRAND CENTRAL PLAZA
FRONTAGE RD.
MULBERRY ST
+1
-1 (EXISTING CONDITION)
EXISTING ROW LINE
BOUNDARY OF ROW PLAZA WOULD NEED TO ACQUIRE TO ADD ADDITIONAL 15 SPACES SHOWN. APPROX. AREA = 2704 SF
+6
23-EX Rev
ADDITIONAL 2 SPACES SHOWN AS REMOVED IS DUE TO TRUCK CIRCULATION BUT SPACES CAN LIKELY REMAIN STRIPED
SOUTHERNMOST 4 SPACES NEED REMOVED TO ACCOMMODATE REQUIRED 25-FT AISLE WIDTH
-1
-2
+6
ORIGINAL PLANNED EXCHANGE PARCEL LINE
PROPOSED TEMPORARY EASEMENT
25'
STREET LIGHT BY CDOT; CAN CONSIDER DOUBLE HEAD TO LIGHT PARKING
-2
+5
5 SPACES RETAINED
+3
Vacation site location.
PROPOSED LANDSCAPING AREAS SHADED GREEN
OVERALL PROPOSED AREA - 8068 SF
REQUIRED AREA FROM 14-FT WIDE STRIP - 6379 SF
SH 340
STREET LIGHT BY CDOT; CAN CONSIDER DOUBLE HEAD TO LIGHT PARKING

Description

A tract or parcel of land, situated in the SE 1/4 NE 1/4, of Section 15, Township 1 South, Range 1 West, of the Ute Principal Meridian, City of Grand Junction, Mesa County, Colorado, said parcel being a portion of land referred to as Parcel No. 1, at Reception Number 1972941 of the Mesa County Clerk and Recorder's Office and being more particularly described as follows.

Commencing at the East 1/4 Corner of said Section 15, and considering the south line of the SE 1/4 NE 1/4 to bear South 89°47'53" West with all bearings contained herein being relative thereto; thence South 89°47'53" West along the south line of the SE 1/4 NE 1/4 of said Section 15, a distance of 454.49 feet; thence leaving the line of said SE 1/4 NE 1/4, North 00°12'07" West, a distance of 97.40 feet to west corner of said Parcel No. 1; Thence along northwestern line of said Parcel No. 1, North 53°49'37" East, a distance of 19.60 feet to the TRUE POINT OF BEGINNING;

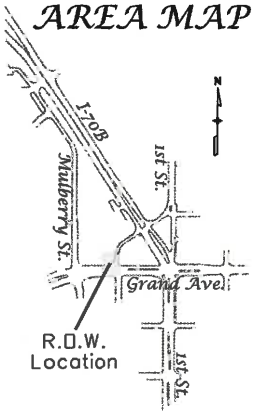
1. Thence continuing along said Parcel No. 1, North 53°49'37" East, a distance of 35.35 feet;
2. Thence South 00°12'07" East, a distance of 2.29 feet;
3. Thence South 44°47'54" West, a distance of 26.16 feet;
4. Thence bisecting said Parcel No. 1, South 89°57'52" West, a distance of 10.11 feet more or less to the TRUE POINT OF BEGINNING.

Said tract of land contains 127 square feet (0.003 acres), more or less.

For and on behalf of the
Colorado Department of Transportation
Brian K. Bowker, PLS 38122
(970) 683-6240
222 South 6th Street, Room 317
Grand Junction, CO 81501

EXHIBIT A

T1S, R1W, UTE P.M.
SEC. 15



Grand Central Plaza, LLC
200 W Grand Avenue
Grand Junction, CO 81501
Grand Central Plaza Condominium
Reception No. 2345023

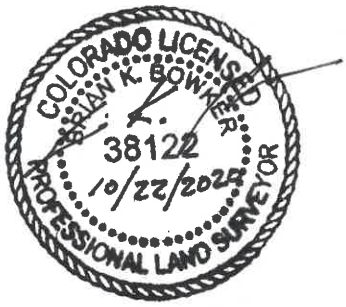
EXISTING ROW
Book 686 Page 427

I-70B

EXISTING ROW FROM
PROJECT NO. F001-1(12)

R.O.W. Area (solid hatch):
0.003 Acres
(127 Square Feet)

LINE TABLE		
L1	S00° 12'07"E	2.29'
L2	S89° 57'52"W	10.11'



P.O.B.

N53° 49'37"E 35.35'

S44° 47'54"W 26.16'

L1

L2

N53° 49'37"E 19.60'

EX. ROW

City of Grand Junction
R.O.W. Rec. No. 1972941
(dashed hatch)

EXISTING ROW
Book 375 Page 486

EXISTING ROW FROM
PROJECT NO. F.A.G.M. 19A(1)
& SU-0340(2)

N00° 12'07"W 97.40'

GRAND AVENUE

(Highway 340)

BLOCK LINE

S89° 47'53"W 454.49'

Basis of Bearings

1/4 Section Line

East 1/4
Section 15

BLOCK LINE
(SPRUCE STREET)

0' 10' 20'

NOTES:
Basis of Bearings are based on original R.O.W. Deed Rec. No. 1972941. Project bearings for NHPP 070A-030 are rotated by -00° 05'20".

This sketch shown hereon and associated description has been derived from 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 propoerty boundary lines.

Colorado Department of Transportation
222 South 6th Street
Room 317
Grand Junction, CO 81501
Phone: 970-683-6236
FAX: 970-683-6227
Region 3
JMK

N

Exhibit A
Sketch

Project Number: NHPP 070A-030
Project Location: I-70B 1st Street & Grand Avenue

Project Code:	Last Mod. Date	Subset	Sheet No.
21986	10-22-20	n/a	2 OF 2

CORPORATE RESOLUTION

RESOLVED: By the Owners of Grand Central Plaza Condominium Association, Inc., a Colorado nonprofit corporation (Plaza), in accordance with the Declaration, that approval be granted to execute a Memorandum of Agreement which will constitute the final settlement, by and between Plaza and the Colorado Department of Transportation (CDOT) for the conveyance of: one (1) fee simple parcel, one (1) permanent easement and two (2) temporary construction easements, as described in Exhibit "A", to CDOT:

FURTHER RESOLVED: By the Owners of Plaza, in accordance with the Declaration, that approval be granted to execute a Warranty Deed for parcel RW-9, and an Easement Agreement for parcel PE-9 for the purpose of storm drain construction and maintenance, as described in attached Exhibit "A" to CDOT; as required per the terms prescribed within the aforementioned Memorandum of Agreement.

FURTHER RESOLVED: By the Owners of Grand Central Plaza Condominium Association, Inc., in accordance with the Declaration, that approval be granted to accept parcel 23-EX Rev from CDOT in exchange for certain property rights for construction purposes, as described in attached Exhibit "A"; as required per the terms prescribed within the aforementioned Memorandum of Agreement.

FURTHER RESOLVED: That Mac Christensen, is hereby designated as the sole representative of Plaza, and is hereby authorized to sign on behalf of and in the name of aforesaid Corporation and its Owners and under its corporate seal, if available, all instruments necessary to provide for sale, easement, conveyance, exchange or closing of the real property interests to CDOT as described in Exhibit "A", and attached hereto and incorporated herein by reference.

END OF RESOLUTION

I, Sandra D. Amico, Secretary/Registered Agent of Grand Central Plaza Condominium Association, Inc., a Colorado nonprofit corporation, do certify that the above is a true and correct copy of a resolution and Owner Consent forms, duly adopted by the Owners of Plaza; and that the resolution was adopted by at least 75% of the Owners; that the resolution has not been rescinded, but is in full force and effect.

Dated this 30th day of September, 2020

Sandra Amico

BY: Sandra Amico

TITLE: Secretary, Registered Agent

STATE OF COLORADO

County of Mesa

The foregoing instrument was acknowledged before me this 30th day of September, 20 20, by Sandra Amico, as Secretary/Registered Agent of Grand Central Plaza Condominium Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: 6/1/2024

DOUGLAS R KILLERUD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124034326
MY COMMISSION EXPIRES JUNE 1, 2024

Notary Public

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

- Cash settlement in the amount of $10,000 to the Association;
- Construction by CDOT of a net gain of 11 parking spaces, curb and gutter;
- Installation of landscaping by CDOT as required by the City of Grand Junction;
- Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;
- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I JANET GARDNER (printed name)

Janet Gardner (signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 1 & 8, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: 9/28/20, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- Installation of landscaping by CDOT as required by the City of Grand Junction;
- Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;
- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I JANET BURKEY (printed name)
Janet A Burkey. (signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 2A, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: 9/29/2020, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

- **Cash settlement in the amount of $10,000 to the Association;**
- **Construction by CDOT of a net gain of 11 parking spaces, curb and gutter;**
- **Installation of landscaping by CDOT as required by the City of Grand Junction;**
- **Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;**
- **Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;**
- **Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.**

I Robert Steveson **(printed name)**

_____ **(signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No.** 3A, 3B, 4 **, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.**

Date: October 2 **, 2020**

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

- Cash settlement in the amount of $10,000 to the Association;
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- Installation of landscaping by CDOT as required by the City of Grand Junction;
- Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;
- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I Mac CHRISTENSEN (printed name)

_____(signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 5, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: 9/30, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- Construction by CDOT of a net gain of 11 parking spaces, curb and gutter;
- Installation of landscaping by CDOT as required by the City of Grand Junction;
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- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I David B. Caldwell (printed name)
David B. Caldwell (signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 6, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: 09 / 29, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- Installation of landscaping by CDOT as required by the City of Grand Junction;
- Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;
- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I Brant McNicol (printed name) Unit

_____(signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 2A, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: 9-28, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- Installation of landscaping by CDOT as required by the City of Grand Junction;
- Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;
- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I Theresa Lopez (printed name)

Theresa Lopez (signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 7B, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: September 29th, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- Installation of landscaping by CDOT as required by the City of Grand Junction;
- Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;
- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I Ceemay Trujillo (printed name)
Ceemay Trujillo (signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 7C, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: 9/28, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I Jeffrey G Chandler (printed name)

_____ (signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. 9, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: Sept 28, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- Construction by CDOT of a net gain of 11 parking spaces, curb and gutter;
- Installation of landscaping by CDOT as required by the City of Grand Junction;
- Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;
- Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;
- Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.

I The Roger & Sharon Sollenberger Family Trust (printed name)
Roger Sollenberger, Trustee (signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No. Unit 10, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.

Date: Sept 29, _____, 2020

Owner Consent of Corporate Resolution

Grand Central Plaza Condominium Association, Inc.,

a Colorado nonprofit corporation

Shall the Grand Central Plaza Condominium Association (Association) come to agreement terms with the Colorado Department of Transportation (CDOT) as negotiated by Association representative, Mac Christensen, with regard to CDOT's project NHPP 070A-030, project code 21986, I-70B at 1st and Grand Ave? General terms include:

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- **Installation of landscaping by CDOT as required by the City of Grand Junction;**
- **Conveyance from Association of fee simple parcel RW-9, permanent easement PE-9 to CDOT;**
- **Conveyance from Association of temporary construction easement parcels TE-9 and TE-9A, having a 15-month duration from the date the contractor enters the property for construction;**
- **Allowance by Association for CDOT to use additional General Common Elements for the purposes of landscape installation and construction of said new parking spaces.**

I Robert Steveson **(printed name)**

_____ **(signature), certify that I am the Owner, or Owner's Authorized Representative of Condominium No.** 3A, 3B, 4 **, of the Grand Central Plaza Condominium Association, and that by my signature I consent to the terms and conditions set forth above and that the attached Corporate Resolution be adopted.**

Date: October 2 **, 2020**

EXHIBIT "A"

PROJECT CODE: 21986
PROJECT NUMBER: NHPP 070A-030
PARCEL NUMBER: RW-9
DATE: DECEMBER 23, 2019

LEGAL DESCRIPTION

A tract or parcel of land No. RW-9 of the Department of Transportation, State of Colorado, Project Code 21986, Project Number NHPP 070A-030, containing 0.046 acres, more or less, in the NE ¼ of Section 15, Township 1 South, Range 1 West, of the Ute Principal Meridian, Mesa County, Colorado, said tract or parcel being more particularly described as follows:

Commencing at the N1/16 Corner of said Section 15 & 14, thence South 20°53'12" West, a distance of 1301.05 feet the TRUE POINT OF BEGINNING;

1. Thence North 89°47'13" East, a distance of 17.33 feet to the west right-of-way line of I-70B;

2. Thence along said west right-of-way line, South 53°44'17" West, a distance of 11.75 feet to the north right-of-way line of Grand Avenue;

3. Thence along said north right-of-way line, South 89°42'33" West, a distance of 151.05 feet;

4. Thence continuing along said right-of-way line, North 76°03'36" West, a distance of 38.07 feet;

5. Thence North 00°04'36" West, a distance of 2.01 feet;

6. Thence North 89°22'53" East, a distance of 96.85 feet;

7. Thence North 89°52'29" East, a distance of 83.28 feet;

8. Thence South 00°12'47" East, a distance of 4.76 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described parcel contains 0.046 acres, more or less.

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of N00°03'03"E from P035 a 2 1/2" brass cap Mesa County Survey Marker 828-1 for the southeast corner of Section 15, Township 1 South, Range 1 West, of the Ute Principal Meridian to a 3" brass cap Mesa County Survey Marker 630-1 at the N 1/16 of Sections 15 and 14, Township 1 South, Range 1 West, of the Ute Principal Meridian. The survey data was obtained from a Global Positioning System (GPS) survey base on the Colorado High Accuracy Reference Network (CHARN).

For and on behalf of the
Colorado Department of Transportation
Brian K. Bowker, PLS 38122
(970) 683-6240
222 South 6th Street, Room 317
Grand Junction, CO 81501

EXHIBIT "A"

PROJECT CODE: 21986
PROJECT NUMBER: NHPP-070A-030
PERMANENT EASEMENT NUMBER: PE-9
DATE: DECEMBER 23, 2019

LEGAL DESCRIPTION

A Permanent Easement No. PE-9 of the Department of Transportation, State of Colorado, Project Code 21986, Project Number NHPP-070A-030, containing 338 square feet, more or less, in the NE 1/4 of Section 15, Township 1 South, Range 1 West, of the Ute Principal Meridian, in Mesa County, Colorado, said Permanent Easement being more particularly described as follows:

Commencing at the N1/16 Corner of said Section 15 & 14, thence South 20°00'51" West, a distance of 1003.05 feet to the west right-of-way line of I-70B, also being the TRUE POINT OF BEGINNING;

1. Thence along said west right-of-way line, South 33° 20' 24" East, a distance of 22.75 feet;

2. Thence continuing along said west right-of-way line, South 27° 32' 19" West, a distance of 34.04 feet;

3. Thence North 03° 45' 39" East, a distance of 49.30 feet to the TRUE POINT OF BEGINNING.

The above described Permanent Easement contains 338 square feet more or less.

The purpose of the above described Permanent Easement is for storm drain and storm drainage maintenance.

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of N00°03'03"E from P035 a 2 1/2" brass cap Mesa County Survey Marker 828-1 for the southeast corner of Section 15, Township 1 South, Range 1 West, of the Ute Principal Meridian to a 3" brass cap Mesa County Survey Marker 630-1 at the N 1/16 of Sections 15 and 14, Township 1 South, Range 1 West, of the Ute Principal Meridian. The survey data was obtained from a Global Positioning System (GPS) survey base on the Colorado High Accuracy Reference Network (CHARN).

For and on the behalf of the
Colorado Department of Transportation
Brian K. Bowker, PLS 38122
222 South 6th Street, Room 317, Grand Junction, CO 81501

Colorado Department of Transportation

222 South 6th Street
Room 317
Grand Junction, CO 81501
Phone: 970-683-6236
FAX: 970-683-6227

Region 3 JMK

Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

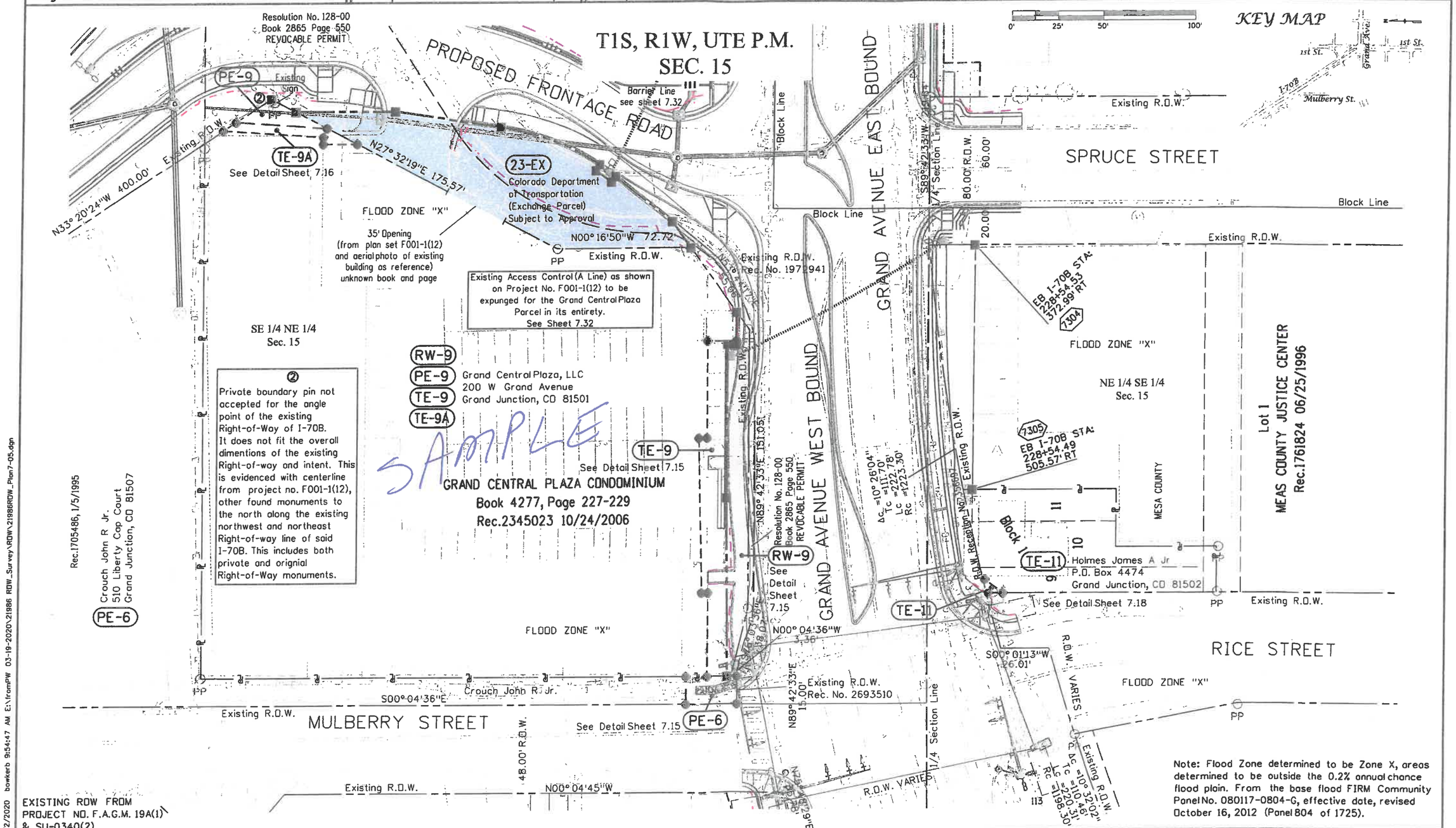
Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Right of Way Plans
Plan Sheet

Project Number: NHPP 070A-030
Project Location: I-70B 1st Street & Grand Avenue

Project Code:	Last Mod. Date	Subset	Sheet No.
21986	04-02-20	7.01 to 7.32	7.14



Note: Flood Zone determined to be Zone X, areas determined to be outside the 0.2% annual chance flood plain. From the base flood FIRM Community Panel No. 080117-0804-G, effective date, revised October 16, 2012 (Panel 804 of 1725).

4/2/2020 bowkerb 9:54:47 AM E:\fromPW 03-19-2020\21986 RDW_Survey\RDW\21986RDW_Plan7-05.dgn

Colorado Department of Transportation
222 South 6th Street
Room 317
Grand Junction, CO 81501
Phone: 970-683-6236
FAX: 970-683-6227
Region 3 JMK

Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

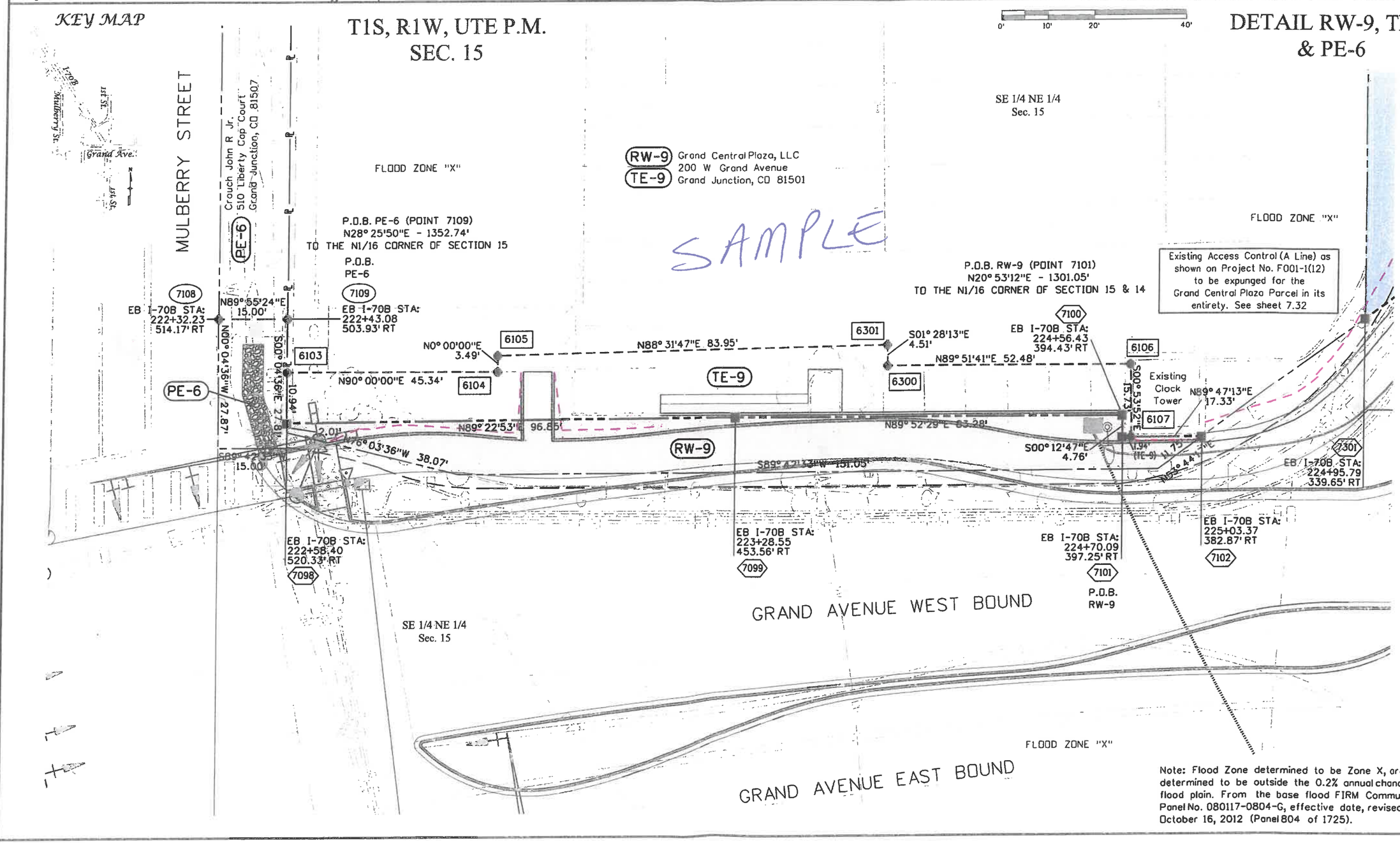
Sheet Revisions		
Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

N

Right of Way Plans
Plan Sheet

Project Number: NHPP 070A-030
Project Location: I-70B 1st Street & Grand Avenue

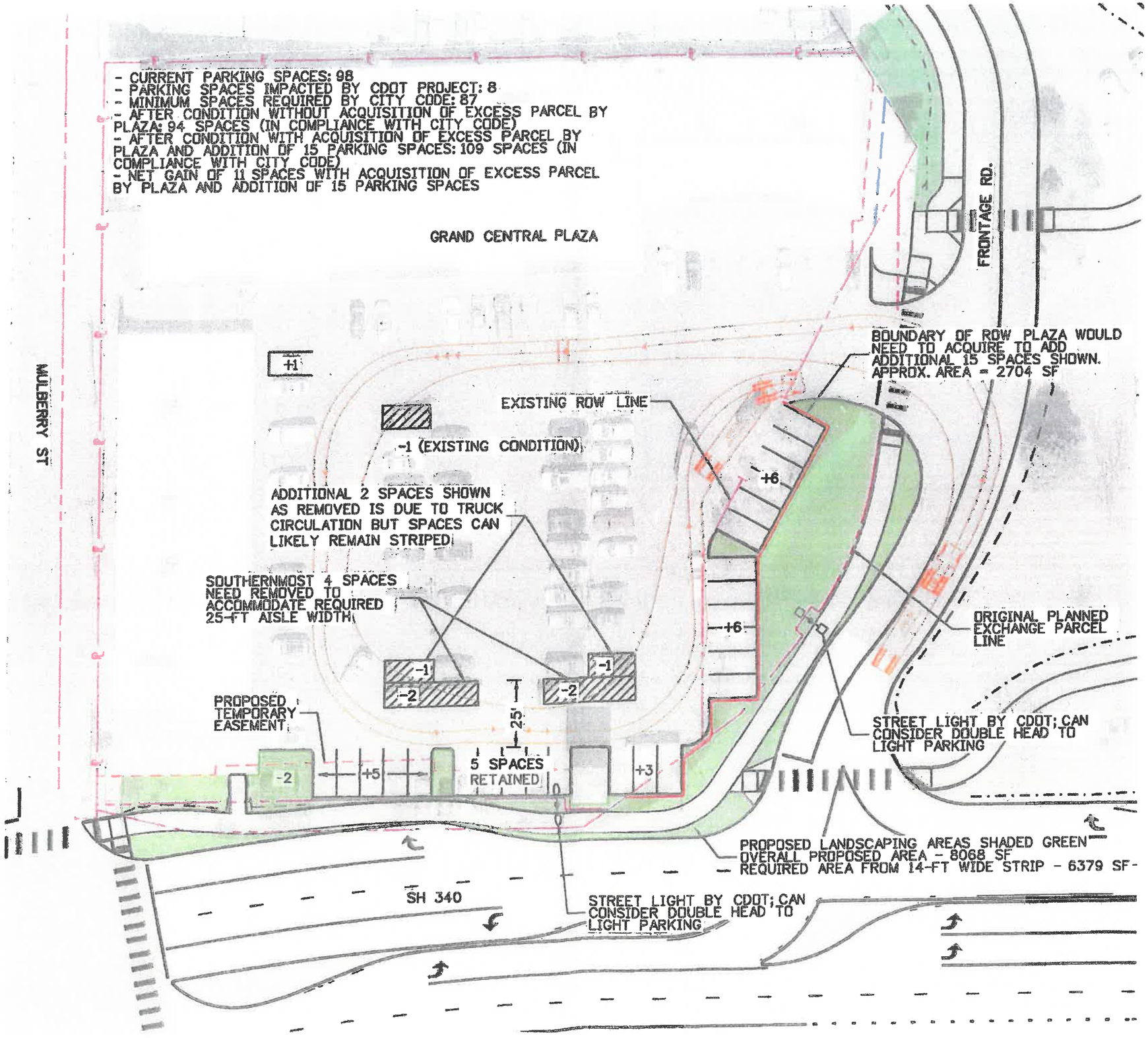
Project Code:	Last Mod. Date	Subset	Sheet No.
21986	04-02-20	7.01 of 7.32	7.15



Note: Flood Zone determined to be Zone X, areas determined to be outside the 0.2% annual chance flood plain. From the base flood FIRM Community Panel No. 080117-0804-G, effective date, revised October 16, 2012 (Panel 804 of 1725).

4/2/2020 bowkerb 10:25:23 AM E:\FromPW 03-19-2020\21986 RDW_Survey\RDW\21986RDW_Plan7-05A.dgn

Exhibit B


- CURRENT PARKING SPACES: 98
- PARKING SPACES IMPACTED BY CDOT PROJECT: 8
- MINIMUM SPACES REQUIRED BY CITY CODE: 87
- AFTER CONDITION WITHOUT ACQUISITION OF EXCESS PARCEL BY PLAZA: 94 SPACES (IN COMPLIANCE WITH CITY CODE)
- AFTER CONDITION WITH ACQUISITION OF EXCESS PARCEL BY PLAZA AND ADDITION OF 15 PARKING SPACES: 109 SPACES (IN COMPLIANCE WITH CITY CODE)
- NET GAIN OF 11 SPACES WITH ACQUISITION OF EXCESS PARCEL BY PLAZA AND ADDITION OF 15 PARKING SPACES
GRAND CENTRAL PLAZA
FRONTAGE RD.
MULBERRY ST
+1
BOUNDARY OF ROW PLAZA WOULD NEED TO ACQUIRE TO ADD ADDITIONAL 15 SPACES SHOWN. APPROX. AREA = 2704 SF
EXISTING ROW LINE
-1 (EXISTING CONDITION)
+6
ADDITIONAL 2 SPACES SHOWN AS REMOVED IS DUE TO TRUCK CIRCULATION BUT SPACES CAN LIKELY REMAIN STRIPED
SOUTHERNMOST 4 SPACES NEED REMOVED TO ACCOMMODATE REQUIRED 25-FT AISLE WIDTH
+6
ORIGINAL PLANNED EXCHANGE PARCEL LINE
-1
-2
-1
-2
25'
PROPOSED TEMPORARY EASEMENT
STREET LIGHT BY CDOT; CAN CONSIDER DOUBLE HEAD TO LIGHT PARKING
-2
+5
5 SPACES RETAINED
+3
PROPOSED LANDSCAPING AREAS SHADED GREEN
OVERALL PROPOSED AREA - 8068 SF
REQUIRED AREA FROM 14-FT WIDE STRIP - 6379 SF
SH 340
STREET LIGHT BY CDOT; CAN CONSIDER DOUBLE HEAD TO LIGHT PARKING

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Grand Central Plaza Condominium Assoc., Inc. ("Entity") is the owner of the following property:

(b) 200 W Grand Ave, Grand Central Plaza Complex Common Area, Grand Junction, CO 80501

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) Sole 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:

Limited to transaction regarding the CDOT project NHPP070A-030 Code 21986, I-70B at 1st & Grand

○ The Entity is the sole owner of the property.

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

LKG LLC, Burkey Investments LLC, Tatooine Property Group LLC, JMJ Properties LLC, Galina Vasilyeve-Olsen, Shane and Brent McNicol, T&A Properties LLC, Shawn and Ceemey Trujillo, LKG LLC, Jeff Chandler Insurance LLC, Roger and Sharon Sollenbarger Family Trust

On behalf of Entity, I have reviewed the application for the (d) Right of way vacation

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

(e) N/A

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: [signature]

Printed name of person signing: Mac Christensen

State of COLORADO)

County of Mesa) ss.

Subscribed and sworn to before me on this 21st day of October, 20 20

by Mac Christensen as representative of.

Witness my hand and seal.

My Notary Commission expires on 6/1/24

DOUGLAS R KILLERUD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124034326
MY COMMISSION EXPIRES JUNE 1, 2024

[signature]
Notary Public Signature

Exhibit 2.1 – Detailed Vacation Area

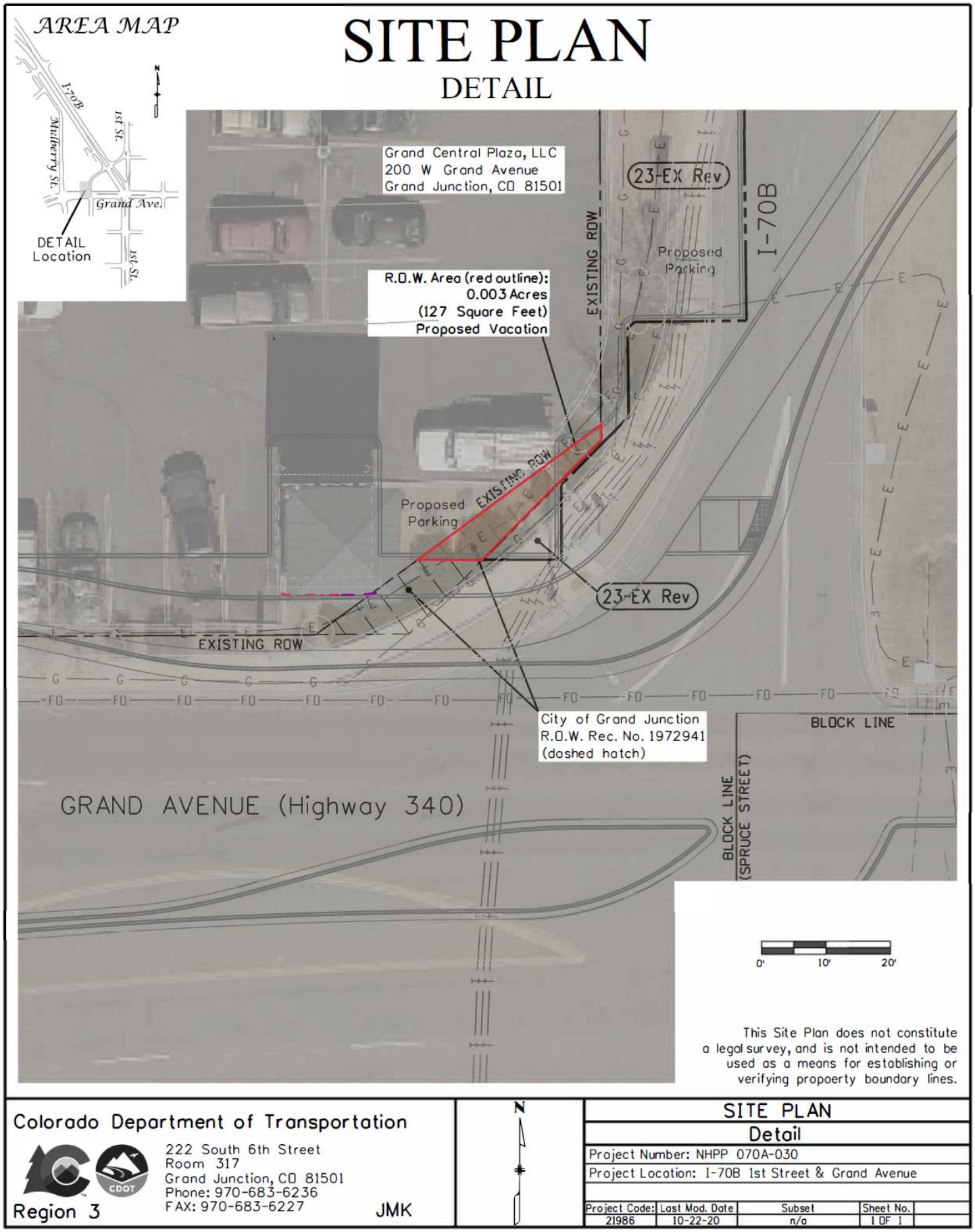


Exhibit 2.2 – Preliminary Site Plan (200 W Grand Avenue)

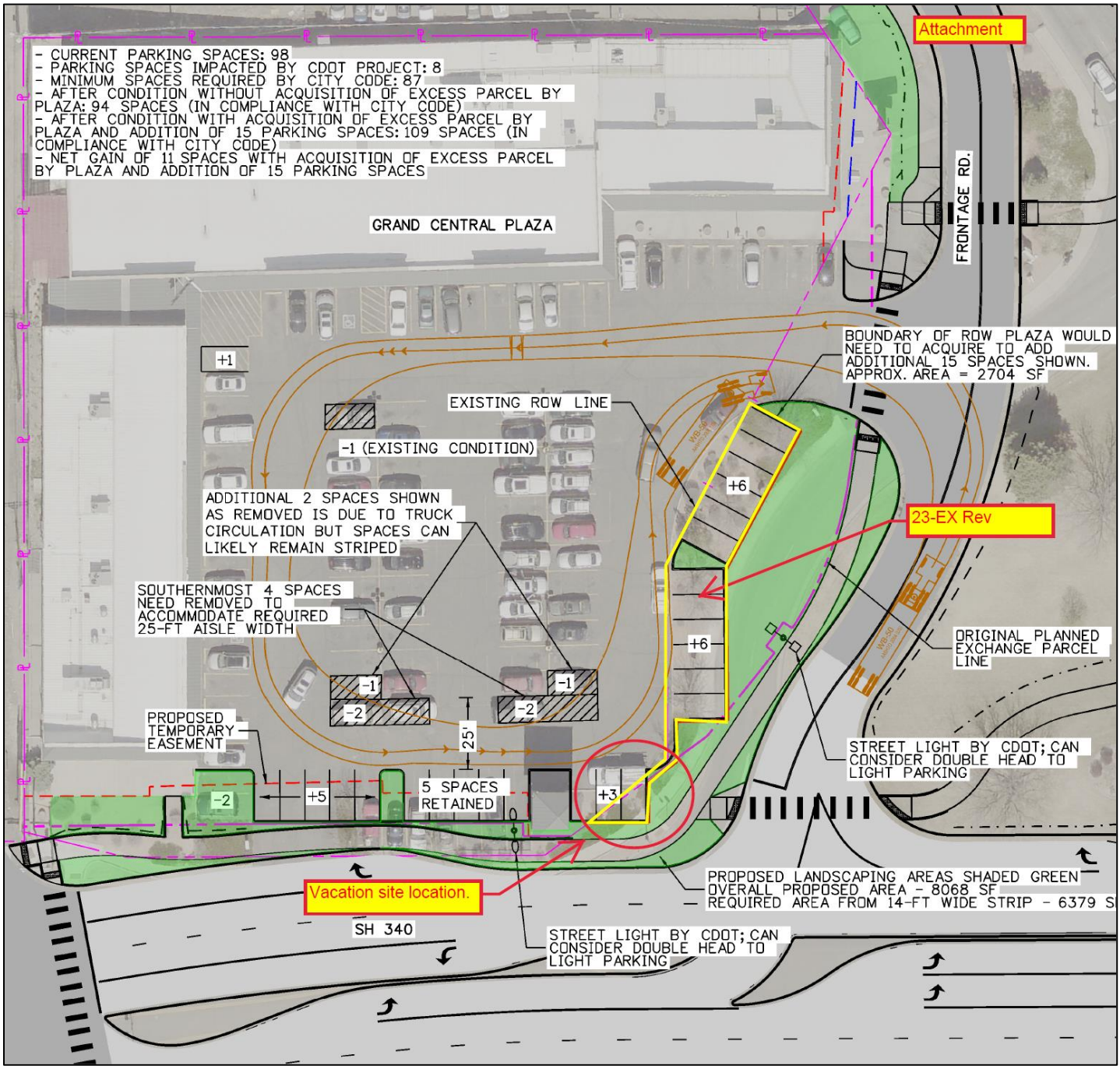


Exhibit 2.3 – CDOT Acquisition/Conveyance Area (200 W Grand Avenue)

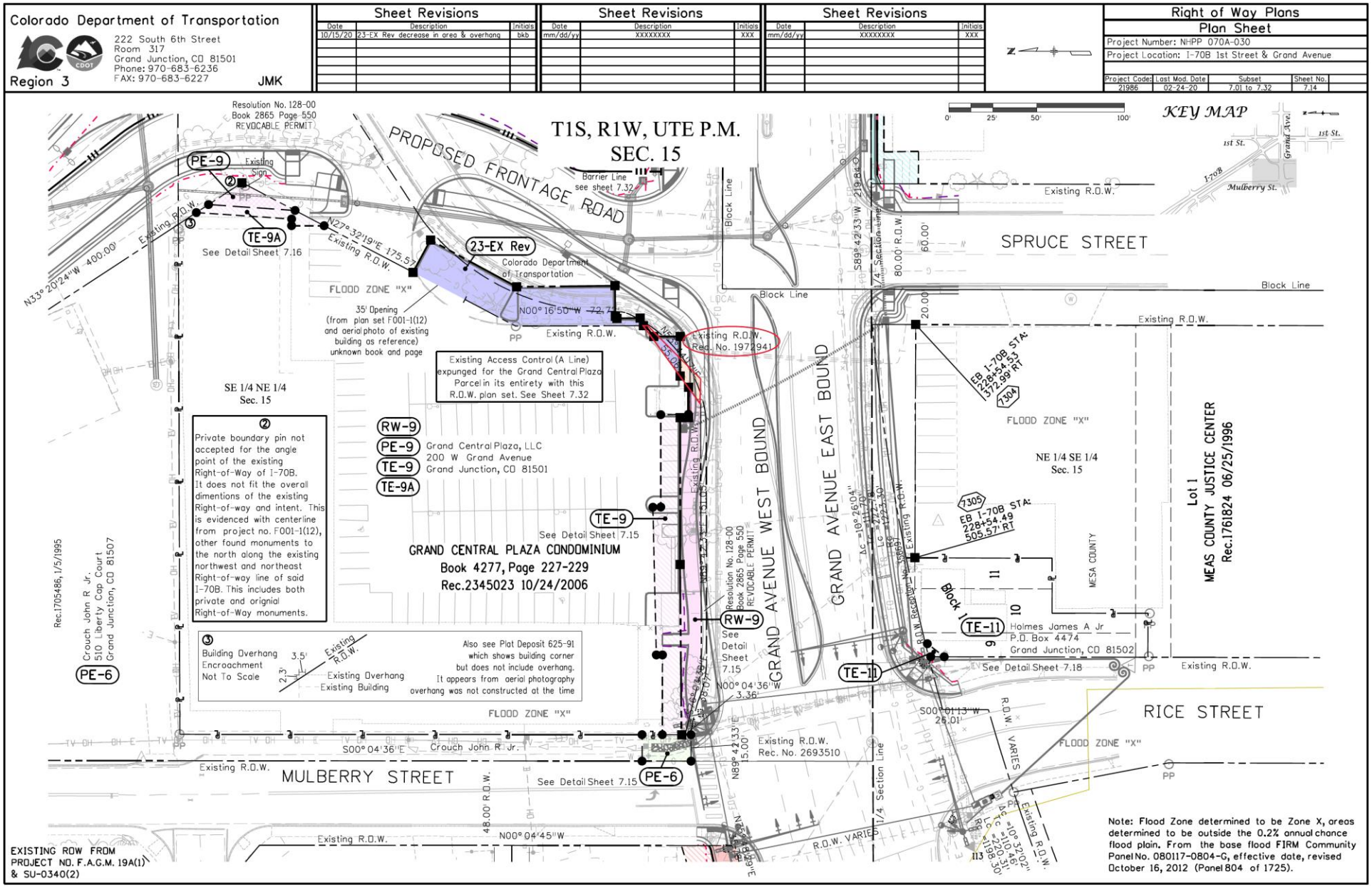


Exhibit 2.4 – CDOT Realignment Project (Overall Site Design)

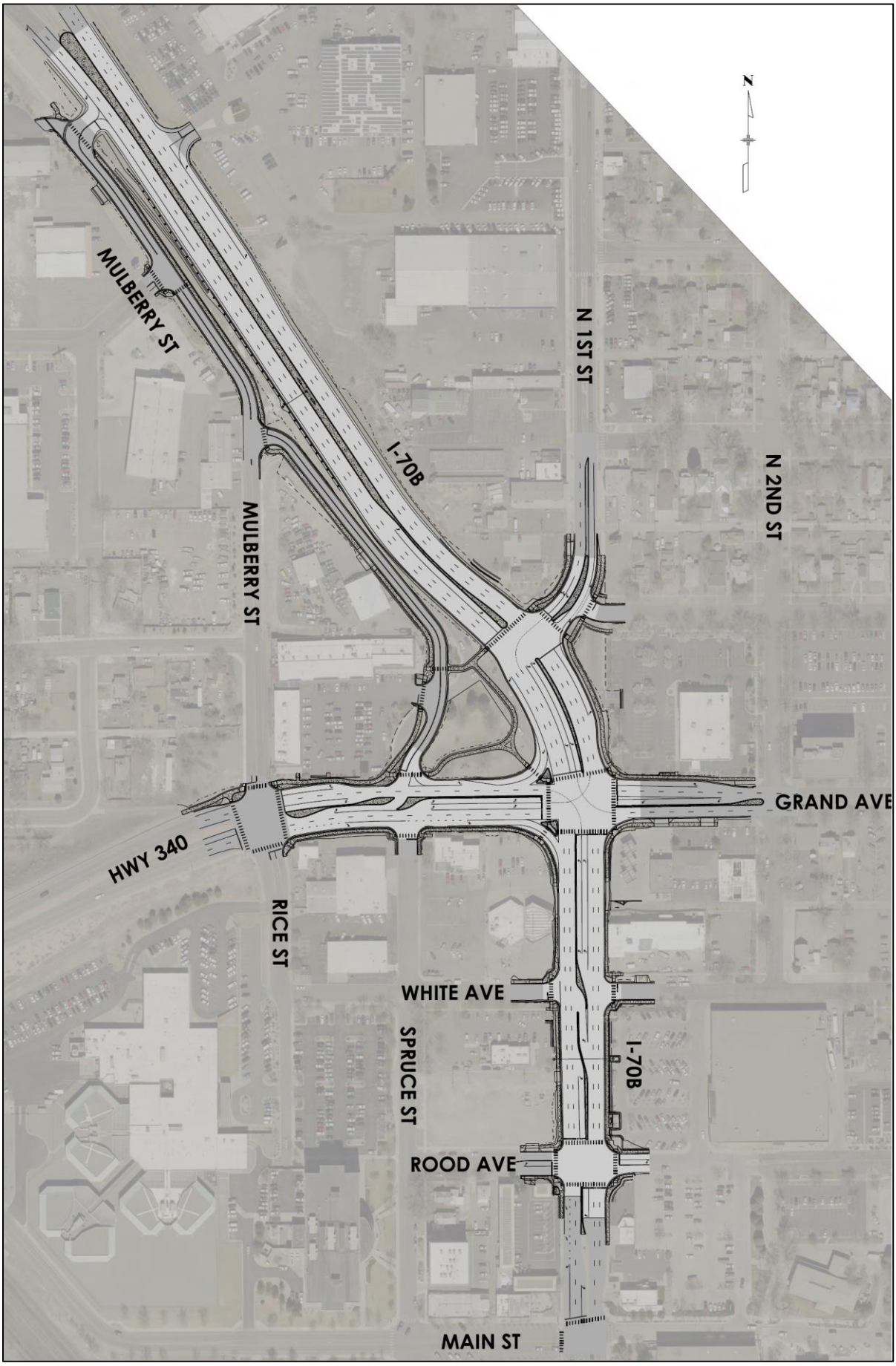


Exhibit 2.5 – Vicinity Map

Exhibit 2.6 – Zoning Map

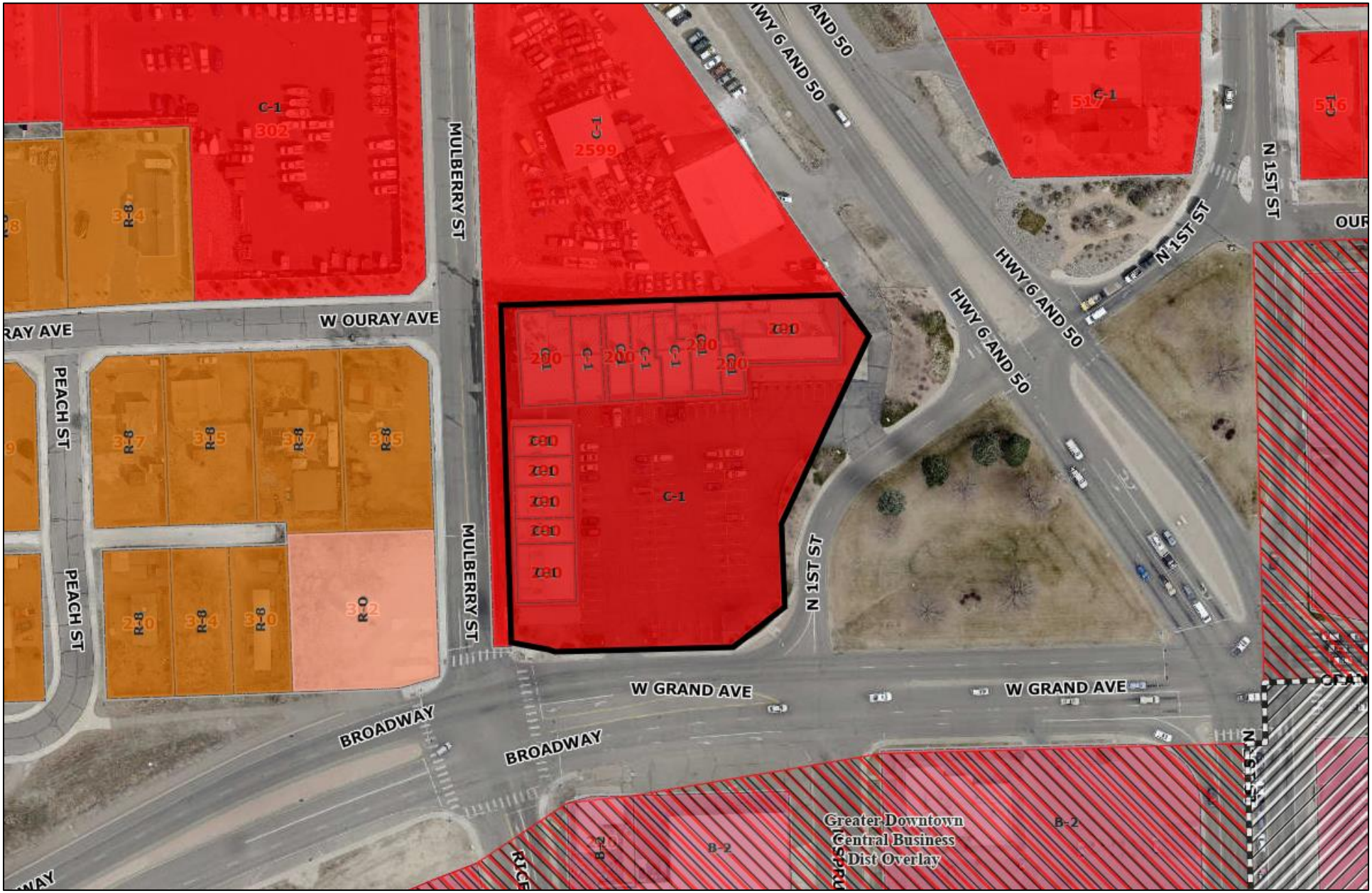
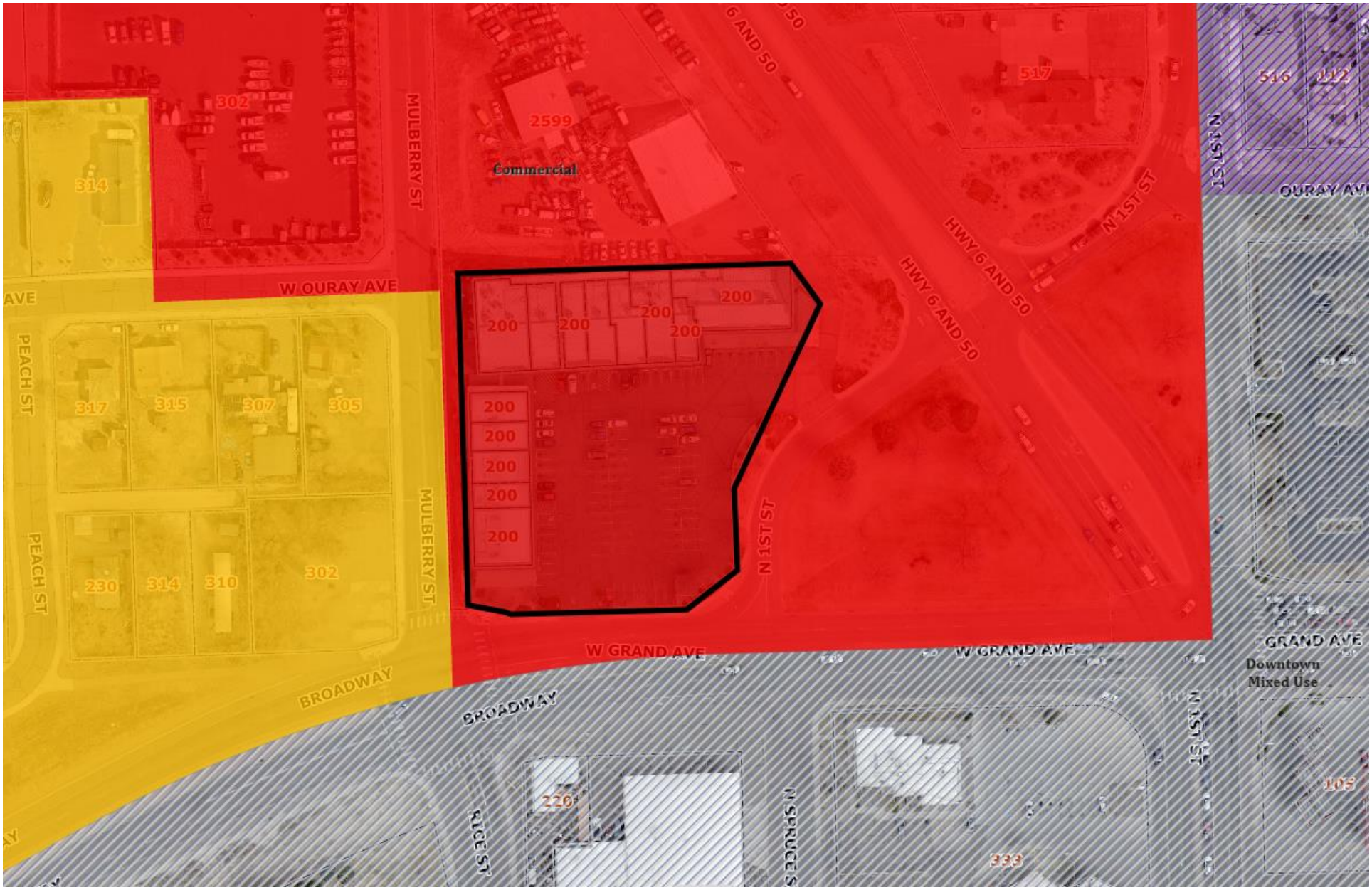


Exhibit 2.7 – Future Land Use Map



3 PAGE DOCUMENT

BOOK 2772 PAGE 123

1972941 11/16/00 0209PM
MONIKA TODD CLK&REC MESA COUNTY CO
RECFEE $15.00
DOCUMENTARY FEE $EXEMPT

WARRANTY DEED

James A. Holmes, Jr., Grantor, for and in consideration of the installation, operation, maintenance, repair and replacement of public roadway improvements and appurtenances related thereto, the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to The City of Grand Junction, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, Grantee, its successors and assigns forever, the following described two (2) parcels of land for Public Roadway and Utilities right-of-way purposes, to wit:

Parcel No. 1:

Commencing at the East ¼ Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the south line of the Southeast ¼ of the Northeast ¼ (SE ¼ NE ¼) of said Section 15 to bear S 89°47'53" W with all bearings contained herein being relative thereto; thence S 89°47'53" W along the south line of the SE ¼ NE ¼ of said Section 15 a distance of 440.00 feet to a point; thence leaving the south line of said SE ¼ NE ¼, N 00°12'07" W a distance of 97.40 feet to a point on the north right-of-way line for West Grand Avenue as described by instrument recorded in Book 375 at Page 486 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;
thence S 89°47'53" W along the north right-of-way line for West Grand Avenue a distance of 14.49 feet;
thence leaving said right-of-way line, N 53°49'37" E a distance of 54.95 feet to a point on the westerly right-of-way line for Highway 6 & 50 as described by instrument recorded in Book 686 at Page 427 in the office of the Mesa County Clerk and Recorder;
thence S 00°12'07" E along the westerly right-of-way line for Highway 6 & 50 a distance of 2.29 feet;
thence continuing along the westerly right-of-way line for Highway 6 & 50, S 44°47'54" W a distance of 42.40 feet to the Point of Beginning,
containing 268.13 square feet as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; and also

Parcel No. 2:

Commencing at the East ¼ Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the south line of the Southeast ¼ of the Northeast ¼ (SE ¼ NE ¼) of said Section 15 to bear S 89°47'53" W with all bearings contained herein being relative thereto; thence S 89°47'53" W along the south line of the SE ¼ NE ¼ of said Section 15 a distance of 440.00 feet to a point; thence leaving the south line of said SE ¼ NE ¼, N 00°12'07" W a distance of 97.40 feet to a point on the north right-of-way line for West Grand Avenue as described by instrument recorded in Book 375 at Page 486 in the office of the Mesa County Clerk and Recorder; thence S 89°47'53" W along the north right-of-way line for West Grand Avenue a distance of 151.05 feet to the True Point of Beginning;
thence S 89°47'53" W along the north right-of-way line for West Grand Avenue a distance of 39.43 feet to a point which is the southwest corner of the property of Grantor;
thence N 00°12'07" W along the west boundary line of the property of Grantor a distance of 10.00 feet;
thence leaving said west boundary line, S 75°58'42" E a distance of 40.68 feet to the Point of Beginning,
containing 197.08 square feet as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

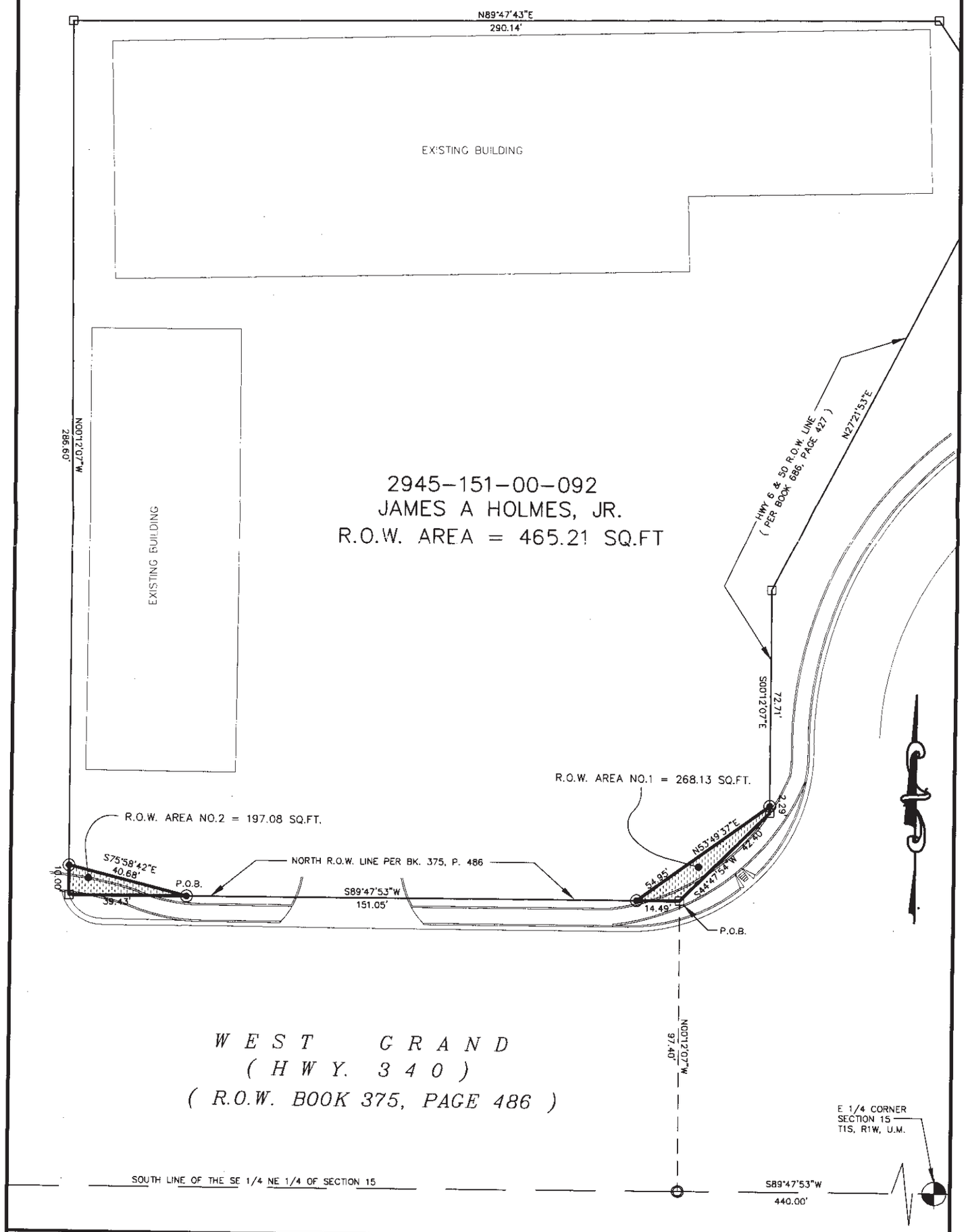
TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that he will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 16 day of Nov., 2000.

James A. Holmes

James A. Holmes

EXHIBIT "A"



DRAWN BY: SRP DATE: 11-8-2000 SCALE: 1" = 40' APPR. BY: TW FILE NO: SURPLUS1.DWG	RIGHT-OF-WAY DESCRIPTION MAP SURPLUS CITY	DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION CITY OF GRAND JUNCTION

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 16th day of NOVEMBER, 2000, by James A. Holmes.

My commission expires 1-16-2001.
Witness my hand and official seal.

NOTARY PUBLIC
KENNETH COWAN
STATE OF COLORADO

Notary Public

The foregoing legal description was prepared by Tim Woodmansee, 250 North 5th Street, Grand Junction, Colorado 81501.

COLORADO
Department of Transportation
Region 3

222 South 6th Street, #317
Grand Junction, CO 81501-2769

Neighborhood Meeting Notice Letter

Mailing Date: October 26, 2020

RE: *Vacation of public right of way at the SE corner of Grand Central Plaza at Grand Ave/CO 340*

Dear Property Owner:
This letter is to notify you that on Tuesday, November 10, 2020, starting at 5:30 pm, a virtual neighborhood meeting will be held via Google Meet to update you on a proposed Right of Way Vacation at 200 W. Grand Ave., Grand Junction. The meeting will review the upcoming I-70B 1st Street and Grand Avenue Improvements project being undertaken by the Colorado Department of Transportation (CDOT). In addition, we will share with you the current proposed Site Plan for the right of way vacation area and the project purpose requiring the vacation.

To join the Google Meet:

Topic: Vacation of City of Grand Junction right of way Neighborhood Meeting
Time/date: 5:30 pm, Mountain Time, November 10, 2020
Join Google Meet - meet.google.com/dps-qvog-cos
Join by phone: 1-402-433-0227
PIN: 333 939 463#

Note: For your convenience, if you would like to have a direct link to the meeting emailed to you, please email Mary at mary.e.morrison@state.co.us prior to November 10, 2020.

The neighborhood meeting is an opportunity for adjacent property owners to learn more about the project, ask questions, and submit written statements to the developer CDOT, and the City of Grand Junction staff.

The applicant will be submitting a Vacation of Right of Way application for this project to the City of Grand Junction. As a neighbor of this property you will be notified of pending development applications and public hearings (if any), by mail.

If you are unable to attend this meeting, you can provide written comment to douglas.killerud@state.co.us or the City of Grand Junction Planning Department at jaceh@gjcity.org. We look forward to seeing you at this meeting.

Sincerely,
Doug Killerud
CDOT Region 3 Right of Way Supervisor

COLORADO
Department of Transportation
Region 3

Minutes: Neighborhood Meeting City Vacation Application from CDOT

Subject Property: 200 W Grand Ave, Grand Junction, CO 81501

Date and Time: 11/10/20 at 5:30 p.m.

Location: Online only due to COVID restrictions

Facilitator: Doug Killerud, CDOT Acquisition and Relocation Supervisor

Attendees: **CDOT:** Doug, Mary Morrison – Real Estate Specialists, Dan Smith – Right of Way Manager, Brian Bowker – Surveyor, Elise Thatcher - Communications Manager

City of Grand Junction: Jace Hochwalt – Sr. Planner, Community Development

Property Owners: Randy Pearce 535 N 1st St for mother (Vera) who is the property owner, Mac Christensen from Grand Central Plaza

Introduction

All the participants signed in and introduced themselves. Doug noted that the meeting was being recorded and that the minutes and attendance list would be submitted to the City.

Purpose of Meeting

The purpose of the meeting was stated as the first step in the City Application Process to request a vacation of 127 square feet that is between CDOT Right of Way and Grand Central Plaza property for *"Public Roadway and Utilities right-of-way purposes"*. This public meeting gives notice to interested neighborhood property owners.

Explanatory Views

Doug provided general and detailed descriptions of the requested vacation property utilizing google earth, and exhibits (see attached).

Next Steps

Jace Hochwalt from the City of Grand Junction described the next steps in the application procedure. CDOT must submit the entire application with tonight's minutes and required forms to the City. The application will be reviewed by their Legal department and Public Works. The Planning Commission will conduct a hearing, then the request will go to the City Council for a hearing and decision---about a two and half month process. Jace will provide a timeline with dates to CDOT. Ultimately an ordinance will be created and signed off and the land will be deeded to Grand Central Plaza.

Questions

Mac Christensen from Grand Central Plaza asked about responsibility for the utility easement. Doug explained that Grand Central will own the surface and the city will maintain the easement. Doug let Mac know that the title closing will be delayed until the completion of the vacation process.

The meeting was adjourned.

Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: December 8, 2020

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

Consider a request by DRK Associates LLC and DAK Investing LLC to rezone 3.63 acres, located at 2572, 2574, 2576 and 2580 Patterson Road from R-8 (Residential 8 du/ac) to MXOC (Mixed Use Opportunity Corridor). | Staff Presentation | Phone-in comments enter **3910**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, DRK Associates, LLC and DAK Investing, LLC, are requesting a rezone for 3.63-acres 2572, 2574, 2576 and 2580 Patterson Road. The request to rezone the property from a R-8 (Residential 8 du/ac) zone district to a MXOC (Mixed Use Opportunity Corridor) zone district is in anticipation of future commercial development. The properties are currently designated in the 2010 Comprehensive Plan as Residential Medium High/Neighborhood Center with the Mixed Opportunity Corridor overlay. The requested MXOC zone district works to implement the Mixed-Use Opportunity Corridor overlay of the Comprehensive Plan.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The properties have been used historically as agricultural land and more recently for single family residential uses. The properties were annexed into the City in 1986 and zoned RSF-4 (Residential Single Family 4 units per acre). The properties have since been rezoned to R-8 (Residential 8 units per acre).

In 2009, the City of Grand Junction City Council adopted the Comprehensive Plan followed in 2010 by an updated Zoning and Development Code. The new Plan and Code created the Mixed-Use Opportunity Corridor (MXOC) and Form Districts that could be requested within the Opportunity Corridor in addition to the other zone districts that would implement the Future Land Use Map designation.

The properties involved in this request are designated Residential Medium High (8-16 du/ac); however, they also have the Opportunity Corridor overlay allowing the request for the MXOC Form District which allows for both residential and commercial uses.

The Neighborhood Center Future Land Use designation is intended to provide opportunities mid-range commercial opportunities while the Mixed-Use Opportunity Corridor provides for smaller neighborhood scale commercial businesses. The proposed zone district of MXOC (Mixed-Use Opportunity Corridor) is intended to "create mixed use development(s) along the corridor in a pedestrian-friendly environment while accommodating the more automobile-centric nature of the areas due to the fact that these corridors are primarily along arterial streets". Development regulations and performance standards are intended to result in buildings being compatible and complementary in scale and appearance to each other and the surrounding neighborhood.

Zone districts that implement the Residential Medium High designation include:

R-4 (Residential 4 du/ac)
R-5 (Residential 5 du/ac)
R-8 (Residential 8 du/ac)
R-12 (Residential 12 du/ac)
R-16 (Residential 16 du/ac)
R-O (Residential Office)

Zone districts that implement the Neighborhood Center designation include:

R-8 (Residential 8 du/ac)
R-12 (Residential 12 du/ac)
R-16 (Residential 16 du/ac)
R-O (Residential Office)
B-1 (Neighborhood Business)
C-1 (Light Commercial)
MXR-3 (Mixed Use Residential)
MXG-3 (Mixed Use General)
MXS-3 (Mixed Use Shopfront)

The Mixed-Use Opportunity Corridor future land use designation of the Comprehensive Plan “overlays” other future land use designations, according to and as shown on the Comprehensive Plan Future Land Use Map. Form Districts that implement the Mixed-Use Opportunity Corridor future land use designation are limited to the MXOC (Mixed Use Opportunity Corridor) Form-Based zone district.

NOTIFICATION REQUIREMENTS

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 May 6, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, November 20, 2020. The notice of this public hearing was published on December 1, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review of a rezone application is set forth in Section 21.02.140(a). The criteria provide that 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 rezone criteria.

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

The adoption of the Comprehensive Plan in 2009 with the Future Land Use Map, which included a Mixed-Use Opportunity Corridor along major transportation corridors, created new opportunities for potential development. The Comprehensive Plan was followed by a revised Zoning and Development Code in 2010 which included Form Districts to implement the Opportunity Corridor. In 2014, the Zoning and Development Code was revised again, creating the MXOC (Mixed Use Opportunity Corridor) to specifically implement the Future Land Use designation of the same name. These occurrences, while not invalidating the original premise of the existing zoning, offered a new option not available when the Future Land Use Map was originally adopted. However, the R-8 zone district continues to remain a valid zone for the Future Land Use designations. Therefore, staff finds this criterion has not been met.

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

The character of the area has been changing during the past several years. Several commercial and mixed-use projects have been built including dental and general offices to the west and the Corner Square development to the southeast approximately one-quarter of a mile. While these properties have been successfully redeveloped, the subject properties have been deteriorating. The amount of traffic traveling the

Patterson Road corridor is significant with a volume of approximately 29,670 trips as measure on March 3, 2020, which generally reduces the desirability of residential uses to be directly adjacent to Patterson Road. This amendment would allow for a range of uses more appropriately suited to the location abutting Patterson Road. Staff finds this criterion to be met.

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

There are adequate public and community facilities in the area to serve the properties and development as proposed. An 8-inch sewer line bisects the property and an 18-inch sewer line is located in Patterson Road. There is an 8-inch water line located in Patterson Road. A 12-inch storm sewer line is located in Patterson Road. Pomona Elementary is located across Patterson Road to the south, West Middle School is approximately 1 mile away and Grand Junction High School is approximately 1.5 miles away. Baseball fields and Fire Station No. 3 are located south along 25 ½ Road and a Post Office is located to the west along Patterson Road. The properties are located along the GVT bus route with stops located near the 25 ½ Road and Patterson Road intersection and near the North 1st Street and Patterson Road intersection. There are also transit stops on 25 ½ Road within approximately ¼ mile, both north and south of Patterson Road. Staff finds this criterion to be 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;

The proposed land use is a commercial development with a mix of office, retail and or restaurant type uses. The Neighborhood Center Future Land Use designation is intended to provide opportunities mid-range commercial opportunities while the Mixed-Use Opportunity Corridor provides for smaller neighborhood scale commercial businesses. The proposed zone district of MXOC (Mixed Use Opportunity Corridor) is one potential zone district that implements the various options under the various Future Land Use designations. Pursuant to the Code, the MXOC zone district is intended to "create mixed use development(s) along the corridor in a pedestrian-friendly environment while accommodating the more automobile-centric nature of the areas due to the fact that these corridors are primarily along arterial streets”. Development regulations and performance standards are intended to result in buildings being compatible and complementary in scale and appearance to each other and the surrounding neighborhood. There are only two other properties located within the City of Grand Junction currently zoned MXOC, both also located on Patterson Road, and two PD (Planned Development) zoned properties with default zones of MXOC. The addition of these properties zoned MXOC will increase the viability of and better implement the intent of the vision for the corridor. Thus, Staff finds this criterion has been met.

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

The Patterson Road corridor is identified on the Future Land Use Map with the Mixed-Use Opportunity Corridor. While the R-8 zone district is an implementing zone district of the Comprehensive Plan, the Plan established a vison for Mixed Use Corridors to "development opportunities along the corridor in a pedestrian-friendly environment while accommodating the more automobile-centric nature of the areas due to the fact that these corridors are primarily along arterial streets." If the property were to develop under the current R-8 zone district, it would be a type of residential consisting of either single family, multi-family or a mix of residential housing types with a mid-range density. The MXOC zone district allows for a variety of uses that include residential at higher densities as well as commercial uses and that are more aligned with the vision of the Comprehensive Plan for this corridor. Staff finds this criterion to be met.

The rezone criteria provide the City must also find the request consistent with the vision, goals and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

This project is consistent with the following Goals and Policies of the Comprehensive Plan:

Goal 1 – To implement the Comprehensive Plan in a consistent manner between the City, Mesa County and other service providers.

Policy A. City and County land use decisions will be consistent with the Comprehensive Plan Future Land Use Map.

The request is in conformance with the Future Land Use Map.

Goal 3 – The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy B. Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

The request will create opportunities for businesses along the corridor that will be accessible to the surrounding neighborhoods that will limit or eliminate the need to drive to take advantage of businesses located on these properties.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the DRK Associates LLC and DAK Investing LLC rezone request, RZN-

2020-216, for the properties located at 2572, 2574, 2576 and 2580 Patterson Road, the following findings of fact have been made:

1. The request conforms with Section 21.02.140(a) of the Zoning and Development Code.
2. The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the rezone request for the property located at 2572, 2574, 2576 and 2580 Patterson Road, City file number RZN-2020-216, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Application Packet
2. Location Maps and Site Photos
3. Proposed Zoning Ordinance

City of Grand Junction
COLORADO
PUBLIC WORKS & PLANNING

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: Rezone

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

Existing Land Use Designation	Sinlge Family/Commercial Mixed Use	Existing Zoning	R-8
Proposed Land Use Designation	Commercial	Proposed Zoning	MX-OC

Property Information

Site Location:	2580 Patterson Road	Site Acreage:	3.14 Acres
Site Tax No(s):	2945-034-00-200	Site Zoning:	R-8

Project Description: Rezone property to from an R-8 to a MX-OC

Property Owner Information		Applicant Information		Representative Information	
Name:	DAK Investing LLC	Name:	DRK Associates LLC	Name:	Ciavonne, Roberts Assoc
Street Address:	141 N 1st St	Street Address:	561 25 Rd. Ste. 102	Street Address:	222 Nth 7th St
City/State/Zip:	G.J. Co 81501	City/State/Zip:	G.J. CO 81505	City/State/Zip:	GJ, CO 81501
Business Phone #:	970-250-9500	Business Phone #:	970-250-9500	Business Phone #:	241-0745
E-Mail:	dbeede@suregj.com	E-Mail:	dbeede@suregj.com	E-Mail:	ted@ciavonne.com
Fax #:	N/A	Fax #:	N/A	Fax #:	n/a
Contact Person:	Dale Beede	Contact Person:	Dale Beede	Contact Person:	Ted Ciavonne
Contact Phone #:	970-250-9500	Contact Phone #:	970-250-9500	Contact Phone #:	241-0745

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	MASI KUATA	Date	11/17/20
Signature of Legal Property Owner	[signature]	Date	11/17/20

City of Grand Junction Colorado
PUBLIC WORKS & PLANNING

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: Rezone

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

Existing Land Use Designation	Sinlge Family Residence	Existing Zoning	R-8
Proposed Land Use Designation	Commercial	Proposed Zoning	MX-OC

Property Information

Site Location:	2572; 2574; 2576 Patterson Rd G.J. CO 81505	Site Acreage:	0.15; 0.18; 0.13 acres
Site Tax No(s):	2945-034-00-162; 2945-034-00-160; 2945-034-00-161	Site Zoning:	R-8

Project Description: Rezone the three parcels from an R-8 to a MX-OC

Property Owner Information		Applicant Information		Representative Information	
Name:	DRK Associates LLC	Name:	DRK Associates LLC	Name:	Ciavonne, Roberts Assoc
Street Address:	2681 Continental Dr	Street Address:	561 25 Rd. Ste. 102	Street Address:	222 Nth 7th St
City/State/Zip:	G.J. CO 81506	City/State/Zip:	G.J. CO 81505	City/State/Zip:	GJ, CO 81501
Business Phone #:	970-250-9500	Business Phone #:	970-250-9500	Business Phone #:	241-0745
E-Mail:	dbeede@suregj.com	E-Mail:	dbeede@suregj.com	E-Mail:	ted@ciavonne.com
Fax #:	N/A	Fax #:	N/A	Fax #:	n/a
Contact Person:	Dale Beede	Contact Person:	Dale Beede	Contact Person:	Ted Ciavonne
Contact Phone #:	970-250-9500	Contact Phone #:	970-250-9500	Contact Phone #:	241-0745

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	MATT KLAAR	Date	11/17/20
Signature of Legal Property Owner	[signature]	Date	11/17/20

STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named: DRK Associates, LLC.
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: LIMITED LIABILITY COMPANY.

The entity is formed under the laws of the State of COLORADO.

The mailing address for the entity is: 2355 Yellow Cat CT
GRAND JUNCTION, CO 81507.

The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:
MASI KHAJA, MEMBER
DALE T. BEEDE, MEMBER.

The authority of the foregoing person(s) to bind the entity is (not limited) (limited as follows):

Other matters concerning the manner in which the entity deals with interests in real property:

Executed this 7th day of NOVEMBER, 2016.

Signature (Type or Print Name Below)

MASI KHAJA DALE T. BEEDE

STATE OF COLORADO)
)ss.
COUNTY OF Mesa)

The foregoing instrument was acknowledged before me this 7th day of November, 2016, by Masi Khaja & Dale T. Beede (insert name of individual) as Members (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for DRK Associates, LLC (insert name of corporation or LLC).

LINDA G. WILSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19934011282
My Commission Expires August 21, 2017

Witness my hand and official seal.
My commissioner expires: 08-21-17

Linda G. Wilson
Notary Public

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) DAK INVESTING LLC ("Entity") is the owner of the following property:

(b) 2580 Patterson Road Grand Junction CO 81505 (2945-034-00-200)

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) Managing Member 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) Rezone

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

(e) none

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: [signature]

Printed name of person signing: MASI KHAJA

State of TEXAS)

County of TRAVIS) ss.

Subscribed and sworn to before me on this 17 day of April, 2020

by MASI KHAJA

Witness my hand and seal.

My Notary Commission expires on 09/04/2020

NOTARY PUBLIC STATE OF TEXAS
AJAY KUMAR GUPTA
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 9/4/2020
NOTARY ID 12911294-9

Notary Public Signature

WARRANTY DEED

THIS DEED, Made this 16th day of July, 2018, between **EUGENE SANDERS TRUST DATED APRIL 26, 2007** of the County of Mesa, State of Colorado, grantor, and **DAK INVESTING, LLC, A COLORADO LIMITED LIABILITY COMPANY,** whose legal address is **141 North 1st Street, Grand Junction, CO 81501** of the County of Mesa, State of Colorado, grantee;

WITNESS, That the grantor, for and in consideration of the sum of **SIX HUNDRED THOUSAND AND 00/100 DOLLARS ($600,000.00)**, 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/her heirs and assigns forever, all the real property, together with improvements, if any, described as follows:

PARCEL 1:

Beginning at a point 203 feet North of the Southeast corner of the SW1/4 SE1/4 of Section 3, in Township 1 South, Range 1 West of the Ute Meridian;
thence East 7.5 feet;
thence North 134 feet;
thence West 101.1 feet;
thence South 134 feet;
thence East 93.6 feet to the point of beginning.

PARCEL 2:

Commencing at the South 1/4 Corner of Section 3, Township 1 South, Range 1 West, Ute Meridian from whence the Southeast Corner of said Section 3 bears South 89°57'00" East 2638.13 feet and all bearings contained herein to be relative thereto:
thence South 89°57'00" East 1182.73 feet along the South line of said section 3;
thence North 00°11'00" West 30.00 feet to the true point of beginning;
thence North 00°11'00" West 84.50 feet;
thence North 89°57'00" West 246 .00 feet;
thence North 00°11'00" West 284.13 feet;
thence North 80°27'21" East 389.23 feet;
thence South 00°01'38" West 126.50 feet;
thence North 90°00'00" West 93.60 feet;
thence South 00°01'38" West 134.00 feet;
thence North 90°00'00" East 93.60 feet;
thence South 00°01'38" West 32.61 feet;
thence North 89°49'00" East 7.65 feet;
thence South 00°11'00" East 140.42 feet;
thence North 89°57'00" West 144.62 feet to the true point of beginning.
County of Mesa, State of Colorado
For identification purposes only: Parcel No. 2945-034-00-200

Also known as street and number: **2580 Patterson Road, Grand Junction, CO 81505**

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, interest, claim and demand whatsoever of the grantor, either in law or equity, or, 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 the appurtenances unto the grantee, heirs and assigns forever. And the grantor, for itself its heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, its heirs and assigns, that at the time of the ensealing and delivery of these presents it is well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have 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 whatsoever, except **general taxes for the current and all subsequent years; and subject to those specific Exceptions described by reference to recorded documents as**

reflected in the Title Documents accepted by Buyer in accordance with Section 8.2 (Record Title) of the contract between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, its heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, The grantor has executed this deed on the date first written above.

EUGENE SANDERS TRUST DATED APRIL 26, 2007

By: _____
Edwin C. Branson, Successor Trustee

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me this 16th day of July, 2018, by **Edwin C. Branson, Successor Trustee for the Eugene Sanders Trust dated April 26, 2007**.

IN WITNESS WHEREOF, I hereunder set my hand and official seal.

_____
Notary Public

SONYA K. KEARL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20004015649
My Commission Expires December 30, 2020

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) DRK ASSOCIATES LLC ("Entity") is the owner of the following property:

(b) 2572; 2574; 2576 Patterson Rd G.J. CO 81505 (2945-034-00-162; 2945-034-00-160; 2945-034-00-161)

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) Managing Member 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) Rezone

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

(e) none

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: [signature]

Printed name of person signing: MASI KHAJA

State of TEXAS)

County of TRAVIS) ss.

Subscribed and sworn to before me on this 17 day of April, 2020

by MASI KHAJA

Witness my hand and seal.

My Notary Commission expires on 09/04/2020

NOTARY PUBLIC STATE OF TEXAS

AJAY KUMAR GUPTA
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 9/4/2020
NOTARY ID 12911294-9

Notary Public Signature

RECEPTION #: 2684695, BK 5581 PG 971 03/17/2014 at 01:00:34 PM, 1 OF 1, R
$10.00 S $1.00 D $12.50 Sheila Reiner, Mesa County, CO CLERK AND RECORDER

State Documentary Fee
Date: March 14, 2014
$ 12.50

Warranty Deed

(Pursuant to 38-30-113 C.R.S.)

THIS DEED, made on **March 14, 2014** by **JERRY C. MORGAN, JR. AND KATHRYN D. MORGAN** Grantor(s), of the County of **MESA** and State of **COLORADO** for the consideration of **($125,000.00) *** One Hundred Twenty Five Thousand and 00/100 ***** dollars in hand paid, hereby sells and conveys to **DRK ASSOCIATES, LLC** Grantee(s), whose street address is **2355 YELLOW CAT COURT GRAND JUNCTION, CO 81507**, County of **MESA**, and State of **COLORADO**, the following real property in the County of **Mesa**, and State of Colorado, to wit:

BEGINNING AT A POINT WHICH IS NORTH 89°57' WEST 209.15 FEET AND 30 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW¼ SE¼ OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;
THENCE NORTH 89°57' WEST 93.35 FEET;
THENCE NORTH 00°11' WEST 84.5 FEET;
THENCE SOUTH 89°57' EAST 93.35 FEET;
THENCE SOUTH 00°11' EAST 84.5 FEET TO THE POINT OF BEGINNING,
COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: **2574 PATTERSON RD GRAND JUNCTION CO 81505**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2014 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real 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 Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other* **NONE**

Jerry C. Morgan - J.
JERRY C. MORGAN, JR.

Kathy D M
KATHRYN D. MORGAN

State of **COLORADO**)
) ss.
County of **MESA**)

The foregoing instrument was acknowledged before me on this day of **March 14, 2014**
by **JERRY C. MORGAN, JR. AND KATHRYN D. MORGAN**

Jessica Hurley
Notary Public
My commission expires 12-5-2017

JESSICA HURLEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19974021948
My Commission Expires December 5, 2017

When Recorded Return to: **DRK ASSOCIATES, LLC**
2355 YELLOW CAT COURT GRAND JUNCTION, CO 81507

Land Title GUARANTEE COMPANY

State Documentary Fee
Date: December 28, 2012
$ 74.00

Warranty Deed

(Pursuant to 38-30-113 C.R.S.)

THIS DEED, made on **December 28, 2012** by **ROBERT A FULCHER AND DIANA S. FULCHER AND F AND D.5 ROAD, LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantor(s), of the County of **MESA** and State of **COLORADO** for the consideration of **($740,000.00) *** Seven Hundred Forty Thousand and 00/100 ***** dollars in hand paid, hereby sells and conveys to **DRK ASSOCIATES, LLC** Grantee(s), whose street address is **2355 YELLOW CAT GRAND JUNCTION, CO 81507**, County of **MESA**, and State of **COLORADO**, the following real property in the County of **Mesa**, and State of Colorado, to wit:

SEE ATTACHED "EXHIBIT A"

also known by street and number as: **2562, 2570 & 2572 PATTERSON RD GRAND JUNCTION CO 81505**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2012 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.1) of the Contract to Buy and Sell Real Estate relating to the above described real 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 Off-Record Title Matters (Section 8.2) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other* **NONE**

Robert A Fulcher by Diana S Fulcher
ROBERT A FULCHER BY DIANA S. FULCHER AS ATTORNEY IN FACT

Diana S Fulcher
DIANA S. FULCHER

F AND D.5 ROAD, LLC, A COLORADO LIMITED LIABILITY COMPANY

Diana S Fulcher
DIANA S. FULCHER AS MANAGER

State of **COLORADO**)
) ss.
County of **MESA**)

The foregoing instrument was acknowledged before me on this day of **December 28, 2012**
by **DIANA S. FULCHER AS ATTORNEY IN FACT FOR ROBERT A FULCHER AND DIANA S. FULCHER AND DIANA S. FULCHER AS MANAGER OF F AND D.5 ROAD, LLC, A COLORADO LIMITED LIABILITY COMPANY**

Land Title GUARANTEE COMPANY

SUSAN J. OTTMAN
NOTARY PUBLIC
STATE OF COLORADO

Notary Public
My commission expires 11/2/13

When Recorded Return to: **DRK ASSOCIATES, LLC**
2355 YELLOW CAT GRAND JUNCTION, CO 81507

EXHIBIT A

PARCEL 1:
THE NORTH 4 RODS OF THE SOUTH 24 RODS AND THE EAST 8 RODS OF THE SOUTH 20 RODS OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;
EXCEPT THE WEST 28 RODS OF THE NORTH 4 RODS OF THE SOUTH 24 RODS OF SAID WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER;
ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF GRAND JUNCTION BY INSTRUMENT RECORDED MARCH 27, 1989 IN BOOK 1735 AT PAGE 640 ,
COUNTY OF MESA, STATE OF COLORADO.

PARCEL 2:
COMMENCING AT THE SOUTH ¼ CORNER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN, FROM WHENCE THE SOUTHEAST CORNER OF SAID SECTION 3 BEARS S89°57'00"E 2638.13 FEET AND ALL BEARINGS CONTAINED HEREIN TO BE RELATIVE THERETO;
THENCE S89°57'00"E 755.54 FEET ALONG THE SOUTH LINE OF SAID SECTION 3;
THENCE N00°00'43"E 30.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE N00°00'43"E 100.00 FEET;
THENCE N89°57'00"W 10.00 FEET;
THENCE N30°58'58"E 58.29 FEET;
THENCE N00°00'46"E 10.00 FEET;
THENCE N89°57'00"W 116.00 FEET;
THENCE N00°00'52"E 206.02 FEET;
THENCE S89°59'14"E 261.40 FEET;
THENCE N80°27'30"E 14.63 FEET;
THENCE S00°11'00"E 368.63 FEET;
THENCE N89°57'00"W 181.09 FEET TO THE TRUE POINT OF BEGINNING,
COUNTY OF MESA, STATE OF COLORADO.

PARCEL 3:
BEGINNING AT A POINT WHICH IS NORTH 89°57' WEST 302.5 FEET AND 30 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW¼ SE¼ OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;
THENCE NORTH 89°57' WEST 82.15 FEET;
THENCE NORTH 00°11' WEST 84.5 FEET;
THENCE SOUTH 89°57' EAST 82.15 FEET;
THENCE SOUTH 00°11' EAST 84.5 FEET TO THE POINT OF BEGINNING,
COUNTY OF MESA, STATE OF COLORADO.

RECEPTION #: 2742918, BK 5792 PG 806 11/10/2015 at 02:55:19 PM, 1 OF 2, R
$15.00 S $1.00 EXEMPT Sheila Reiner, Mesa County, CO CLERK AND RECORDER

2 PAGE DOCUMENT

PUBLIC TRUSTEE'S CONFIRMATION DEED

(C.R.S. 38-38-502)

Public Trustee's Foreclosure #2015-0129

This Deed is made 11/10/2015, between the Public Trustee, of Mesa County, State of Colorado, and **DRK ASSOCIATES, LLC** , Grantee, the holder of the Certificate of Purchase, whose legal address is 2355 YELLOW CAT CT. , GRAND JUNCTION, CO 81507.

WHEREAS, **STANLEY SANDERS AND LAURA LEE SANDERS,** did by Deed of Trust dated 12/17/2011, and recorded in the office of the Clerk and Recorder of the County of Mesa, Colorado, on 12/27/2011, at Reception No. 2595485, Book 5240, Page 566, convey to the Public Trustee, in Trust, the property hereinafter described to secure the payment of the indebtedness provided in said Deed of Trust, and **WHEREAS,** a violation was made in certain of the terms and covenants of said Deed of Trust as shown by the Notice of Election and Demand for Sale filed with the Public Trustee; the said property was advertised for public sale at the place and in the manner provided by law and by said Deed of Trust; Combined Notice of Sale and Right to Cure and Redeem was given as required by law; said property was sold according to said Combined Notice; and a Certificate of Purchase thereof was made and recorded in the office of the Mesa County Clerk and Recorder, and

WHEREAS, all periods of redemption have expired.

NOW, THEREFORE, the Public Trustee, pursuant to the power and authority vested by law and by the said Deed of Trust, confirms the foreclosure sale and sells and conveys to Grantee the following described property located in the County of Mesa, State of Colorado, to-wit:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH FULLY SET FORTH.

also known by street and number as:

2576 F ROAD
GRAND JUNCTION, CO 81505

TO HAVE AND TO HOLD the same, with all appurtenances, forever.

Executed 11/10/2015.

MICHAEL D. MORAN
Public Trustee, Mesa County
State of Colorado

PUBLIC TRUSTEE SEAL PUBLIC TRUSTEE MESA COUNTY, COLORADO

By: Michael D. Moran
Michael D. Moran
Public Trustee

Consideration: $34,320.00

PT
15+1

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Title No NTN-175390

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MESA, STATE OF Colorado, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 89°57' WEST, 136.45 AND 30 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;

THENCE NORTH 89°57' WEST 70.5 FEET;

THENCE NORTH 00°11' WEST 84.5 FEET;

THENCE SOUTH 89°57' EAST 70.5 FEET;

THENCE SOUTH 00°11' EAST 84.5 FEET TO THE POINT OF BEGINNING.

Parcel ID: 2945-034-00-161

Commonly known as 2576 F Road, Grand Junction, CO 81505
However, by showing this address no additional coverage is provided

Rivertown Center Phase 2
Rezone
April 28, 2020 Revised October 21, 2020
General Project Report

Project Overview
There are currently four connecting parcels being considered in this Rezone request with two ownerships. DAK Investing LLC presently owns 3.14 acres located at 2580 Patterson Road and DRK Associates LLC presently owns the other three parcels located at 2572, 2574, and 2576 Patterson Road. All four parcels are currently zoned R-8. We are pursuing a rezone to MX-OC.

The existing homes on 2572, 2574, and 2576 Patterson Road have been removed. There are still existing buildings on 2580 Patterson Road, but all will be removed. The combined properties are abutting existing development to the east, a single family subdivision to the north, vacant land to the west (2566 Patterson Road is Phase 1 of this project currently going through the Minor Site Plan process), and Patterson Road abutting the south.

The Future Land Use Plan promotes Neighborhood Center, Residential Medium/High, and Mixed-Use Corridor on these properties. There are different zone options within a Neighborhood Center, but we are pursuing MX-OC.

A. Project Description
Location and Site Features
- The parcels are located at 2572, 2574, 2576 and 2580 Patterson Road.
- There is a sewer main and water main in Patterson Road as well as an 8" Sewer line on the property of 2580 Patterson Road.
- Surrounding land use /zoning is vacant land to the west (2566 Patterson Road is Phase 1 of this project currently going through the Minor Site Plan process) zoned MXG-3 and MXS-3; Patterson Road to the south; a veterinary office (B-1) to the east; and a single family subdivision (PD) to the north.
- There are currently old residential, driveway curb cuts to each parcel from Patterson Road. There will be interconnectivity to the property to the west (currently going through a site plan process).
- The site currently slopes northwest with a grade variation of 18 feet, mostly due to the escarpment on the east side of the property. The majority of the property is flat with 2% to 3% slopes pitching westerly to the Beehive Drain.

Existing Zoning
- All four parcels are currently zone R-8.
- As noted there is B1 abutting the east; top the north is residential PD; and to the west is MXG and MXS zoning with proposed development approved.
- The proposed plan rezones the four properties to MX-OC. This rezone meets the Future Land Use Plan requirement of Neighborhood Center.

B. Public Benefit:

- Redevelopment and infill that utilizes existing infrastructure;
- Redevelopment aiming for better use of the properties that provide an economic return to the community;
- Access and road interconnectivity to the property to the west;
- The efficient development of property adjacent to existing City services;

C. Neighborhood Meeting

This project is being submitted during the COVID-19 Pandemic. City Council passed an emergency ordinance that temporarily suspends the requirement for a neighborhood meeting to be held prior to an application being submitted.

D. Project Compliance, Compatibility, and Impact

1. Adopted Plans and/or Policies

The Future Land Use Plan; the Land Development Code.

2. Surrounding Land Use

Surrounding land use /zoning is vacant land to the west (2566 Patterson Road is Phase 1 of this project currently going through the Minor Site Plan process) zoned MXG-3 and MXS-3; Patterson Road to the south; a veterinary office (B-1) to the east; and a single family subdivision (PD) to the north.

3. Site Access and Traffic

There are currently old residential, driveway curb cuts to each parcel from Patterson Road. There will be interconnectivity to the property to the west (currently going through a site plan process). A new access will be sought from Patterson, but this will be addressed after zoning approval.

4 & 5. Availability of Utilities and Unusual Demands

There is a sewer main in Patterson Road as well as an 8" Sewer line on the property of 2580 Patterson Road.

Storm Sewer is provided by the City of Grand Junction via Patterson Road. There is also a natural channel on the northwest end of the property (Beehive Drain).

Domestic water is provided by Ute Water via Patterson Road.

6. Effects On Public Facilities

This will have expected, but not unusual impacts on the fire department, police department, and the public school system.

7. Site Soils N/A

8. Site Geology and Geologic Hazards N/A

9. Hours of Operation will be address during Site Plan Review submittal

10. Number of Employees will be address during Site Plan Review submittal

11. Signage Plans will be address during Site Plan Review submittal

12. Irrigation will be address during Site Plan Review submittal

E. Review Criteria for Rezone

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

Yes, Future Land Use Overlays have been put in place such as the Mixed Use Corridor, Neighborhood Center

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

At one time this area was detached single family, as well as a plumbing repair shop, but now this property is surrounded by a mix of commercial, single family and multi-family located in the Mixed Use Corridor (Patterson Road). It is also labeled as "Neighborhood Center" in the Future Land Use Plan. Within Neighborhood Center, a zone of MX-OC is allowed.

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

Yes. We see this project having minor impacts on the public and community facilities.

(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

Yes, code and guiding documents want mixed-use in this area.

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

This area will benefit from a zone change to MX-OC from R-8, because it will allow more of a mixed-use product along the corridor (Patterson Road) in a pedestrian-friendly environment (detached walks, etc.), as well as providing a transition from non-residential to existing residential neighborhoods (along Dewey Place). It will also combine access to Rivertown Center Phase 1 which is currently under construction.

F. Development Schedule and Phasing

- Submit rezone - April 2020
- Submit Major Site Plan Review Winter 2020/2021

Parcel 1:
Beginning at a point 203 feet North of the Southeast corner of the SW1/4 SE1/4 of Section 3, in Township 1 South, Range 1 West of the Ute Meridian;
1 South, Range 1 West of the Ute Meridian;
Thence East 7.5 feet;
Thence North 134 feet;
Thence West 101.1 feet;
Thence South 134 feet;
Thence East 93.6 feet to the point of beginning.

Parcel 2:
Commencing at the South ¼ Corner of Section 3, Township 1 South, Range 1 West, Ute Meridian from whence the Southeast Corner of said Section 3 bears South 89°57'00" East 2638.13 feet and all bearings contained herein to be relative thereto:
Thence South 89°57'00" East 1182.73 feet along the South line of said section 3;
Thence North 00°11'00" West 30.00 feet to the true point of beginning;
Thence North 00°11'00" West 84.50 feet;
Thence North 89°57'00" West 246.00 feet;
Thence North 00°11'00" West 284.13 feet;
Thence North 80°27'21" East 389.23 feet;
Thence South 00°01'38" West 126.50 feet;
Thence North 90°00'00" West 93.60 feet;
Thence South 00°01'38" West 134.00 feet;
Thence North 90°00'00" East 93.60 feet;
Thence South 00°01'38" West 32.61 feet;
Thence North 89°49'00" East 7.65 feet;
Thence South 00°11'00" East 140.42;
Thence North 89°57'00" West 144.62 feet to the true point of beginning.
Couth of Mesa, State of Colorado
For identification purposes only: Parcel No. 2945-034-00-200

2576 Patterson

Beginning at a point which is North 89°57’ West, 136.45 and 30 Feet North of the Southeast corner of the Southwest quarter of the Southeast quarter, section 3, Township 1 South, Range 1 West of the Ute Meridian;
Thence North 89°57’ West 70.5 feet;
Thence North 00°11’ West 84.5 feet;
Thence South 89°57’ East 70.5 feet;
Thence south 00°11’ East 84.5 feet to the point of beginning.
Parcel ID: 2945-034-00-161

2574 Patterson

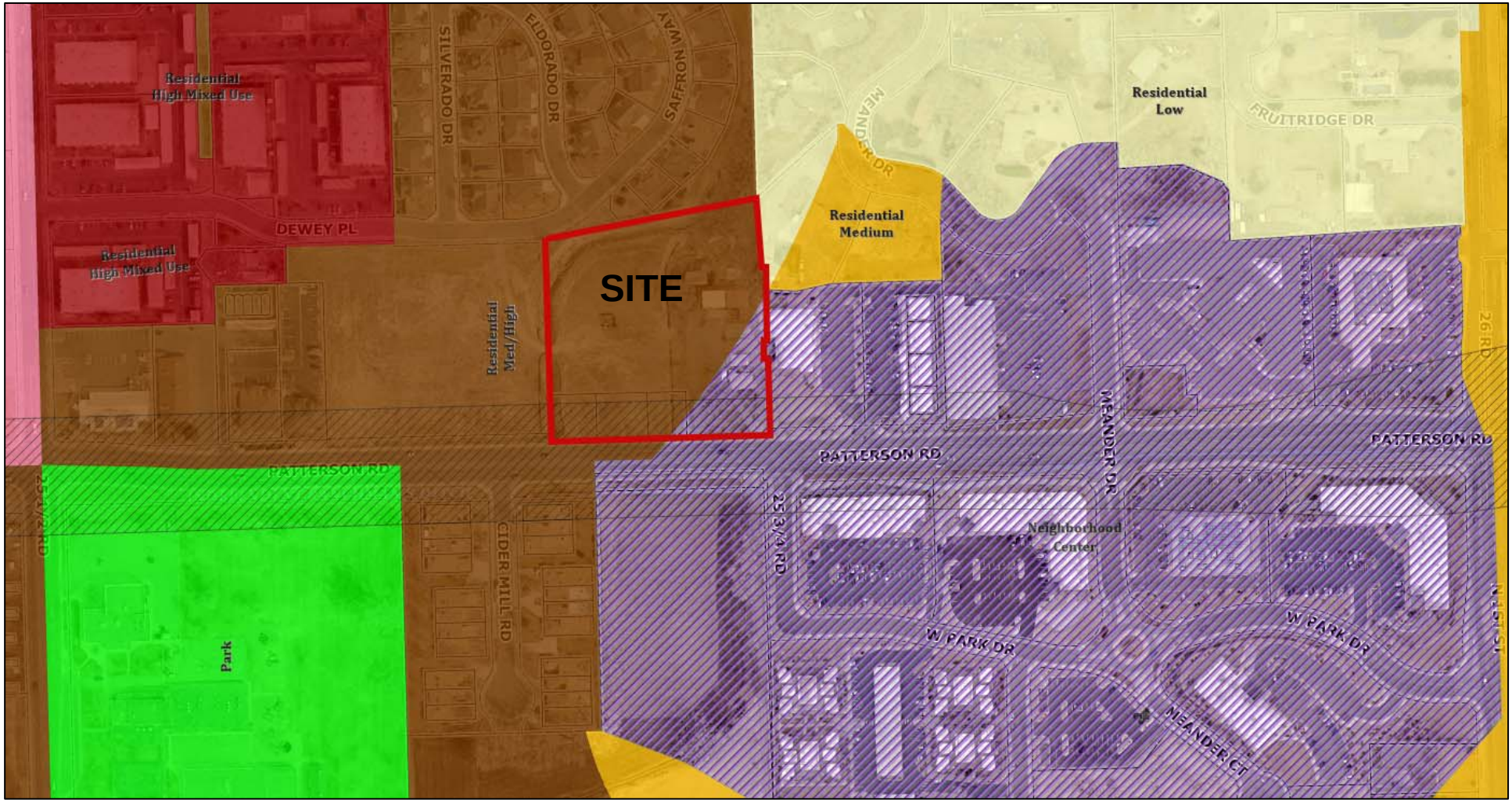
Beginning at a point which is North 89°57’ West 209.15 feet and 30 feet North of the Southeast Corner of the SW1/4 SE1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian;
Thence North 89°57’ West 93.35 feet;
Thence North 00°11’ West 84.5 feet;
Thence South 89°57’ East 93.35 feet;
Thence South 00°11’ East 84.5 feet to the point of beginning.
County of Mesa, State of Colorado.

2572 Patterson

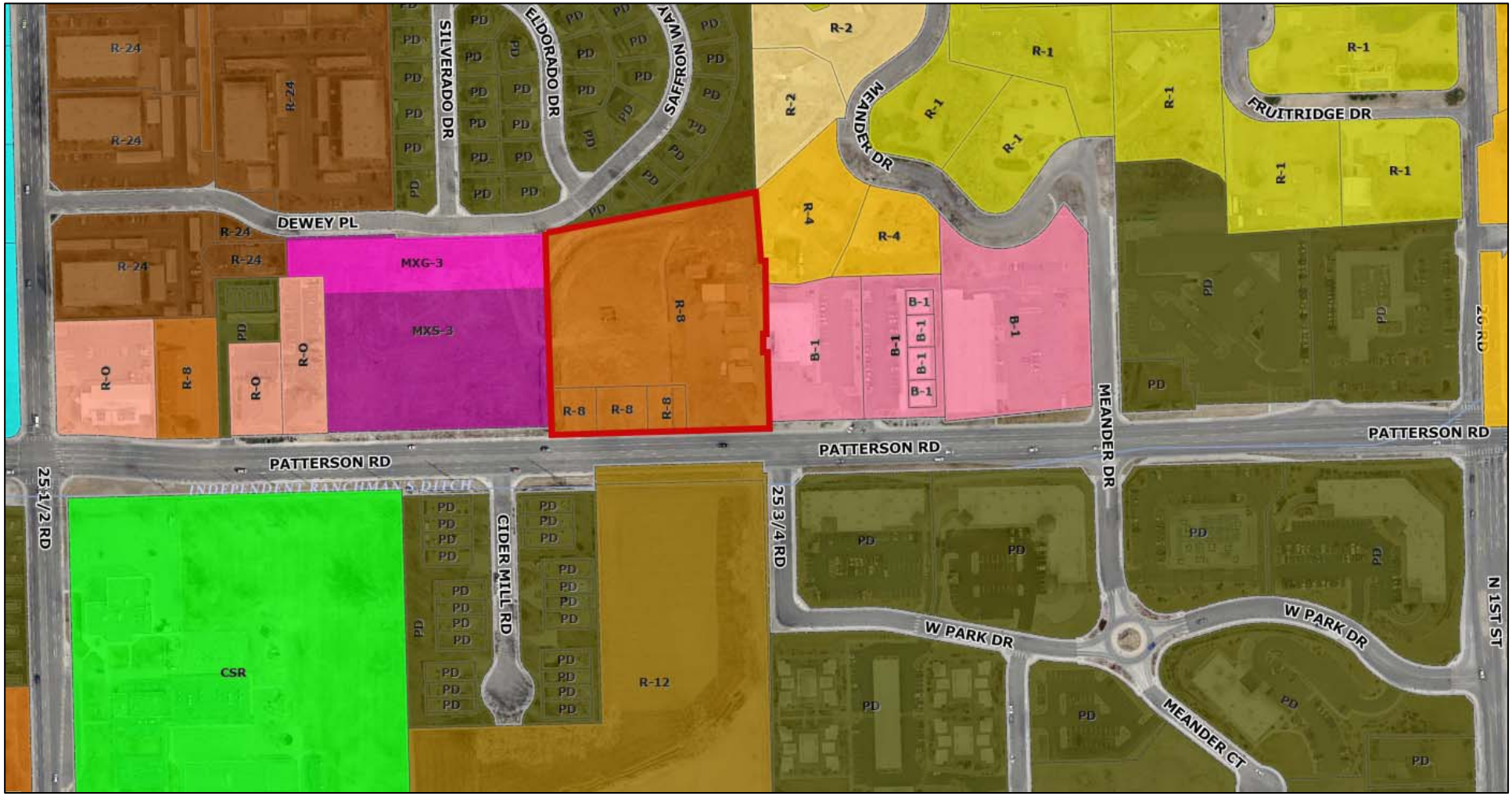
Beginning at a point which is North 89°57’ West 302.5 feet and 30 feet North of the Southeast corner of the SW1/4 SE1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian;
Thence North 89°57’ West 82.15 Feet;
Thence North 00°11’ West 84.5 feet;
Thence South 89°57’ East 82.15 feet;
Thence South 00°11’ East 84.5 feet to the point of beginning,
County of Mesa, State of Colorado

SITE LOCATION MAP

FUTURE LAND USE MAP



ZONING MAP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MXG-3
MXS-3
DEWEY PL
SILVERADO DR
ELDORADO DR
SAFFRON WAY
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R-2
R-2
R-4
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MEANDER DR
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R-1
FRUITRIDGE DR
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B-1
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PD
PD
PD
PD
26 RD
PATTERSON RD
PATTERSON RD
PATTERSON RD
MEANDER DR
25 1/2 RD
INDEPENDENT RANCHMAN'S DITCH
CIDER MILL RD
25 3/4 RD
CSR
PD
R-12
W PARK DR
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AERIAL AND STREET VIEW

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE REZONING PROPERTY FROM R-8 (RESIDENTIAL 8 DU/AC) TO MXOC (MIXED USE OPPORTUNITY CORRIDOR)

LOCATED AT 2572, 2574, 2576 AND 2580 PATTERSON 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 2572, 2574, 2576 and 2580 Patterson Road to the MXOC (Mixed Use Opportunity Corridor) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Mixed Use Opportunity Corridor 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 MXOC (Mixed Use Opportunity Corridor) 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 properties shall be zoned the MXOC (Mixed Use Opportunity Corridor):

2572 Patterson Road
Beginning at a point which is North 89°57' West 302.5 feet and 30 feet North of the Southeast corner of the SW1/4 SE1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian;
Thence North 89°57' West 82.15 Feet;
Thence North 00°11' West 84.5 feet;
Thence South 89°57' East 82.15 feet;
Thence South 00°11' East 84.5 feet to the point of beginning,
County of Mesa, State of Colorado

2574 Patterson Road
Beginning at a point which is North 89°57' West 209.15 feet and 30 feet North of the Southeast Corner of the SW1/4 SE1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian;
Thence North 89°57' West 93.35 feet;
Thence North 00°11' West 84.5 feet;

Thence South 89°57’ East 93.35 feet;
Thence South 00°11’ East 84.5 feet to the point of beginning.
County of Mesa, State of Colorado.

2576 Patterson Road
Beginning at a point which is North 89°57’ West, 136.45 and 30 Feet North of the Southeast corner of the Southwest quarter of the Southeast quarter, section 3, Township 1 South, Range 1 West of the Ute Meridian;
Thence North 89°57’ West 70.5 feet;
Thence North 00°11’ West 84.5 feet;
Thence South 89°57’ East 70.5 feet;
Thence south 00°11’ East 84.5 feet to the point of beginning.

2580 Patterson Road
Beginning at a point 203 feet North of the Southeast corner of the SW1/4 SE1/4 of Section 3, in Township 1 South, Range 1 West of the Ute Meridian;
1 South, Range 1 West of the Ute Meridian; Thence East 7.5 feet;
Thence North 134 feet; Thence West 101.1 feet; Thence South 134 feet;
Thence East 93.6 feet to the point of beginning.

And

Commencing at the South ¼ Corner of Section 3, Township 1 South, Range 1 West, Ute Meridian from whence the Southeast Corner of said Section 3 bears South 89°57’00” East 2638.13 feet and all bearings contained herein to be relative thereto:
Thence South 89°57’00” East 1182.73 feet along the South line of said section 3; Thence North 00°11’00” West 30.00 feet to the true point of beginning;
Thence North 00°11’00” West 84.50 feet;
Thence North 89°57’00” West 246.00 feet;
Thence North 00°11’00” West 284.13 feet;
Thence North 80°27’21” East 389.23 feet;
Thence South 00°01’38” West 126.50 feet;
Thence North 90°00’00” West 93.60 feet;
Thence South 00°01’38” West 134.00 feet;
Thence North 90°00’00” East 93.60 feet;
Thence South 00°01’38” West 32.61 feet;
Thence North 89°49’00” East 7.65 feet;
Thence South 00°11’00” East 140.42;
Thence North 89°57’00” West 144.62 feet to the true point of beginning. County of Mesa, State of Colorado

Introduced on first reading this ___ day of _____, 2020 and ordered published in pamphlet form.

Adopted on second reading this __ day of _____, 2020 and ordered published in pamphlet form.

ATTEST:

_____ _____

City Clerk Mayor

Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: December 8, 2020

Presented By: Jace Hochwalt, Senior Planner

Department: Community Development

Submitted By: Jace Hochwalt, Senior Planner

Information

SUBJECT:

Consider a Request by Senergy Builders, LLC to Rezone Four Parcels Totaling Approximately 1.48 acres from a B-1 (Neighborhood Business) Zone District to an M-U (Mixed Use) Zone District Located at 518 28 Road. | Staff Presentation | Phone-in comments enter **6644**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Senergy Builders, LLC, is requesting a rezone of four parcels totaling approximately 1.48 acres located at 518 28 Road from B-1 (Neighborhood Business) to M-U (Mixed Use). The requested M-U zone district conforms with the existing Comprehensive Plan Future Land Use Map designation of Commercial.

BACKGROUND OR DETAILED INFORMATION:

The 1.48-acre property comprises four parcels located at the southeast corner of the 28 Road and Elm Avenue intersection. The property address for the site is 518 28 Road. The site was originally platted within the Omega Business Park subdivision in 1981, which was a 10-lot subdivision spanning six acres. The subject site was the first to develop within the Omega Business Park, and was built out in 1982 with two office buildings, each containing 11,272 square feet of office space (22,544 square feet total), and a large parking lot area. The buildings continue to be utilized for office space; however, the Applicant is proposing to convert these buildings for residential multifamily use. An administrative Site Plan Review is concurrently being reviewed for the

conversion of the buildings, which is referred to as City File Number SPN-2020-526.

The subject site is currently zoned B-1 (Neighborhood Business). While the B-1 zone district does allow for multifamily uses, the density range must fall between 8 units and 16 units per acre. This would allow a range between 12 units and 23 units for the entire site. While the total number of residential units has not yet been determined by the Applicant team, they do anticipate a total residential unit count near 30, which would not be allowed within the current B-1 zoning. The M-U zone district has many similarities to the B-1 zone district, but one key difference is the multifamily density requirement, which allows for 8 units to 24 units per acre. If the proposed rezone to M-U is approved, the subject site could accommodate between 12 units and 35 units on site. The primary purpose for the rezone request is to be able to the increase the total residential units allowed on the site.

Directly adjacent to the north and west of the subject site are medium density single-family residential uses zoned R-8 (Residential 8 units/acre). Adjacent to the east are the Arbor Vista Apartments owned and operated by the Grand Junction Housing Authority, which were developed in 2008. This development contains nine two-story apartment buildings containing a total of 72 apartment units. The total density of this development equates to approximately 16.5 units per acre. Adjacent to the south is the Coloramo Credit Union office building, developed in 2001.

The Comprehensive Plan Future Land Use Map identifies the property as Commercial. Zone districts that implement the Commercial future land use category include the R-O (Residential Office), B-1 (Neighborhood Business), C-1 (Light Commercial), C-2 (General Commercial), and M-U (Mixed Use). As such, the proposal of M-U is supported by the Future Land Use Map.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held on October 19, 2020 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The project representative prepared preliminary plans for attendees to review, but the only attendees included the project representative and City staff.

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 October 15, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on November 27, 2020. The notice of the Planning Commission public hearing was published on December 1, 2020 in the Grand Junction Daily Sentinel.

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

The Comprehensive Plan includes a Future Land Use Map which identifies the subject parcels as having a Commercial designation. Both the proposed zoning of M-U, as well as the existing zoning designation of B-1 are supported by the Future Land Use Map designation of Commercial. The Applicant's General Project Report states that the proposed change of use to multifamily will integrate well with the surrounding parcels. While this may be true, multifamily is an allowed use within the existing B-1 zone district, just at a lesser intensity than the proposed M-U zone district. As such, staff has been unable to identify any subsequent event that has invalidated the original premises of the existing B-1 zoning. Therefore, staff finds that this criterion has not been met.

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

As previously indicated, the subject site was originally platted within the Omega Business Park subdivision in 1981. The subject site was the first to develop within the Omega Business Park, and was built out in 1982 with two office buildings. Since that time, a majority of the neighboring parcels in the original Omega Business Park subdivision have been developed (aside from one parcel). This includes the Coloramo Credit Union building to the south, developed in 2001, and the Arbor Vista Apartments to the east, developed in 2008. While there are some vacant and/or underdeveloped parcels within a close proximity of the subject site, there has been minimal new development since 2008. As such, Staff believes it is premature to conclude that the character or condition of the area has changed. Therefore, staff finds that this criterion has not been met.

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

The subject property is within an urbanized area of the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the M-U zone district. The type and scope of land use allowed within the M-U zone district is similar in character and extent to the existing land use of nearby properties, which contain a mix of office, retail, and multifamily uses. The subject site is currently served by City Water, Persigo Wastewater Treatment, and Xcel Energy (electricity and natural gas). Commercial and employment opportunities

such as retail, offices, and restaurants are found nearby along North Avenue. The site is situated approximately one mile southwest of Fire Station 2, and within close proximity to multiple parks and schools. Additionally, multi-modal access to the site is sufficient, with 28 Road having dedicated bike lanes, and multiple Grand Valley Transit (GVT) routes and stops in close proximity. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that 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 existing zoning of B-1 is very limited, accounting for approximately 0.6% of all property within the City limits, a majority of which has been built out. The proposed zoning of M-U is also limited, accounting for a little over 1.2% of all property within the Grand Junction City limits. However, there is over 150 acres of vacant M-U zoned land within the city limits. As previously indicated, one of the differences between the B-1 zone district and the M-U zone district is the density allowance for multifamily residential. The B-1 zone district residential density range must fall between 8 units and 16 units per acre, while the M-U zone district has a wider density range of 8 units to 24 units per acre. However, if the Applicant's primary intent is to provide multifamily residential uses, there are several zoning districts that can accommodate residential uses with densities of 24 units/acre or greater. These include the R-O, B-2, C-1, BP, and R-24 zone districts.

While the subject site does provide a unique opportunity to preserve the existing buildings for their reuse without major exterior changes to the buildings or the site, there is nothing that suggests that there is an inadequate supply of land available that can accommodate the proposed land use. Based on these considerations, staff finds that this criterion has not been met.

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

The Future Land Use designation of Commercial permits a wide range of commercial development with mixed commercial and residential developments being encouraged in some areas. The community and area will benefit from this proposed rezone request by allowing a variety of uses, inclusive of higher intensity multifamily residential, at a location east of the City Center already well-served by transportation infrastructure, utilities and other community facilities. As such, staff finds this criteria has been met.

The rezone criteria provide the City must also find the request is consistent with the

vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Policy A: City and County land use decisions will be consistent with the Future Land Use Map.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy B: Create Opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles travelled thus increasing air quality.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy A: In making land use and development decisions, the City will balance the needs of the community.

Policy B: Encourage mixed-use development and identification of locations for increased density.

Policy C: Increasing the capacity of housing developers to meet housing demand.

Goal 6: Land use decisions will encourage preservation of existing buildings and their proposed reuse.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Concord Plaza Rezone, RZN-2020-559, rezoning 1.48 acres from B-1 (Neighborhood Business) to M-U (Mixed Use) for the property located at 518 28 Road, the following findings of fact have been made:

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.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Chairman, on the Concord Plaza Rezone request from a B-1 (Neighborhood Business) zone district to a M-U (Mixed Use) zone district for a 1.48-acre property located at 518 28 Road, City file number RZN-2020-559, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Maps and Illustrations
3. Exhibit 3 - Proposed Zoning Ordinance

Grand Junction
COLORADO
PUBLIC WORKS & PLANNING

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: Rezone

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

Existing Land Use Designation	Professional Services	Existing Zoning	B1
Proposed Land Use Designation	Commercial	Proposed Zoning	C1

Property Information

Site Location:	518 28 Road	Site Acreage:	.185, .185, .63, .48
Site Tax No(s):	2943-073-25-001, 2943-073-25-002, 2943-073-25-011,29	Site Zoning:	B1

Project Description: Rezone to C1 remodel buildings into commercial/ residential apartments

Property Owner Information		Applicant Information		Representative Information	
Name:	Concord Plaza, LLC	Name:	Senergy Builders, LLC	Name:	Colorado Land Advisor, Ltd
Street Address:	1111 South 7th	Street Address:	1111 S 7th	Street Address:	300 Main Street Ste 30
City/State/Zip:	GJ, CO 81501	City/State/Zip:	GJ, CO. 81501	City/State/Zip:	GJ, CO. 81501
Business Phone #:	970.234-0708	Business Phone #:	970.248.8500	Business Phone #:	970.812.3288
E-Mail:		E-Mail:	DCarei@SenergyBuilders.com	E-Mail:	LandAdvisor@ColoradoLandA
Fax #:		Fax #:		Fax #:	
Contact Person:	Darin Carei	Contact Person:	Darin Carei	Contact Person:	Jeffery Fleming
Contact Phone #:	970.234.0708	Contact Phone #:	970.234.0708	Contact Phone #:	970.234.3466

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	3-16-20
Signature of Legal Property Owner	Darin Carei	Date	3/31/2020

Project Report
Concord Plaza
March 31, 2020
revised September 15, 2020

Rezone and Major Site Plan Review

This report is prepared for

ENERGY BUILDERS | senergybuilders.com
simply better… simply smarter.

ENERGY STAR PARTNER

Concord Plaza

Project Report

This report is the property of
Senergy Builders, LLC. it's successors and assigns.

2020 Senergy Builders, LLC

Prepared by:
Jeffery Fleming, CNUa
Colorado Land Advisor, Ltd.
300 Main Street | Suite 302
Grand Junction, CO. 81501
970.812.3288
LandAdvisor@ColoradoLandAdvisor.com

As an urban planner much experience and research has gone into compiling data for this report. Information was collected from various sources and every attempt has been made to acknowledge the contributing sources. Any errors of omission are unintentional and should be brought to the attention of the author as soon as possible.

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Introduction and Summary

The purpose of this General Project Report as well as the accompanying documents and drawings is to provide an overview of the property and it's re-development.

The site selected for the development consists of four parcels of land that are .185 .185, .63 & . 48 acres. The site is located east of 28 Road south of Elm Ave. in Mesa County, Colorado. The parcels are adjacent to new multi-family residences. The two smaller parcels contain the buildings while the two larger parcels contain landscaping and parking areas. The Mesa County Assessor has given the properties the following parcel numbers: 2943-073-25-001 & 2943-073-25-002, 2943-073-25-011 & 2943-073-25-012. The property has been used as commercial offices.

This application calls for a rezone of the four parcels serving the Concord Plaza. The 2 larger parcels would continue to be used for parking. Building A would be the first to be reconfigured into **17 residential units consisting of: six studio units; ten 1 bedroom units and; one 2 bedroom unit.**

Concord Plaza is currently commercial office space. Building A is largely vacant while Building B is mostly occupied. During the transition period Building A would be the first to be converted over to multi-family residential uses. Building B will similarly be converted after Building A is fully leased up.

This application will rezone all four parcels from the current B1 zoning to MU. This will enable the property to obtain a density that is suitable for the residential units proposed. Access to the site would continue at the current locations on 28 Road and Elm Avenue. Overall traffic counts would be similar but with different peak times. The residential users would have higher counts during the evenings and weekends while lower counts would occur during typical office hours.

Construction for the improved parking, landscaping and other improvements would begin as soon as an approval is obtained from the City and likely be completed in less than 1 year. All necessary utilities for the project are already on-site.

There are no known site conditions which would be impacted by this phase of redevelopment. The site has no wetlands, no surface waters, no unusual topography and has 1% slopes towards the southwest. It is well suited for this development.

<u>The financial impacts to the community will include:</u>

* Creating short terms jobs through the design and construction of the site.
* Creating several long term job opportunities for the management of the property.
* Potential increase in real estate tax base through the redevelopment of the site.
* Increase in sales tax revenue through the sale of building materials.
* More efficient use of existing city infrastructure with no new items to be maintained.
* Increased inventory of affordable housing near the University and shopping districts.

Site Analysis

The purpose of this section is to identify the physical and technical characteristics of the property selected for the Concord Plaza Rezone, Simple Subdivision and Site Plan to the surrounding area. This section also evaluates potential site development assets and constraints.

The site consists of four parcels of land that total 1.48 acres. Located in Mesa County, Colorado. The Approx. Lat 39.0806 Longitude:-108.5332. All required infrastructure is on site as of March 2020.

The parcel of land is generally an inverted “L” shape. Ground cover consists of previously landscaped areas, buildings and parking areas. The site is used for commercial offices.

The topography of the site consists of low slopes of about 1%. An elevation distance of 4620 feet is the lowest point (Southwest) and 4624 exists as the highest point (Northwest).

LOCATION MAP:

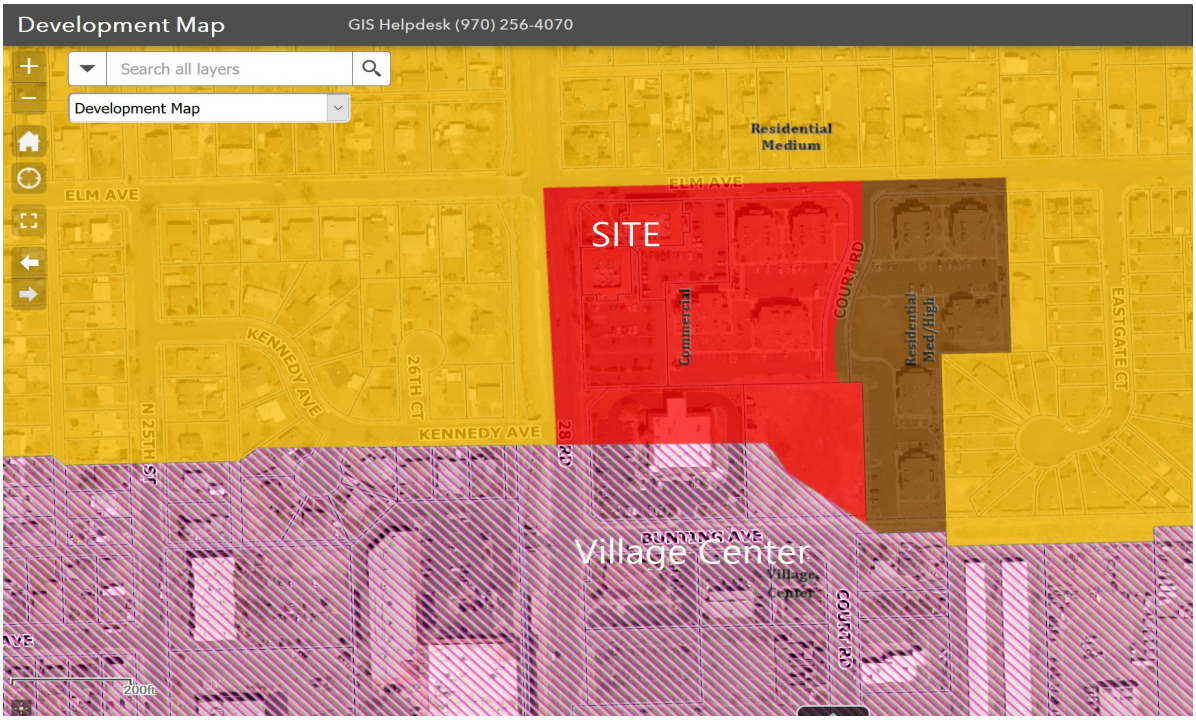
Existing Land Use and Future Land Use Zoning

Current Land Use has the parcels zoned as B1. The City of Grand Junction has the property identified on the Future Land Use Map as being Commercial.

This application proposes to change the parcels to be zoned MU in oredr to be more compatible with the existing neighborhood. The Future Land Use Map has adjacent parcels to the east as Residential Medium High zone designations. The Future Land Use Map has adjacent parcels to the north as residential medium. The Future Land Use Map has adjacent parcels to the west as residential medium. The Future Land Use Map has adjacent parcels to the south as commercial.

This project is along 28 Road which to the south is all commercial. While parcels to the north are mostly single family residential. This change to multi-family will aid transition of uses from commercial on the south to residential toward the north. Along North Avenue the City's Future Land Use Map shows a Village Center. It is a Comprehensive Plan goal to increase residential densities in Village Center areas.

Future Land Use Map



MU Zoning

MU Zoning Purpose. To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

DENSITY AND DIMENSIONAL STANDARDS FOR : MU ZONE

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot Area (min. ft. unless otherwise specified)	5,000	10,000	n/a	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	10	10	10	10	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	5	5	5	5	5	n/a
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Surrounding Land Use

The surrounding land uses in the vicinity of the subject property are considered to be “low to moderate” intensity. Surrounding land uses in the immediate vicinity of the subject property are depicted on the accompanying Surrounding Land Use Map that shows the configuration of the various properties in relationship to the subject site. The following chart describes the various land uses that adjoin the property:

NORTHWEST **Residential**	**NORTH** **Residential**	**NORHTEAST** **Residential**
WEST **Single Family**	**SITE**	**EAST** **Multi-Family**
SOUTHWEST **Commercial Shopping Plaza**	**SOUTH** **Commercial Banking**	**SOUTHEAST** **Multi-Family Vacant Commercial**

Proposed Land Use & Parking

INTRODUCTION – Redevelopment of the Concord Plaza Site into a Mixed Use development will update the existing buildings while ensuring an aesthetically pleasing plan. A more modern architecture will complement the neighborhood subdivision and the surrounding property owners. The architectural plans are submitted with this application for review.

SITE DEVELOPMENT – Preparation of the accompanying Final Site Plan Map is directly related to the site conditions described in this narrative statement. The map depicts the relationship of the buildings to the property boundary, roadway access and adjacent properties. This Application calls for the rezone and change of use for the two existing buildings and adjoining parking areas on 4 parcels totaling 1.47 acres.

Site Use Table			
Buildings	16,112 SF	.37 AC	25%
Landscaping	7,038 SF	.16 AC	11%
Parking/walks	41,474 SF	.95 AC	64%
Totals	64,033 SF	1.47 AC	100%

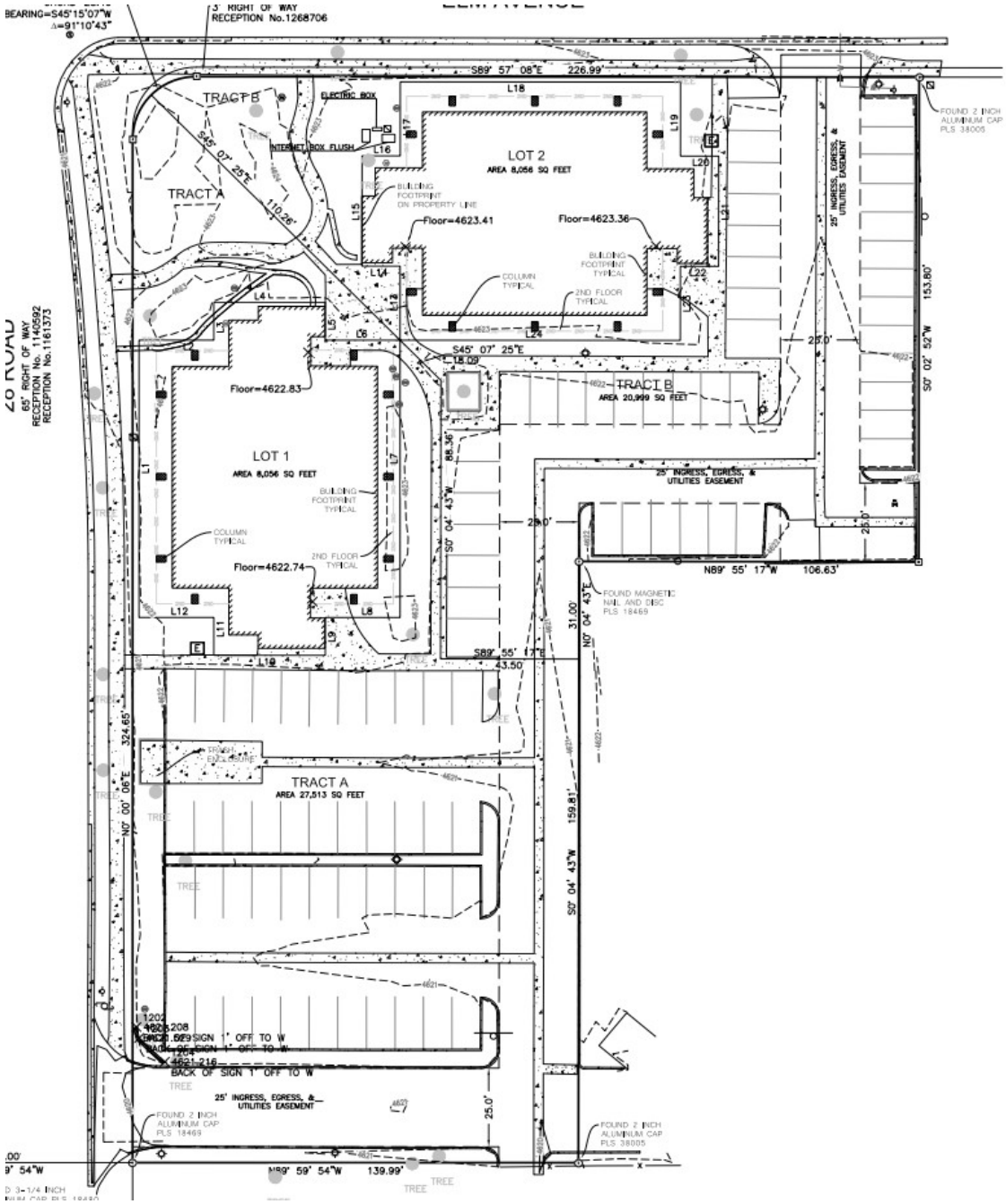
PARKING – The existing site parking lot will be repaired, resealed, and repainted. Based upon the following unit counts parking will exceed Code requirements

UNIT TYPE	QTY	Code Required Parking	Total
Studios	12	*1.25ea	15
One Bedroom	20	1.25ea	25
Two Bedrooms	2	1.5ea	3
TOTAL	34 units		43

The proposed parking will consist of **81 standard parking spaces and 4 handicap accessible spaces**. Landscaping around the lot will be updated with a plan created by NVision Design Studio, Rob Breeden, Licensed Landscape Architect. This landscape plan is submitted with this application for review.

** no specific Code requirement for studio apartments found,1 bedroom standard used.*

Final Site Plan Map



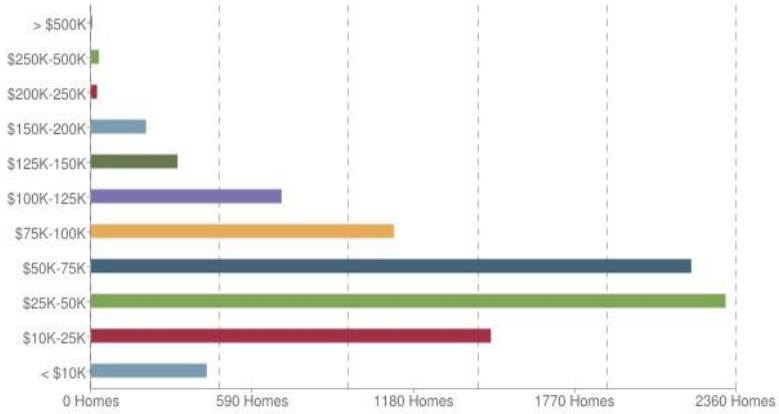
Neighborhood Population and Density

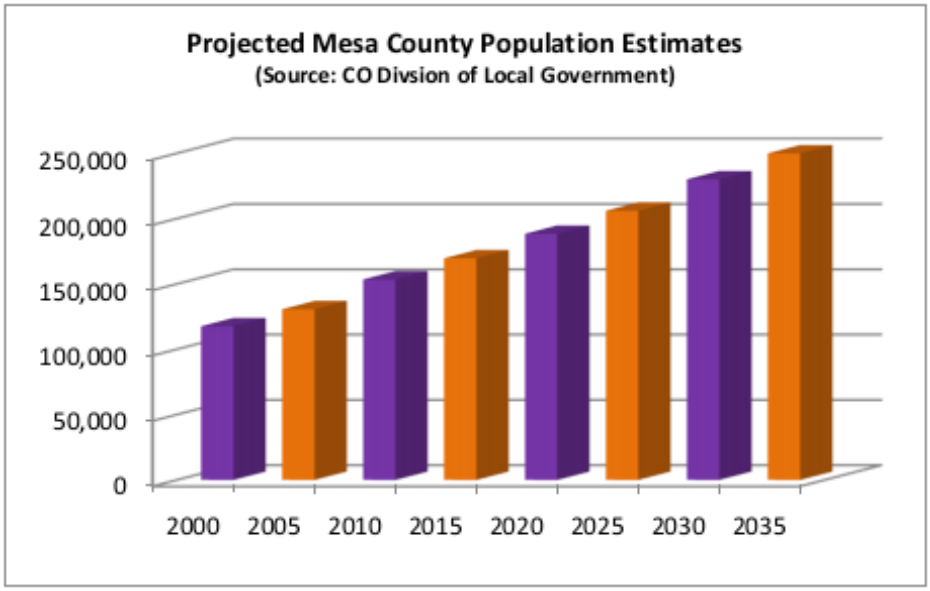
Recent statistics from Bray & Co. and the Department of Local Affairs show the area is growing in popularity due to it's location and average housing costs.(81501 and 81504) Concord Plaza will serve the continued growth and provide unique multi-family homes to moderate priced renters in the North central area of Grand Junction.

Income by Household

Median household income in 81504 is $51,918 with 464 households earning between $35,000 to $40,000 annually.

Income levels are listed along the left side of the chart, and the number of households are displayed along the bottom.





Area Schools

Schools designated to and around the project site are as follows:

Nisley Elementary School, which is located at 543 28-3/4 Road.
Bookcliff Middle School, which is located at 540 29 1/4 Rd.
Central High School, which is located at 550 Warrior Way.
Colorado Mesa University, which is located at 1100 North Ave.
All the above-mentioned schools are in Mesa County, Colorado.

Nisley Elementary School

Bookcliff Middle School

Central High School

Colorado Mesa University

Soils and Geology

No man-made or natural geologic hazards are known to exist on the subject property. The US Department of Agriculture Soil Conservation Service has identified the primary soil type as Turley clay loam. (The complete USDA Report is available from Colorado Land Advisor) re:20170119_11454311386_118_Soil_Report

Map Unit Legend

Mesa County Area, Colorado (CO680)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Rs	Oxyaquic Torrifluvents, 0 to 2 percent slopes	0.0	0.4%
Tr	Turley clay loam, 0 to 2 percent slopes	1.3	99.6%
Totals for Area of Interest		**1.4**	**100.0%**

Soils present on the site are well suited for site redevelopment and construction.

Utility Services

DOMESTIC WATER – All development will be served by a publicly owned domestic water distribution system. Water service serves the site presently from the new 8" inch water mains owned and operated by Ute Water Conservation District. A fire hydrant is located in front of the site on 28 Road. It is estimated that 2,000 – 3,000 gallons per day is consumed.

SANITARY SEWER – Concord Plaza is located within the 201 Boundary. Therefore, sewage connections are made to the system. Ultimately service is provided at the Persigo Plant.

NATURAL GAS – XCEL Energy has lines in 28 Road and in Elm Avenue which are currently extended into the development.

DRY UTILITIES – Electric and communication lines are available along 28 Road and along Elm Avenue. XCEL Energy provides electric service while Spectrum and Century Link do provide communication lines. All existing and new lines will be underground on-site.

IRRIGATION WATER – Grand Valley Irrigation provides irrigation water rights associated with the property. Subdivision laterals have been installed in Concord Plaza from Elm Avenue. An irrigation management plan will be developed with a licensed landscape architect for outdoor areas.

DRAINAGE – Historic drainage patterns will be addressed by the project engineer. Developed runoff rates will continue to be the same as previously experienced. Much of the roof run-off is directed onto landscaped areas. be controlled through any required water quality pond built near the South side of the site. Volumes and water quality discharge rates of the site will be addressed through the Drainage Report prepared by the civil engineer.

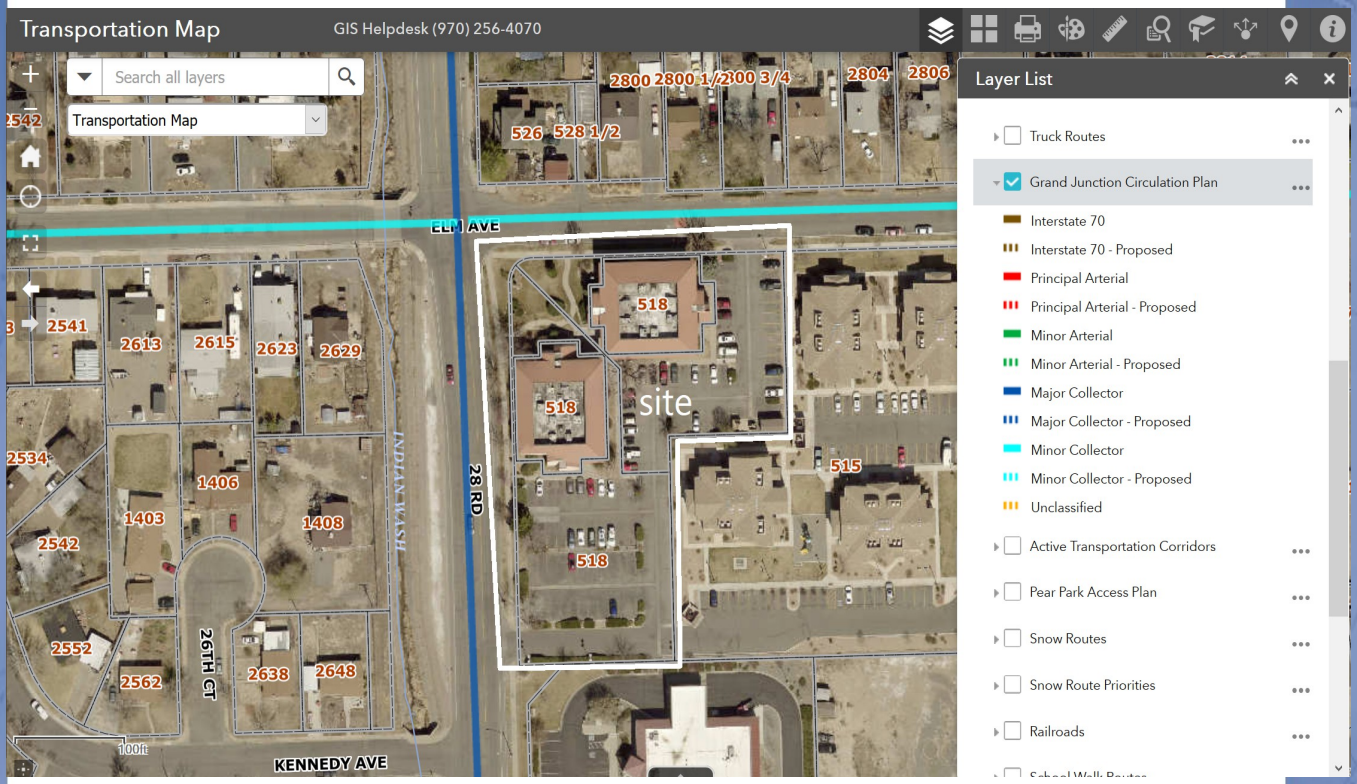
CELLULAR TELEPHONE SERVICE - All major cellular telephone companies provide coverage to the area. Phone reception for each of the carriers is available with signals ranging from very good (AT&T) to excellent (Verizon, Sprint and T-mobile).

There are no special or unusual demands on utilities or on public facilities with this project..

Area Transportation Services

Access to the site is excellent. There are various available modes of transportation which support people walking, people on bicycles, people on buses and, people in cars. Access for Concord Plaza is taken from 28 Road, which the City has designated as a major Collector street. Access is also made from Elm Avenue which the City has designated as a Minor collector street. The GVT Bus system has stops within 2 blocks of the site as well. This public transportation system serves the entire Grand Valley.

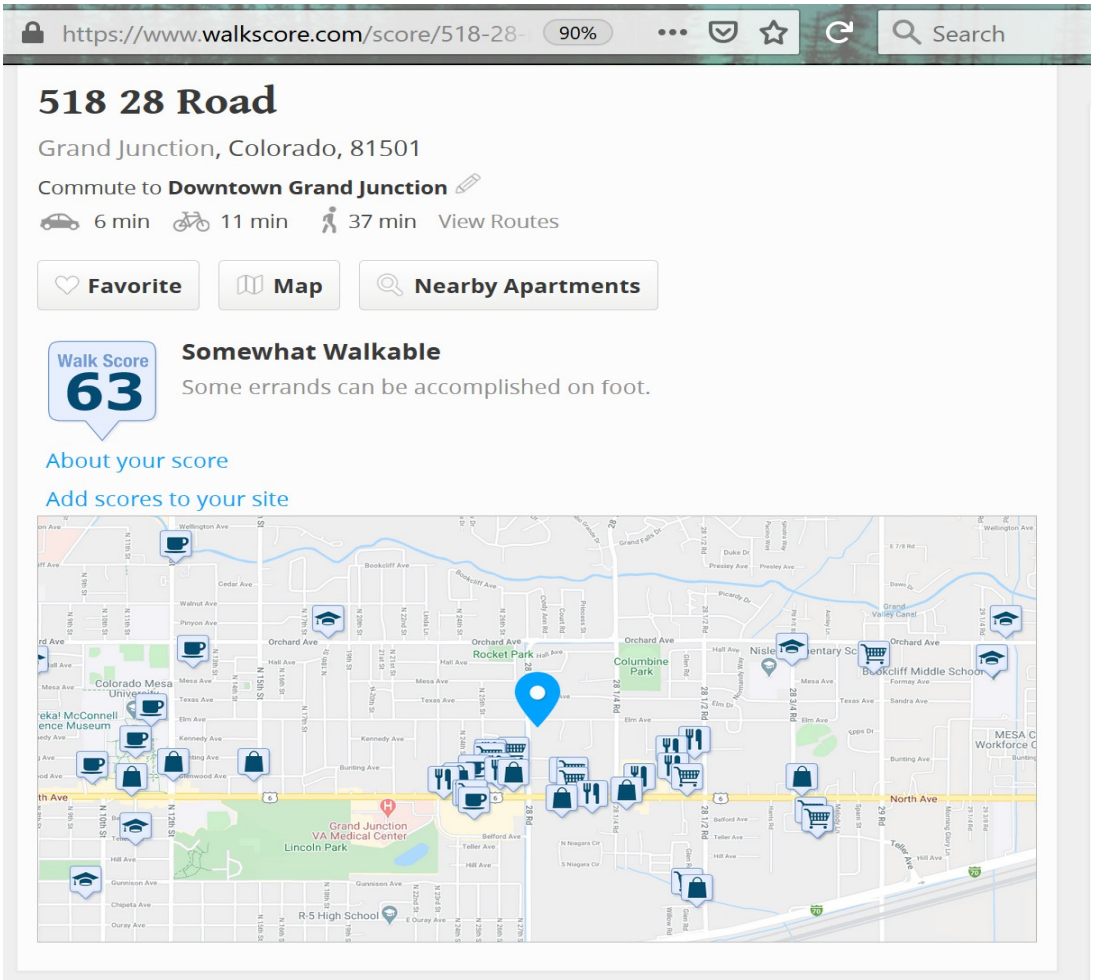
TRANSPORTATION MAP



Area Transportation Services

Access to the site is excellent. Access for Concord Plaza is taken from 28 Road and from Elm Avenue. All shopping and recreational services are accessible via motorized and non-motorized transportation. Many shopping and recreational services are within walking and biking distances. Rocket Park and Columbine Park are both a 5 minute walk away. Bicycle Lanes are painted on 28 Road and provide another form of transportation. This significant transportation network will provide options for future residents to choose from.

WALK SCORE MAP



Transportation and Emergency Services

The property is located near Fire Station 2 as established by the City of Grand Junction Fire Department. Firefighters can respond immediately to emergencies from Fire Station No. 2, located at 2827 Patterson Road, as it is about 1 mile away from the project site.

The Grand Junction Fire Department currently employs over 80 full time employees and is one of the largest paid fire departments between Denver and Salt Lake City. The Grand Junction Fire Department has recently made numerous upgrades to it's service including a new 911 Call Center and administrative offices. Fire Station 2 has recently undergone a complete renovation. The Open House for Station 2 was in November 2013. The Project will have excellent fire protection services.

Other emergency services are available from the City of Grand Junction Police Department. The Grand Junction Police Department has made numerous upgrades to it's service including a new 911 Call Center and administrative offices as well. In 2011 the Uniform Patrol section was comprised of 101 sworn officers, four non-sworn police service technicians, eight sergeants and three lieutenants. Collateral duties such as the Canine Program, SWAT, the Bike Officer Program, and Forensic Investigations fall under the Uniform Patrol section. In all the Grand Junction Police Department has 192 full time law enforcement employees.

Site Development Plan

GENERAL - Any activity similar to the proposed development, no matter where it is located, will most likely create some impact to the surrounding community economically, socially and physically. The nature of the proposal and how it is handled and controlled can determine whether the impacts are positive or negative. By a logical evaluation of all aspects of the existing and proposed development, steps can be taken which insure that the ultimate affects by the proposal are beneficial to the community.

DEVELOPMENT DESIGN – The development improvements of Concord Plaza is expected to improve circulation of the site. Improved landscaping will give customers more visual clues to access in and around the site. It is anticipated that site redevelopment may include some live-work opportunities. Occupancy of building B will continue throughout the improvements. Once Building A is completed and leased construction will begin on the remodel of Building B.

The development of the subject property is a response to the growing demand for affordable housing in a central location here in the Grand Valley. Grand Junction area as projected in the Comprehensive Plan and current housing trends (2019) which show a shrinking of lot inventories around the Valley. The Applicant is an experienced developer who is committed to the project. The housing type will fit well with a large segment of the 2021 housing market. Project compliance, compatibility, and impact have all been considered within the design/redesign of the development. The planner and civil engineer are experienced professionals who have adapted the previous site plan to accommodate regulatory changes since in was built in 1982. Concord Plaza will be a well designed and successful development as it meets many of the goals and intentions of the Comprehensive Plan.

The reader is advised to review the all construction plans in order to answer further questions.

Development Schedule and Evaluation of Request

DEVELOPMENT SCHEDULE – The development improvements of Concord Plaza is expected to occur in late 2020. It is anticipated that site development will begin immediately upon the City of Grand Junction's approval. On-site construction will begin approximately 30 days after construction documents are signed off by the City and utilities. Residential occupancy of the new units will take place in late 2020.

GENERAL - Any activity similar to the proposed development, no matter where it is located, will most likely create some impact to the surrounding community economically, socially and physically. The nature of the proposal and how it is handled and controlled can determine whether the impacts are positive or negative. By a logical evaluation of all aspects of the existing and proposed development, steps can be taken which insure that the ultimate affects by the proposal are beneficial to the community.

The development of the subject property is a response to the growing housing demands in the Grand Junction area as projected in the Comprehensive Plan and current housing trends (2019) which show a growing need for multi-family housing inventories around the Valley. The Applicant is an experienced developer who is committed to the project. The housing type will fit well with the growth of Colorado Mesa University as well as a large segment of the Valley's growing demographics. Project compliance, compatibility, and impact have all been considered within the design/redesign of the development.

Concord Plaza meets many of the goals and intentions of the Comprehensive Plan and thus will be a well designed and successful development.

The financial impacts to the community will include:

* Creating short terms jobs through the design and construction of the site.
* Creating several long term job opportunities for the management of the property.
* Potential Increase in real estate tax base through the redevelopment of the site.
* Increase in sales tax revenue through the sale of building materials.
* More efficient use of existing city infrastructure with no new items to be maintained.
* Increased inventory of affordable housing near the University and shopping areas.

More jobs, a higher tax base, and increased housing choices, coupled with NO NEW INFRASTRUCTURE to be maintained makes this a great project for the City.

Major Site Plan Criteria

21.02.070 Administrative development permits

(a) Common Elements of Administrative Development Permits.

(6) General Approval Criteria. No permit may be approved by the Director unless all of the following criteria are satisfied:

(i) Compliance with the Comprehensive Plan and any applicable adopted plan.

RESPONSE: Concord Plaza will be developed as an infill project. It is within the Urban Growth Boundary and conforms to the goals of the Comprehensive Plan. No trails are designated in the area on the current Urban Trails Master Plan.

(ii) Compliance with this zoning and development code.

RESPONSE: Concord Plaza will be redeveloped as a multifamily development providing housing near the Colorado Mesa University and the North Avenue Business District. The project site plan will show that it will meet parking, landscaping, and bulk standards requirements.

(iii) Conditions of any prior approvals.

Response: The prior approvals for the site are from when it was developed in 1982. This application for the Concord Plaza project will allow the site to be rezoned and the use allowed to include residential units.

(iv) Public facilities and utilities shall be available concurrent with the development.

Response: All utility services for the Concord Plaza project are adjacent or will be brought on-site. Open Space will be dedicated in tracts for use of the residents.

(v) Received all applicable local, State and federal permits.

Response: All required permits and planning clearances will be obtained for the existing buildings and site prior to changes to the site..

Major Site Plan Criteria

21.02.070 (g) Major Site Plan (1) Applicability (i) All development requires major site plan review except:

(A) A structure with one or two dwellings;

Response: Not Applicable

(B) Nonresidential, interior remodeling which will cost 25 percent or less of the fair market value of the existing structure;

Response: A significant interior remodel will take place in order to convert the now office space to residential units.

(C) An approved home occupation;

Response: Not Applicable

(D) An approved temporary use;

Response: Not Applicable

(E) An approved fence and a wall;

Response: Not Applicable

(F) An approved sign;

Response: The existing sign will be updated to reflect the change to multi-family use

(G) An approved change of use;

Response: The primary reason for this application is the change of use from office to residential at a density which requires the rezone.

(H) Minor site plan development; and

Response: Not Applicable

(I) A development which the Director determines does not require a major site plan review if the development will not adversely affect the neighborhood and meets the purpose and intent of this code.

Response: Not Applicable

(ii) Major site plan review shall be completed prior to issuance of a planning clearance and a building permit.

Response: This site consists of an existing building to be remodeled.

Rezone Criteria

21.02.140

(a) ***Approval Criteria.*** *In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:*

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

Response: Concord Plaza will bring more order to the neighborhood. The proposed density and designed lot layout will transition from more commercial uses to the South towards medium density residential North and East of the site. The apartments will easily integrate with the surrounding parcels. No amendment to any map is being proposed.

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

Response: Concord Plaza meets the density and intensity guidelines of the Comprehensive Plan and the MU Zone.

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

Response: A preliminary scoping of the project area indicates that more than the minimum requirements of streets, utilities, parks and services are readily available along 28 Road, Elm Avenue, and North Avenue.

(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

Response: Concord Plaza falls within the Urban Growth Boundary and thus is required to be developed. This redevelopment will add medium priced housing to an area which could further support the North Avenue Business District. Bringing more medium density housing closer to retail services reduces demands on streets.

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

Response: There is no proposed amendment. However, developing Concord Plaza will increase efficiency in the use of the existing infrastructure thus generating more income for the utilities e.g. the Persigo Plant while not adding any more infrastructure to be maintained. This is one of the goals of the Comprehensive Plan.

Rezone Criteria

21.02.070 (r) (2) Approval Criteria. A preliminary subdivision plan shall not be approved unless the applicant proves compliance with the purpose portion of this section and with all of the following criteria:

(i) The preliminary subdivision plan will be in conformance with the Comprehensive Plan, Grand Valley Circulation Plan, Urban Trails Master Plan, and other adopted plans;

RESPONSE: Concord Plaza will be developed as an infill project. It is within the Urban Growth Boundary and conforms to the goals of the Comprehensive Plan. No trails are designated in the area on the current Urban Trails Master Plan.

(ii) The subdivision standards in Chapter 21.06 GJMC;

RESPONSE: Concord Plaza has an experienced developer in Senergy Builders, Inc. and professional engineering firm in River City, Inc. The project will meet or exceed all subdivision development standards.

(iii) The zoning standards in Chapters 21.03 and 21.04 GJMC;

RESPONSE: Concord Plaza will be developed to fit within the R4 Zone. The project will meet all density, setback and height standards. Houses will be mostly consist of traditional 3 bedroom, 2 bath, 2 car garages.

(iv) Other standards and requirements of this code and other City policies and regulations;

RESPONSE: Concord Plaza will go through the development review process and all comments from the utilities and review agencies will be addressed.

(v) Adequate public facilities and services will be available concurrent with the subdivision;

Response: By submitting the Development Application for review to the City, the County and utility providers it can be determined if adequate facilities are in place. A preliminary scoping of the project area indicates that some off-site improvements will be required. There is plenty of capacity in these utilities once extended to the site.

(vi) The project will have little or no adverse or negative impacts upon the natural or social environment;

Rezone Criteria

Response: By submitting the Development Application for review to the City the various review agencies can judge the impacts of the project upon their respective areas. The parcel is farm land with some invasive plant species. Once fully developed the project will be landscaped and the natural environment will be very stable. Anticipated improvements include removal of invasive plant species and improved water quality.

(vii) Compatibility with existing and proposed development on adjacent properties;

RESPONSE – Concord Plaza will be a residential project with adjoining parcels transitioning from farms to industrial sites. The project meets the criteria of the Zoning and Development Code. The Project as designed will transition from rural densities to the North to more urban and industrial densities to the South and East.

(viii) Adjacent agricultural property and land uses will not be harmed;

RESPONSE – Concord Plaza will be very compatible with adjacent land uses and will in no way harm any agricultural properties. Through cleanup efforts and the future stormwater pond improvements adjacent lands will benefit from cleaner waters leaving this project.

(ix) Is neither piecemeal development nor premature development of agricultural land or other unique areas;

RESPONSE – Concord Plaza is within the Urban Growth Boundary. It has been zoned for development for several years. Adjoining parcels are residential and compatible to the proposed intensity of use. The project meets, or will meet, all criteria of the Zoning and Development Code.

(x) There is adequate land to dedicate for provision of public services; and

RESPONSE – Brookfield is a 19.6 acre project and thus no land will be dedicated for public services beyond the utilities necessary to service the 68 lots of the subdivision. The project will pay impact fees for streets and will pay for parks to be developed elsewhere within the City..

Rezone Criteria

(xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.
RESOPNSE – Concord Plaza will connect to existing roadways which have adequate capacity to handle the development. The project will extend the sanitary sewer north along 21-1/2 Road thus making more use of the Persigo Plant's current capacity. All costs for the project will be upon the developer. The developer will then give to the City the infrastructure package consisting of streets and sewer facilities. The developer will then pay additional Transportation Impact Fees, Open Space Fees, School Fees and Parks Fees.

E. *Avoid development in ravine slide areas, geological hazardous areas and in flood plains*.
Response: A Grading and Drainage Plan designed by a Professional Engineer will be submitted with this Project to be reviewed by the City's Development Engineer. The natural topography of the site is gentle 1-2% slopes. Development will increase water quality by virtue of the stormwater pond.

F. *Preserve stands for existing mature trees and native vegetation.*
Response: The proposed development site has no mature trees as it has been used for farmland. Some noxious weeds will e removed through the development process.

Criteria C: Subdivision standards (Section 6.7) this section contains nine standards a response to each of the applicable standards follows:
Standard B. Intent. The design and layout must incorporate and emphasize unique features of the land. All subdivisions should be designed to:
A. *Compliments neighborhood development and uses.*
Response: The design of Concord Plaza will compliment the residential area by adding higher quality homes within the Growth Boundary to the sparse single family parcels of the area.

Rezone Criteria

B. Reinforce the importance of public places such as boulevards, parks and open spaces.

Response: The Project will contain natural Open Space around the stormwater pond/park area and along the Indian Drain.

C. Protect existing natural resources and wildlife habitat.

Response: By developing Concord Plaza this will reduce pressure on surrounding natural resources. The Indian Drain will be maintained as much as possible in a natural state to encourage wildlife habitat. Future plantings around the pond will encourage water foul to visit the area.

D. *Mitigate erosion from water.*

Response: A Grading Plan drawn by a professional engineer will be submitted with the Development Application to be reviewed by the City's Development Engineer. River City will design a specific plan for the pond and drainageway connection. This will stabilize the bank and reduce water velocities and erosion, thereby increasing water quality.

Criteria D. The Zoning Standards

Standard D: Lot layout and Design

Response: Concord Plaza will meet all standards within the Zoning and Development Code. A copy of the proposed Concord Plaza Plat is included with this Development Application showing the lot layout. *The Project as designed will transition from rural densities to the North to more urban densities to the South. Lot design has considered this and created smaller lots to the South and larger lots along the northern boundary.*

Criteria E: Circulation

Response: Circulation will be as depicted on the plat with 5 new streets to serve the project. The main entrance point will be near the Southeast corner of the project. The location lends itself as most traffic will be headed South and East from the site.

Rezone Criteria

Criteria F: Location and Use of Open and Undeveloped Space
Response: The plan shows the location of Tract A and B. These are Open Space areas that will be used for irrigation and stormwater ponds. The parcels will be landscaped and it is anticipated that they will used for recreational purposes as well.

Criteria H: Compatibility with existing and proposed development on adjacent properties.
Response: Concord Plaza, as proposed, will be compatible with the adjacent parcels as it will be a transitional development helping to buffer low intensity farmlands to the North from industrial uses to the South. The surrounding homes are primarily single family detached. They are one and two story homes on larger rural and estate type parcels. In terms of density, intensity and architecturally the new homes will be compatible. The homes will be of a higher density and higher quality finish.

Criteria K: There is adequate land to dedicate for provisions of public services.

Criteria L: This project will not cause an undue burden on the City from maintenance or improvement of land and/or facilities.
Response: Concord Plaza will slightly increase the use of 21-1/2 Road. The developer will build all new infrastructure within the Concord Plaza development and give those improvements to the City of Grand Junction at no cost. Concord Plaza will add to the tax base through sales tax during construction and property tax upon the new homes.

Rezone Criteria

Criteria H: Compatibility with existing and proposed development on adjacent properties.
Response: Concord Plaza, as proposed, will be compatible with the previous approvals for the property. The surrounding area is primarily single family detached homes. The new homes will be 1 and 2 story single family homes similar in style to other subdivisions now being built by the developer.

Criteria L: This project will not cause an undue burden on the City from maintenance or improvement of land and/or facilities.
Response: Concord Plaza will connect to existing streets and utilities. The R4 density is a more efficient use of infrastructure. Concord Plaza will add to the tax base while utilizing bearing the entire financial burden for all improvements.

21.03.060 Cluster Developments
Cluster development was considered while looking at spacing and necessary road designs. As the design evolved it became apparent that clustering this development was not the direction the Applicant wanted to go. Therefore, clustering is not addressed as it is not a part of this application.

21.06.060 (h)
(h) Location and Use of Open and Undeveloped Space.
(1) The plat for each subdivision shall include and protect as much of the following open space as the Director deems reasonable:
(i) Natural, geologic or other hazard areas, such as potentially unstable slopes, faults, landslides, rockfalls, expansive soils, and floodplains.
Two parcels will be designated as open space tracts within the development. These area will be used for recreational activities, wildlife viewing and stormwater management. There are no expansive soils or unstable slopes that affect the site design. The topography of the site consists of 1-2% slopes towards the Southwest.

Rezone Criteria

(ii) Stream beds and corridors, bluffs, ridges, steep slopes, mature trees and/or stands of native vegetation, rock outcroppings, wetlands, native upland ecosystems, riparian areas, and wildlife corridors.

A site visit reveals there are no s*tream beds and corridors, bluffs, ridges, steep slopes, mature trees and/or stands of native vegetation. There are no rock outcroppings, wetlands, native upland ecosystems, riparian areas, or wildlife corridors.* The Indian Wash will continue to carry irrigation runoff. In the lower elevation section of this development (Southwest) a stormwater water quality pond will be built. This feature will create opportunities for plantings that will support wildlife habitat that currently does not exist.

(iii) Water features such as drainages, waste ditches, washes, canals, ditches, lakes, natural ponds, and retention and detention ponds.

The Indian Wash will continue to carry irrigation runoff from the North. The stormwater pond will become a water feature and focal point as landscaping matures.

(2) Location. The open space in each subdivision shall be located to create or enhance:

(i) Community focal points;

The Open Space location has been defined by nature. It itself will be the focal point. There are views of the Colorado National Monument from this area of the development. This will enhance community values and views.

(ii) Passive recreational opportunities;

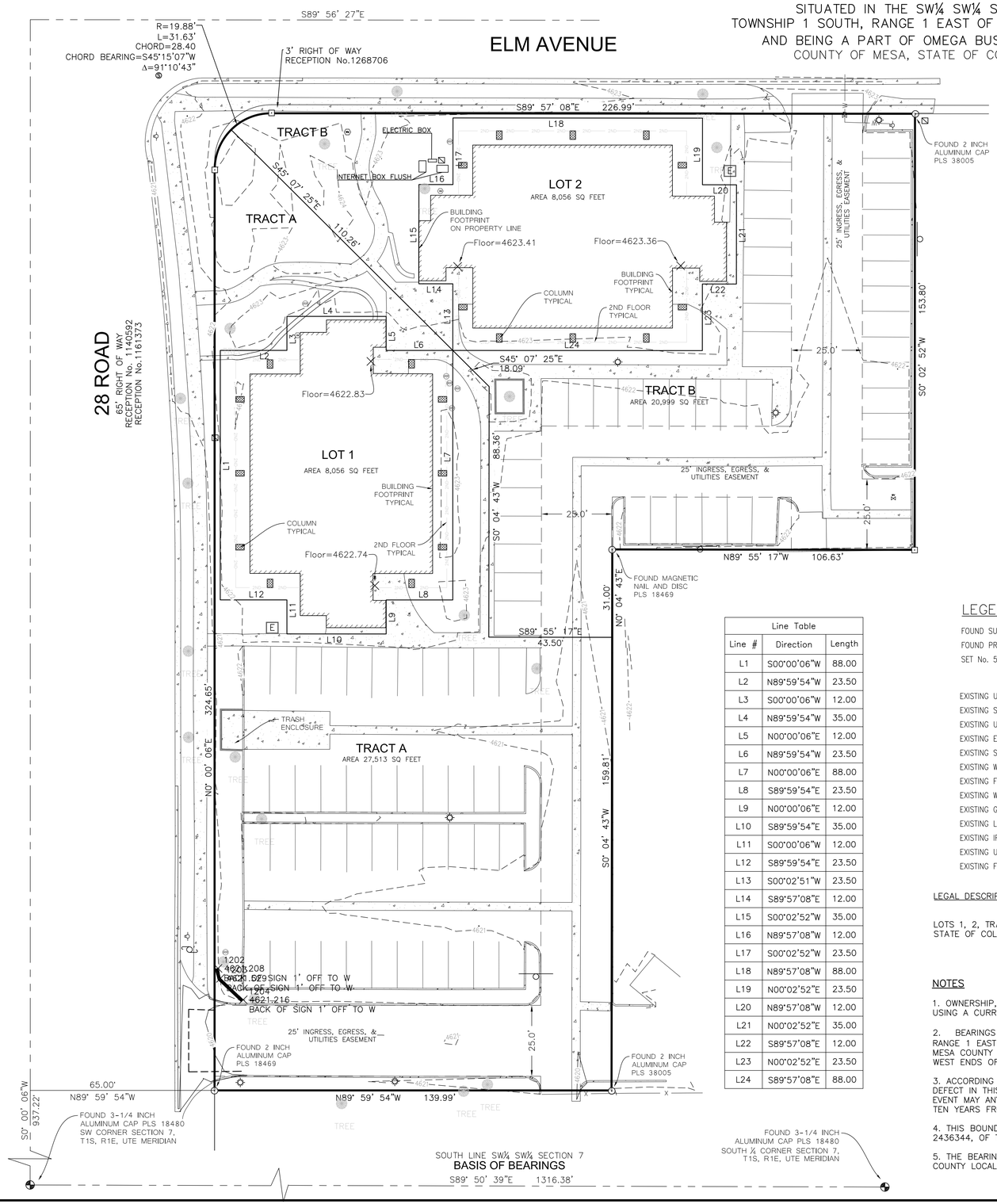
By using what is naturally occurring along the wash it is anticipated that through water foul and wildlife use of the open space this will create passive viewing opportunities for residents.

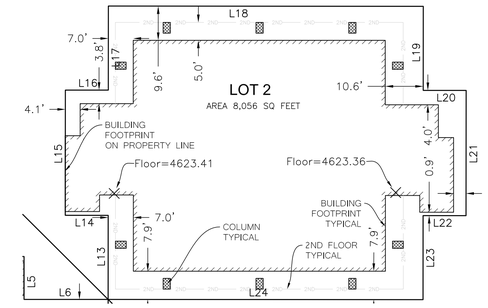
(iii) Active recreational opportunities;

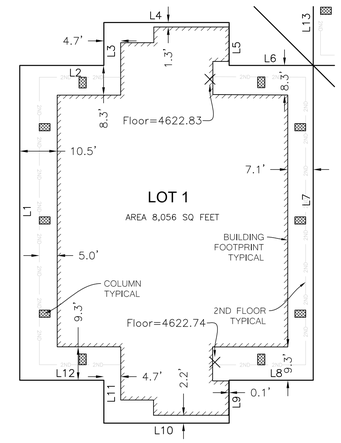
The trail to the pond connecting with neighborhood sidewalks will create active recreational opportunities such as walking, hiking and jogging as well as other recreational opportunities.

IMPROVEMENT SURVEY

SITUATED IN THE SW¼ SW¼ SECTION 7
TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN
AND BEING A PART OF OMEGA BUSINESS PARK
COUNTY OF MESA, STATE OF COLORADO







N

GRAPHIC SCALE:
1"=30'
30 0 30 60
LINEAR UNITS ARE U.S. SURVEY FEET

Line Table		
Line #	Direction	Length
L1	S00°00'06"W	88.00
L2	N89°59'54"W	23.50
L3	S00°00'06"W	12.00
L4	N89°59'54"W	35.00
L5	N00°00'06"E	12.00
L6	N89°59'54"W	23.50
L7	N00°00'06"E	88.00
L8	S89°59'54"E	23.50
L9	N00°00'06"E	12.00
L10	S89°59'54"E	35.00
L11	S00°00'06"W	12.00
L12	S89°59'54"E	23.50
L13	S00°02'51"W	23.50
L14	S89°57'08"E	12.00
L15	S00°02'52"W	35.00
L16	N89°57'08"W	12.00
L17	S00°02'52"W	23.50
L18	N89°57'08"W	88.00
L19	N00°02'52"E	23.50
L20	N89°57'08"W	12.00
L21	N00°02'52"E	35.00
L22	S89°57'08"E	12.00
L23	N00°02'52"E	23.50
L24	S89°57'08"E	88.00

LEGEND:

FOUND SURVEY MARKER AS DESCRIBED
FOUND PROPERTY CORNER AS DESCRIBED
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904

EXISTING UTILITY POLE
EXISTING SIGN
EXISTING UTILITY PEDESTAL
EXISTING ELECTRIC TRANSFORMER
EXISTING SANITARY SEWER MANHOLE
EXISTING WATER VALVE
EXISTING FIRE HYDRANT
EXISTING WATER METER
EXISTING GAS METER
EXISTING LIGHT POLE
EXISTING IRRIGATION FEATURE
EXISTING UNDERGROUND WATER LINE
EXISTING FENCE LINE

LEGAL DESCRIPTION:

LOTS 1, 2, TRACTS A AND B, ALL IN OMEGA BUSINESS PARK, COUNTY OF MESA, STATE OF COLORADO.

NOTES

1. OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.

2. BEARINGS ARE BASED ON THE SOUTH LINE OF SW¼ SW¼ SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN. THE VALUE USED S89°50'39"E, WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. SURVEY MARKERS WERE FOUND AT THE EAST AND WEST ENDS OF SAID LINE AS SHOWN HEREON.

3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.

4. THIS BOUNDARY SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2436344, OF THE MESA COUNTY RECORDS.

5. THE BEARINGS SHOWN HEREON REPRESENT OMEGA BUSINESS PARK ROTATED THE THE MESA COUNTY LOCAL COORDINATE SYSTEM.

ABBREVIATIONS:

N	NORTH
S	SOUTH
E	EAST
W	WEST
T	TOWNSHIP
R	RANGE
MCSM	MESA COUNTY SURVEY MARKER
ROW	RIGHT OF WAY
SIMS	SURVEY INFORMATION MANAGEMENT SYSTEM
PLS	PROFESSIONAL LAND SURVEYOR
No.	NUMBER
GPS	GLOBAL POSITIONING SYSTEM
ID	IDENTIFICATION

CURVE LABEL ABBREVIATIONS:

R	RADIUS
L	ARC LENGTH
CHORD	LONG CHORD DISTANCE
BEARING	LONG CHORD BEARING
Δ	CURVE CENTRAL ANGLE

SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.

COLORADO LICENSED PATRICK W. CLICK 37904 PROFESSIONAL LAND SURVEYOR
5-19-2020

COLORADO REGISTERED LAND SURVEYOR PLS #37904

IMPROVEMENT SURVEY
SITUATED IN THE SW¼ SW¼ SECTION 7
TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

JOB #: 2020-062 FIELD WORK: KM
DATE: 5/19/2020 DRAWING NAME: 2020-062 DRAWN BY: PC

POLARIS SURVEYING
PATRICK W. CLICK P.L.S.
3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

LEGAL DESCRIPTION

Parcel 1:
Lot 1,
OMEGA BUSINESS PARK
County of Mesa, State of Colorado

Parcel 2:
Lot 2,
OMEGA BUSINESS PARK
County of Mesa, State of Colorado

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Concord Plaza, LLC ("Entity") is the owner of the following property:

(b) 518 28 Road, Grand Junction, CO 81501 known as Concord Plaza

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) Registered Agent 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) Rezone

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

(e) NONE

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: Darin Carei

Printed name of person signing: Darin J. Carei

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 31st day of March, 2020

by Darin Carei

Witness my hand and seal.

My Notary Commission expires on September 3, 2023

MARCUS DEANS
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20194033313
MY COMMISSION EXPIRES SEP 3, 2023

Marcus Deans
Notary Public Signature

Sheila Reiner, Mesa County Treasurer
544 Rood Ave - Grand Junction CO 81501
Dept. 5027 - PO Box 20,000 - Grand Junction CO 81502-5001
Phone Number: (970) 244-1824

Account Number R032885
Acres 0.00
Assessed To

Parcel 294307325001

CONCORD PLAZA LLC
518 28 RD UNIT 202A
GRAND JUNCTION, CO 81501

Legal Description
LOT 1 OMEGA BUSINESS PARK SEC 7 1S 1E

Situs Address
518 28 RD

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2019	$8,949.20	$0.00	$0.00	($8,949.20)	$0.00
Total Tax Charge					$0.00
Grand Total Due as of 08/05/2020					**$0.00**

Tax Billed at 2019 Rates for Tax Area 10301 - 10301

Authority	Mill Levy	Amount
COLORADO RIVER WATER CONSER	0.2350000*	$32.37
MESA CNTY ROAD & BRIDGE-GRA	0.2620000	$36.09
CITY OF GRAND JUNCTION	8.0000000	$1,102.00
GRAND RIVER MOSQUITO CTRL	1.4520000	$200.01
GRAND VALLEY DRAINAGE DIST	1.7480000	$240.79
LIBRARY DISTRICT	3.0070000	$414.21
COUNTY - DEVELOP DISABLED	0.2460000	$33.89
COUNTY GENERAL FUND	6.1480000*	$846.89
COUNTY ROAD & BRIDGE-1/2 LE	0.2620000	$36.09
SOCIAL SERVICES	1.6100000	$221.78
COUNTY TRANSLATOR TV FUND	0.0260000	$3.58
SCHOOL DIST# 51 GENERAL	24.3260000	$3,350.90
SCHOOL DIST# 51 BOND	9.4310000	$1,299.12
SCHOOL DIST# 51 OVERRIDE 96	2.6990000	$371.79
SCHOOL DIST# 51 2006 OVERID	2.1010000	$289.41
SCHOOL DIST# 51 2017 OVERRI	3.4140000	$470.28
Taxes Billed 2019	64.9670000	$8,949.20

* Credit Levy

Values	Actual	Assessed
OFFICES - LAND	$186,810	$54,170
OFFICES - IMPS	$288,190	$83,580
Total	$475,000	$137,750

City of Grand Junction
Review Comments

Date: October 22, 2020 **Comment Round No.** 1 **Page No.** 1 of 3
Project Name: Concord Plaza Rezone **File No:** RZN-2020-559
Project Location: 518 28 Road

Check appropriate [X] **if comments were mailed, emailed, and/or picked up.**

	Property Owner(s): Concord Plaza, LLC Attn: Darin Carei	
	Mailing Address: 1111 S. 7th Street, Grand Junction, CO 81501	
	Email: N/A	**Telephone** (970) 234-0708
	Date Picked Up: _____	**Signature:** _____
	Representative(s): Colorado Land Advisor, LTD Attn: Jeffery Fleming	
	Mailing Address: 300 Main Street Suite 302, Grand Junction, CO 81501	
X	**Email:** LandAdvisor@ColoradoLandAdvisor.com	**Telephone** (970) 812-3288
	Date Picked Up: _____	**Signature:** _____
	Applicant(s): Senergy Builders, LLC Attn: Darin Carei	
	Mailing Address: 1111 S. 7th Street, Grand Junction, CO 81501	
X	**Email:** DCarei@SenergyBuilders.com	**Telephone** (970) 248-8500
	Date Picked Up: _____	**Signature:** _____

CITY CONTACTS

Project Manager: Jace Hochwalt, Senior Planner
Email: jaceh@gjcity.org **Telephone** (970) 256-4008

Dev. Engineer: Rick Dorris, Development Engineer
Email: Rickdo@gjcity.org **Telephone** (970) 256-4034

City of Grand Junction
REQUIREMENTS
(with appropriate Code citations)

CITY PLANNING – Jace Hochwalt – jaceh@gjcity.org – 970-256-4031

1. The Applicant is seeking approval of a rezone of four parcels totaling 1.48 acres from B-1 (Neighborhood Business) to M-U (Mixed Use). The site is improved with two office buildings, each totaling approximately 11,272 square feet. The primary purpose of the rezone is to allow for higher density multi-family uses on the site. B-1 allows for a residential density range of up to 16 units/acre, which means the site can only accommodate 23 units total. The M-U zone district allows for up to 24 units/acre, which indicates that the sight could contain a maximum of 35 units. There is currently a Site Plan under review for the conversion of the existing office buildings to multi-family residential (SPN-2020-526). A total proposed unit count has not been confirmed as of the date of these notes.
No response required.

2. Planning Commission and Council Hearing dates are proposed as follows:
   1) Planning Commission Hearing: Tuesday, December 8th (meeting starts at 6:00pm).
   2) City Council First Reading (will be on consent agenda): Wednesday, December 16th (meeting starts at 5:30pm).

3) City Council Hearing and Decision: Wednesday, January 6th (meeting starts at 5:30pm)
No response required.

3. As of the date of this document, staff has not received any comments from the public about this proposal. A copy of the staff report will be provided to the Applicant prior to the Planning Commission hearing.
No response required.

CITY DEVELOPMENT ENGINEER – Rick Dorris –Rickdo@gjcity.org (970) 256-4034

No comments on Rezone.
No response required.

CITY FIRE DEPARTMENT – Matt Sewalson – Mattse@gjcity.org (970) 549-5855

The Grand Junction Fire Department's Fire Prevention Bureau has no objections to the proposed Rezoning. All applicable Fire Codes will be addressed through the site plan review and building permit process.
No response required.

CITY SURVEYOR – Renee Parent – reneep@gjcity.org (970) 256-4003

Improvement Survey

- Closure of boundary - I could not get the boundary to close, error ~0.16 ft.
- The drawing scales to 1"=20ft instead of 1"=30ft.
- The label of 'South 1/4 Corner Section 7' looks incorrect based on the distance shown for the basis of bearings line.
- Found some overlapping text.

Also, as a note. I could not find a deed/plat etc. that conveyed the 30ft of ROW north of Omega Business Park (30' portion of Bunting immediately south of the center of section line). This may need to be dedicated if the parcel is platted. If the parcel is platted, please add additional adjoining parcel information. A markup was provided.
No response required.

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

No Comments.
No response required.

PERSIGO WASTEWATER TREATMENT FACILITY – Stephen Stortz – stephens@gjcity.org (970) 256-4164

No comment for rezone proposal.
No response required.

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.
No response required.

Review Agency: Grand Valley Drainage District
Contact Name: Tim Ryan
Email / Telephone Number: tim.admin@gvdd.org (970) 242-4343

GVDD has no comment or objection.
No response required.

Review Agency: Xcel Energy
Contact Name: Brenda Boes
Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections, however the Developer needs to be aware that at the time of submitting an application with Xcel the following will be required and could happen:

1. Accurate BTU loads for the new homes will be required.
2. If determined by area engineer that reinforcement is needed to Xcel's gas main to support added loads from subdivision, said reinforcement will be at Developers expense.
3. Reinforcement costs are required to be paid prior to installation.

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.
No response required.

Review Agency: Bureau of Reclamation
Contact Name: Alan Schroeder
Email / Telephone Number: aschroeder@usbr.gov (970) 248-0600

No Comments; outside of our area of concern.
No response required.

Review Agency: Regional Transportation Planning Office (RTPO)
Contact Name: Andrew Gingerich
Email / Telephone Number: andrew.gingerich@mesacounty.us (970) 683-4339

The site is very well served by transit. It is near Route 3 on Orchard Avenue and Routes 5 and 9 on North Ave. North Ave is envisioned in the 2045 RTP to be an enhanced transit corridor. The proposed multi-family development would be a transit supportive land-use.

Please include GVT / GVMPO staff when subsequent submittals are made for this project. In particular, we would like the opportunity to comment on access, pedestrian connectivity, and potential conflicts between modes and how to mitigate them.
No response required.

REVIEW AGENCIES (Who have not responded as of the due date)

1. CenturyLink
2. Grand Valley Irrigation Company

No response to this document is required.

Colorado Land Advisor Ltd.
Planning | Engineering | Design
300 Main Street #302 Grand Junction, CO. 81501
will be hosting:

A Neighborhood Meeting for a Rezone

When: Monday October 19th 5:30 PM

Where: 518 28 Road Grand Junction, CO. 81501(in the central courtyard)

Why: An Open House to present Senergy Builders redevelopment plans for Concord Plaza.
The property is located at 518 28 Road Grand Junction, CO. 81501. and consists of 1.48 acres

The property will be remodeled into a residential mixed-use development that will consist of 34 residential units and possible live/work units.

If you have questions before or after the neighborhood meeting please contact:

Applicant's Planner:
Colorado Land Advisor
Jeffery Fleming
300 Main Street Suite 302
Grand Junction, CO 81501
970.812.3288
landadvisor@coloradolandadvisor.com
ColoradoLandAdvisor.com

City Planner:
Jace Hocwalt, AICP
Associate Planner
250 North 5th Street
Grand Junction, CO. 81501
970.256.4008
JaceH@gjcity.org

GRAND JUNCTION CO 815

05 OCT 2020 PM 1 L

CITY OF GRAND JUNCTION
ATTN: JACE HOCHWALT
250 N 5TH ST
GRAND JUNCTION CO 81501-2628

8150132668

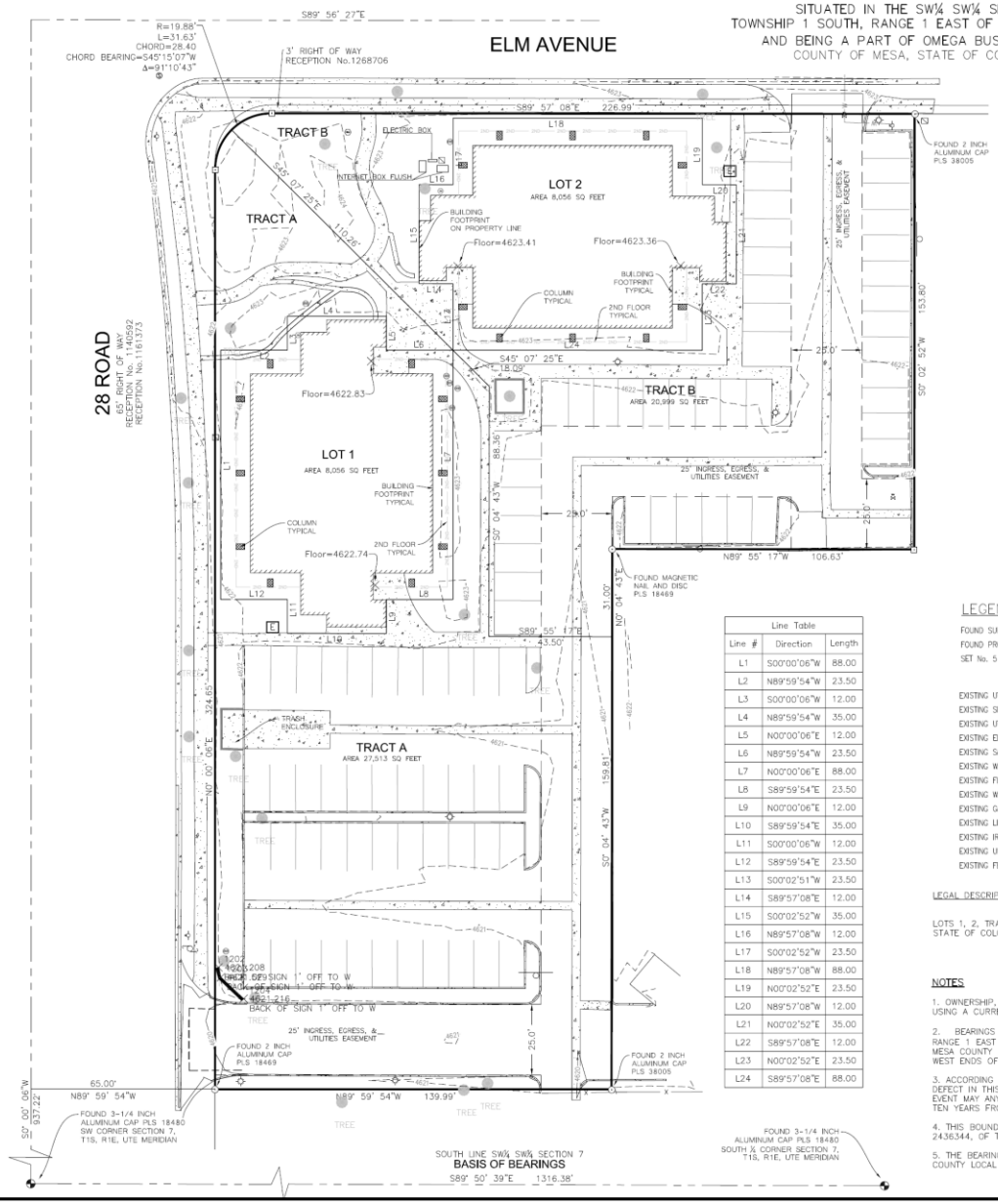
IMMEDIATE VICINITY MAP

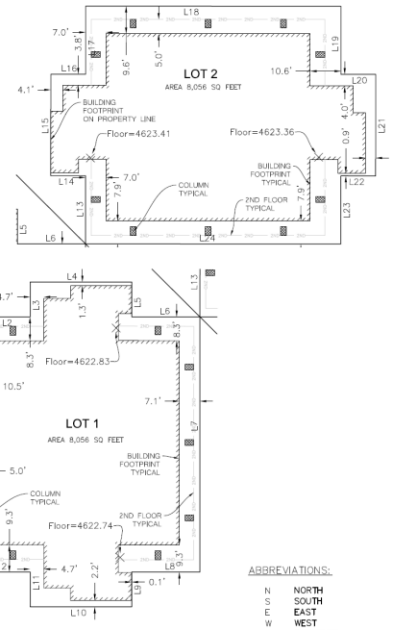
EXPANDED VICINITY MAP

SITE IMPROVEMENT SURVEY

IMPROVEMENT SURVEY

SITUATED IN THE SW¼ SW¼ SECTION 7
TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN
AND BEING A PART OF OMEGA BUSINESS PARK
COUNTY OF MESA, STATE OF COLORADO





N

GRAPHIC SCALE:
1"=30'
30 0 30 60
LINEAR UNITS ARE U.S. SURVEY FEET

Line Table		
Line #	Direction	Length
L1	S00°00'06"W	88.00
L2	N89°59'54"W	23.50
L3	S00°00'06"W	12.00
L4	N89°59'54"W	35.00
L5	N00°00'06"E	12.00
L6	N89°59'54"W	23.50
L7	N00°00'06"E	88.00
L8	S89°59'54"E	23.50
L9	N00°00'06"E	12.00
L10	S89°59'54"E	35.00
L11	S00°00'06"W	12.00
L12	S89°59'54"E	23.50
L13	S00°02'51"W	23.50
L14	S89°57'08"E	12.00
L15	S00°02'52"W	35.00
L16	N89°57'08"W	12.00
L17	S00°02'52"W	23.50
L18	N89°57'08"W	88.00
L19	N00°02'52"E	23.50
L20	N89°57'08"W	12.00
L21	N00°02'52"E	35.00
L22	S89°57'08"E	12.00
L23	N00°02'52"E	23.50
L24	S89°57'08"E	88.00

LEGEND:

FOUND SURVEY MARKER AS DESCRIBED
FOUND PROPERTY CORNER AS DESCRIBED
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904

EXISTING UTILITY POLE
EXISTING SIGN
EXISTING UTILITY PEDESTAL
EXISTING ELECTRIC TRANSFORMER
EXISTING SANITARY SEWER MANHOLE
EXISTING WATER VALVE
EXISTING FIRE HYDRANT
EXISTING WATER METER
EXISTING GAS METER
EXISTING LIGHT POLE
EXISTING IRRIGATION FEATURE
EXISTING UNDERGROUND WATER LINE
EXISTING FENCE LINE

LEGAL DESCRIPTION:

LOTS 1, 2, TRACTS A AND B, ALL IN OMEGA BUSINESS PARK, COUNTY OF MESA, STATE OF COLORADO.

NOTES

1. OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.

2. BEARINGS ARE BASED ON THE SOUTH LINE OF SW¼ SW¼ SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN. THE VALUE USED S89°50'39"E, WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. SURVEY MARKERS WERE FOUND AT THE EAST AND WEST ENDS OF SAID LINE AS SHOWN HEREON.

3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.

4. THIS BOUNDARY SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2436344, OF THE MESA COUNTY RECORDS.

5. THE BEARINGS SHOWN HEREON REPRESENT OMEGA BUSINESS PARK ROTATED THE THE MESA COUNTY LOCAL COORDINATE SYSTEM.

ABBREVIATIONS:

N	NORTH
S	SOUTH
E	EAST
W	WEST
T	TOWNSHIP
R	RANGE
MCSM	MESA COUNTY SURVEY MARKER
ROW	RIGHT OF WAY
SIMS	SURVEY INFORMATION MANAGEMENT SYSTEM
PLS	PROFESSIONAL LAND SURVEYOR
No.	NUMBER
GPS	GLOBAL POSITIONING SYSTEM
ID	IDENTIFICATION

CURVE LABEL ABBREVIATIONS:

R	RADIUS
L	ARC LENGTH
CHORD	LONG CHORD DISTANCE
BEARING	LONG CHORD BEARING
Δ	CURVE CENTRAL ANGLE

SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.

COLORADO LAND SURVEYOR 37904 PATRICK W. CLICK
5-19-2020

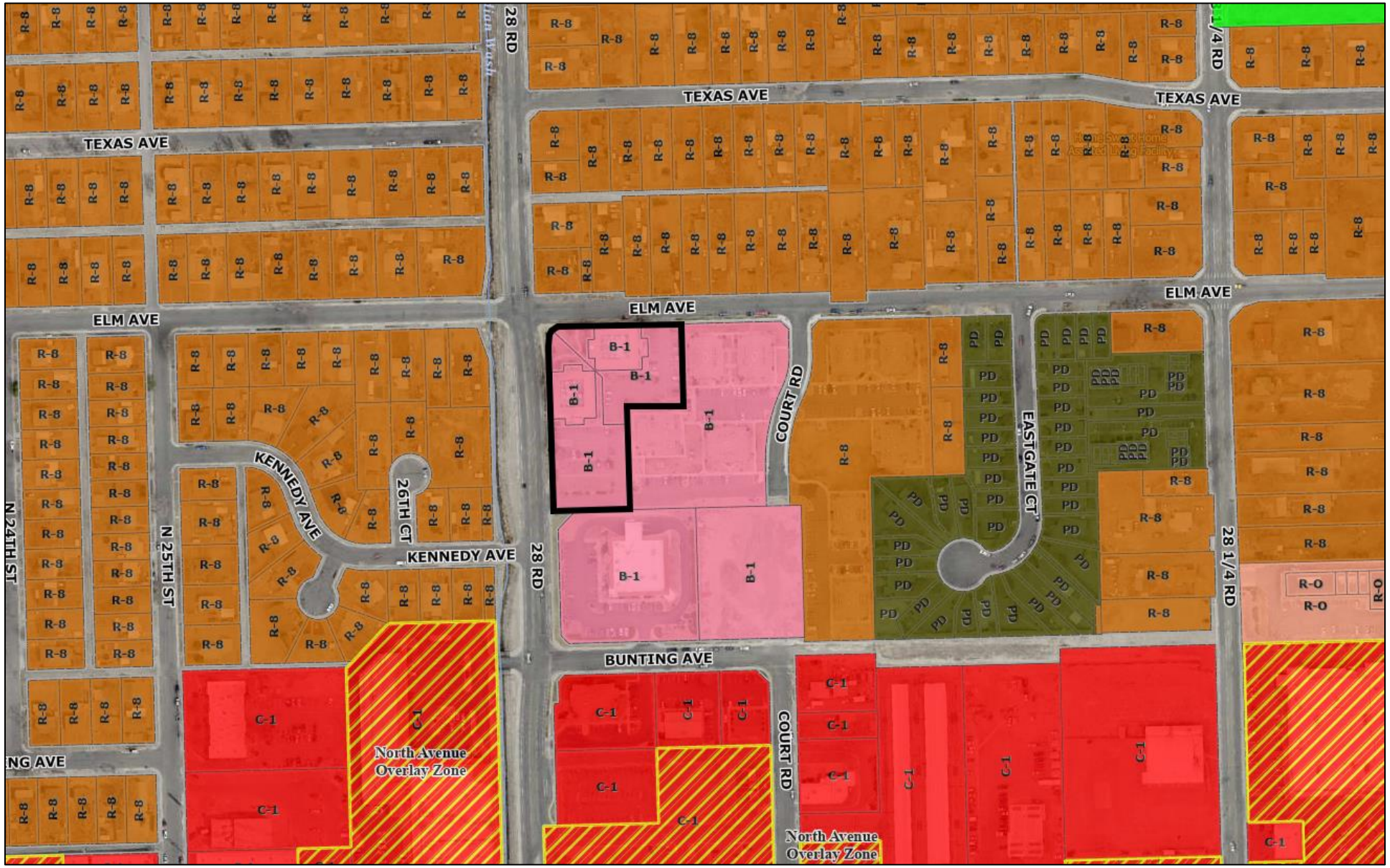
COLORADO REGISTERED LAND SURVEYOR PLS #37904

IMPROVEMENT SURVEY
SITUATED IN THE SW¼ SW¼ SECTION 7
TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

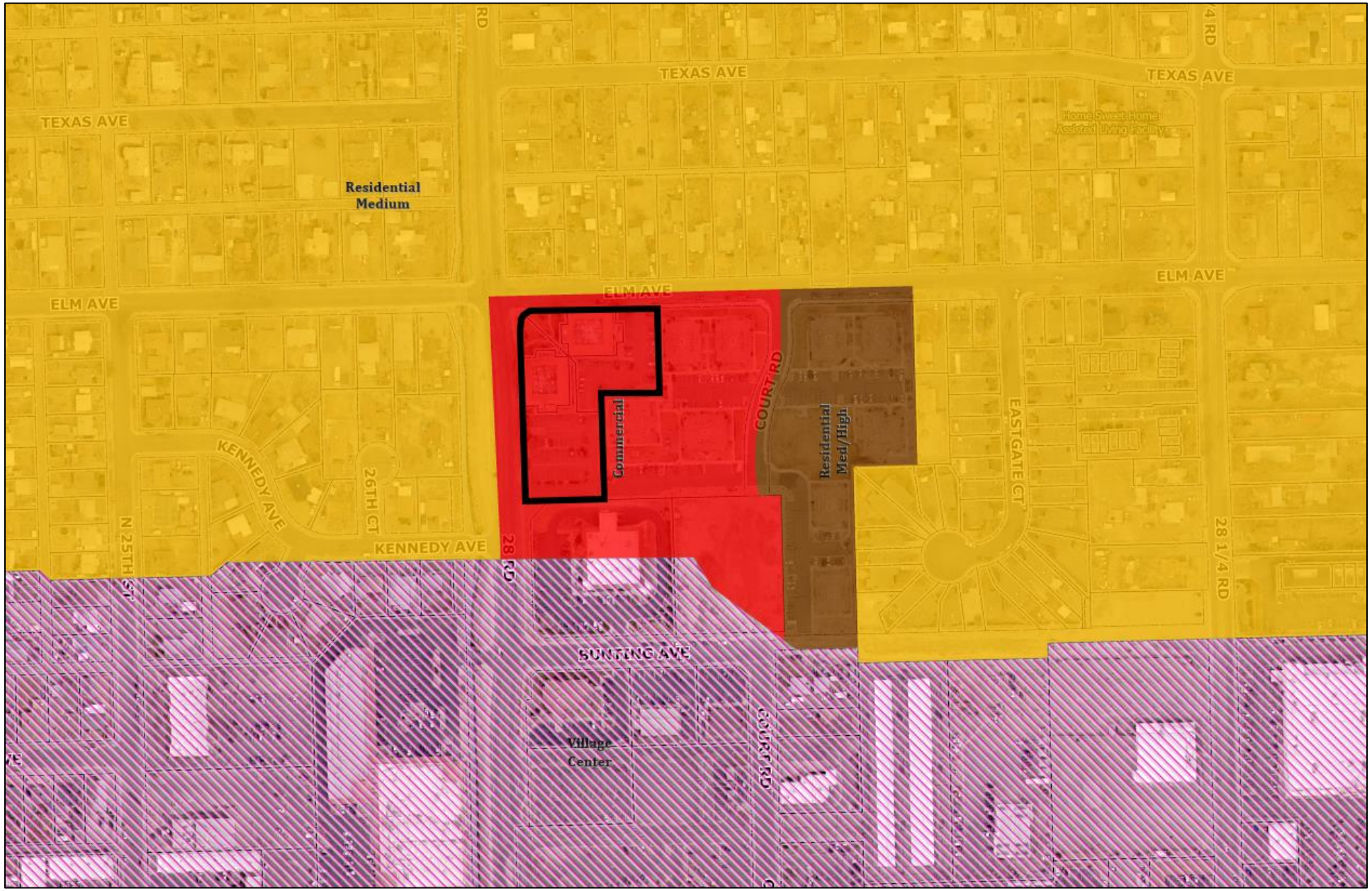
JOB #: 2020-062 FIELD WORK: KM
DATE: 5/19/2020 DRAWING NAME: 2020-062 DRAWN BY: PC

POLARIS SURVEYING
PATRICK W. CLICK P.L.S.
3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

CURRENT ZONING MAP



FUTURE LAND USE MAP



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE REZONING FOUR PARCELS TOTALING 1.48 ACRES FROM B-1 (NEIGHBORHOOD BUSINESS) TO MU (MIXED USE)

LOCATED AT 518 28 ROAD

Recitals:

Concord Plaza, LLC (Owner) owns four parcels totaling approximately 1.48 acres at 518 28 Road (referred to herein and more fully described below as the "Property"). The Property is designated by the Comprehensive Plan Future Land Use Map as having a Commercial Future Land Use. The Owner proposes that the property be rezoned from B-1 (Neighborhood Business) to M-U (Mixed Use).

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 Property to the M-U (Mixed Use) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Commercial 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 M-U (Mixed Use) 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 M-U (Mixed Use):

Lot 1, Lot 2, Tract A, and Tract B of the Omega Business Park, in Mesa County, Colorado, as recorded at Reception #1268706 in the records of the Mesa County Clerk and Recorder.

Introduced on first reading this 16th day of December, 2020 and ordered published in pamphlet form.

Adopted on second reading this 6th day of January, 2021 and ordered published in pamphlet form.

ATTEST:

_____	_____
City Clerk	Mayor

Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: December 8, 2020

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

Consider a request by Mesa County Valley School District 51 to vacate a public alley right-of-way adjacent to five properties located at 520, 522, 538, 542 and 552 West Main Street and a public sewer easement located at 552 West Main Street.

RECOMMENDATION:

Staff recommends continuing the request to the January 12, 2021 meeting.

EXECUTIVE SUMMARY:

The Dual Immersion Academy school property located at 552 W. Main on the north side of the 500 block houses an elementary school that was recently expanded. The School District and Riverside Taskforce have been acquiring the adjacent properties on the north side of W Main in an effort to consolidate the land ownership, facilitating the potential expansion of the school site and facilities. The District is now requesting to vacate the alley that runs along the north side of the properties, dead ending at the School District property. The District is also requesting to vacate a public sewer easement that is no longer needed as the sewer line is now a private service for the school. The requested vacations are consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

School District 51 constructed an addition to the Dual Immersion Academy at 552 W. Main Street in 2018. A sanitary sewer trunk line and easement ran through the

property providing sewer service to the school and the other properties on the north side of the 500 Block of W Main Street. As part of the construction of the school addition, a new section of sewer trunk line was constructed and rerouted to the north around the school building, the old line abandoned, and a new public sewer easement recorded. The section of easement encompassing the abandoned line was vacated in 2018 to clear the property of the encumbrance due to the construction of the addition.

The school-owned campus includes all of the service area for the trunk line. There is vacant property at the end of the block that is owned by the City of Grand Junction which may be served by a line to the southeast.

All properties have access from the W Main Street right-of-way.

In the future the School District would like to expand their parking lot and playground facilities onto the properties south of the alley.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Vacations request was not held due to the COVID 19 emergency ordinance in place that waived the requirement temporarily. A neighborhood meeting was held in 2018 when the project was previously submitted. No neighbors attended that meeting.

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 May 14, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on August 28, 2020. The notice of this public hearing was published on September 1, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public right-of-way or easement shall conform to the following:

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

Vacation of this alley and sewer easement will have no impact on public facilities or services provided to the general public.

Further, the vacation requests are consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy A. City and County land use decisions will be consistent with the Future Land Use Map.

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

Goal 7 / Policy A. In making land use and development decisions, the City and County will balance the needs of the community.

Therefore, staff has found the request to vacate existing public right-of-way and easements does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore this criterion has been met.

2. No parcel shall be landlocked as a result of the vacation.

The request to vacate the alley and public sewer easement will not render any parcel landlocked.

Staff has found this criterion has been met.

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

No access to any parcel will be restricted by the vacation of this alley or easement.

Staff has found 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).

The alley requested to be vacated is no longer needed for utilities and all lots have access from West Main Street. No comments were received from utilities or other service providers that these vacation requests would impact any existing utilities, create any adverse impacts, or that facilities or services would be diminished, therefore staff has found that this criterion to be met.
5. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.

Neither staff nor utility providers have identified that the requested right-of-way and easement vacation would inhibit the provision of adequate public facilities and services,

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.

Though not a benefit to the City directly, this request to vacate the alley will create a more viable property for the School District 51 to develop an addition to this school facility which provides a significant benefit to residents of the City, the neighborhood and the community at large.

Staff has found this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Mesa County Valley School District 51 alley and sanitary sewer easement vacation requests, VAC-2020-245 and VAC-2020-246, for the alley located adjacent five properties at 520, 522, 538, 542 and 552 West Main Street and the sanitary sewer easement on 552 W Main Street, the following findings of fact have been made:

1. The request conforms with Section 21.02.100(c) of the Zoning and Development Code.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Chairman, on the alley and sanitary sewer easement vacation requests, VAC-2020-245 and VAC-2020-246, for the alley located adjacent five properties at 520, 522, 538, 542 and 552 West Main Street and the sanitary sewer easement on 552 W Main Street, I move that the Planning Commission continue this item to the January 12, 2021 meeting.

Attachments

None