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

TUESDAY, OCTOBER 22, 2019 @ 6:00 PM

Call to Order - 6:00 PM

1. Minutes of Previous Meeting(s) from October 8, 2019.
2. Consider a request by the Applicant, SM Mesa Mall LLC, to vacate a portion of a 20-foot wide public Sanitary Sewer Easement located at 2424 Highway 6 & 50.
3. Consider a request by La Plata Communities on behalf of the property owner, the Grand Junction Land Company, for 1) a Comprehensive Plan Amendment from Conservation/Mineral Extraction to Residential Low; and 2) Rezone from PD (Planned Development without a plan) to R-1 (Residential 1 unit per acre) for a 23.16-acre portion of a property located at 400 23 Road, more particularly described as a site at the east end of Canyon Rim Drive.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
October 8, 2019 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:00pm by Commissioner Keith Ehlers.

Those present were Planning Commissioners; Keith Ehlers, George Gatseos, Kathy Deppe, Andrew Teske and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Scott Peterson (Senior Planner), Senta Costello (Associate Planner), and Lance Gloss (Associate Planner).

There were approximately 110 citizens in the audience.

1. Meeting of Previous Meeting(s)

The Planning Commission reviewed the meeting minutes from the September 24, 2019 meeting.

Commissioner Susuras moved to approve the minutes as written. Commissioner Deppe seconded the motion.

The motion carried unanimously 5-0.

2. Karis Affordable Housing Project

File # APL-2019-460

Appeal of the Director's Conditional Approval Decision of a Site Plan Review ("Application") for Karis Apartments, located at 3205 N. 12th Street, Grand Junction, Colorado.

Commissioner Teske recused himself from the vote.

Staff Presentation

Tamra Allen, Community Development Director, introduced exhibits into the record and gave a presentation regarding the appeal.

Questions for Staff

There were questions for staff regarding access to 12th Street, the tenants in the proposed project, the Code and the responsibility of the Director when making decisions, and the difference between "group housing" and the multi-family development.

Commissioners Ehlers, Gatseos and Deppe made comments regarding appeal.

There was a discussion regarding the purpose of the appeal and what criteria the Commissioners should use to make their decision.

Motion and Vote

Section 21.02.210 (c) (2) of the Code states: "The appellate body shall affirm, reverse or remand the decision. In reversing or remanding a decision, the appellate body shall state the rationale for its decision. An affirmative vote of four (4) members of the appellate body shall be required to reverse the Director's action.

Commissioner Gatseos made the following motion: "Mister Chairman, I move the appellate body affirm (agree with) the Director's decision." Jamie Beard, Assistant City Attorney, advised Commissioner Gatseos to instead start a motion with the request of the Decision that the Director be overturned (i.e. approve or not approve the request of the appellant). Commissioner Gatseos withdrew his motion.

Commissioner Gatseos stated he affirms the Directors decision and made the following motion, "The appellate shall reverse the Director's decision." Ms. Beard referred to the motion written in the Staff report. Commissioner Gatseos revised his motion to the following, "I move the Planning Commission affirm the conditional approval of the Karis Apartments development, located at 3205 N. 12th Street." Commissioner Gatseos seconded the motion." Commissioner Ehlers seconded the motion.

A roll call vote was called: Commissioner Deppe: No, Commissioner Ehlers, Aye, Commissioner Gatseos, Aye, Commissioner Susuras, No. The motion failed 2-2.

Commissioner Deppe made the following motion: "Mister Chairman, I move the Planning Commission remand the conditional approval of the Karis Apartments development, located at 3205 N. 12th Street," based on Criteria 1: Was inconsistent with the Zoning & Development Code of the City of Grand Junction or other applicable law and stated leniency being granted to the Director and this project. Commissioner Susuras seconded the motion.

There was discussion on alternative parking plans as stated in the Zoning and Development Code and on the Conditional Approval of the parking based on the idea of the building eventually developing into another use. Ms. Allen provided insight on how the recording memorandum would come to use in the future.

A roll call vote was called: Commissioner Deppe: Aye, Commissioner Ehlers, No, Commissioner Gatseos, No, Commissioner Susuras, Aye. The motion failed 2-2.

Commissioner Ehlers made the following motion, "I move the Planning Commission reverse the conditional approval of the Karis Apartments development, located at 3205 N. 12th Street." Commissioner Susuras seconded the motion.

A roll call vote was called: Commissioner Deppe: Aye, Commissioner Ehlers, No, Commissioner Gatseos, No, Commissioner Susuras, Aye. The motion failed 2-2.

Commissioner Ehlers called for a break at 7:11pm.

The meeting resumed at 7:23pm.

3. DDA 2019 Plan of Development File # CPA-2019-496

Consider a request by Downtown Development Authority of Grand Junction, Colorado (DDA) to repeal and replace the existing 1981 DDA Plan of Development with the 2019 DDA Plan of Development entitled "Vibrant Together."

Staff Presentation

Lance Gloss, Associate Planner, introduced all exhibits into the record and gave a presentation regarding the request.

Applicant's Presentation

Brandon Stam, Downtown Development Authority Director, presented a video and a presentation regarding the request.

Questions for Staff

Commissioner Gatseos asked a question regarding the longevity of the plan.

Public Comment

The public hearing was opened at 7:57pm

The following made comments in favor of the request: Bruce Benge (Benge Shoes), Sarah Meredith-Dishong (Atomic Framing), Megan Alfaro (Colorado Baby), and Rob Von Gogh (ShadeTree on Main Street).

The public hearing was closed at 8:07pm.

Discussion

Commissioners Susuras, Gatseos, Deppe, Teske, and Ehlers made comments in favor of the request.

Motion and Vote

Commissioner Susuras made the following motion, “Mister Chairman, I move that the Planning Commission approve the request by Downtown Development Authority of Grand Junction, Colorado (DDA) to adopt the 2019 DDA Plan of Development entitled “Vibrant Together” and forward to City Council for their review.”

Commissioner Deppe seconded the motion. The motion carried unanimously 5-0.

4. Zoning Code Amendments File # ZCA-2019-421

Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21), Greater Downtown Overlay (Title 24), 24 Road Corridor Design Standards (Title 25), and Transportation Engineering Design Standards (Title 29) to clarify administrative procedures, remove inconsistencies and modify bulk standards.

Staff Presentation

Senta Costello, Associate Planner, gave a presentation regarding the request.

Questions for Staff

Commissioner Ehlers and Deppe asked questions regarding the proposed B-2 First Floor Minimum Height standard and the proposed R-5 rear-yard setback.

Discussion

There was discussion regarding the proposed R-5 rear-yard setback.

Commissioner Ehlers made a statement regarding the differentiation of multi-family and single-family setbacks in R-5 and above zone districts.

Public Comment

The public hearing was opened at 8:54pm.

There were no public comments.

The public hearing was closed at 8:55pm.

Discussion

Commissioner Gatseos and Susuras made comments in favor of the request.

Motion and Vote

Commissioner Teske made the following motion, “Mister Chairman, on the Zoning and Development Code Amendments, ZCA-2019-421, I move that the Planning Commission forward a recommendation of approval finding that the amendments as recommended

by staff as well as change the R-5 rear yard setback from 25-feet to 15-feet, work to eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.”

Commissioner Susuras seconded the motion. The motion carried 4-1 with Commissioner Deppe voting NO.

5. Other Business

Reminder of workshop Thursday, October 17, 2019 and Planning Commission hearing Tuesday, October 22, 2019.

6. Adjournment

The meeting was adjourned at 9:01pm.

DRAFT



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: October 22, 2019
Presented By: Scott D. Peterson, Senior Planner
Department: Community Development
Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a request by the Applicant, SM Mesa Mall LLC, to vacate a portion of a 20-foot wide public Sanitary Sewer Easement located at 2424 Highway 6 & 50.

RECOMMENDATION:

Staff recommends approval of the requested vacation to City Council.

EXECUTIVE SUMMARY:

The Applicant, SM Mesa Mall LLC, is requesting the vacation of a portion (1,972 sq. ft.) of a public Sanitary Sewer Easement on the property located at 2424 Hwy. 6 & 50. The Applicant recently completed the process of a Site Plan Review application (SPN-2019-234) to construct a Dillard's Department Store at Mesa Mall, however after the review process, it was determined that a portion of an existing 20-foot wide Sanitary Sewer Easement would encroach into the proposed location of a masonry screen wall to be constructed at the truck loading dock area at the north end of the building. There is currently an 8-inch sanitary sewer pipe located within the easement, however, the requested easement vacation area is located at the end of the line/easement and the applicant intends to cap and eliminate that portion of the sanitary sewer line within the easement, which will have no effect on the existing users of this sanitary sewer line within the Mesa Mall campus.

BACKGROUND OR DETAILED INFORMATION:

The subject property located at Mesa Mall currently contains a 20-foot wide Sanitary Sewer Easement that bisects the mall properties. This existing 20-foot wide Sanitary Sewer Easement was dedicated by separate instrument to the City of Grand Junction

in 1981 (Book 1311, Page 824) in order to establish a sanitary sewer line that serves Mesa Mall properties. The property formally contained the Sears Department Store, but that building has since been demolished and the applicant is currently under construction for a new Dillard's Department Store. The Applicant's representative has explained that due to the current location of a portion of this sanitary sewer easement, this easement would interfere with the desired placement of a masonry screen wall at the truck loading dock location. Therefore, the Applicant is requesting to vacate a small portion (1,972 sq. ft.) of this existing 20' wide sanitary sewer easement located on the property and cap and eliminate that portion of the sanitary sewer line within the easement, which will have no effect on the existing users of this sanitary sewer line within the Mesa Mall campus since the area requested to be vacated is located at the west end of the sewer line and easement.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting is not required for an easement vacation and no utility companies voiced opposition to the proposed portion of the sanitary sewer easement vacation.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning & Development Code. The subject property was posted with an application sign on September 13, 2019. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on October 9, 2019. The notice of this public hearing was published October 15, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

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

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

The request to vacate a portion of an existing 20-foot wide Sanitary Sewer Easement does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan or other adopted plans and policies of the City. Vacation of a portion of this easement will have no impact on public facilities or services provided to the general public since the area requested for vacation is located at the west end of the line and easement. Therefore, staff has found this criterion has been met.

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

This is a request to only vacate a portion of an existing sanitary sewer easement. As such no parcels will be landlocked as a result of the proposed vacation. Therefore, staff has found this criterion has been met.

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

No adverse comments concerning the proposed vacation was received from the utility review agencies or the adjacent property owners indicating that the requested vacation will restrict access or reduce or devalue any property. This request does 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;

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the proposed vacation as the portion of the sanitary sewer easement and line requested to be eliminated would not affect any other adjacent property or use. Staff does not anticipate any adverse impacts, therefore finding 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

The provision of adequate public facilities and services shall not be inhibited to any property as a result of the proposed vacation request as the portion of the sanitary sewer easement and line requested to be eliminated would not affect any other adjacent property or use. Also, no adverse comments concerning the proposed vacation were received from the utility review agencies or adjacent property owners during the staff review process. Therefore, Staff finds that this criterion has been met.

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

Maintenance requirements for the City will not substantially change as a result of the proposed vacation as only a small portion of the existing sanitary sewer line will be eliminated. The addition of the masonry screen wall over this requested vacation area can then be accommodated with the requested vacation which will benefit the

Applicant's overall site development and community to help visually screen the truck loading dock area. Therefore, Staff finds that this criterion has been met.

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

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

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

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Dillard's Sanitary Sewer Easement Vacation request, VAC-2019-475, located at 2424 Hwy 6 & 50, the following findings of fact have been made:

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

Therefore, Staff recommends approval of the requested vacation.

SUGGESTED MOTION:

Madam Chairman, on the Dillard's Sanitary Sewer Easement Vacation request located at 2424 Hwy. 6 & 50, City file number VAC-2019-475, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and conditions as listed in the staff report.

Attachments

1. Exhibit List - Dillards - Sanitary Sewer Easement Vacation
2. Exhibit 2 - Site Location & Aerial Photo Maps
3. Exhibit 3 - Development Application dated August 21, 2019
4. Exhibit 4 - Vacation Resolution

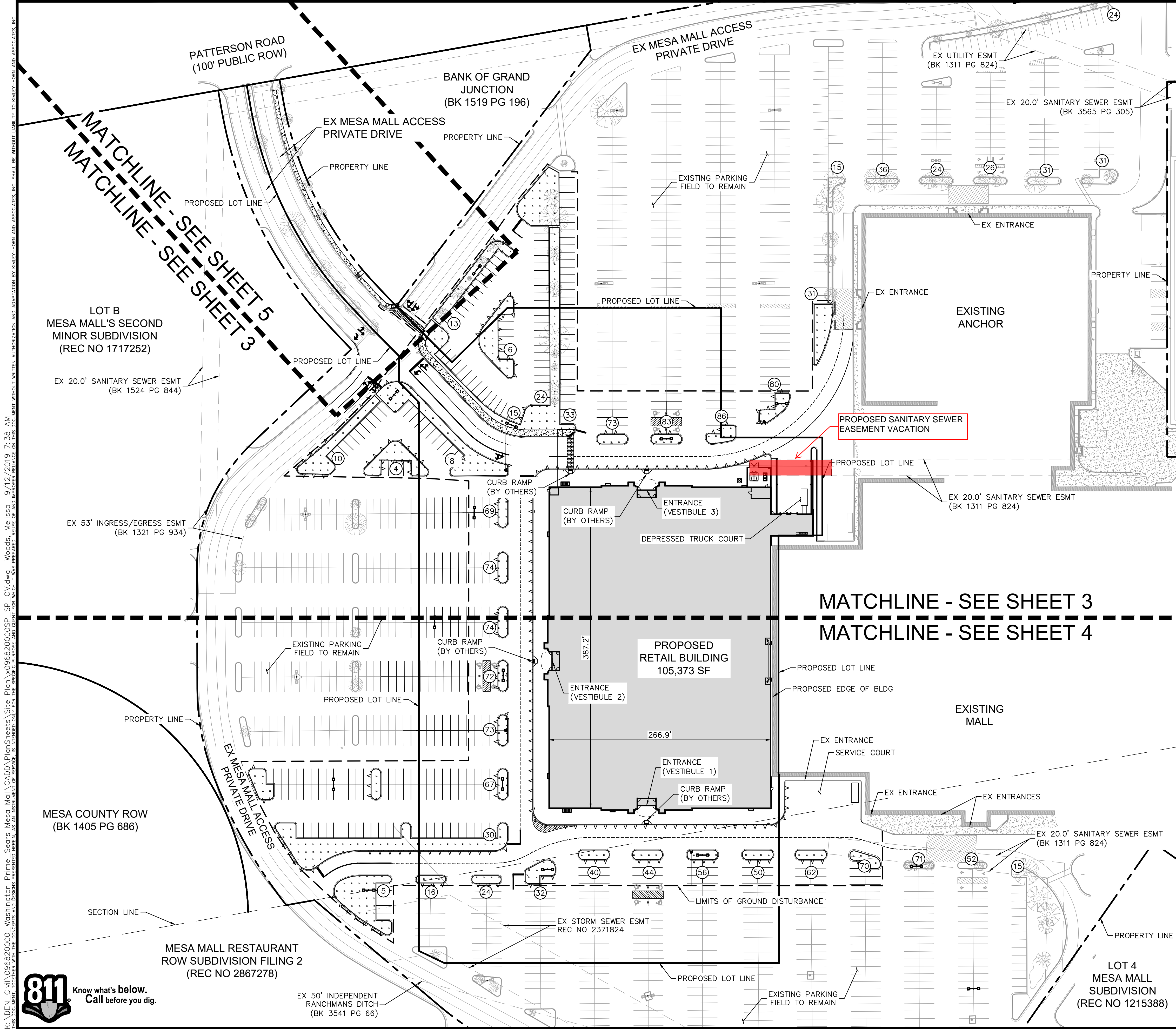
EXHIBIT LIST

**DILLARDS – SANITARY SEWER EASEMENT VACATION
FILE NO. VAC-2019-475**

Exhibit Item #	Description
1	Staff Report dated October 22, 2019
2	Site Location & Aerial Photo Maps
3	Development Application dated August 21, 2019
4	City Council Vacation Resolution
5	Staff Powerpoint Presentation dated October 22, 2019







LEGEND

- PROPERTY LINE
- PROPOSED LOT LINE
- SECTION LINE
- - - EXISTING EASEMENT
- - - PROPOSED EASEMENT
- LIMITS OF GROUND DISTURBANCE
- CATCH CURB AND GUTTER
- ▲▲▲▲▲ SPILL CURB AND GUTTER
- LANDSCAPE (REF: LANDSCAPE PLANS)
- CONCRETE
- EXISTING FIRE HYDRANT
- EXISTING LIGHT POLE
- EXISTING/PROPOSED SIGN
- PROPOSED FIRE HYDRANT
- PROPOSED FIRE DEPARTMENT CONNECTION (APPROXIMATE LOCATION)
- PROPOSED ELECTRICAL EQUIPMENT
- PARKING STALL COUNT

DESIGNED BY: MMM
 DRAWN BY: MMM
 CHECKED BY: BC
 DATE: 09/12/2019

**WASHINGTON PRIME - MESA MALL DILLARD'S
 SITE PLAN
 GRAND JUNCTION, COLORADO
 OVERALL SITE PLAN**

NORTH

GRAPHIC SCALE IN FEET
 0 30 60 120

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 _____

Kimley»Horn
 2019 KIMLEY-HORN AND ASSOCIATES, INC.
 4582 South Ulster Street, Suite 1500
 Denver, Colorado 80237 (303) 228-2300

DESIGNED BY: MMM
 DRAWN BY: MMM
 CHECKED BY: BC
 DATE: 09/12/2019

**WASHINGTON PRIME - MESA MALL DILLARD'S
 SITE PLAN
 GRAND JUNCTION, COLORADO
 OVERALL SITE PLAN**

CITY DEVELOPMENT ENGINEER _____ DATE _____
 CITY PLANNER _____ DATE _____

PROJECT NO.
096820000

SHEET
2

K:\DENV_C\A\096820000_WhashingtonPrime\Drawings\Site\Plan\096820000_Sp_City.dwg W:\Users\mmmm\OneDrive\Documents\096820000_Sp_City.dwg 9/12/2019 7:35 AM
 THIS DOCUMENT IS THE PROPERTY OF KIMLEY-HORN AND ASSOCIATES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC.



Development Application

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

Petition For:

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

Existing Land Use Designation <input type="text" value="Village Center"/>	Existing Zoning <input type="text" value="C-1 (Light Commercial)"/>
Proposed Land Use Designation <input type="text" value="Village Center"/>	Proposed Zoning <input type="text" value="C-1 (Light Commercial)"/>

Property Information

Site Location: <input type="text" value="2424 HIGHWAY 6 AND 50 #B (Old Sears)"/>	Site Acreage: <input type="text" value="12.50"/>
Site Tax No(s): <input type="text" value="2945-043-06-003"/>	Site Zoning: <input type="text" value="C-1 (Light Commercial)"/>
Project Description: <input type="text" value="Vacation of a small portion of the existing 20' Sanitary Sewer Easement (Book 1311, Page 824)"/>	

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application <input type="text"/>	Date <input type="text"/>
Signature of Legal Property Owner <input type="text" value="See attached signature page"/>	Date <input type="text"/>

DEVELOPMENT APPLICATION

LEGAL PROPERTY OWNER SIGNATURE PAGE

SM MESA MALL, LLC
a Delaware limited liability company

By: Washington Prime Group, L.P.,
an Indiana limited partnership, its sole member

By: Washington Prime Group Inc.,
an Indiana corporation, its general partner

By: 

Stephen H. Harris, VP, Development

Dated: 8.19.19

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) SM Mesa Mall, LLC ("Entity") is the owner of the following property:

(b) See legal description attached hereto as "Exhibit A".

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) Vice President - Development 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:

VP, Development for purposes of executing development, plan application, construction and/or permitting doc

- 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) vacation of a portion of 20' sanitary sewer easement 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: See attached signature page

Printed name of person signing: Stephen H. Harris

State of OHIO)

County of FRANKLIN) ss.

Subscribed and sworn to before me on this 19th day of August, 2019

by Stephen H. Harris, VP-Development

Witness my hand and seal.

My Notary Commission Expires 10-31-2022



SHELLEY L. STEVENS
Notary Public, State of Ohio
My Commission Expires 10-31-2022

Shelley L. Stevens
Notary Public Signature

OWNERSHIP STATEMENT
SIGNATURE PAGE

SM MESA MALL, LLC
a Delaware limited liability company

By: Washington Prime Group, L.P.,
an Indiana limited partnership, its sole member

By: Washington Prime Group Inc.,
an Indiana corporation, its general partner

By: 

Stephen H. Harris, VP, Development

Dated: 8.19.19.

2317056 BK 4156 PG 977-987
05/15/2006 02:01 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$55.00 SurChg \$1.00
DocFee NO FEE

SPECIAL WARRANTY DEED

NO CONSIDERATION

THIS DEED, made and entered into this 10th day of May, 2006, by and between SDG MACERICH PROPERTIES, L.P., a Delaware limited partnership ("Grantor"), and SM MESA MALL, LLC, a Delaware limited liability company, whose legal address is c/o 401 Wilshire Blvd., Ste. 700, Santa Monica, California 90401 ("Grantee"):

WITNESSETH: That Grantor, for and in consideration of the sum of TEN DOLLARS the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by the presents does grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, all of the real property, together with improvements, if any, situate, lying and being in the County of Mesa, State of Colorado, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"),

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the Property, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the Property above bargained and described, with the appurtenances unto Grantee, its heirs, successors and assigns forever. Grantor, its successors and assigns, does covenant and agree that it shall and will warrant or forever defend the Property in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof by, through, or under Grantor.

SUBJECT TO:

- (i) all streets and public rights of way;
- (ii) all laws, rules and/or regulations (federal, state and/or local) now in effect;
- (iii) restrictions, encumbrances, reservations, limitations, conditions, easements, agreements and/or other matters affecting the Property, if of public record; and
- (iv) all real estate taxes and assessments not due and payable as of the date hereof.

[SIGNATURE PAGE TO FOLLOW]

Return to:
Elaine L. Edgeman
LandAmerica Commercial Services
915 Wilshire Blvd., Suite 2100
Los Angeles, CA 90017

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by and through its duly authorized officer the day and year first above written.

SDG MACERICH PROPERTIES, L.P.,
a Delaware limited partnership

By: **MACERICH PROPERTY EQ GP CORP.**
a Delaware corporation
its authorized general partner

By: _____

Name: Thomas E. O'Hern
Executive Vice President

Title: and Chief Financial Officer

ACKNOWLEDGMENT

State of California
County of Los Angeles

On 1 May 2006 before me, Kristen McCormick Notary Public,
(here insert name and title of the officer)
personally appeared Thomas E. O'Hern

_____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Kristen McCormick*



(Seal)

EXHIBIT A

Legal Description

Four tracts of land situate in the Southwest $\frac{1}{4}$ of Section Four and in the Northwest $\frac{1}{4}$ of Section Nine, Township One South, Range One West of the Ute Meridian, Grand Junction, Mesa County, Colorado; said tracts having previously been described in Book 1519, Pages 196-199 of the Mesa County Clerk and Recorder and being described herewith by the following metes and bounds:

TRACT ONE:

Being Lot A, Mesa Mall's Second Minor Subdivision as recorded in Plat Book 14, Pages 351 and 352 Mesa County Records and being part of Lot 2, Mesa Mall Minor Subdivision as recorded in Plat Book 14, Page 64, Mesa County records described as follows:

Commencing at a Mesa County Brass Cap at the Southwest Corner of said Section Four and considering the line to a Mesa County Brass Cap at the Northwest Corner of the Southwest $\frac{1}{4}$ Southwest $\frac{1}{4}$ of said Section Four to bear North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East) 1,319.78 feet with all bearings herein contained relative thereto:

Thence North 89 deg. 56 min. 13 sec. East on the South line of said Section Four 458.66 feet (formerly a record distance of 459.17 feet) to a 5/8" rebar, aluminum cap and the True Point of Beginning;

Thence North 89 deg. 56 min. 13 sec. East on the South line of said Section Four 47.08 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 585.00 feet and a chord of which bears North 19 deg. 13 min. 43 sec. West 181.97 feet;

Thence on the line of said Lot A, Mesa Malls Second Minor Subdivision, on the arc of said curve, through a central angle of 17 deg. 53 min. 42 sec., 182.71 feet to a rebar 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 295.00 feet and a chord of, which bears North 00 deg. 11 min. 33 sec. West, 103.35 feet;

Thence on the arc of said curve, through a central angle of 20 deg. 10 min. 37 sec., 103.89 feet to a point;

Thence North 09 deg. 53 min. 49 sec. East 146.61 feet to a point and the beginning of a curve to the right, having a radius of 195.00 feet and a chord of which bears North 23 deg. 11 min. 45 sec. East 90.20 feet;

Thence on the arc of said non-tangent curve, through a central angle of 26 deg. 44 min. 42 sec., 91.02 feet to a point and the beginning of a curve to the right, having a radius of 238.00 feet and a chord of which bears North 47 deg. 03 min. 20 sec. East 78.38 feet;

Thence on the arc of said non-tangent curve, through a central angle of 18 deg. 57 min. 19 sec., 78.73 feet to a 5/8" rebar and aluminum cap;

Thence North 56 deg. 31 min. 58 sec. East 162.16 feet to a 5/8" rebar and aluminum cap;

Thence North 33 deg. 28 min. 02 sec. West 34.89 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 508.00 feet and a chord of which bears North 16 deg. 44 min. 11 sec. West 292.48 feet;

Thence on the arc of said curve, through a central angle of 33 deg. 27 min. 42 sec., 296.68 feet to a 5/8" rebar and aluminum cap;

Thence North 00 deg. 00 min. 20 sec. West 25.00 feet to a 5/8" rebar and aluminum cap on the South right-of-way line of Patterson Road;

Thence on said South line, North 89 deg. 59 min. 40 sec. East 75.00 feet to a 5/8" rebar and aluminum cap;

Thence leaving said South right-of-way line South 00 deg. 00 min. 20 sec. East 25.00 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 433.00 feet and the chord of which bears South 16 deg. 44 min. 11 sec. East, 249.30 feet;

Thence on the arc of said curve, through a central angle of 33 deg. 27 min. 42 sec., 252.88 feet to a 5/8" rebar and aluminum cap;

Thence South 33 deg. 28 min. 02 sec. East 34.88 feet to a 5/8" rebar;

Thence North 47 deg. 12 min. 30 sec. East 386.96 feet to a 5/8" rebar;

Thence North 00 deg. 00 min. 20 sec. West 30.00 feet to a 5/8" rebar and aluminum cap on the South right-of-way line of Patterson Road;

Thence on said South right-of-way line, North 89 deg. 59 min. 40 sec. East 510.80 feet to a 5/8" rebar and aluminum cap;

Thence leaving said South right-of-way line South 00 deg. 00 min. 20 sec. East 63.20 feet to a 5/8" rebar;

Thence North 86 deg. 17 min. 28 sec. East, 293.94 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 406.63 feet and the chord of which bears South 88 deg. 43 min. 23 sec. East, 70.68 feet;

Thence on the arc of said curve through a central angle of 09 deg. 58 min. 18 sec., 70.77 feet to a 5/8" rebar and aluminum cap;

Thence South 10 deg. 00 min. 00 sec. West 175.21 feet to a point;

Thence North 80 deg. 00 min. 00 sec. West 170.65 feet to a point;

Thence South 10 deg. 00 min. 00 sec. West 451.00 feet to a nail and washer;

Thence South 80 deg. 00 min. 00 sec. East 34.30 feet to an existing wall;

Thence on said wall South 10 deg. 00 min. 00 sec. West, 0.75 feet;

Thence continuing on said wall, South 80 deg. 00 min. 00 sec. East 91.95 feet;

Thence South 10 deg. 00 min. 00 sec. West, 0.50 feet;

Thence South 80 deg. 00 min. 00 sec. East, 162.66 feet;

Thence North 10 deg. 00 min. 00 sec. East 1.25 feet to the beginning of the last course along the building wall;

Thence South 80 deg. 00 min. 00 sec. East, in line with said building wall 43.09 feet to a chiseled "X" in a concrete curb;

Thence South 10 deg. 00 min. 00 sec. West, 94.48 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left having a radius 88.00 feet and the chord of which bears South 17 deg. 30 min. 00 sec. East 81.27 feet;

Thence on the arc of said curve through a central angle of 55 deg. 00 min. 00 sec., 84.47 feet to a 5/8" rebar and aluminum cap;

Thence South 45 deg. 00 min. 00 sec. East, 126.26 feet to a 5/8" rebar and aluminum cap;

Thence North 45 deg. 00 min. 00 sec. East, 320.36 feet to a 5/8" rebar and aluminum cap;

Thence North 08 deg. 00 min. 20 sec. West, 329.39 feet to a chiseled "X" in a concrete curb;

Thence North 81 deg. 59 min. 40 sec. East, 73.87 feet to a 5/8" rebar and aluminum cap on the Westerly right-of-way line of said Patterson Road;

Thence on said right-of-way line South 08 deg. 00 min. 20 sec. East 298.47 feet to a 5/8" rebar and aluminum cap at the beginning of a curve to the left having a radius of 450.00 feet and the chord of which bears South 12 deg. 54 min. 52 sec. East, 77.01 feet;

Thence on the arc of said curve, through a central angle of 09 deg. 49 min. 04 sec., 77.11 feet to a 5/8" rebar and aluminum cap;

Thence leaving said right-of-way line, South 45 deg. 00 min. 00 sec. West, 298.23 feet to a point;

Thence South 45 deg. 00 min. 00 sec. East, 19.00 feet to a point;

Thence South 45 deg. 00 min. 00 sec. West, 130.0 feet to an existing building corner;

Thence on the wall of said building South 45 deg. 00 min. 00 sec. East, 42.00 feet to a corner of said building;

Thence along a dividing wall South 45 deg. 00 min. 00 sec. West, 394.27 feet to a chiseled "X" in a concrete curb;

Thence North 45 deg. 00 min. 00 sec. West, along another dividing wall 417.55 feet (formerly a record distance of 417.72 feet) to a 5/8" rebar and aluminum cap;

Thence South 45 deg. 00 min. 00 sec. West 565.67 feet (formerly a record distance of 565.72 feet) to a "PK" nail and washer;

Thence South 45 deg. 00 min. 00 sec. East 45.14 feet to a chiseled "X" in a concrete curb and the beginning of a curve to the left having a radius of 405.00 feet and the chord of which bears South 56 deg. 11 min. 15 sec. East, 157.16 feet;

Thence on the arc of said curve, through a central angle of 22 deg. 22 min. 30 sec., 158.16 feet to a 5/8" rebar and aluminum cap;

Thence South 67 deg. 22 min. 30 sec. East 309.24 feet to a 5/8" rebar and aluminum cap;

Thence South 22 deg. 37 min. 30 sec. West, 49.96 feet to a 5/8" rebar and aluminum cap:

Thence leaving said Lot A, Mesa Malls Second Minor Subdivision, South 22 deg. 37 min. 30 sec., West 179.88 feet to a 5/8" rebar and aluminum cap on the Northerly right-of-way line of U.S. Highway 6 and 50;

Thence on said right-of-way line North 67 deg. 21 min. 55 sec. West, 131.98 feet (formerly a record bearing and a distance of North 67 deg. 22 min. 30 sec. West, 131.80 feet) to a 5/8" rebar and aluminum cap at the beginning of a non-tangent curve to the right, having a radius of 5,630.00 feet and the chord of which bears North 61 deg. 47 min. 58 sec. West, 1,081.37 feet;

Thence on the arc of said non-tangent curve, through a central angle of 11 deg. 01 min. 19 sec., 1,083.04 feet to a 5/8" rebar and aluminum cap;

Thence North 56 deg. 21 min. 00 sec. West, 20.82 feet (formerly a record distance of 20.77 feet) to a 5/8" rebar and aluminum cap at the beginning of a non-tangent curve to the right, having a radius of 232.00 feet and the chord of which bears North 00 deg. 41 min. 30 sec. West, 261.61 feet;

Thence leaving said Highway right-of-way line on the arc of said non-tangent curve and the County right-of-way line, through a central angle of 68 deg. 38 min. 29 sec., 277.94 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 308.00 feet and the chord of which bears North 21 deg. 13 min. 48 sec. East, 132.27 feet;

Thence on the arc of said curve, through a central angle of 24 deg. 47 min. 50 sec., 133.30 feet to a 5/8" rebar, aluminum cap and the True Point of Beginning.

TRACT TWO:

Being part of Mesa Mall Subdivision as recorded in Plat Book 12, Page 233, Mesa County Records and part of Lot Two (2), Mesa Mall Minor Subdivision as recorded in Plat Book 14, Page 64, Mesa County Records, described as follows:

Commencing at a Mesa County Brass Cap at the Southeast Corner of the Northeast ¼ Northwest ¼ of said Section Nine, and considering the line to a Mesa County Brass Cap at the North ¼ Corner of said Section Nine to bear North 00 deg. 11 min. 55 sec. East, 1,317.87 feet with all bearings herein contained relative thereto;

Thence North 89 deg. 48 min. 05 sec. West, 50.00 feet to a point and the True Point of Beginning;

Thence on the West right-of-way line of 24 ½ Road, South 00 deg. 08 min. 56 sec. West, 126.58 feet to a point;

Thence South 67 deg. 02 min. 41 sec. West, 28.34 feet to a point on the Northerly right-of-way line of U.S. Highways 6 and 50 and the beginning of a non-tangent curve to the left, having a radius of 5,830.00 feet and the chord of which bears North 63 deg. 32 min. 25 sec. West, 789.53 feet (formerly a record chord bearing and distance of North 63 deg. 29 min. 29 sec. West, 789.67 feet);

Thence on the arc of said non-tangent curve, through a central angle of 07 deg. 46 min. 00 sec., 790.28 feet to a 5/8" rebar and aluminum cap;

Thence North 67 deg. 17 min. 33 sec. West, 333.78 feet (formerly a record bearing and distance of North 67 deg. 22 min. 30 sec. West, 333.50 feet) to a "PK" nail and washer;

Thence leaving said Highway right-of-way line, North 22 deg. 37 min. 30 sec. East, 154.84 feet to a 5/8" rebar and beginning of a curve to the right having a radius of 25.00 feet and the chord of which bears North 67 deg. 37 min. 30 sec. East, 35.36 feet;

Thence on the arc of said curve, through a central angle of 90 deg. 00 min. 00 sec., 39.27 feet to a 5/8" rebar and the Northerly line of said Lot Two (2), Mesa Mall Minor Subdivision;

Thence on said line of Lot Two (2), Mesa Mall Minor Subdivision, South 67 deg. 22 min. 30 sec. East, 58.24 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left having a radius of 605.00 feet and the chord of which bears South 68 deg. 40 min. 03 sec. East, 27.30 feet;

Thence on the arc of said curve, through a central angle of 02 deg. 35 min. 07 sec., 27.30 feet to a 5/8" rebar and aluminum cap;

Thence leaving said Lot Two (2), North 45 deg. 00 min. 00 sec. East, 285.44 feet (formerly a record distance of 285.48 feet) to a 5/8" rebar and aluminum cap;

Thence South 45 deg. 00 min. 00 sec. East, 298.50 feet (formerly a record distance of 298.57 feet) to a 5/8" rebar and aluminum cap and the beginning of a non-tangent curve to the left having a radius of 25.00 feet and the chord of which bears South 03 deg. 05 min. 53 sec. West, 16.11 feet;

Thence on the arc of said non-tangent curve on the line of Lot One (1) of said Mesa Mall Minor Subdivision, through a central angle of 37 deg. 35 min. 46 sec., 16.40 feet to a point;

Thence South 15 deg. 42 min. 00 sec. East, 62.50 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right having a radius of 305.00 feet and the chord of which bears South 10 deg. 17 min. 42 sec. East, 57.46 feet;

Thence on the arc of said curve, through a central angle of 10 deg. 48 min. 37 sec., 57.55 feet to a point;

Thence South 63 deg. 31 min. 52 sec. East, 230.51 feet to a point;

Thence North 26 deg. 28 min. 08 sec. East, 104.69 feet to a point;

Thence South 89 deg. 48 min. 05 sec. East, 178.28 feet to a chiseled "X" in concrete and the West right-of-way line of said 24 1/2 Road;

Thence leaving said Lot One (1), South 00 deg. 11 min. 55 sec. West, 315.48 feet to a point and the True Point of Beginning.

TRACT THREE:

Being Lot One (1) of Fisher Subdivision as recorded in Plat Book 12, Page 161, Mesa County Records, also described as follows:

Commencing at a Mesa County Brass Cap at the Southwest Corner of said Section Four (4) and considering the line to a Mesa County Brass Cap at the Northwest Corner of the Southwest $\frac{1}{4}$ Southwest $\frac{1}{4}$ said Section Four (4) to bear North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East), 1,319.78 feet with all bearings herein contained relative thereto;

Thence North 00 deg. 04 min. 49 sec. East, 1,079.78 feet (formerly a record bearing and distance of North 00 deg. 06 min. 21 sec. East, 1,080.02 feet); thence on the North right-of-way line of F Road, North 89 deg. 59 min. 40 sec. East, 1,049.84 feet (formerly a record of 1,050.00 feet) to a 5/8" rebar, aluminum cap and the True Point of Beginning;

Thence leaving said North right-of-way line on the West line of said Lot One (1), North 00 deg. 06 min. 21 sec. East, 240.00 feet to a point;

Thence on the North line of said Lot One (1), North 89 deg. 59 min. 40 sec. East, 181.50 feet to a 5/8" rebar and aluminum cap;

Thence on the East line of said Lot One (1), South 00 deg. 06 min. 21 sec. West, 240.00 feet to a 5/8" rebar and aluminum cap and the North line of said right-of-way;

Thence on the South line of said Lot One (1), and said North right-of-way line, South 89 deg. 59 min. 40 sec. West, 181.50 feet to a 5/8" rebar, aluminum cap and the True Point of Beginning.

TRACT FOUR:

Being Lot B of Mesa Mall's Second Minor Subdivision as recorded in Plat Book 14, Pages 351 and 352, Mesa County Records also described as follows:

Commencing at a Mesa County Brass Cap at the Southwest Corner of said Section Four (4) and considering the line to a Mesa County Brass Cap at the Northwest corner of the Southwest $\frac{1}{4}$ Southwest $\frac{1}{4}$ of said Section Four (4) to bear North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East), 1,319.78 feet with all bearings herein contained relative thereto;

Thence on the South line of said Section Four (4), North 89 deg. 56 min. 13 sec. East, 458.66 feet (formerly a record distance of 459.17 feet) to a 5/8" rebar, aluminum cap and the True Point of Beginning;

Thence on the County right-of-way line along a curve to the left having a radius of 308.00 feet, the chord of which bears North 35 deg. 38 min. 20 sec. West, 431.53 feet;

Thence on said arc of said curve, through a central angle of 88 deg. 56 min. 28 sec., 478.11 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the right, having a radius of 232.00 feet and the chord of which bears North 61 deg. 13 min. 34 sec. West, 150.17 feet (formerly a record bearing and distance of North 61 deg. 10 min. 08 sec. West, 150.61 feet);

Thence on said arc through a central angle of 37 deg. 45 min. 57 sec. (formerly a record central angle of 37 deg. 52 min. 46 sec.), 152.92 feet (formerly a record distance of 153.38 feet), to a 5/8" rebar and aluminum cap;

Thence North 00 deg. 04 min. 49 sec. East, 79.56 feet (formerly a record bearing and distance of North 00 deg. 06 min. 21 sec. East, 79.19 feet) to a point;

Thence South 89 deg. 59 min. 40 sec. West, 25.00 feet to a 5/8" rebar and aluminum cap;

Thence North 00 deg. 04 min. 49 sec. East (formerly a record bearing of North 00 deg. 06 min. 21 sec. East), 477.00 feet to a 5/8" rebar at the intersection of the East right-of-way line of 24 Road with the South right-of-way line of Patterson Road;

Thence on said South right-of-way line North 89 deg. 59 min. 40 sec. East, 544.00 feet (formerly a record distance of 544.20 feet) to a 5/8" rebar and aluminum cap;

Thence leaving said South right-of-way line, South 00 deg. 00 min. 20 sec. East, 25.00 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 508.00 feet and the chord of which bears South 16 deg. 44 min. 11 sec., 292.48 feet;

Thence on the arc of said curve, through a central angle of 33 deg. 27 min. 42 sec., 296.68 feet to a 5/8" rebar and aluminum cap;

Thence South 33 deg. 28 min. 02 sec. East, 34.89 feet to a 5/8" rebar and aluminum cap;

Thence South 56 deg. 31 min. 58 sec. West, 162.16 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 238.00 feet and a chord of which bears South 47 deg. 03 min. 20 sec. West, 78.38 feet;

Thence on the arc of said non-tangent curve, through a central angle of 18 deg. 57 min. 19 sec., 78.73 feet to a point and the beginning of a curve to the left, having a radius of 195.00 feet and a chord of which bears South 23 deg. 11 min. 45 sec. West, 90.20 feet;

Thence on the arc of said curve, through a central angle of 26 deg. 44 min. 42 sec., 91.02 feet to a point;

Thence South 09 deg. 53 min. 49 sec. West, 146.61 feet to a point and the beginning of a curve to the left, having a radius of 295.00 feet and a chord of which bears South 00 deg. 11 min. 33 sec. East, 103.35 feet;

Thence on the arc of said curve, through a central angle of 20 deg. 10 min. 37 sec., 103.89 feet to a 5/8" rebar and aluminum cap and the beginning of a curve to the left, having a radius of 585.00 feet and a chord of which bears South 19 deg. 13 min. 43 sec. East, 181.97 feet;

Thence on the arc of said curve, through a central angle of 17 deg. 53 min. 42 sec., 182.71 feet to the South line of said Section Four (4) and a 5/8" rebar and aluminum cap;

Thence on the South line of said Section Four (4), South 89 deg. 56 min. 13 sec. West, 47.08 feet to a 5/8" rebar, aluminum cap and the True Point of Beginning.

TRACT FIVE:

Together with those rights and easements constituting rights in real property created, defined and limited by that certain Operating Agreement by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota Corporation, dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, First Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota Corporation, dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, First Amendment to Supplemental Agreement by and between General Growth Properties, a

Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation, dated January 12, 1982 and recorded March 8, 1982 in Book 1360, Page 483, Second Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota corporation, dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation, recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment by and between General Growth Properties, a Massachusetts voluntary association and J.C. Penney Properties, Inc., a Delaware corporation and Dayton-Hudson Corporation d/b/a Target Stores, a Minnesota corporation and Mervyn's, a California corporation, dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, and Fifth Amendment by and between The Equitable Life Assurance Society of The United States, a New York corporation, successor to the right, title and Interest of General Growth Properties and J.C. Penney Properties, Inc., a Delaware corporation and Dayton Hudson Corporation d/b/a Target Stores, a Minnesota corporation and Mervyn's, a California corporation, dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, all in the Clerk and Recorder Office of Mesa County, Colorado.

TRACT SIX:

Together with those rights and easements constituting rights in real property created, defined and limited by that certain Reciprocal Easement and Operation Agreement by and between The Equitable Life Assurance Society and The United States, a New York corporation and Toys "R" Us, Inc., a Delaware corporation, dated July 21, 1992 and recorded July 21, 1992 in Book 1914, Page 685, in the Clerk and Recorder Office of Mesa County, Colorado.

RECORDED AT _____ O'CLOCK ____ M., _____
FIRST AMERICAN TITLE

SPECIAL WARRANTY DEED

THIS DEED, Made this 18th day of January, 2019, between **SM MESA MALL, LLC**, a Delaware limited liability company, having an office c/o Washington Prime Group, 180 E. Broad Street, Columbus, Ohio 43215, grantor, and **FCPT HOLDINGS, LLC**, a Delaware limited liability company, whose address is c/o Four Corners Property Trust, 591 Redwood Highway, Suite 1150, Mill Valley, California 94941, grantee:

WITNESS, that the grantor, for and in consideration of the sum of (\$10.00) TEN and 00/100 DOLLARS, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the said County of Mesa and State of Colorado and legally described on the attached Exhibit A (the "Property"):

Also known by street and number as:

- McDonald's 2438 Hwy 6 and 50, Grand Junction, CO 81505
- Taco Bell 2428 Hwy 6 and 50, Grand Junction, CO 81505
- Buffalo Wild Wings 2412 Hwy 6 and 50, Grand Junction, CO 81505
- Wendy's 2430 Hwy 6 and 50, Grand Junction, CO 81505
- Olive Garden 2416 Hwy 6 and 50, Grand Junction, CO 81505
- Red Lobster 575 24 ½ Road, Grand Junction, CO 81505
- IHOP 2420 Hwy 6 and 50, Grand Junction, CO 81505
- Outback 2432 Hwy 6 and 50, Grand Junction, CO 81505

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained Property, with the hereditaments and appurtenances.

SUBJECT TO all taxes, assessments, liens, easements, encumbrances and restrictions of record and all matters which an accurate survey or physical inspection of the Property would disclose (the "Permitted Exceptions").

TO HAVE AND TO HOLD the said Property above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. The grantor, for himself, his heirs, and personal representatives or successors, do covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained Property in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor and subject to the Permitted Exceptions. The singular number shall include the plural, the plural and the singular, and the use of any gender shall be applicable to all genders.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;

SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SM MESA MALL, LLC,
a Delaware limited liability company

By: WASHINGTON PRIME GROUP, L.P.,
an Indiana limited partnership,
its sole member

By: WASHINGTON PRIME GROUP INC.,
an Indiana corporation, its general partner

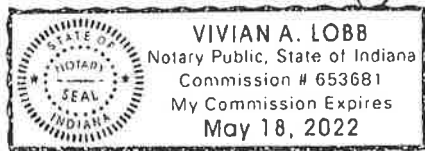
By: [Signature]
Name: Robert P. Demchak
Title: Executive Vice President,
General Counsel & Corporate Secretary

STATE OF Indiana
) ss.
COUNTY OF Marion

The foregoing instrument was acknowledged before me this 19 day of December, 2018, by Robert P. Demchak, as Executive Vice President, General Counsel and Corporate Secretary of Washington Prime Group Inc., general partner of Washington Prime Group, L.P., sole member of SM Mesa Mall, LLC, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: May 18, 2022



[Signature]
Notary Public

Exhibit "A"

Legal Description

Parcel A:

Lot 1, Mesa Mall Restaurant Row Subdivision Filing 1, as recorded at Reception No. ²⁸⁶⁷²⁷⁷ of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lots 3 & 4, Mesa Mall Restaurant Row Subdivision Filing 1, as recorded at Reception No. 2861277 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel I:

Lot 5, Mesa Mall Restaurant Row Subdivision Filing 1, as recorded at Reception No. 2867277 of the Mesa County Recorder's Office.

Parcel II:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel III:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel IV:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 1, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. ²⁸⁶⁷²⁷⁸ of the Mesa County Recorder's Office

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 2, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. 2867278 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 3, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. ²⁸⁶⁷²⁷⁸ of the Mesa County Recorder's Office

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 4, Mesa Mall Restaurant Row Subdivision Filing 2, as recorded at Reception No. 2867278 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

Exhibit "A"

Legal Description

Parcel A:

Lot 1, Mesa Mall Restaurant Row Subdivision Filing 3, as recorded at Reception No. 2867279 of the Mesa County Recorder's Office.

Parcel B:

Together with easements created, defined and limited by that certain Operating Agreement dated January 31, 1980 and recorded March 5, 1980 in Book 1247, Page 110, as amended by First Amendment of Operating Agreement dated April 29, 1981 and recorded June 15, 1981 in Book 1318, Page 580, Second Amendment to Operating Agreement dated June 1, 1982 and recorded October 6, 1982 in Book 1394, Page 237, Third Amendment to Operating Agreement dated September 1, 1982 and recorded December 23, 1982 in Book 1406, Page 723, Fourth Amendment of Operating Agreement dated February 1, 1984 and recorded September 5, 1984 in Book 1508, Page 592, Fifth Amendment of Operating Agreement dated December 30, 1993 and recorded January 10, 1997 in Book 2293, Page 603, Sixth Amendment of Operating Agreement dated March 23, 2004 and recorded June 3, 2004 in Book 3667 at Page 218; and Seventh Amendment of Operating Agreement dated August 30, 2011 and recorded September 2, 2011 at Reception No. 2583627, all in the Clerk and Recorder Office of Mesa County, Colorado.

Parcel C:

Non-exclusive appurtenant easement for the passage of motor vehicles and pedestrians, as set forth in the Reciprocal Easement and Operation Agreement recorded July 30, 1992 in Book 1914, Page 685.

Parcel D:

Non-exclusive easements created, limited and defined by that certain Pad Site Declaration of Covenants, Conditions, Restrictions and Easements recorded _____, 2018 in Book _____, Page _____.

General Project Report

To: City of Grand Junction

From: Bryce Christensen, P.E.
Kimley-Horn and Associates, Inc

Date: August 7, 2019

Subject: Sanitary Sewer Easement – Dillard’s at Mesa Mall

PROJECT DESCRIPTION

Washington Prime Group is in the process of implementing a redevelopment of the old Sears anchor building at the Mesa Mall with a new Dillard’s. The existing 82,907+/- SF Sears building (per ALTA Survey) has been demolished and in its place a proposed 99,750+/- SF Dillard’s anchor building will be constructed. The scope of work includes site work improvements around the proposed Dillard’s including new landscape islands, access drive-aisles, and utility services to the new building.

This scope of work and application request includes the vacation of a small portion of an existing sanitary sewer easement located near the northeast corner of the proposed Dillard’s building. The area to be vacated is approximately 1,972 SF.

PUBLIC BENEFIT

The existing sanitary sewer easement is in place for the public entity to maintain the sanitary sewer line that goes through the Mesa Mall. Vacation of this easement should not impact the public in any way, but would allow for a clean development of the proposed improvements around the Dillard’s redevelopment project, which in turn would benefit the public by providing an upgrade to the Mesa Mall. An occupied anchor will bring life back to the westside of the mall, increasing foot-traffic that should benefit all the businesses in the vicinity. Subsequently, eliminating a vacant building also helps reduce potential criminal mischief.

The proposed Dillard’s will provide another great retail option for the citizens of the community. Not only will it provide a place for the public to shop, but it will occupy vacant anchor space at the Mesa Mall and be strong tax revenue generator for the City directly benefitting the citizens of Grand Junction.

NEIGHBORHOOD MEETING

No Neighborhood Meeting has been held for this project.

PROJECT COMPLIANCE, COMPATABILITY, AND IMPACT

The proposed sanitary sewer easement vacation will not impact or change the existing land use, number of employees, or hours of operation on the mall. It should not impact the ability to service or maintain the sanitary

sewer line. There should be no impact to the site geology and there are no known geological hazards in the area.

REVIEW CRITERIA

Included with this report is a Development Application, Application Fee (to be paid via credit card online/over-the-phone), Ownership Statement for the following review request:

- Sanitary Sewer Easement Vacation

LEGAL DESCRIPTION

BEING LOT A MESA MALL'S SECOND MINOR SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGES 450 AND PAGE 452, MESA COUNTY RECORDS, BEING PORTION OF SECTION 4 AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN, COUNTY OF MESA, STATE OF COLORADO.

NOTES CORRESPONDING TO SCHEDULE B-2 ITEMS

9. THE RIGHT OF A PROPRIETOR OF A VEH OR LODG TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO FEASIBLE OR INTERESTED THE PREMISES, AND A RIGHT OF WAY TO OCCUPY PREMISES AS LIMITED STATES PATENT CERTIFICATE NO. 108. **(BLANKET IN WAIVER)**.
10. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
11. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
12. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
13. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
14. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE POWER OF ATTORNEY AND SCHEDULE SERVICE AGREEMENTS RECORDED AUGUST 29, 1979 IN BOOK 1216 AT PAGES 450 AND PAGE 452. **(DOCUMENT IS LOST)**.
15. EASEMENTS, NOTES, COVENANTS, RESTRICTIONS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT OF MESA MALL SUBDIVISION, RECORDED FEBRUARY 7, 1980 IN PLAT BOOK 12 AT PAGE 233. **(BLANKET IN WAIVER)**.
16. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, AS SET FORTH IN AN INSTRUMENT RECORDED JANUARY 11, 1980 IN BOOK 1239 AT PAGE 215. **(NOT A FLOODABLE ITEM)**.
17. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE DEED TO OCCUPY PREMISES RECORDED NOVEMBER 18, 1980 IN BOOK 1285 AT PAGE 316. **(BLANKET IN WAIVER)**.
18. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE PERMANENT EASEMENT RECORDED MAY 7, 1981 IN BOOK 1311 AT PAGE 824.

NOTES CORRESPONDING TO SCHEDULE B-2 ITEMS

31. EASEMENTS, NOTES, COVENANTS, RESTRICTIONS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT OF MESA MALL MINOR SUBDIVISION, RECORDED JULY 22, 1992 IN PLAT BOOK 14 AT PAGE 64. **(DOES NOT AFFECT SUBJECT PROPERTY)**.
32. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
33. EASEMENTS, NOTES, COVENANTS, RESTRICTIONS AND RIGHTS-OF-WAY AS SHOWN ON THE PLAT OF MESA MALL'S SECOND MINOR SUBDIVISION, RECORDED MAY 15, 1995 IN PLAT BOOK 14 AT PAGE 351. **(PLOTTED HEREON)**.
34. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE EASEMENT AND RESTRICTION AGREEMENT BY AND BETWEEN SIOG MARCHER PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, AND THE BANK OF GRAND JUNCTION A COLORADO CORPORATION, RECORDED SEPTEMBER 2, 1999 IN BOOK 2494 AT PAGE 733. **(DOES NOT AFFECT SUBJECT PROPERTY)**.
35. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
36. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
37. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
38. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE ACKNOWLEDGMENT, RATIFICATION AND ABANDONMENT OF EASEMENTS RECORDED DECEMBER 2, 2003 AT RECEPTION NO. 2165073.
39. NOTE: RATIFICATION OF NOVATION AGREEMENT IN CONNECTION THEREWITH RECORDED MARCH 29, 2007 AT RECEPTION NO. 2371823. **(PLOTTED HEREON)**.
40. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE GRANT OF SANITARY SEWER EASEMENT RECORDED JANUARY 7, 2004 AT RECEPTION NO. 2171093. **(PLOTTED HEREON)**.
41. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
42. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE ASSIGNMENT OF LESSOR'S INTEREST IN EASES RECORDED MAY 15, 2006 AT RECEPTION NO. 2317057. **(BLANKET IN WAIVER)**.
43. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE ASSIGNMENT OF OPERATING AGREEMENTS RECORDED MAY 15, 2006 AT RECEPTION NO. 2317058. **(BLANKET IN WAIVER)**.
44. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
45. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE GRANT OF STORM SEWER EASEMENTS RECORDED MARCH 29, 2007 AT RECEPTION NO. 2271824. **(PLOTTED HEREON)**.
46. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
47. AN EASEMENT FOR STORM DRAINAGE FACILITIES AND INCIDENTAL PURPOSES GRANTED TO DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, AS SET FORTH IN DEED AND ORDER RECORDED APRIL 22, 2011 AT RECEPTION NO. 2699941. **(DOES NOT AFFECT SUBJECT PROPERTY)**.
48. LEASE BY AND BETWEEN SA MESA WALL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSOR, AND 40-WAY STORES, INC., AN OHIO CORPORATION, AS LESSEE, SET FORTH IN MEMORANDUM OF LEASE RECORDED OCTOBER 19, 2011 AT RECEPTION NO. 2698467. **(BLANKET IN WAIVER)**.
49. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
50. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, AS SET FORTH IN AN INSTRUMENT RECORDED OCTOBER 24, 2013 AT RECEPTION NO. 2672786. **(DOES NOT AFFECT SUBJECT PROPERTY)**.
51. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, AS SET FORTH IN AN INSTRUMENT RECORDED OCTOBER 24, 2013 AT RECEPTION NO. 2672787. **(PLOTTED HEREON)**.
52. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE EASEMENT MAINTENANCE AGREEMENT RECORDED NOVEMBER 19, 2013 AT RECEPTION NO. 2675163. **(DOES NOT AFFECT SUBJECT PROPERTY)**.
53. LEASE BY AND BETWEEN SA MESA WALL, LLC, AS LESSOR, AND SUBWAY REAL ESTATE, LLC, AS LESSEE, AS EVIDENCED BY MEMORANDUM OF LEASE RECORDED MAY 18, 2017 AT RECEPTION NO. 2800458. **(DOES NOT AFFECT SUBJECT PROPERTY)**.
54. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
55. COVENANTS, CONDITIONS, RESTRICTIONS, PROVISIONS, EASEMENTS AND ASSESSMENTS AS SET FORTH IN PAD SITE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED JANUARY 22, 2019 AT RECEPTION NO. 2867546, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN, AND ANY AND ALL AMENDMENTS, ASSIGNMENTS, OR ANTI-ALIENS THERE TO. **(BLANKET IN WAIVER)**.
56. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE SCHEDULE EASEMENT AGREEMENT RECORDED JANUARY 22, 2019 AT RECEPTION NO. 2867608. **(DOES NOT AFFECT SUBJECT PROPERTY)**.

VICINITY MAP



GENERAL NOTES

- 1) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ALURA LAND CONSULTANTS, LLC. TO DETERMINE RECORD TITLE, EASEMENTS OR RIGHTS-OF-WAY. TITLE COMMITMENT NO. NC5-946019-COL, WITH AN EFFECTIVE DATE OF MARCH 29, 2019, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY WAS RELIED UPON FOR ALL INFORMATION REGARDING TITLE OF RECORD, EASEMENTS OF RECORD AND RIGHTS-OF-WAY.
- 2) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
- 3) THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE SURVEYOR'S CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESS WRITTEN REFERENCE BY THE SURVEYOR OF RECORD NAMED SAID PERSON OR ENTITY.
- 4) THIS SURVEY DOES NOT SHOW THE LOCATION OF, OR ENCROACHMENTS BY, SUBSURFACE FOOTINGS AND/OR FOUNDATIONS OF ANY BUILDINGS SHOWN HEREON. IF FLOOD ZONE DATA, ZONING AND SETBACK DATA, OR BUILDING RESTRICTION LINES ARE SHOWN HEREON, IT IS FOR INFORMATIONAL PURPOSES ONLY. HAVING BEEN OBTAINED FROM RELIABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH ALURA LAND CONSULTANTS, LLC. NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION.
- 5) BURRED UTILITIES AND/OR PRELINES SHOWN HEREON ARE PER INSPECT AND APPARENT SURFACE RECORDS, RECORD DRAWINGS OF THE CONSTRUCTED UTILITY LINES OBTAINED FROM RELIABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH ALURA LAND CONSULTANTS, LLC. OR MARKINGS PROVIDED BY AN INDEPENDENT LOCATING CONTRACTOR. NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION. IF MORE ACCURATE LOCATIONS OF UNDERGROUND UTILITIES OR PIPE LINES ARE REQUIRED, THE UTILITY OR PRELINE WILL HAVE TO BE VERIFIED BY FIELD POT-HOLING. ALURA LAND CONSULTANTS, LLC. AND THE SURVEYOR OF RECORD SHALL NOT BE HELD LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES OR PRELINES.
- 6) FIELD WORK FOR THIS SURVEY WAS PERFORMED ON MARCH 5-10, 2019.
- 7) THE LINEAL DIMS OF MEASURE SHOWN ON THIS SURVEY ARE BASED UPON THE U.S. SURVEY FOOT.
- 8) ALL STREETS AND/OR ALLEYS SHOWN HEREON ARE DULY DEDICATED AND MAINTAINED PUBLIC ROADWAYS.
- 9) THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN THE RECENT MONTHS.
- 10) THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, UNLABLE FROM THE CONVEYING INSTRUMENTS. THERE IS NO OBSERVATION EVIDENCE OF RECENT STREET OR SUBURBAN CONSTRUCTION OR REPAIRS.

FLOOD ZONE DESIGNATION

BY SEALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 080770080G AND DATED OCTOBER 16, 2012 - SUBJECT PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA.

BENCH MARK

MESA COUNTY BENCH MARK "70248"
 LOCATED AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN.
 ELEVATION = 4547.63 FEET (NAD 1988)

PARKING INFORMATION

1/25 PARKING STALLS
 24 HANDICAP
 1,749 TOTAL PARKING STALLS

LAND AREA

LOT A = 1,713,409 SQ. FT. OR 39.334 ACRES MORE OR LESS

ZONING INFORMATION

ZONING ORDINANCES IN EFFECT AS OF THE DATE OF THIS SURVEY.
 SETBACKS:
 FRONT:
 BACK:
 SIDE:
 ZONING:

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS BASED UPON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN. PER THE PLAT OF MESA MALL'S SECOND MINOR SUBDIVISION, RECORDED MAY 15, 1995 AT RECEPTION NO. 1717292 IN THE OFFICE OF THE CLERK AND RECORDER OF THE COUNTY OF MESA, STATE OF COLORADO, WHICH BEARS NORTH 89°59'40" EAST BETWEEN THE MONUMENTS SHOWN HEREON.

SURVEYOR'S STATEMENT

TO: SM MESA WALL, LLC, A DELAWARE LIMITED LIABILITY COMPANY
 FIRST AMERICAN TITLE INSURANCE COMPANY.
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, WHICH INCLUDES ITEMS 1, 2, 3, 4, 5, 6(D), 7(D), 7(D)(1), 7(G), 8, 9(D), 10(D), 11, 12, 13, 14, 15, 16, 17, 18, 19 OF TABLE A HEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 5-10, 2019.



JESUS A. UGOLA, PLS 38081
 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
 FOR AND ON THE BEHALF OF ALURA LAND CONSULTANTS, LLC.

NOTICE:
 ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

PROJECT INFORMATION:

ALTA/NSPS LAND TITLE SURVEY
 LOT A
 MESA MALL'S SECOND MINOR SUBDIVISION
 A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9
 T1S, R1W, OF THE U.M.
 CITY OF GRAND JUNCTION, COUNTY OF MESA

NO.	DATE:	REVISION DESCRIPTION:
0	4/10/18	SUBMITTAL

BY:	PREPARED BY:
15	

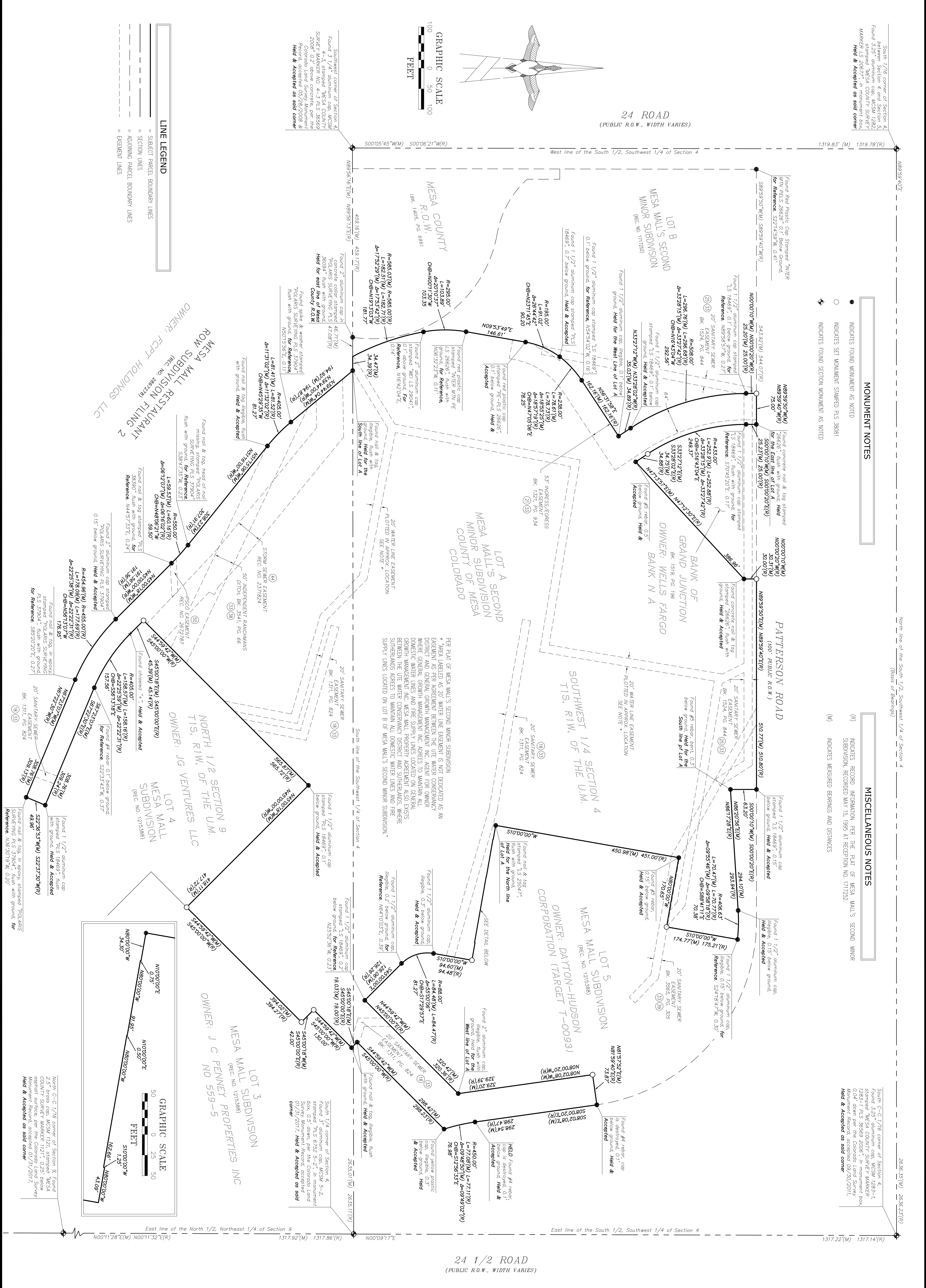
PREPARED FOR:

2016 KIMLEY-HORN AND ASSOCIATES, INC.
 4582 South Ulster Street, Suite 1500
 Denver, Colorado 80237 (303) 228-2300

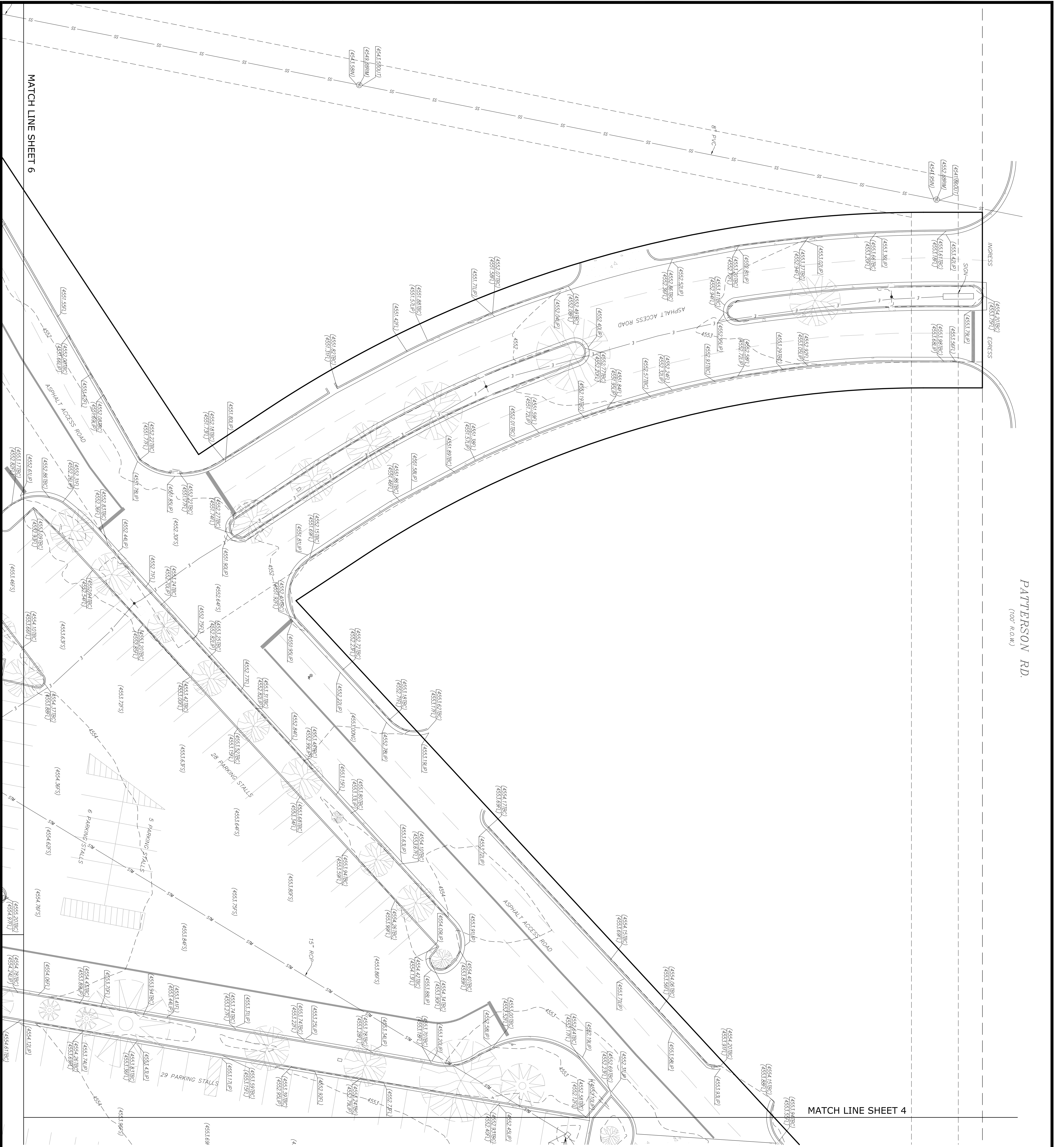
DEPOSITING CERTIFICATE

DEPOSITED THIS _____ DAY OF _____, 20___ IN
 BOOK _____ PAGE _____ OF THE COUNTY SURVEYOR'S LAND SURVEY
 PLATS/RIGHT-OF-WAY SURVEYS, RECEPTION NO. _____

SCALE:
 DATE: April 10, 2019
 BY: JT
 JOB NO. 19043
SHEET 1 OF 11



PROJECT INFORMATION:		NO.		DATE:		REVISION DESCRIPTION:		BY:		PREPARED BY:		PREPARED FOR:	
ALTA/NSPS LAND TITLE SURVEY		0		4/10/18		SUBMITTAL		JT		ALTURA Kimley»Horn		2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300	
LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA										6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303			
SCALE:	1" = 100'												
DATE:	APRIL 10, 2019												
BY:	JT												
JOB NO.	19043												
SHEET	2 OF 11												



PATTERSON RD.
(100' R.O.W.)

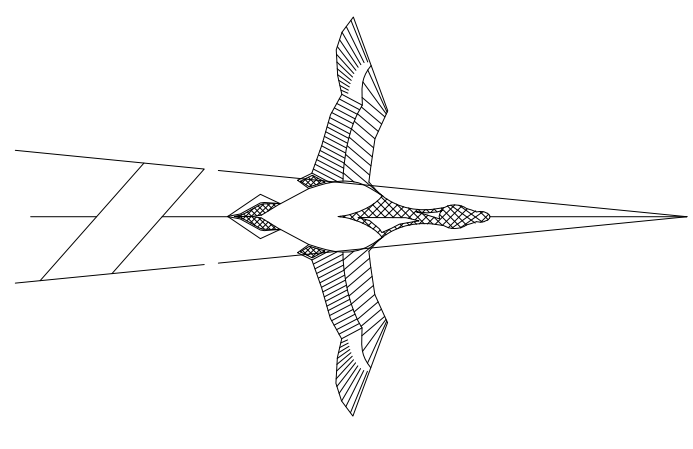
SYMBOL & ABBREVIATION LEGEND

- ☐ CONCRETE PAVEMENT
- CONIFEROUS TREE W/DRIP LINE
- DEODOROUS TREE W/DRIP LINE
- FINISHED FLOOR
- FINISH SURFACE
- FIRE HYDRANT
- FLOW LINE
- GAS METER
- IRRIGATION CONTROL VALVE
- PARKING BUMPER
- SEWER CLEAN OUT
- ELECTRIC METER
- FIRE DEPARTMENT CONNECTION
- STORM SEWER MANHOLE
- TRIPLE PARKING LIGHT
- LIGHT POLE
- NATURAL GROUND
- PARKING BOLLARD
- POWER POLE
- RIGHT OF WAY
- SEWER MANHOLE
- SIGN POST
- STREET LIGHT STANDARD
- TYPICAL
- WATER METER
- WATER VALVE
- HANDICAP PARKING
- ELECTRIC MANHOLE
- SINGLE PARKING LIGHT
- DOUBLE PARKING LIGHT
- AREA OF CONCERN

LINE LEGEND

- SUBJECT PARCEL BOUNDARY LINES
- SECTION LINES
- ADJOINING PARCEL BOUNDARY LINES
- EASEMENT LINES
- CHAINLINK FENCE
- UNDERGROUND ELECTRIC LINES
- UNDERGROUND GAS LINES
- UNDERGROUND FIBER OPTIC LINES
- UNDERGROUND STORM SEWER LINES
- UNDERGROUND SANITARY SEWER LINES
- UNDERGROUND WATER LINES
- PAINTED ROAD STRIPE LINES

GRAPHIC SCALE
20' 0' 10' 20'
FEET



<p>PROJECT INFORMATION:</p> <p style="text-align: center;">ALTA/NSPS LAND TITLE SURVEY</p> <p style="text-align: center;">LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE:</th> <th>REVISION DESCRIPTION:</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>4/10/18</td> <td>SUBMITTAL</td> </tr> </tbody> </table>	NO.	DATE:	REVISION DESCRIPTION:	0	4/10/18	SUBMITTAL	<p>BY: JT</p> <p>PREPARED BY:</p>	<p>PREPARED FOR:</p>
NO.	DATE:	REVISION DESCRIPTION:							
0	4/10/18	SUBMITTAL							
<p>SCALE: 1" = 20'</p> <p>DATE: APRIL 10, 2019</p> <p>BY: JT</p> <p>JOB NO. 19043</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">SHEET 3 OF 11</p>		<p>6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303</p> <p>2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300</p>							

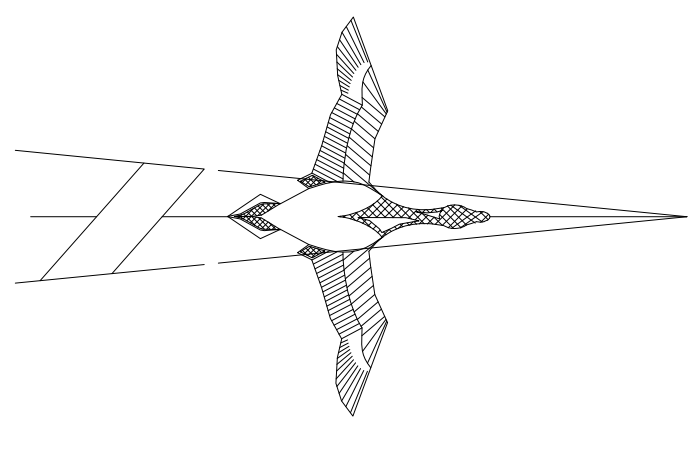


SYMBOL & ABBREVIATION LEGEND

- CONCRETE PAVEMENT
- CONCRETE TREE W/DRIP LINE
- DECIDUOUS TREE W/DRIP LINE
- FINISHED FLOOR
- FINISH SURFACE
- FIRE HYDRANT
- FLOW LINE
- GAS METER
- IRRIGATION CONTROL VALVE
- PARKING BUMPER
- SEWER CLEAN OUT
- ELECTRIC METER
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- STORM SEWER MANHOLE
- TRIPLE PARKING LIGHT
- AREA OF CONCERN
- LIGHT POLE
- NATURAL GROUND
- PARKING BOLLARD
- POWER POLE
- RIGHT OF WAY
- SEWER MANHOLE
- SIGN POST
- STREET LIGHT STANDARD
- TYPICAL
- WATER METER
- WATER VALVE
- HANDICAP PARKING
- ELECTRIC MANHOLE
- SINGLE PARKING LIGHT
- DOUBLE PARKING LIGHT

LINE LEGEND

- SUBJECT PARCEL BOUNDARY LINES
- SECTION LINES
- ADJOINING PARCEL BOUNDARY LINES
- EASEMENT LINES
- CHAINLINK FENCE
- UNDERGROUND ELECTRIC LINES
- UNDERGROUND GAS LINES
- UNDERGROUND FIBER OPTIC LINES
- UNDERGROUND STORM SEWER LINES
- UNDERGROUND SANITARY SEWER LINES
- UNDERGROUND WATER LINES
- PAINTED ROAD STRIPE LINES

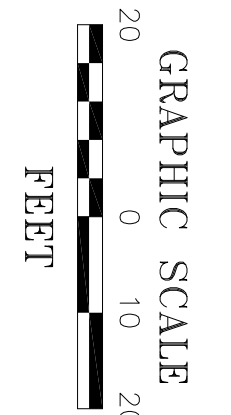
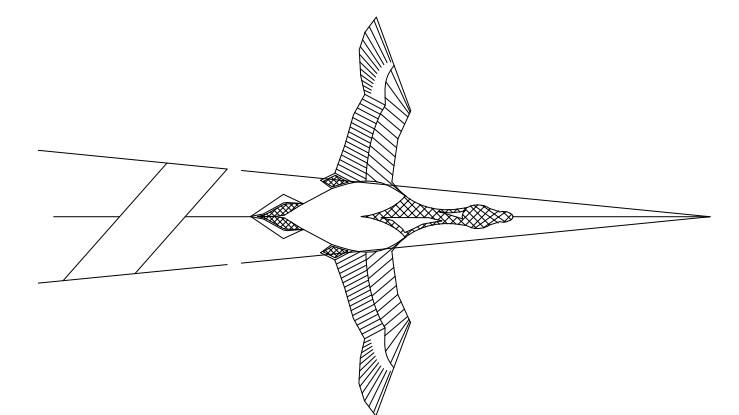


<p>PROJECT INFORMATION:</p> <p style="text-align: center;">ALTA/NSPS LAND TITLE SURVEY</p> <p style="text-align: center;">LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE:</th> <th>REVISION DESCRIPTION:</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>4/10/18</td> <td>SUBMITTAL</td> </tr> </tbody> </table>	NO.	DATE:	REVISION DESCRIPTION:	0	4/10/18	SUBMITTAL	<p>BY: PREPARED BY:</p> <p style="text-align: center;">ALTURA Kimley»Horn</p> <p style="text-align: center; font-size: small;">LAND CONSULTANTS 6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303</p>	<p>PREPARED FOR:</p> <p style="text-align: center; font-size: small;">2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300</p>
NO.	DATE:	REVISION DESCRIPTION:							
0	4/10/18	SUBMITTAL							
<p>SCALE: 1" = 20'</p> <p>DATE: APRIL 10, 2019</p> <p>BY: JT</p> <p>JOB NO. 19043</p> <p>SHEET 4 OF 11</p>									

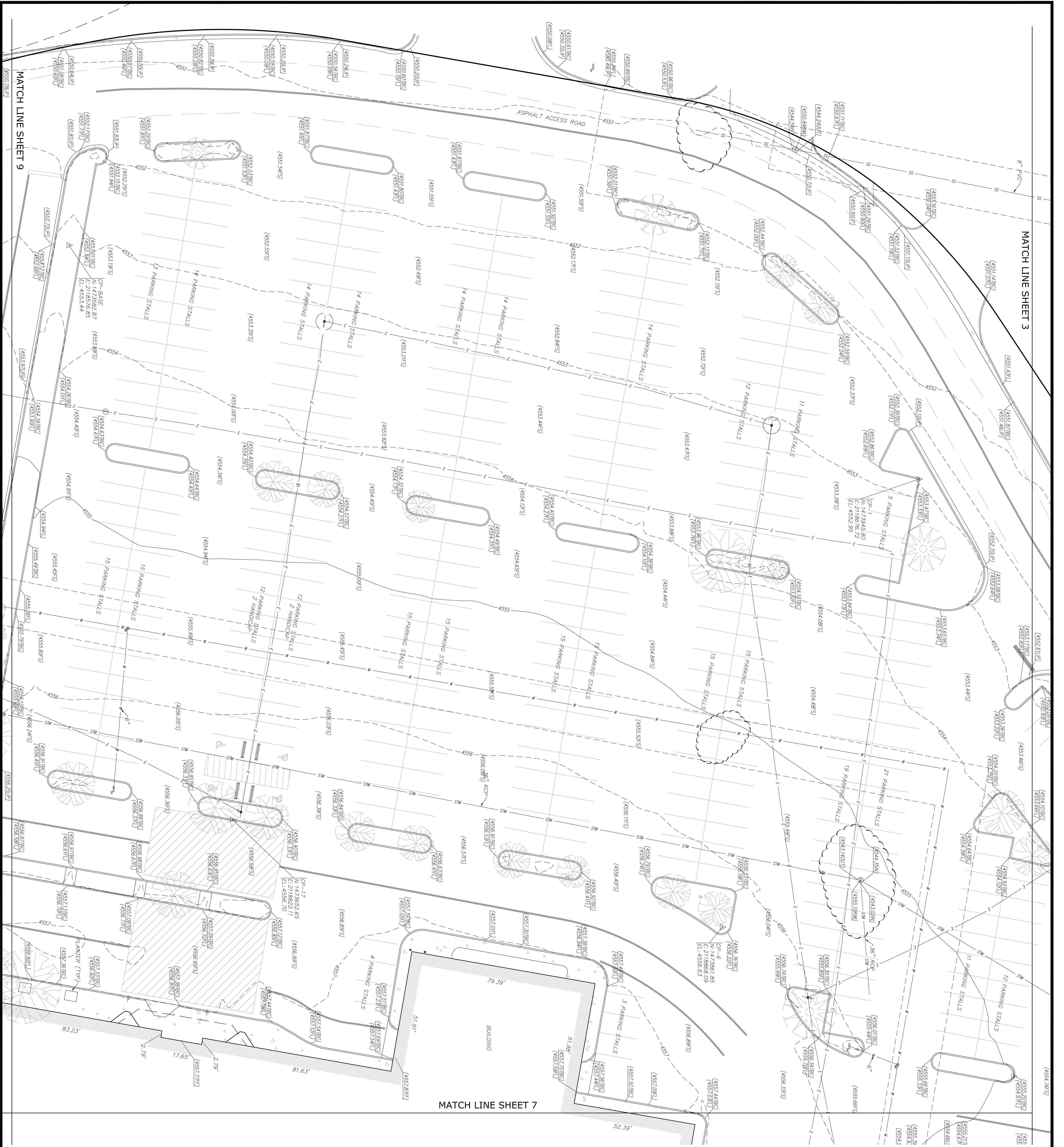


SYMBOL & ABBREVIATION LEGEND	
	CONCRETE PAVEMENT
	CONCRETE TREE W/DRIP LINE
	DECIDUOUS TREE W/DRIP LINE
	FINISHED FLOOR
	FINISH SURFACE
	FIRE HYDRANT
	FLOW LINE
	GAS METER
	IRRIGATION CONTROL VALVE
	PARKING BUMPER
	SEWER CLEAN OUT
	ELECTRIC METER
	FIRE DEPARTMENT CONNECTION
	STORM SEWER MANHOLE
	TRIPLE PARKING LIGHT
	AREA OF CONCERN
	LIGHT POLE
	NATURAL GROUND
	PARKING BOLLARD
	POWER POLE
	RIGHT OF WAY
	SEWER MANHOLE
	SIGN POST
	STREET LIGHT STANDARD
	TYPICAL
	WATER METER
	WATER VALVE
	HANDICAP PARKING
	ELECTRIC MANHOLE
	SINGLE PARKING LIGHT
	DOUBLE PARKING LIGHT

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	SUBJECT PARCEL BOUNDARY LINES
	SECTION LINES
	ADJOINING PARCEL BOUNDARY LINES
	EASEMENT LINES
	CHAINLINK FENCE
	UNDERGROUND ELECTRIC LINES
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	UNDERGROUND STORM SEWER LINES
	UNDERGROUND SANITARY SEWER LINES
	UNDERGROUND WATER LINES
	PAINTED ROAD STRIPE LINES

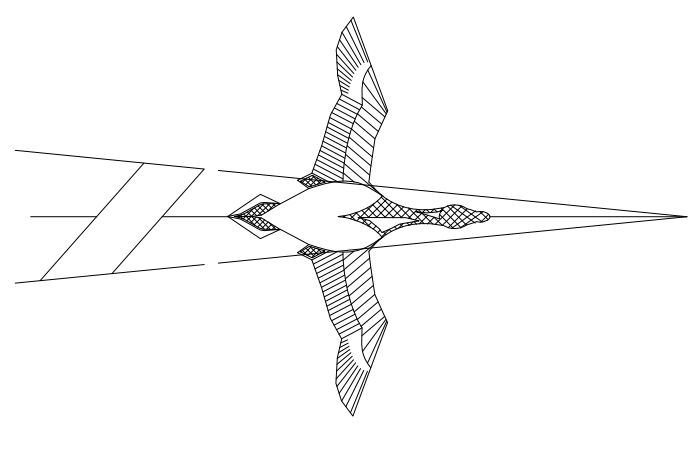


PROJECT INFORMATION: ALTA/NSPS LAND TITLE SURVEY LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA		NO. 0	DATE: 4/10/18	REVISION DESCRIPTION: SUBMITTAL	BY: JT	PREPARED BY: JT	PREPARED FOR:
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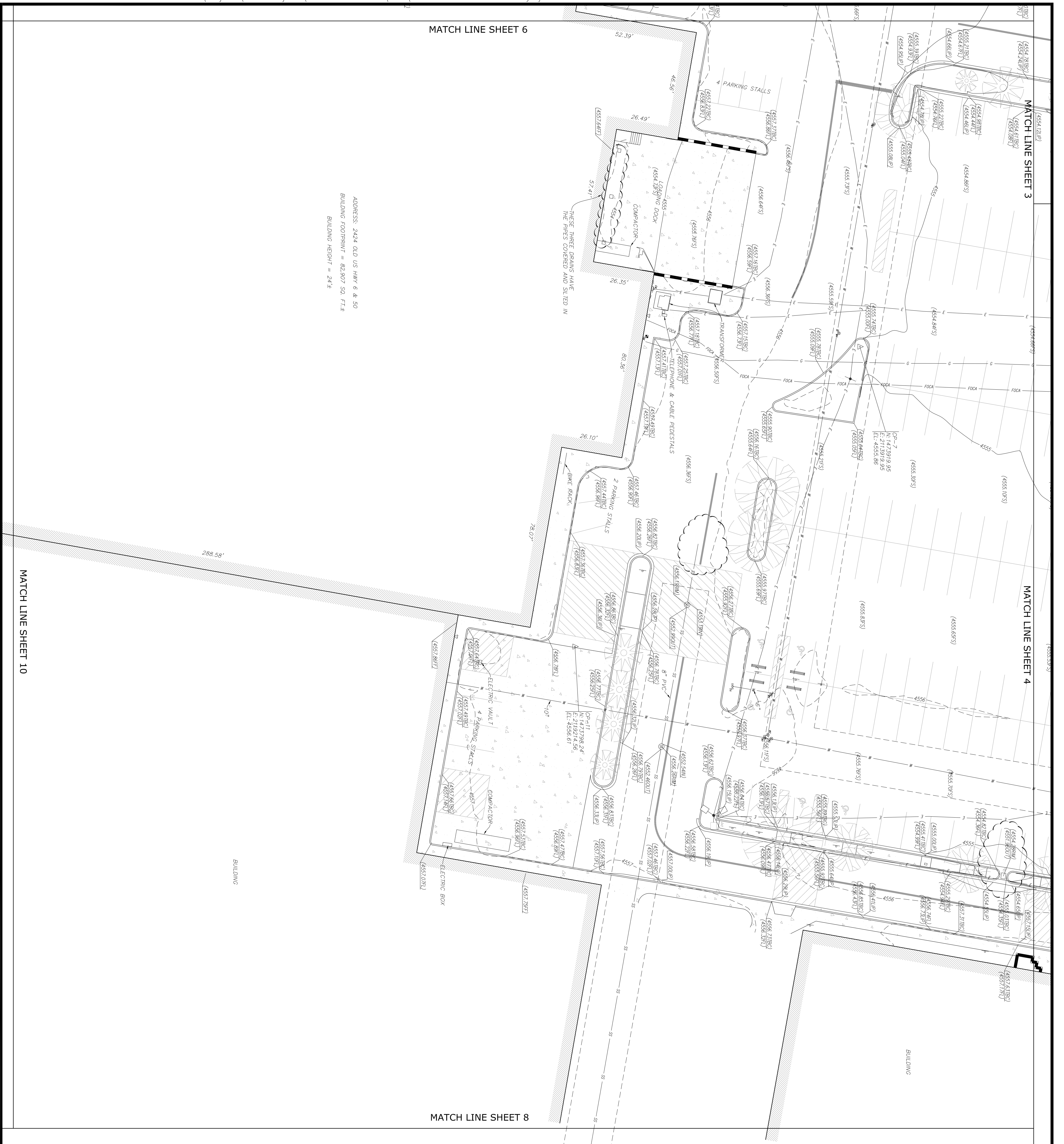


SYMBOL & ABBREVIATION LEGEND	
	CONCRETE PAVEMENT
	DECIDUOUS TREE W/DRIP LINE
	FINISHED FLOOR
	FIRE HYDRANT
	FLOW LINE
	GAS METER
	IRRIGATION CONTROL VALVE
	PARKING BUMPER
	SEWER CLEAN OUT
	ELECTRIC METER
	FIRE DEPARTMENT CONNECTION
	STORM SEWER MANHOLE
	TRIPLE PARKING LIGHT
	LIGHT POLE
	NATURAL GROUND
	PARKING BOLLARD
	POWER POLE
	RIGHT OF WAY
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	SIGN POST
	STREET LIGHT STANDARD
	TYPICAL WATER METER
	WATER VALVE
	HANDICAP PARKING
	ELECTRIC MANHOLE
	SINGLE PARKING LIGHT
	DOUBLE PARKING LIGHT
	AREA OF CONCERN

LINE LEGEND	
	SUBJECT PARCEL BOUNDARY LINES
	SECTION LINES
	ADJOINING PARCEL BOUNDARY LINES
	EASEMENT LINES
	CHAINLINK FENCE
	UNDERGROUND ELECTRIC LINES
	UNDERGROUND GAS LINES
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	UNDERGROUND WATER LINES
	PAINTED ROAD STRIPE LINES



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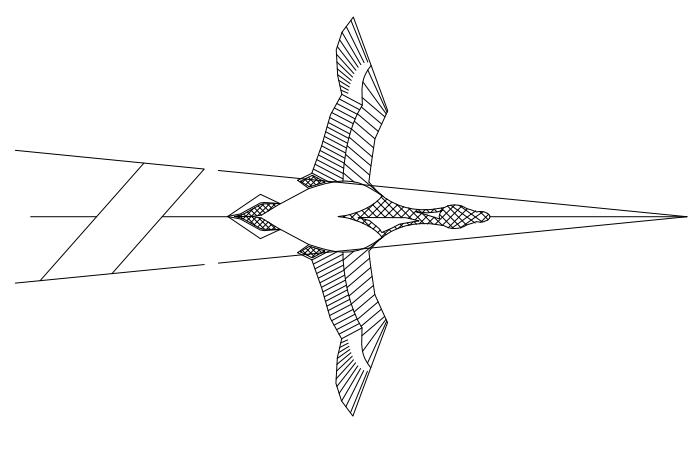


ADDRESS: 2424 OLD US HWY 6 & 50
 BUILDING FOOTPRINT = 82,907 SQ. FT.±
 BUILDING HEIGHT = 24'±

MATCH LINE SHEET 10

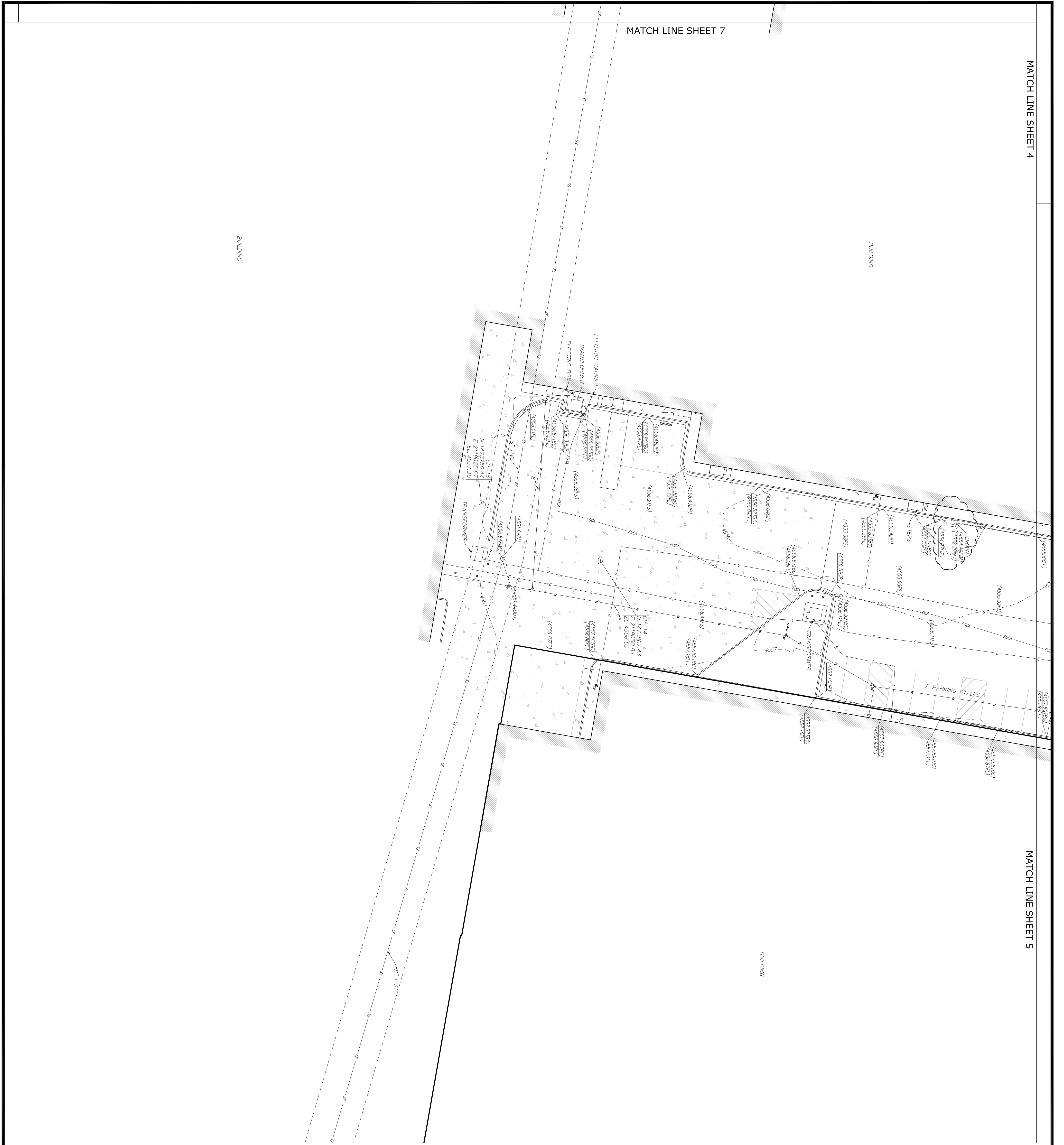
MATCH LINE SHEET 8

- SYMBOL & ABBREVIATION LEGEND**
- ☼ LIGHT POLE
 - NG NATURAL GROUND
 - PARKING BOLLARD
 - POWER POLE
 - R.O.W. RIGHT OF WAY
 - ⊙ SEWER MANHOLE
 - ⊕ SIGN POST
 - ⊙ STREET LIGHT STANDARD
 - TYP. TYPICAL
 - ⊕ WATER METER
 - ⊕ WATER VALVE
 - ⊕ HANDICAP PARKING
 - ⊕ ELECTRIC MANHOLE
 - ⊕ SINGLE PARKING LIGHT
 - ⊕ DOUBLE PARKING LIGHT
 - ⊕ AREA OF CONCERN
- LINE LEGEND**
- SUBJECT PARCEL BOUNDARY LINES
 - - - SECTION LINES
 - - - ADJOINING PARCEL BOUNDARY LINES
 - - - EASEMENT LINES
 - - - CHAINLINK FENCE
 - - - UNDERGROUND ELECTRIC LINES
 - - - UNDERGROUND GAS LINES
 - - - UNDERGROUND FIBER OPTIC LINES
 - - - UNDERGROUND STORM SEWER LINES
 - - - UNDERGROUND SANITARY SEWER LINES
 - - - UNDERGROUND WATER LINES
 - - - PAINTED ROAD STRIPE LINES



GRAPHIC SCALE
 1" = 20'
 0 10 20
 FEET

<p>PROJECT INFORMATION:</p> <p>ALTA/NSPS LAND TITLE SURVEY</p> <p>LOT A MESA MALL'S SECOND MINOR SUBDIVISION A PORTION OF THE SW 1/4 OF SEC. 4 AND NW1/4 OF SEC. 9 T1S, R1W, OF THE U.M. CITY OF GRAND JUNCTION, COUNTY OF MESA</p>		<p>NO. DATE: REVISION DESCRIPTION:</p> <p>0 4/10/18 SUBMITTAL</p>	<p>BY: PREPARED BY:</p> <p>JT</p>	<p>PREPARED FOR:</p>
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MATCH LINE SHEET 4

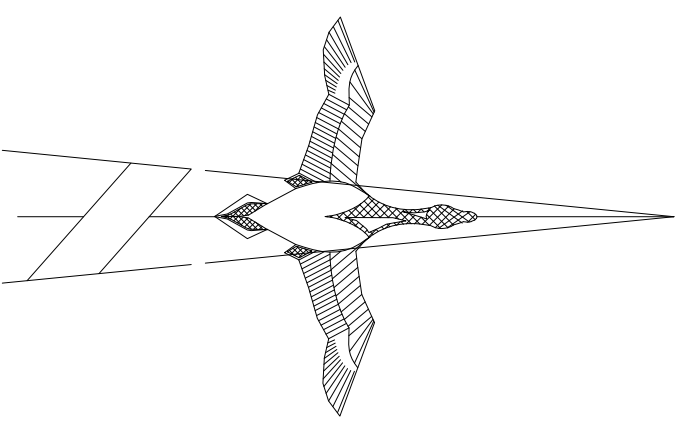
MATCH LINE SHEET 5

SYMBOL & ABBREVIATION LEGEND

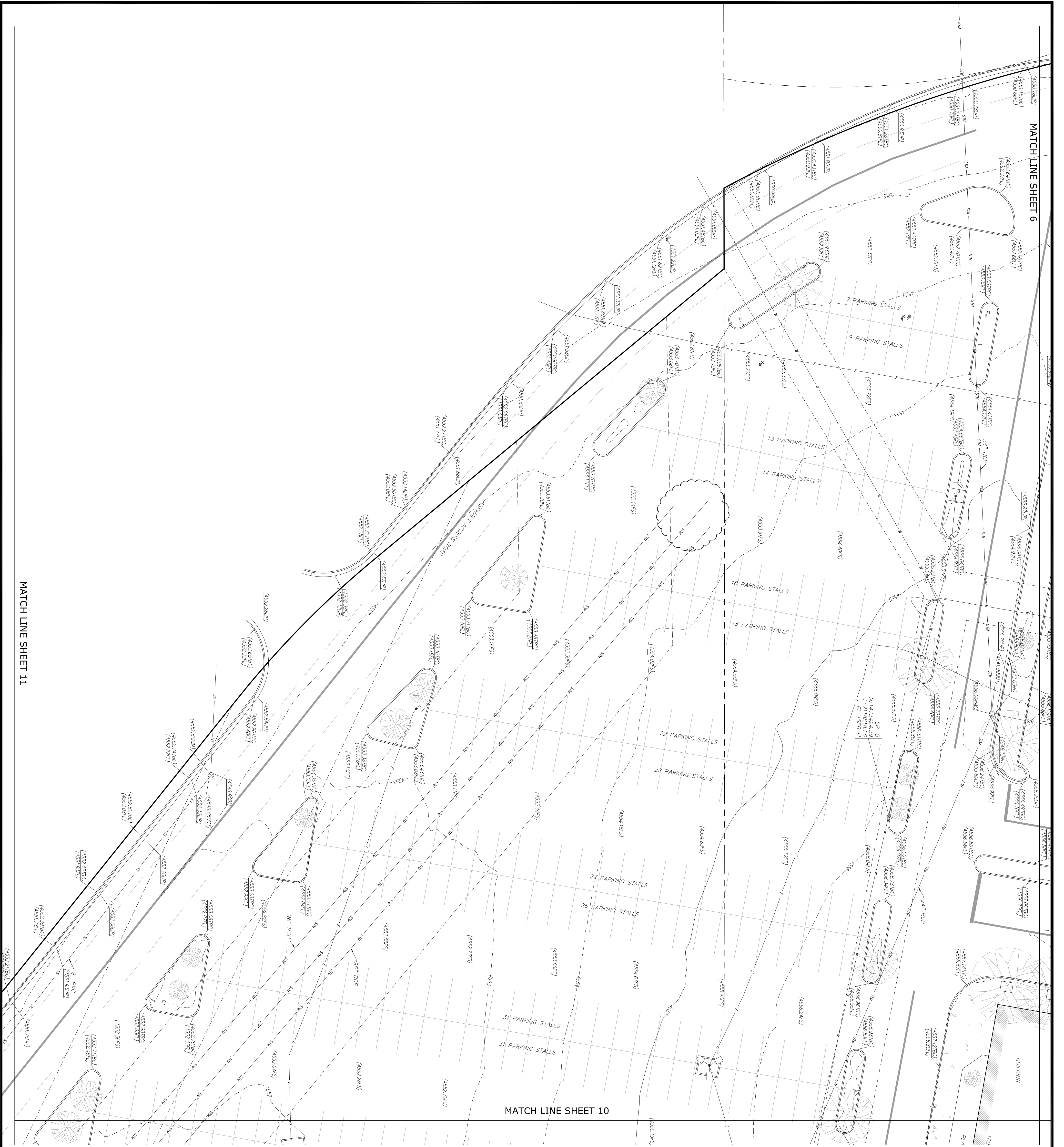
- CONCRETE PAVEMENT
- CONFERROUS TREE W/DRIP LINE
- DECIDUOUS TREE W/DRIP LINE
- FINISHED FLOOR
- FINISH SURFACE
- FIRE HYDRANT
- FLOW LINE
- GAS METER
- IRRIGATION CONTROL VALVE
- PARKING BUMPER
- SEWER CLEAN OUT
- ELECTRIC METER
- FIRE DEPARTMENT CONNECTION
- STORM SEWER MANHOLE
- TRIPLE PARKING LIGHT
- LIGHT POLE
- NATURAL GROUND
- PARKING BOLLARD
- POWER POLE
- RIGHT OF WAY
- SEWER MANHOLE
- SIGN POST
- STREET LIGHT STANDARD
- TYPICAL
- WATER METER
- WATER VALVE
- HANDICAP PARKING
- ELECTRIC MANHOLE
- SINGLE PARKING LIGHT
- DOUBLE PARKING LIGHT
- AREA OF CONCERN

LINE LEGEND

- SUBJECT PARCEL BOUNDARY LINES
- SECTION LINES
- ADJOINING PARCEL BOUNDARY LINES
- EASEMENT LINES
- CHAINLINK FENCE
- UNDERGROUND ELECTRIC LINES
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<p>SHEET 8 OF 11</p>									



MATCH LINE SHEET 11

MATCH LINE SHEET 6

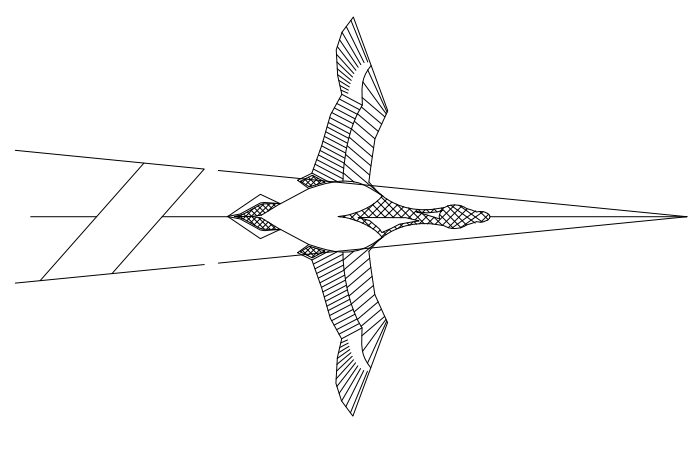
MATCH LINE SHEET 10

SYMBOL & ABBREVIATION LEGEND

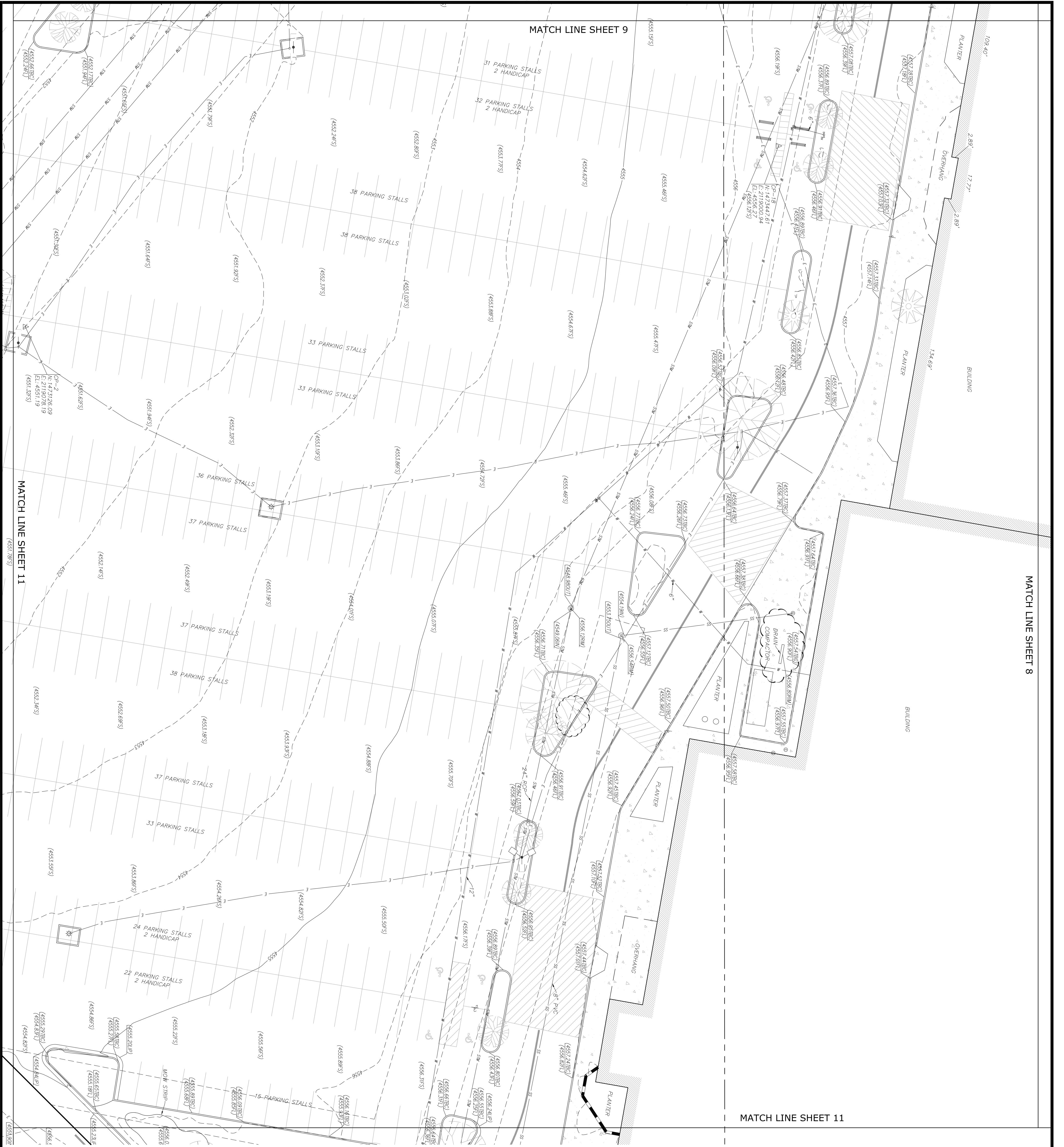
- ☐ CONCRETE PAVEMENT
- ☐ CONIFEROUS TREE W/DRIP LINE
- ☐ DECIDUOUS TREE W/DRIP LINE
- ☐ FINISHED FLOOR
- ☐ FINISH SURFACE
- ☐ FIRE HYDRANT
- ☐ FLOW LINE
- ☐ GAS METER
- ☐ IRRIGATION CONTROL VALVE
- ☐ PARKING BUMPER
- ☐ SEWER CLEAN OUT
- ☐ ELECTRIC METER
- ☐ FIRE DEPARTMENT CONNECTION
- ☐ STORM SEWER MANHOLE
- ☐ TRIPLE PARKING LIGHT
- ☐ LIGHT POLE
- ☐ NATURAL GROUND
- ☐ PARKING BOLLARD
- ☐ POWER POLE
- ☐ RIGHT OF WAY
- ☐ SEWER MANHOLE
- ☐ SIGN POST
- ☐ STREET LIGHT STANDARD TYPICAL
- ☐ WATER METER
- ☐ WATER VALVE
- ☐ HANDICAP PARKING
- ☐ ELECTRIC MANHOLE
- ☐ SINGLE PARKING LIGHT
- ☐ DOUBLE PARKING LIGHT
- ☐ AREA OF CONCERN

LINE LEGEND

- = SUBJECT PARCEL BOUNDARY LINES
- = SECTION LINES
- = ADJOINING PARCEL BOUNDARY LINES
- = EASEMENT LINES
- = CHAINLINK FENCE
- = UNDERGROUND ELECTRIC LINES
- = UNDERGROUND GAS LINES
- = UNDERGROUND FIBER OPTIC LINES
- = UNDERGROUND STORM SEWER LINES
- = UNDERGROUND SANITARY SEWER LINES
- = UNDERGROUND WATER LINES
- = PAVED ROAD STRIKE LINES



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MATCH LINE SHEET 11

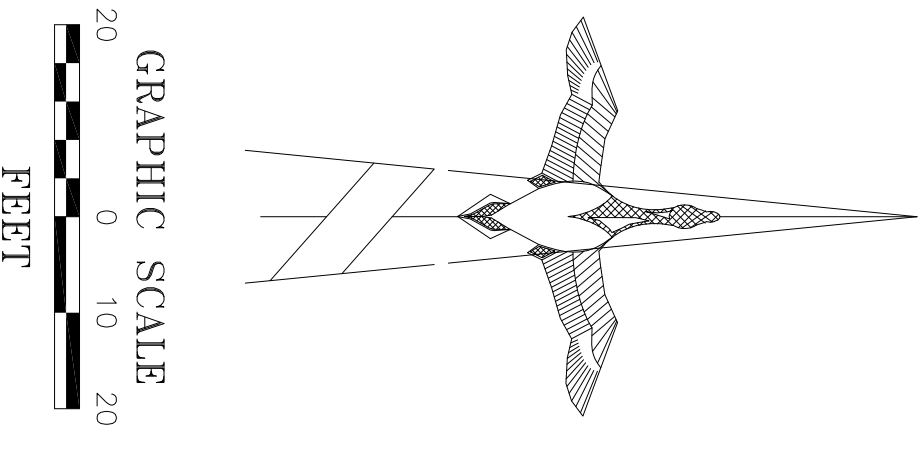
MATCH LINE SHEET 9

MATCH LINE SHEET 8

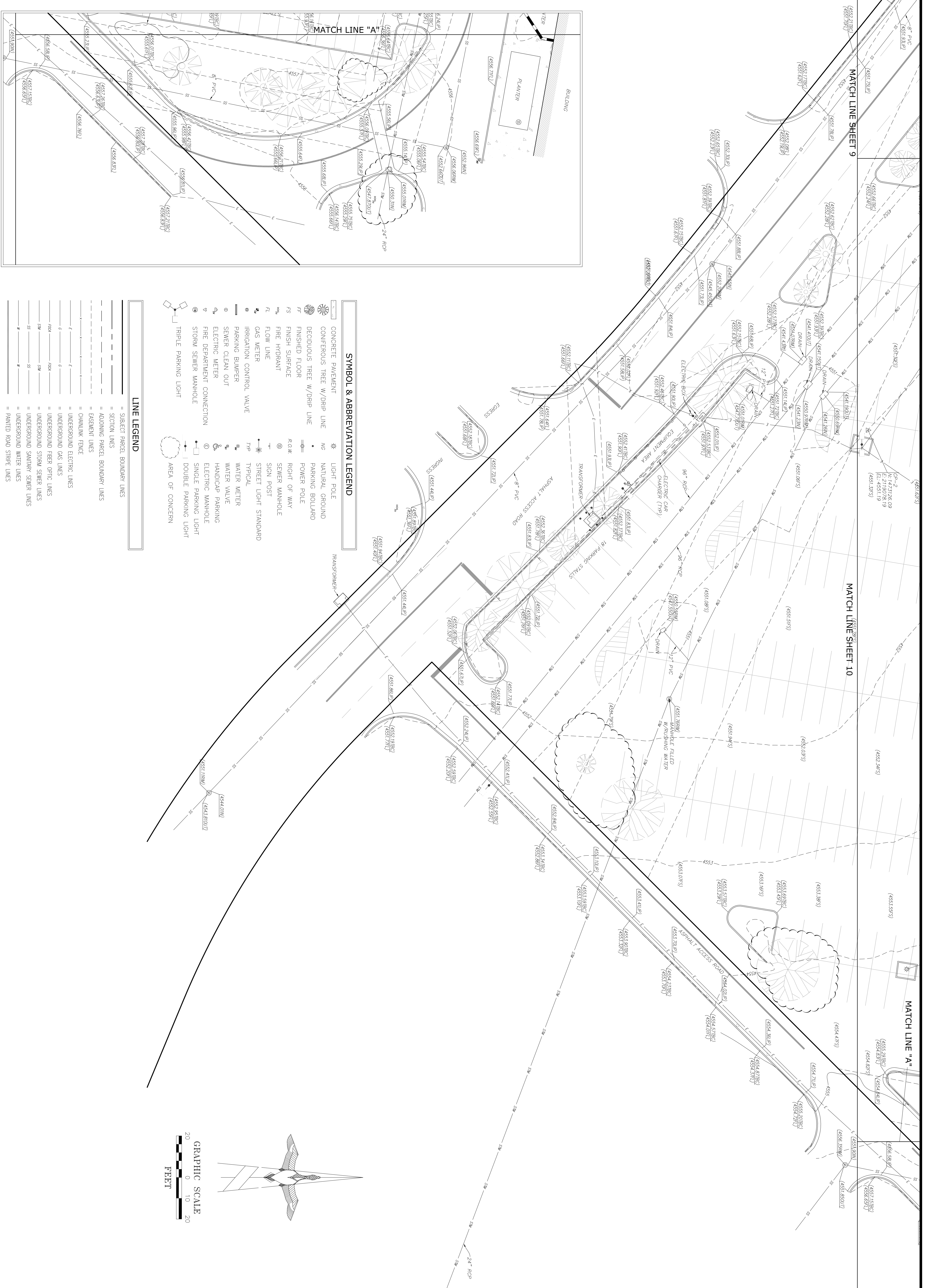
MATCH LINE SHEET 11

SYMBOL & ABBREVIATION LEGEND	
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	DECIDUOUS TREE W/DRIP LINE
	FINISHED FLOOR
	FIRE HYDRANT
	GAS METER
	IRRIGATION CONTROL VALVE
	PARKING BUMPER
	SEWER CLEAN OUT
	ELECTRIC METER
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	PARKING BOLLARD
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	TYPICAL WATER METER
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	ELECTRIC MANHOLE
	SINGLE PARKING LIGHT
	DOUBLE PARKING LIGHT
	AREA OF CONCERN

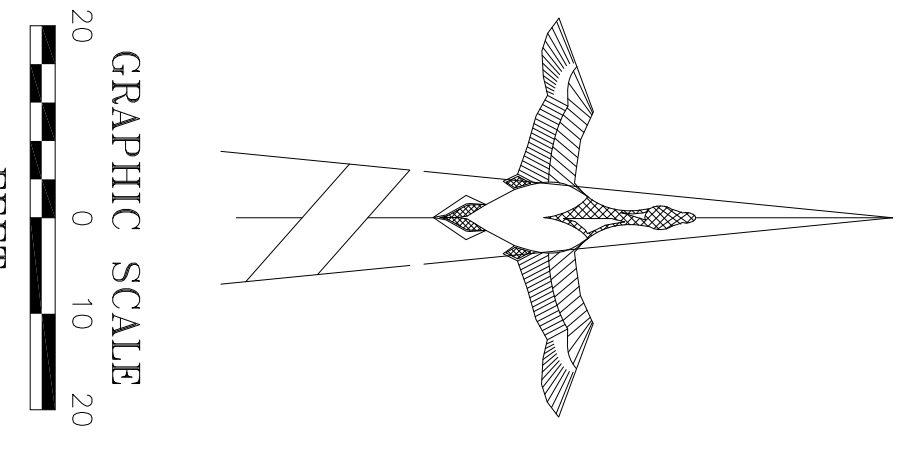
LINE LEGEND	
	SUBJECT PARCEL BOUNDARY LINES
	SECTION LINES
	ADJOINING PARCEL BOUNDARY LINES
	EASEMENT LINES
	CHANNEL LINK FENCE
	UNDERGROUND ELECTRIC LINES
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SHEET 10 OF 11		2016 KIMLEY-HORN AND ASSOCIATES, INC. 4582 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300					



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- ☐ CONCRETE PAVEMENT
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 - ☐ DECIDUOUS TREE
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MAY 7 1981

1311 824

Schedule B, Section 2
Item # 19431(c) (c)

P E R M A N E N T E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS, that General Growth Properties, ("General"), a Massachusetts voluntary association, P. O. Box 1536, Des Moines, Iowa 50306, J. C. Ferner Properties, Inc., a Delaware corporation, 1301 Avenue of the Americas, New York, New York 10019 and Dayton-Hudson Corporation dba Target Stores, a Minnesota corporation, 777 Nicollet Mall, Minneapolis, Minnesota 55402; hereinafter collectively referred to as Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, in hand paid by the City of Grand Junction, a municipal corporation, Grantee, receipt of which is hereby acknowledged, has given and granted and by these presents does hereby give and grant (with respect to the portion of the premises owned by it) unto the said Grantee, its heirs, successors, and assigns a PERPETUAL EASEMENT on, along, over and across the following described premises, to-wit:

As described in Exhibit A attached hereto and made a part hereof:

for the purpose to locate, place, construct, operate, repair and maintain an underground sanitary sewer pipeline. Said pipeline shall be underground and upon completion the surface of the ground shall be returned as nearly as practicable to its original level.

And each Grantor (with respect to the portion of the premises owned by it) hereby covenants with the Grantee that it has good and lawful right to grant this Easement.

Grantee will construct, operate, repair and maintain the sanitary sewer pipeline with normal, reasonable and accepted industry practice and in accordance with the rules and regulations of any and all applicable governmental agencies.

Grantee agrees to indemnify and save harmless Grantor and its representatives, successors and assigns for all damage to property or injuries to persons caused by the negligent act or omission of Grantee, its agents or employees, and will repair or pay for any damage which may be caused to Grantor by the construction, maintenance, operation or removal of said sanitary sewer pipeline.

The location of the easements is set forth on the Drawing SD-1 attached hereto as Exhibit B and made a part hereof. Grantor may utilize the area above the underground sanitary sewer pipeline for improved parking area and building, provided however, such reserved rights or uses do not prevent Grantee's use of the rights and privileges granted by this instrument. Grantee acknowledges that it has adequate access through manholes to that portion of the easement for Line B which is covered by buildings, all as depicted on Exhibit B.

Grantor reserves the right to relocate or to require Grantee to relocate the easement and any improvements constructed by the Grantee thereon at the sole cost and expense of the Grantor so making the request upon sixty (60) days written notice to the Grantee. Upon such relocation, Grantee shall deliver to the Grantor a quit-claim of the easement and the Grantor shall deliver to the Grantee an easement relating to the relocated area.

General represents that WELLS FARGO REALTY ADVISORS, INCORPORATED is the holder of a first deed of trust on a portion of the real estate described in Exhibit A and that General, upon the written request of Grantee, will request WELLS FARGO REALTY ADVISORS, INCORPORATED to give its written consent to Grantor's execution of these easements granted herein.

General is a voluntary association established under the laws of the Commonwealth of Massachusetts by a Declaration of Trust dated May 19, 1970, which together with all Amendments thereto is on file with the Secretary of the Commonwealth of Massachusetts. The obligations of the Trust are not personally binding upon nor shall resort be had to the private property of any of the Trustees, shareholders, officers, employees or agents of the Trust, but the Trust property only shall be bound.

Signed this 31st day of MARCH, 1984.

ATTEST:
[Signature]
Highland, Secretary

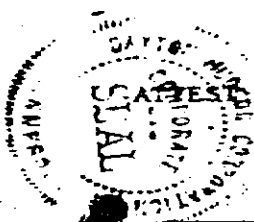
GENERAL GROWTH PROPERTIES
By [Signature]
[Signature], President

J. C. FENNEY PROPERTIES, INC.

ATTEST:

[Signature]
ASSISTANT SECRETARY

By: *[Signature]*
Vice President



[Signature]

William P. Hise
Asst. Secretary

DAYTON-HUDSON CORPORATION d/b/a
TARGET STORES

By: *[Signature]*
Floyd Hall Chairman & CEO
Target Stores Division

STATE OF IOWA)
) SS.
COUNTY OF POLK)

On this 31st day of March, 1981, before me, a Notary Public, in and for the State of Iowa, County of Polk, personally appeared Stanley Richards, to me personally known, who being by me duly sworn did say that he is the President of General Growth Properties, a Massachusetts voluntary association (Trust) and that said instrument was signed on behalf of said Trust by authority of its Trustees and said Stanley Richards acknowledged the execution of said instrument to be the voluntary act and deed of said Trust by it voluntarily executed.



[Signature]
Notary Public in and for Polk County, Iowa
My Commission Expires: 9-30-82

STATE OF NEW YORK)
COUNTY OF New York) SS.

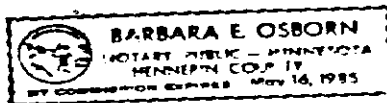
On this 24th day of April, 1981, before me, a Notary Public, in and for the jurisdiction aforesaid, personally appeared E. J. DEPKOVICH and Gertrude L. Deiana to me personally known, who by me duly sworn did say that they are the VICE PRESIDENT and ASSISTANT respectively of J. C. FENNEY PROPERTIES, INC., a Delaware corporation; that they know the seal of said corporation, that the seal affixed to said instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation; and that they acknowledged execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.



[Signature]
Notary Public in and for Suffolk County, New York
My commission expires: March 30, 1982
DONNA M. HIRSCH
NOTARY PUBLIC, State of New York
No. 41452718
Qualified in Suffolk County
Certificate Filed in New York County
Commission Expires March 30, 1982

STATE OF MINNESOTA)
) SS.
COUNTY OF Hennepin)

On this 13th day of April, 1981, before me, a Notary Public, in and for the jurisdiction aforesaid, personally appeared Floyd Hall and William P. Hise to me personally known, who by me duly sworn did say that they are the Chairman & CEO, TARGET STORES Division and Assistant Secretary respectively of DARTON-HUDSON CORPORATION d.b.a. TARGET STORES, a Minnesota corporation; that they know the seal of said corporation, that the seal affixed to said instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation; and that they acknowledged execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.



Barbara E. Osborn
Notary Public In and For Hennepin
County, Minnesota

(Notarial Seal)

My commission expires: MAY 16, 1985

EXHIBIT A

LINE A

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point on the South Right-of-Way line of F Road from whence the St Corner of Section 4, T1S, 21W, of the Ute Meridian bears S 52°07'26" E 1321.51 feet; thence S 32°47' E 135.23 feet; thence S 40°21'41" E 117.24 feet; thence S 30°10' E 233.59 feet; thence S 10°00' W 147.12 feet; thence S 22°00' E 207.97 feet; thence South 313.05 feet; thence S 73°15'35" E 133.13 feet; thence S 11°00' W 265.2 feet; thence S 33°22' W 312.27 feet; thence W 37°00' W 580.9 feet; thence W 35°00' W 323.52 feet; thence N 11° 15' W 215.26 feet; thence N 33°45' W 375.46 feet to a point from whence the St Corner of said Section 4 bears N 88°14'38" E 1474.62 feet.

LINE B

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, 21W, of the Ute Meridian bears S 71°16'30" E 1543.97 feet; thence S 80°00' E 466.14 feet; thence S 71°16'30" W 317.57 feet to a point from whence the St Corner of said Section 4 bears S 69°51'54" E 547.21 feet.

LINE C

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, 21W, of the Ute Meridian bears W 61°05'40" E 133.22 feet; thence S 30°00' E 213.85 feet to the West Right-of-Way line of 24y Road, from whence the St Corner of said Section 4 bears W 10°23'05" E 282.73 feet.

LINE D

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, 21W, of the Ute Meridian bears N 51°05'40" E 133.22 feet; thence W 25°36'39" E 124.13 feet to a point on the South Right-of-Way line of F Road from whence the St Corner of said Section 4 bears S 77°37'03" E 109.25 feet.

LINE E

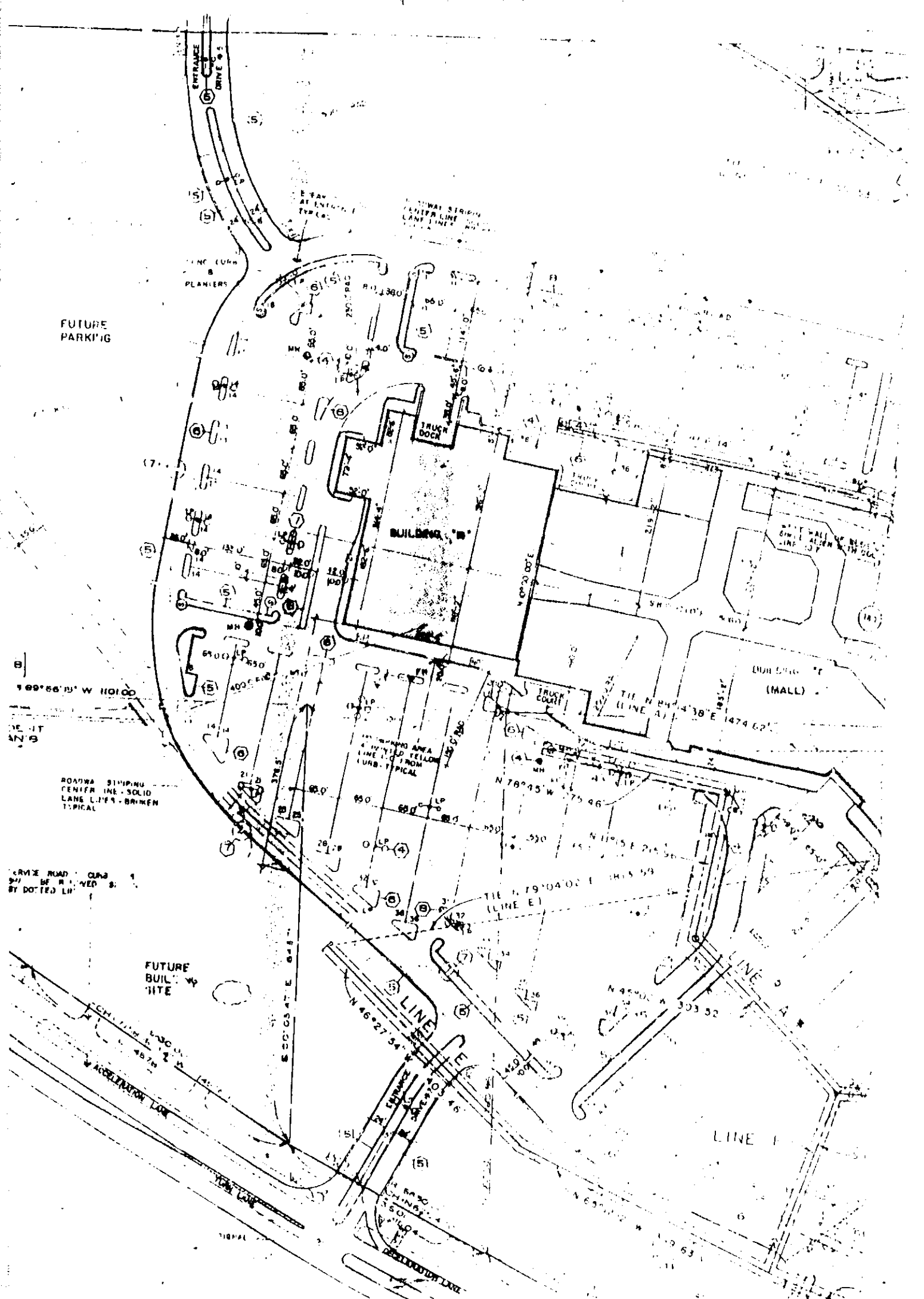
A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the St Corner of Section 4, T1S, 21W, of the Ute Meridian bears N 24°10'57" E 393.59 feet; thence S 73°07'44" W 426.33 feet; thence N 38°13'01" W 397.18 feet; thence N 65°12'12" W 393.59 feet; thence N 45°27'54" W 403.46 feet to a point from whence the St Corner of said Section 4 bears N 72°04'02" E 1213.19 feet.

LINE F

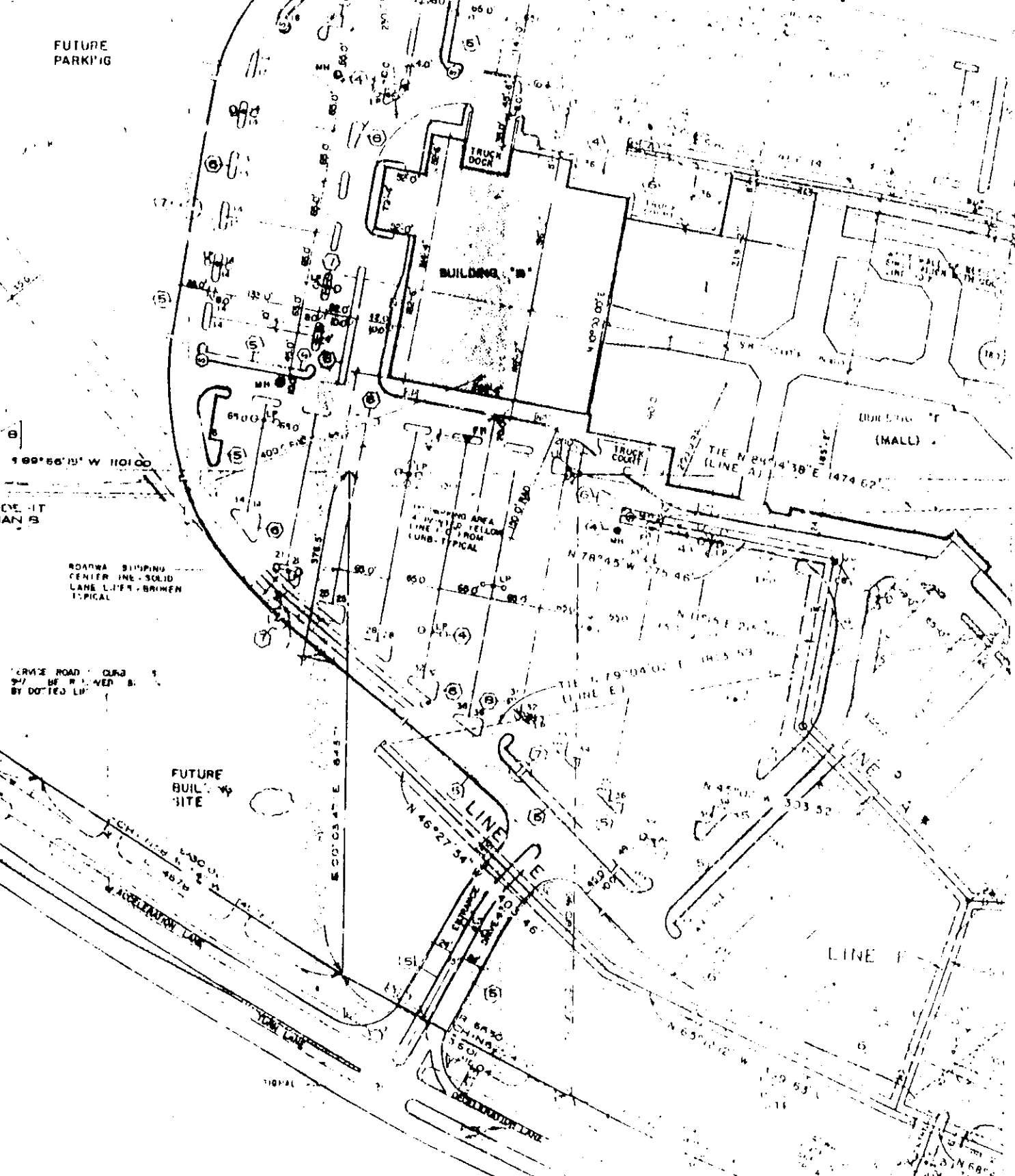
A permanent easement 10 feet either side of the following described centerline.

beginning at a point from whence the SW Corner of Section 4, T1S, R1E, of the Ute Meridian bears N 63°20'15" E 1157.39 feet; thence S 19°36'57" W 280.37 feet from whence the SW Corner of said Section 4 bears N 54°57'01" E 1374.63 feet.



FUTURE PARKING

PLAN 238



169°56'19" W 1101.00

ROADWAY SHIPING CENTER LINE - SOLID LANE LINES - BRIMEN TYPICAL

SERVICE ROAD - CURB 1/2" BY 1/2" VER. S. BY DOTTED LINE

FUTURE BUILDING SITE

LEGEND

- ⊙ F.H. PIPE HYDRANT
- ⊙ L.P. PARKING LOT LIGHTING POLE
- ⊙ C.B. CATCH BASIN
- ⊙ M.H. MANHOLE
- ⊙ P.P. POWER POLES
- ⊙ EXISTING TREES
- ⊙ STOP SIGN
- ⊙ NO PARKING
- ⊙ NO PARKING FIRE LANE
- ⊙ YIELD SIGN



CURB DETAIL

SW COR SEC 4
T1S, R1W, U.M

ROAD

FUTURE
PARKING

DITCH

14,000 GAL
BAFFLE BASIN

6 DIAPHRAGM
SEDIMENT
BASIN

PUMP

IRRIGATION
EASEMENT

5 69' 56" N 10' W 110' 00"

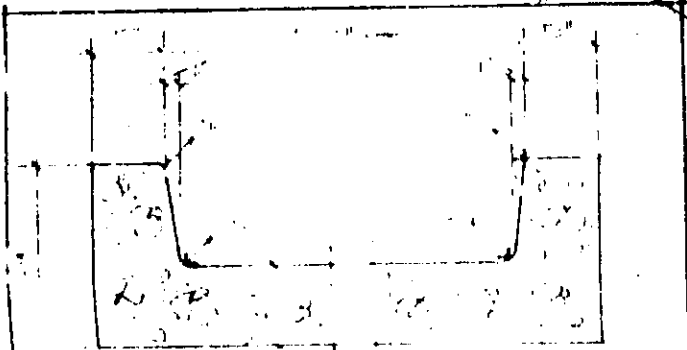
12" HEADWALL
W/ GATE VALVE
8" 20" PIPE BY
IRRIGATION
COMPANY

INDEPENDENT
RANCHMAN'S
DITCH

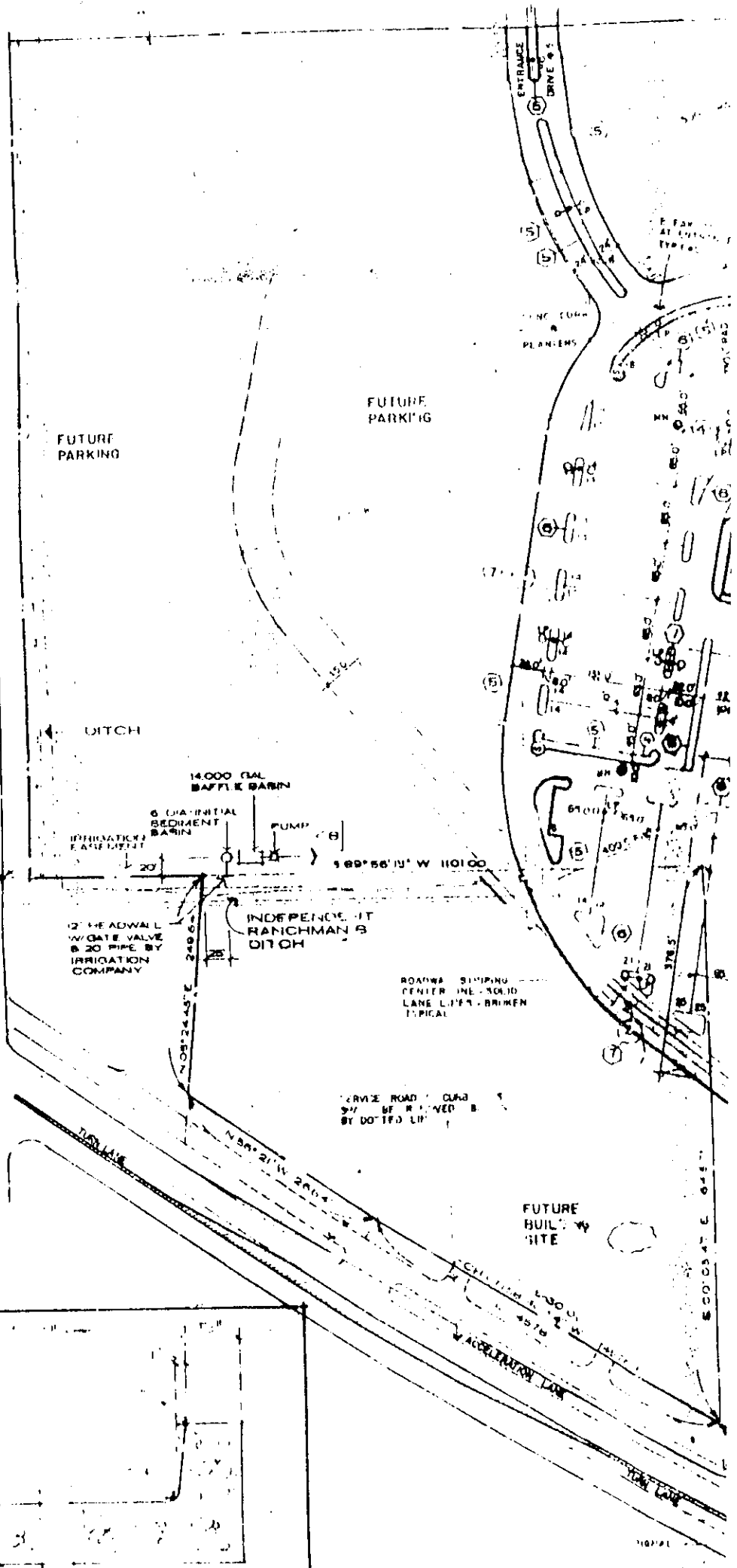
ROADWAY SIMPLIFIED
CENTER LINE - SOLID
LANE LINES - BRIMEN
TYPICAL

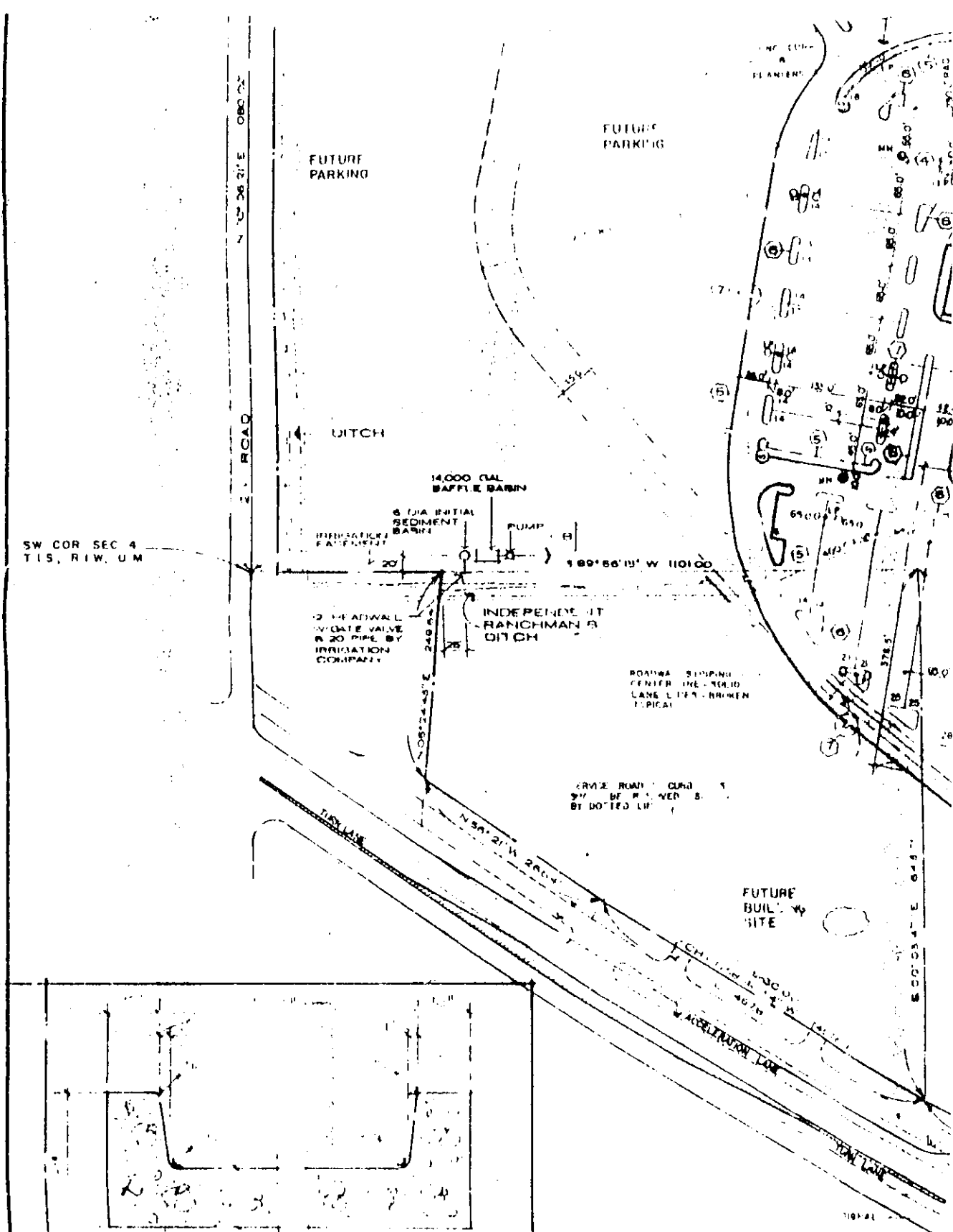
SERVICE ROAD - CURB
BY DOTFD LIT

FUTURE
BUILDING
SITE

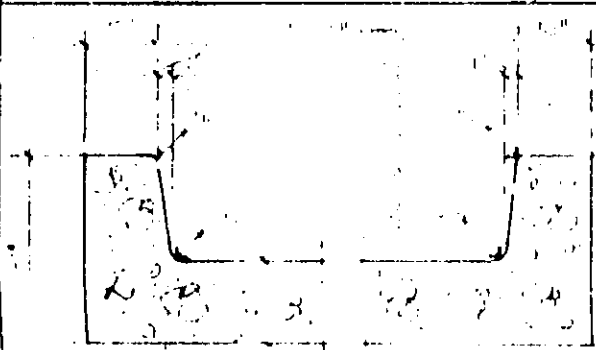


5 CURB
OUTLET
DETAIL





SW COR SEC 4
T15, R1W, U1M



5 CURB
OUTLET
DETAIL
SCALE

GENERAL NOTES	LEGEND																														
<ol style="list-style-type: none"> 1. SEE SHEET FOR ALL UTILITIES AND ELEVATIONS. 2. SEE SHEET FOR DETAILS OF ALL PUMPING AND STORAGE STRUCTURES. 3. SEE LAYOUT FOR EXISTING AND PROPOSED DITCH LAYOUT, CHANNEL BATTERS, AND PLANTING AREAS. 4. SEE SHEET FOR MOBILE HOME, DETAIL, AND FIELD HOUSING PLANTING. SEE SHEET FOR CURET DETAIL FOR FIELD. 5. SEE SHEET FOR THIS SHEET FOR CURB DETAIL. 6. SEE SHEET FOR THIS SHEET FOR CURB DETAIL. 7. SEE SHEET FOR THIS SHEET FOR CURB DETAIL. 8. SEE SHEET FOR THIS SHEET FOR CURB DETAIL. 	<table border="0"> <tr> <td></td> <td>F.H.</td> <td>FIRE HYDRANT</td> </tr> <tr> <td></td> <td>L.P.</td> <td>PARKING LOT LIGHT POLE</td> </tr> <tr> <td></td> <td>C.B.</td> <td>CATCH BASIN</td> </tr> <tr> <td></td> <td>M.H.</td> <td>MANHOLE</td> </tr> <tr> <td></td> <td>P.P.</td> <td>POWER POLE</td> </tr> <tr> <td></td> <td></td> <td>EXISTING TREES</td> </tr> <tr> <td></td> <td></td> <td>STOP SIGN</td> </tr> <tr> <td></td> <td></td> <td>SIGNPOSTING</td> </tr> <tr> <td></td> <td></td> <td>TWO-LANE ROAD</td> </tr> <tr> <td></td> <td></td> <td>YIELD SIGN</td> </tr> </table>		F.H.	FIRE HYDRANT		L.P.	PARKING LOT LIGHT POLE		C.B.	CATCH BASIN		M.H.	MANHOLE		P.P.	POWER POLE			EXISTING TREES			STOP SIGN			SIGNPOSTING			TWO-LANE ROAD			YIELD SIGN
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		YIELD SIGN																													

1311 830

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S₄ Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 41°05'40" E 183.22 feet; thence S 10°00' E 218.85 feet to the West Right-of-Way line of 245 Road; from whence the S₄ Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S₄ Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 41°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to a point on the South Right-of-Way line of F Road from whence the S₄ Corner of said Section 4 bears S 27°32'01" E 109.25 feet.

LINE C

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S₄ Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 41°05'40" E 183.22 feet; thence S 10°00' E 218.85 feet to the West Right-of-Way line of 245 Road; from whence the S₄ Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE D

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S₄ Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 41°05'40" E 183.22 feet; thence N 25°36'39" E 124.19 feet to a point on the South Right-of-Way line of F Road from whence the S₄ Corner of said Section 4 bears S 27°32'01" E 109.25 feet.

LINE E

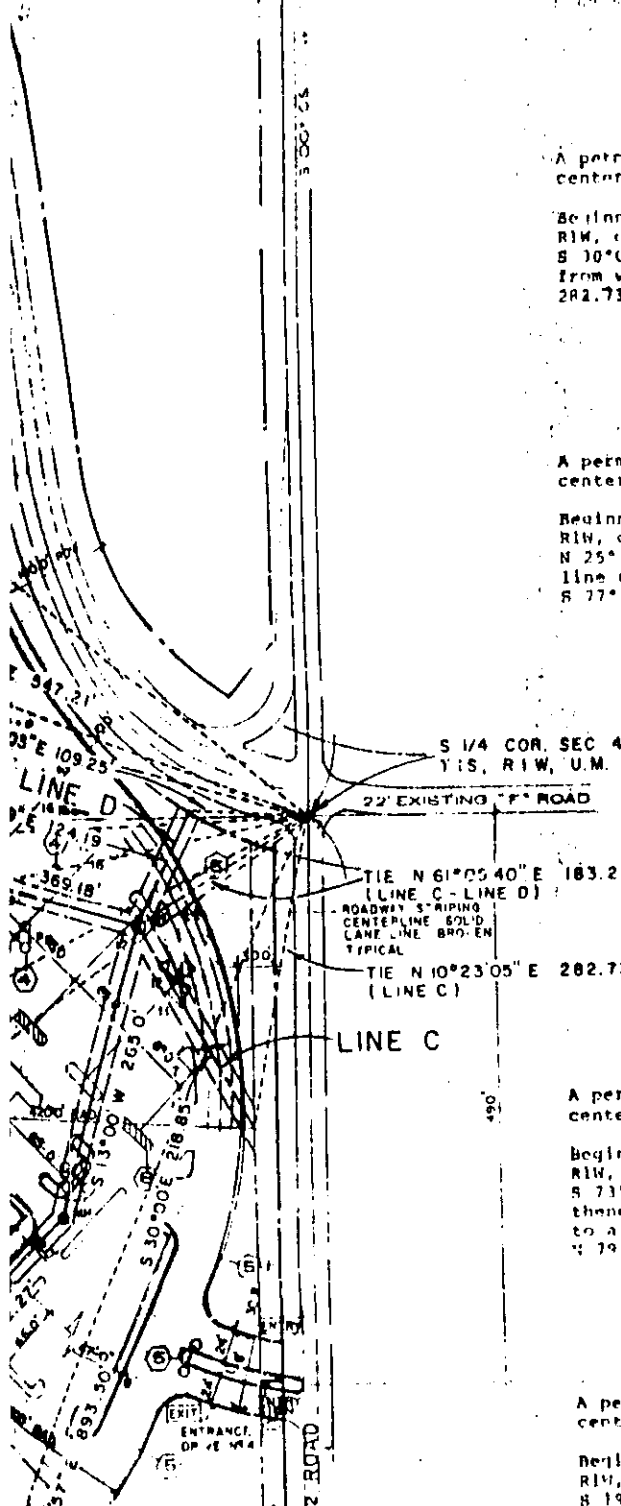
A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S₄ Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 24°10'57" E 893.50 feet; thence S 73°07'44" E 106.58 feet; thence N 58°48'01" N 397.18 feet; thence N 65°12'12" W 109.25 feet; thence N 46°27'54" N 493.46 feet to a point from whence the S₄ Corner of said Section 4 bears S 29°04'02" E 1811.52 feet.

LINE F

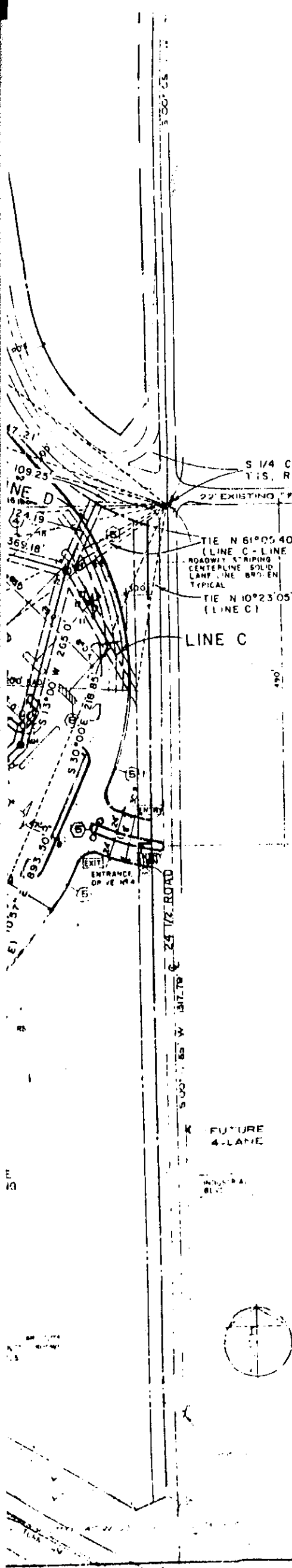
A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the S₄ Corner of Section 4, T1S, R1W, of the Ute Meridian bears N 61°00'15" E 1157.38 feet; thence S 19°38'57" N 290.12 feet from whence the S₄ Corner of said Section 4 bears N 51°32'01" E 1174.69 feet.



GENERAL GROWTH PROPERTIES
 1055 6TH AVE., DES MOINES, IOWA 50314
 PHONE 515-288-9512

derwood j. quade
 architect & engineer
 1055 6th Ave. Des Moines, Iowa



LINE A
A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the SW Corner of Section 4, T1S, R1W, of the 11th Meridian bears S 61°05'40" E 183.22 feet; thence S 10°00' E 215.84 feet to the West Right-of-Way line of 24 1/2 Road, from whence the SW Corner of said Section 4 bears N 10°23'05" E 282.73 feet.

LINE B

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the SW Corner of Section 4, T1S, R1W, of the 11th Meridian bears N 61°05'40" E 183.22 feet; thence N 25°36'19" E 124.10 feet to a point on the South Right-of-Way line of F Road from whence the SW Corner of said Section 4 bears S 77°32'03" E 197.25 feet.

LINE C
A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the SW Corner of Section 4, T1S, R1W, of the 11th Meridian bears N 24°10'57" E 893.50 feet; thence S 73°07'44" E 406.58 feet; thence N 58°48'01" W 397.18 feet; thence N 65°12'12" W 397.53 feet; thence N 46°27'54" W 493.46 feet to a point from whence the SW Corner of said Section 4 bears N 79°04'02" E 1813.59 feet.

LINE D

A permanent easement 10 feet either side of the following described centerline.

Beginning at a point from whence the SW Corner of Section 4, T1S, R1W, of the 11th Meridian bears N 63°00'15" E 1157.38 feet; thence S 19°36'57" W 289.17 feet from whence the SW Corner of said Section 4 bears N 51°57'01" E 1374.69 feet.

SURVEYORS STATEMENT

I, J. Boyd Peterson, do hereby certify that the newer easements as shown on this plat were plotted from notes of an actual field survey and are correct to the best of my knowledge.

J. Boyd Peterson
J. Boyd Peterson L.S. 15837



GENERAL GROWTH
1055 6TH AVE. DES MOIS
PHONE 515-288

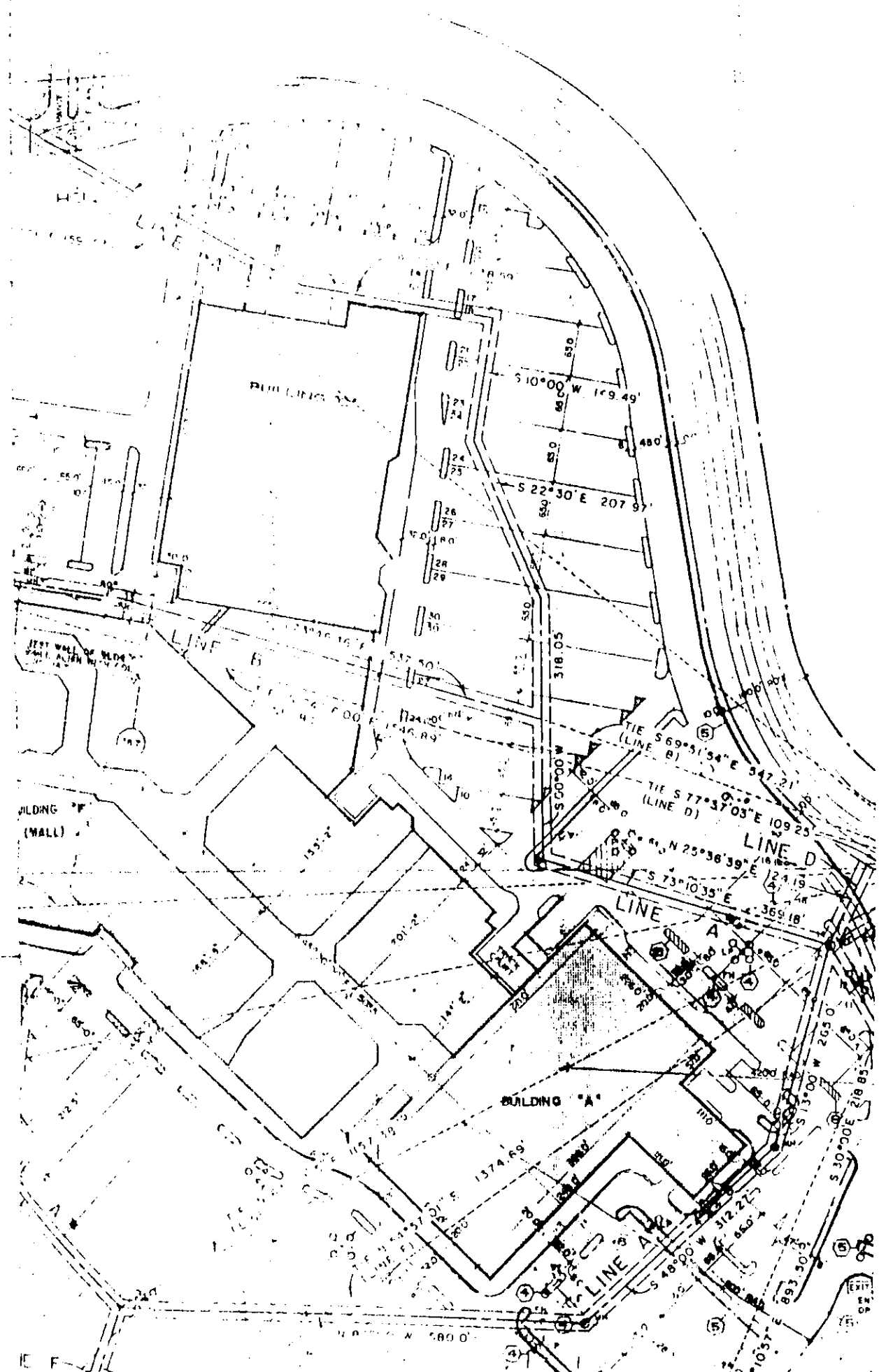
derwood j. quade & engineer
architect
see notes, Iowa

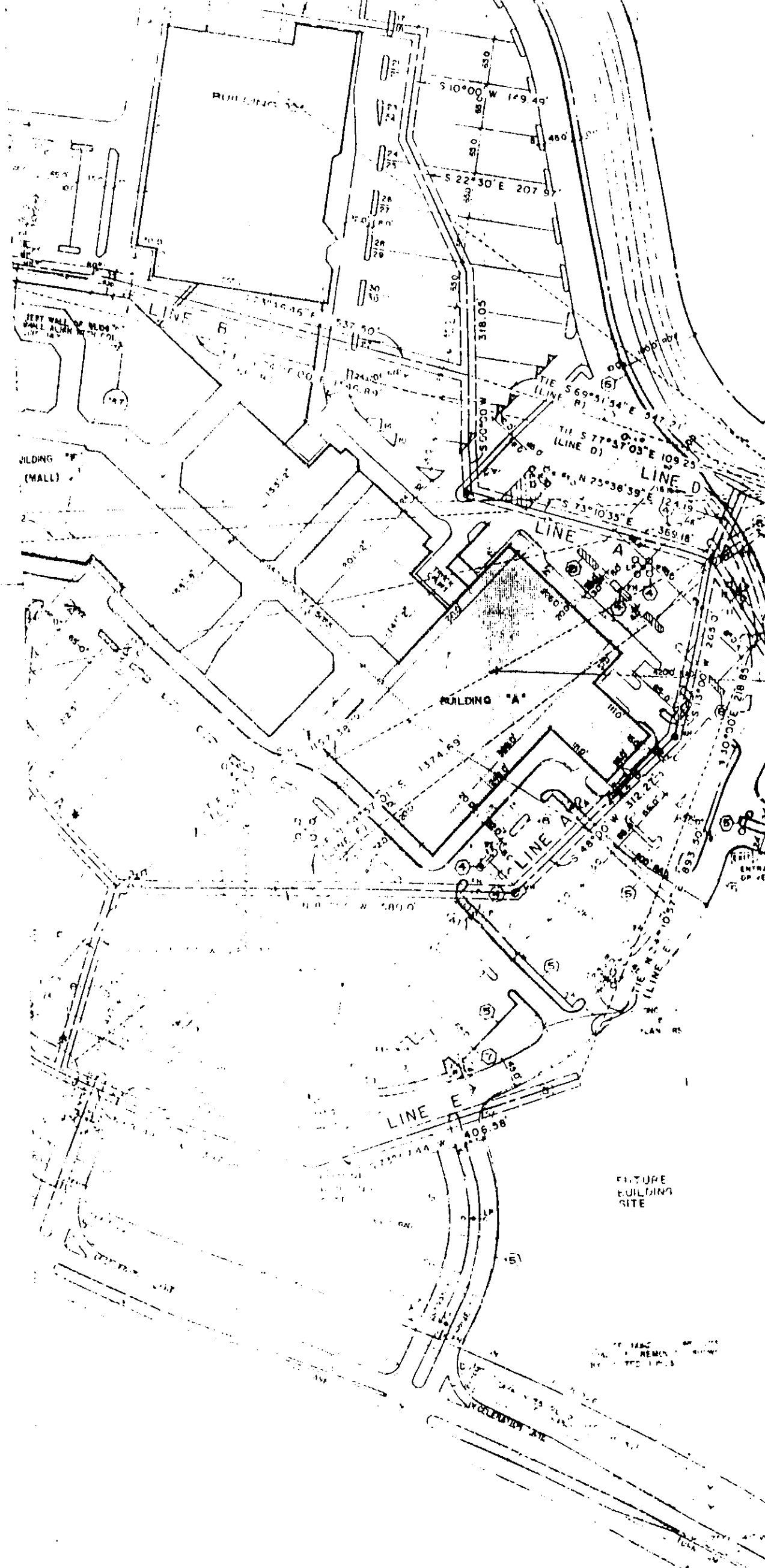
MESA MALL

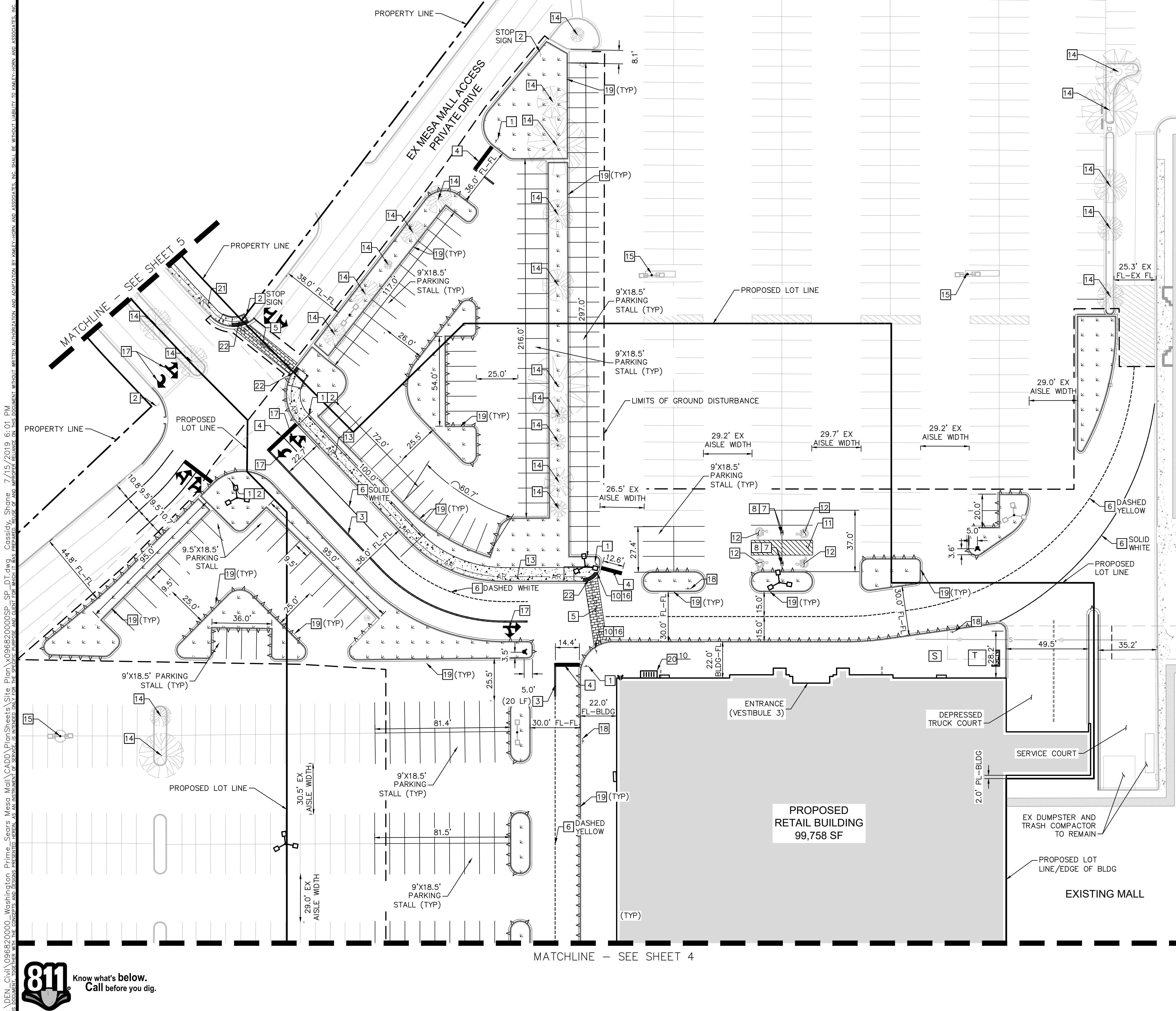
REVISIONS	
ISSUE DATE	
PRELIM. 1st SUB. CHANGES	
PROJECT SHEET	
SHEET	515-1
OF SHEETS	

MESA MALL SHOPPING CENTER
SANITARY SEWER EASEMENT
LEGAL DESCRIPTIONS

EXHIBIT B



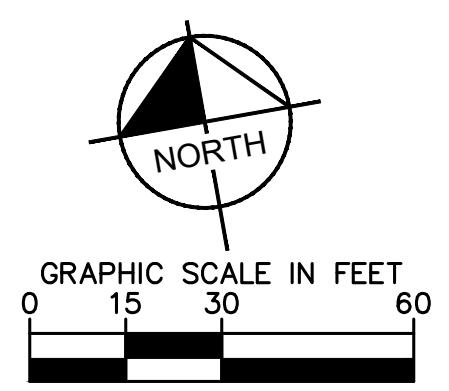




LEGEND

- PROPERTY LINE
- PROPOSED LOT LINE
- SECTION LINE
- - - EXISTING EASEMENT
- - - PROPOSED EASEMENT
- - - PROPOSED LIMITS OF GROUND DISTURBANCE
- AR ACCESSIBLE ROUTE
- CATCH CURB AND GUTTER
- SPILL CURB AND GUTTER
- LANDSCAPE (REF: LANDSCAPE PLANS)
- CONCRETE
- EXISTING FIRE HYDRANT
- EXISTING LIGHT POLE
- EXISTING/PROPOSED SIGN
- PROPOSED FIRE HYDRANT
- PROPOSED FIRE DEPARTMENT CONNECTION (APPROXIMATE LOCATION)
- T S PROPOSED ELECTRICAL EQUIPMENT

- KEYNOTES**
- 1 STOP SIGN (MUTCD R1-1, SEE DTL 4 ON SHEET 11)
 - 2 "ALL-WAY" SIGN BELOW STOP SIGN (MUTCD R1-3P, SEE DTL 4 ON SHEET 11)
 - 3 DOUBLE 4" YELLOW STRIPING
 - 4 STOP BAR (SEE DTL 7 ON SHEET 11)
 - 5 8" WIDE, 4"x8" HOLLAND STONE 80MM INTERLOCKING CONCRETE PAVER, COLOR TO BE FOUNDRY, PATTERN TO BE HOLLAND STONE PATTERN A (SEE DTL 5 ON SHEET 11)
 - 6 SINGLE 4" STRIPING (TYPE AND COLOR PER PLAN)
 - 7 HANDICAP PARKING SIGN (MUTCD R7-8, SEE DTL 3 ON SHEET 11)
 - 8 VAN ACCESSIBLE PARKING SIGN (MUTCD R7-8P, SEE DTL 3 ON SHEET 11)
 - 9 NOT USED
 - 10 PEDESTRIAN CROSSING SIGN (MUTCD W11A-2)
 - 11 DIAGONAL STRIPING (SEE DTL 2 ON SHEET 11)
 - 12 HANDICAP PAVEMENT SYMBOL (SEE DTL 1 ON SHEET 11)
 - 13 8.0'-WIDE ATTACHED SIDEWALK
 - 14 EXISTING TREE TO REMAIN
 - 15 EXISTING LIGHT TO REMAIN
 - 16 "PED XING" SIGN BELOW PROPOSED SIGN (MUTCD W16-7B)
 - 17 TRAFFIC ARROWS
 - 18 "NO PARKING FIRE LANE" SIGN (MUTCD R7-6-9)
 - 19 6" VERTICAL CURB AND 12" GUTTER
 - 20 BIKE PARKING, QUANTITY NOTED ON PLANS
 - 21 5.0'-WIDE ATTACHED SIDEWALK
 - 22 CURB RAMP WITH DETECTABLE WARNING



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.

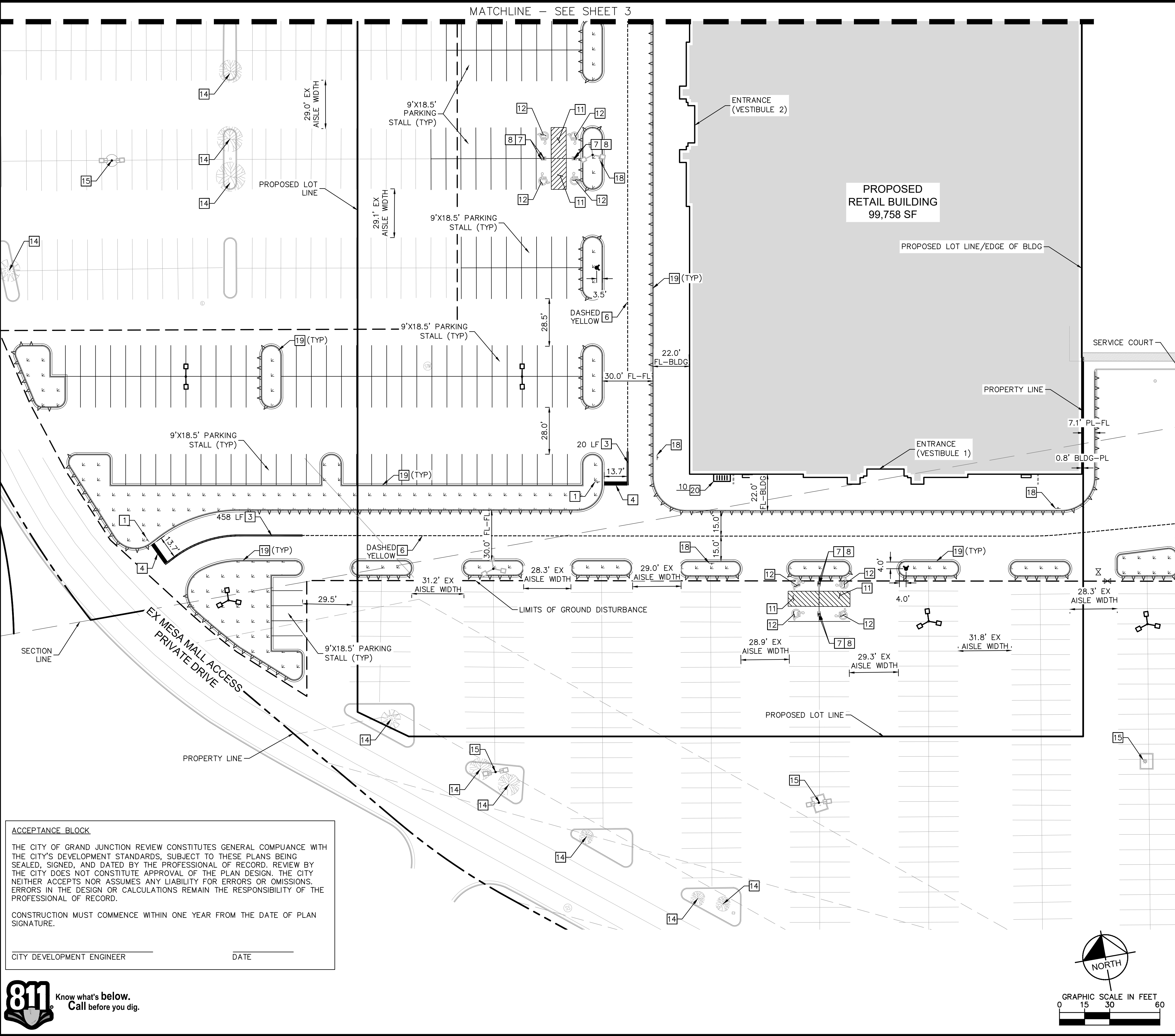
CITY DEVELOPMENT ENGINEER _____ DATE _____

K:\DEV_Civil\096820000 - Washin Prime - Mesa Mall\CAD\Drawings\Site\096820000.dwg, C:\Users\jshelton\Documents\096820000.dwg, 7/15/2019 6:01 PM



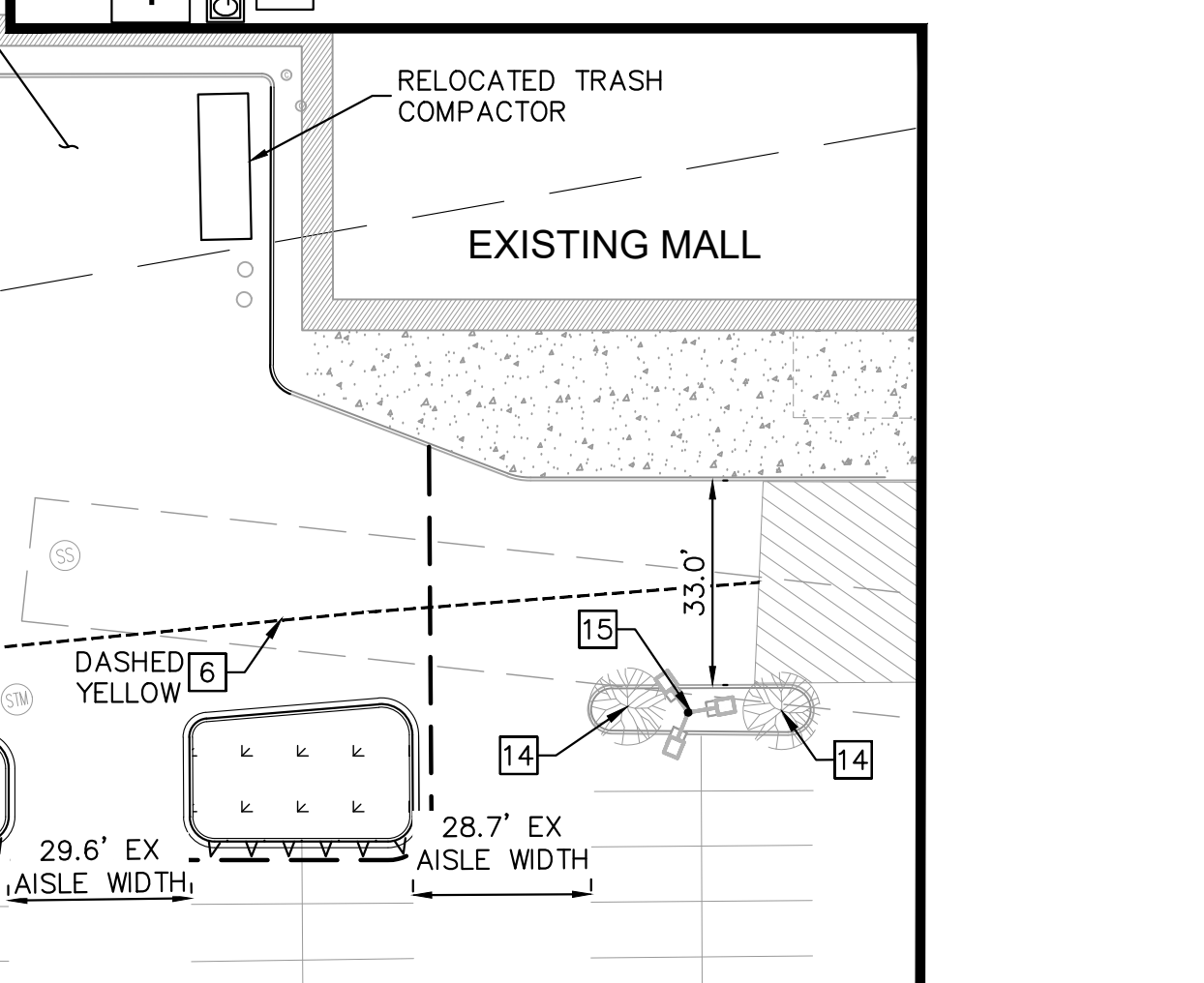
	2019 KIMLEY-HORN AND ASSOCIATES, INC. 4882 South Ulster Street, Suite 1500 Denver, Colorado 80237 (303) 228-2300
WASHINGTON PRIME - MESA MALL DILLARD'S SITE PLAN GRAND JUNCTION, COLORADO DETAILED SITE PLAN	
PROJECT NO. 096820000	SHEET 3

K:\DENV_Civil\096820000_WhashingtonPrime\096820000_SitePlan\096820000_SitePlan.dwg, C:\Users\mmmm\Documents\096820000_SitePlan\096820000_SitePlan.dwg, 7/15/2019 6:01 PM, KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC. FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. THE CLIENT FOR THIS PROJECT HAS RECEIVED AND AGREES TO HOLD KIMLEY-HORN AND ASSOCIATES, INC. HARMLESS FROM ANY AND ALL SUCH CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, IN CONNECTION WITH THIS PROJECT. THE CLIENT FOR THIS PROJECT HAS RECEIVED AND AGREES TO HOLD KIMLEY-HORN AND ASSOCIATES, INC. HARMLESS FROM ANY AND ALL SUCH CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, IN CONNECTION WITH THIS PROJECT.



LEGEND

- PROPERTY LINE
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- SECTION LINE
- - - EXISTING EASEMENT
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ACCEPTANCE BLOCK

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

CITY DEVELOPMENT ENGINEER _____ DATE _____



WASHINGTON PRIME - MESA MALL DILLARD'S
 SITE PLAN
 GRAND JUNCTION, COLORADO
 DETAILED SITE PLAN

Kimley»Horn
 2019 KIMLEY-HORN AND ASSOCIATES, INC.
 4582 South Ulster Street, Suite 1500
 Denver, Colorado 80237 (303) 228-2300

DESIGNED BY: MMM
 DRAWN BY: MMM
 CHECKED BY: BC
 DATE: 07/15/2019

PROJECT NO.
 096820000
 SHEET
 4

NO. _____ BY _____ DATE _____
 REVISION _____

City of Grand Junction Review Comments

Date: September 25, 2019 **Comment Round No.** 1 **Page No.** 1 of 3
Project Name: Dillards – Sanitary Sewer Easement Vac. **File No:** VAC-2019-475
Project Location: 2424 Hwy 6 & 50

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

Property Owner(s): SM Mesa Mall LLC – Attn: Stephen Harris

Mailing Address: 180 E. Broad Street, Columbus, OH 43215

Email: Stephen.harris@washingtonprime.com **Telephone:** (614) 887-5984

Date Picked Up: _____ **Signature:** _____

Representative(s): Kimley Horn – Attn: Bryce Christensen

Mailing Address: 4582 S. Ulster Street, Unit 1500, Denver, CO 80237

Email: Bryce.christensen@kimley-horn.com **Telephone:** (303) 228-2339

Date Picked Up: _____ **Signature:** _____

Developer(s):

Mailing Address:

Email:

Telephone:

Date Picked Up: _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner

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

Dev. Engineer: Rick Dorris

Email: rickdo@gjcity.org **Telephone:** (970) 256-4034

City of Grand Junction REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Proposal is for Vacation of a portion, 1,972 sq. ft. total, of a 20' Sanitary Sewer Easement (as recorded in Book 1311, Page 824) as part of the Dillard's development at Mesa Mall in order to construct a masonry wall adjacent to the truck loading docks. Existing zoning for the property is C-1 (Light Commercial) and the Comprehensive Plan Future Land Use Map designates the property as Village Center. No additional response required.

Applicant's Response:

Document Reference:

2. Site Plan (Sheets 2 – 4):

See City Development Engineer review comment and revise as applicable.

Code Reference: V-22 of the SSIDS Manual.

Applicant's Response:

Document Reference:

3. Legal Description & Map Exhibit of Vacation Area:

City Surveyor has reviewed and approved submitted metes/bounds legal description and map exhibit for proposed vacation area. Submit WORD document of legal description and have applicant's Surveyor sign and stamp map exhibit and submit for review in preparation for City Resolution preparation. Once City Resolution has been reviewed and approved by City Council, document will be recorded in the office of the Mesa County Clerk & Recorder. Applicant will be responsible for all associated recording fees.

Code Reference: IV-2 of the SSIDS Manual.

Applicant's Response:

Document Reference

4. Sanitary Sewer Easement Vacation:

FYI. Proposed vacation request is scheduled to be heard by the Planning Commission on October 22, 2019 and City Council on November 6, 2019. City Project Manager will notify applicant if for any reason this schedule would change.

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

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

Show the sewer line and the portion of the easement to be abandoned on the site plan.

Applicant's Response:

Document Reference:

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

I have reviewed the sketch and description for the easement vacation for the Dillard's site and there are no comments or changes required.

Applicant's Response:

Document Reference:

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

GJFD has no objections.

Applicant's Response:

Document Reference:

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.

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 at this time.

Applicant's Response:

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

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

• No objection.

Applicant's Response:

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.

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. Persigo Wastewater Treatment Facility

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

1. Grand Valley Irrigation Company

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

1. **City Planning**
2. **City Development Engineer**

Date due by: **Prior to the Planning Commission meeting.**

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

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

Applicant's Signature

Date

CITY OF GRAND JUNCTION, COLORADO

Exhibit 4

RESOLUTION NO.

**A RESOLUTION VACATING A PORTION OF A 20' WIDE SANITARY SEWER
EASEMENT LOCATED WITHIN
LOT A, MESA MALL'S SECOND MINOR SUBDIVISION
LOCATED AT 2424 HIGHWAY 6 & 50**

RECITALS:

A vacation of a portion of a publicly dedicated 20' wide Sanitary Sewer Easement has been requested by the developer, SM Mesa Mall LLC in anticipation of developing the property for future commercial development in order to construct a Dillard's Department Store.

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 a public 20' wide Sanitary Sewer Easement 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 portion of a publicly dedicated Sanitary Sewer Easement is hereby vacated subject to the listed conditions:

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

Portion of Public Sanitary Sewer Easement to be vacated:

A PORTION OF A 20.00-FOOT-WIDE PERMANENT EASEMENT, DESCRIBED AS LINE B IN THE INSTRUMENT RECORDED MAY 7, 1981 IN BOOK 1311, PAGE 824 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE COUNTY OF MESA, STATE OF COLORADO, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, IN THE CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT FROM WHENCE THE SOUTH 1/4 CORNER OF SAID SECTION 4 BEARS SOUTH 74°16'00" EAST, A DISTANCE OF 1546.89 FEET;

THENCE SOUTH 80°00'00" EAST, A DISTANCE OF 98.59 FEET TO THE **POINT OF TERMINUS**.

THE SIDELINES OF SAID PERMANENT EASEMENT ARE TO BE PROLONGED OR SHORTENED SO AS TO ELIMINATE ANY GAPS AND/OR OVERLAPS.

CONTAINS 1972 SQUARE FEET OR 0.045 ACRES, MORE OR LESS.

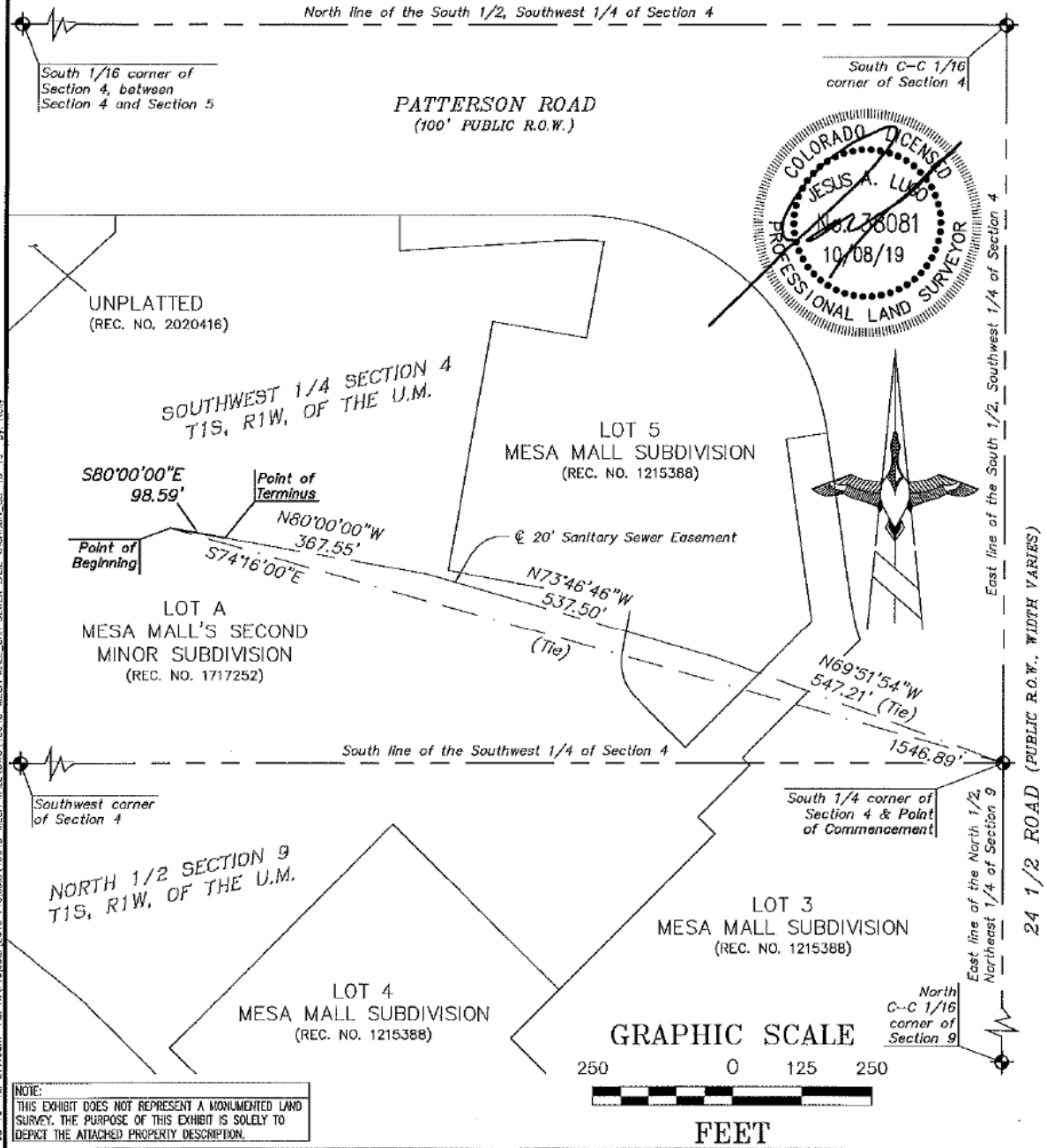
PASSED and ADOPTED this _____ day of _____, 2019

ATTEST:

President of City Council

City Clerk

EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION



NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. THE PURPOSE OF THIS EXHIBIT IS SOLELY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

Job Saved On: 10-08-19 At: 07:45am As: N:\Profis\2019 Projects\19043-MESA MALL\DWG\19043-MESA MALL-SAN SEWER EASE VACATION.DWG-15-19-19 Br: ksh



6950 S. Tucson Way, Unit C Centennial, CO 80112 Phone: (720) 488-1303

JOB NO. 19043
DATE: 08/16/19
SCALE: 1" = 250'



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: October 22, 2019

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Consider a request by La Plata Communities on behalf of the property owner, the Grand Junction Land Company, for 1) a Comprehensive Plan Amendment from Conservation/Mineral Extraction to Residential Low; and 2) Rezone from PD (Planned Development without a plan) to R-1 (Residential 1 unit per acre) for a 23.16-acre portion of a property located at 400 23 Road, more particularly described as a site at the east end of Canyon Rim Drive.

RECOMMENDATION:

Staff recommends approval of the Comprehensive Plan Amendment and Rezone requests.

EXECUTIVE SUMMARY:

The Applicant, La Plata Communities, is requesting multiple actions on a 23.2-acre portion of a larger parcel with the address of 400 23 Road, more particularly described as a site at the east end of Canyon Rim Drive. The property is presently vacant. The proposed actions are to: 1) amend the Comprehensive Plan from Conservation/Mineral Extraction to Residential Low .5 to 2 dwelling units per acre; and 2) Rezone a portion of the property from PD (Planned Development without a Plan) to R-1 (Residential 1 dwelling unit per acre).

The proposed changes are intended to allow for completion of residential development at the east end Canyon Rim Drive. The remainder of the property, along with other adjacent parcels are reserved are not a part of this request.

BACKGROUND OR DETAILED INFORMATION:

Grand Junction Land Company, LLC currently owns the large, 370.8-acre property (“parent parcel”) that is presently addressed as 400 23 Road. Many decades ago (in the mid-to late-1970s), the property was originally intended to be included in The Ridges development. When the City annexed the Ridges in 1992 (Ridges Majority #3), the plan for this portion of the development was not recognized so it lapsed at that time. Since then, this property has carried forward a Planned Development (PD) zone district but without a Plan. La Plata Communities is the developer pursuing the request, with consent from the property owner, for a Comprehensive Plan Amendment and Rezone of approximately 23.2 acres on the southwest corner of the parent parcel, at the east end of Canyon Rim Drive. Grand Junction Land Company, LLC also owns the adjacent 347.6-acre parcel but is not a part of this request.

The parcel is located east of South Camp Road where Canyon Rim Drive and underground utility mains were stubbed into it at the time the Canyon Rim subdivision was constructed in anticipation of development expanding to the east. The 23.2-acre parcel abuts existing subdivisions on the east and south, and is topographically associated with this existing development as it is enclosed by mesa slopes to the east and north. These mesa slopes are not developable due to their steepness (approximately 20% to 30% slopes) however, approximately 13 acres of the 23.2 maintain a sloping but gentle grade (majority of remaining area approximately 0-10% grades) and are generally considerable developable land. Because this acreage is surrounded by steep slopes, this property is a natural extension of the Canyon Rim Subdivision area and could be considered infill in this area.

To the west is Canyon Rim Subdivision Phase 4, zoned R-2 (Residential 2 units per acre) in the City; to the south is Monument Valley Subdivision Filing 6, zoned PD in the County with lots approximately 1 acre in size; to the east is a 5-acre private parcel zoned RSF-R in the County, and BLM property; and to the north is vacant land zoned PD in the City and is the remainder of the 370.8-acre parent parcel. The property is currently within the City limits.

The parent parcel currently has three different land use designations on the Comprehensive Plan Future Land Use Map – Conservation/Mineral Extraction, Residential Medium Low and Residential Medium. Given this mix of land use designations, the Comprehensive Plan clearly recognizes the natural constraints but also envisions the unique opportunities in this area to conserve open space as well as develop residential opportunities of varied types and densities. In addition, since Canyon Rim Drive and main utility lines stub to the southwest corner of the parent parcel, it appears it was intended that development would continue to the east based on the utility stubs as well as the road that terminates (not in a cul-de-sac) at the property line. La Plata Communities has been working with the Grand Junction Land Company LLC towards completing as the first step the potential development of the southwest corner of the large parcel while simultaneously working on an overall plan for

the remainder of the property.

There is a provision in the Zoning and Development Code (section 21.02.130(d)(v) that allows for a rezone application to proceed without a plan amendment when the proposed zoning (in this case R-1) is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district (in this case the property is next to a Residential Low land use designation). However, in order to recognize a requested change to the Future Land Use Map, Staff has advised the Applicant to seek both an amendment to the Comprehensive Plan as well as a subsequent rezoning of the property.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was conducted consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code on April 22, 2019. The public was notified for the meeting was in a much larger area than just within 500 feet of the 23.2-acre parcel. Notification included all addresses within 500 feet of all properties under the same ownership that are anticipated to be part of the future Planned Development as well as all of the properties potentially to be developed in the first phase – the east end of Renaissance Boulevard and the east end of Canyon Rim Drive. Approximately 88 citizens attended the meeting. Comments primarily concerned natural conditions in the area such as slopes, drainage and soils and traffic and trail access concerns.

An attendance roster as well as a summary of comments received from the meeting are attached. Also attached are numerous letters and email correspondence received immediately following the Neighborhood Meeting as well as received more recently. Mailed notice of the Public Hearing, in the form of notification cards was again sent to property owners within 500 feet, HOAs within 1,000 feet of the 23.2-acre parcel, and those in attendance at the Neighborhood Meeting. The subject property was posted with an application sign on September 5, 2019 and notice of the public hearing was published October 15, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

Comprehensive Plan Amendment

Pursuant to section 21.02.130(c)(1) The City may amend the Comprehensive Plan, neighborhood plans, corridor plans, and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets at least one of the following review criteria.

(i) Subsequent events have invalidated the original premises and findings; and/or

The 2010 Comprehensive Plan includes a Future Land Use Map which identifies the large property with three different land use categories – Conservation/Mineral

Extraction, Residential Medium Low and Residential Medium. The particular portion of the southwest corner of the large parcel is included in the Conservation/Mineral Extraction area. The purpose of the Conservation/Mineral Extraction Future Land Use category is for public or private lands reserved for open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes. It does allow for mining and sand or gravel extraction operations.

It is important to note that the Future Land Use Map only portrays a broad-brush application of potential land use of an area that is not generally defined by parcel lines or necessarily underlying geography and topography. Certainly, there are other areas of the parent parcel and other lands along this ridge that parallels South Camp Road that are conducive to ultimately being conserved as open space that are not shown as Conservation/Mineral Extraction (refer to map in attachments). Similarly, there are areas of this 23.2-acre site that are conducive to residential development that are not shown with a Residential land use category.

Therefore, a subsequent event that invalidates the original premise of the Comprehensive Plan is a more detailed analysis of the specific site that indicates there is capacity for development on this property. The more detailed analysis of a piece of property better informs potential future land use of it. It appears from the more detailed analysis of the portion of the property proposed to be changed from Conservation/Mineral Extraction to Residential Low is that it is not unlike adjacent areas that have been developed and that the property could support a Residential land use rather than being entirely within a Conservation/Mineral Extraction land use category.

Therefore, Staff finds this criterion has been met.

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

The subject site is adjacent to established residential neighborhoods to the south and west. The majority of the homes in these neighborhoods were constructed prior to adoption of the Comprehensive Plan in 2010. Therefore, the character and conditions of the area have not changed since the Plan was adopted and staff finds this criterion has not been met.

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

The subject property is adjacent to lower density urban development to the south and west. Public facilities in the form of utilities and an improved road were stubbed to this property at the time the subdivision to the west (Canyon Rim) was constructed. The

road to the property, Canyon Rim Drive, was intended to function as a Residential Collector and intended to serve the parent parcel as shown on the City's Circulation Plan. The street has and was designed with capacity for over 1,000 trips per day, thus able to serve additional residential units. The existing utility services stubbed to or in close proximity with the ability for extension to the subject site include Ute Water, Persigo 201 sewer service, Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City. Based on the provision and concurrency of public utilities and community facilities to serve the Comprehensive Plan amendment request, staff finds that this criterion has been met.

(iv) 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

A recently-completed inventory of Vacant Residential Zone Properties (map included in attachments) shows that there are very limited areas in the Redlands Planning Area upon which future development may occur, particularly other than the subject parcel and the larger area to be developed in the future. The Comprehensive Plan suggests that growth occur in each Planning Area to afford housing choices throughout the community. Consequently, it is prudent to consider residential land use on parcels such as this which have the capacity to absorb some of the future residential development. Consideration of a residential designation that is consistent with the adjacent residential land use designation will afford the opportunity to help address future needs and specifically future needs within the Redlands Planning Area. As such, Staff finds this criterion has been met.

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

Public benefit will be derived from the requested Comprehensive Plan Amendment due to the request enabling efficient development of property adjacent to existing City services (street, water and sewer service infrastructure) stubbed to the property at the east end of Canyon Rim Drive. In addition, future development of the property will provide an extension of Canyon Rim Drive per the current Grand Junction Circulation Plan which seeks road interconnectivity to the east and north. Beyond better utilization of infrastructure, staff also believes the area will derive benefits from providing opportunities for additional residential development in a highly desirable area of the community. Therefore, Staff finds this criterion has been met.

Consistency with Comprehensive Plan

The proposed amendment implements the following guiding principles, goals and policies:

Guiding Principle 2: Sustainable Growth Patterns – The Comprehensive Plan calls for fiscal sustainability where the community grows efficiently and cost-effectively. It encourages infill and redevelopment and discourages growth patterns that cause disproportionate increases to cost of services. The subject property is an infill site with existing urban infrastructure which meets this principle.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community. The proposed amendment and subsequent rezone will allow for expansion of an existing neighborhood in the Redlands, where, as previously discussed, there are limited opportunities to provide for such growth in this Planning Area of the City.

Rezone

Pursuant to the rezoning criteria provided in GJMC 21.02.140, 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

As stated in the analysis of this criterion for the Comprehensive Plan Amendment, Staff believes a subsequent event that invalidates the original premise of the Comprehensive Plan is the more detailed analysis of the site itself and its capacity for potential development. The more detailed analysis of a piece of property better informs potential use of that property. It appears from more detailed analysis of the portion of the property proposed to be changed from Planned Development without a plan to R-1 (Residential 1 unit per acre) is not unlike development that has occurred in similar adjacent subdivisions as well as other developments along the east side of South Camp Road below and on the lower slopes of the bluffs. This property appears to have similar capacity for development. Therefore, Staff finds this criterion has been met.

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

As stated in the analysis of this criterion for the Comprehensive Plan Amendment, the subject site is adjacent to established residential neighborhoods to the south and west. The majority of the homes in these neighborhoods were constructed prior to adoption of the Comprehensive Plan in 2010. Therefore, the character and conditions of the area have not changed since the Plan was adopted and staff finds 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

As stated in the analysis of this criterion for the Comprehensive Plan Amendment, the subject property is adjacent to lower density urban development to the south and west. Public facilities in the form of utilities and an improved road were stubbed to this property at the time the Canyon Rim subdivision to the west was constructed. The road to the property Canyon Rim Drive was intended to function as a Residential Collector intended to serve the parent parcel as shown on the City's Circulation Plan. The street has and was designed with capacity for over 1,000 trips per day, thus able to serve additional residential units. In addition, all other utilities are available or can be extended to this property and public safety services can adequately serve the potential development. Based on the provision and concurrency of public utilities and community facilities to serve the site of the proposed 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

Referring again to the recent inventory of Vacant Residential Zone Properties that illustrates there are very limited areas in the Redlands Planning Area upon which future development may occur, particularly other than the subject parcel and the larger area to be developed in the future Planned Development. The Comprehensive Plan suggests that growth occur in each Planning Area to afford housing choices within the community. Consequently, it is prudent to consider a zoning category that is consistent with the density of R-1 (Residential 1 unit per acre) proposed for this property. Consideration of a residential zone district will afford the opportunity to help address future needs and specifically the future needs within the Redlands Planning Area. Staff has therefore found there to be an inadequate supply of suitably designated available in this area of the community and 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 community or area, as defined by the presiding body, will derive benefits from the proposed amendment. Public benefit will be derived from the requested rezone by replacing the current PD (Planned Development) zoning without a plan with conventional zoning that defines allowable uses and standards that are compatible with adjacent residential development. Therefore, staff finds this criterion has been met.

Consistency with Comprehensive Plan

The proposed rezone is consistent with the same principles, goals and policies of the Comprehensive Plan that are listed in the Plan Amendment analysis section.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing file CPA-2019-468, a Comprehensive Plan Amendment from

Conservation to Residential Low .5 to 2 units per acre; and RZN-2019-450, a Rezone from PD to R-1 (Residential 1 unit per acre), for a 23.2-acre portion of the property located at 400 23 Road, more particularly described as a parcel at the east end of Canyon Rim Drive, the following findings of fact have been made:

- 1) The requests are consistent with the intent, goals and policies of the Comprehensive Plan;
- 2) The request has met one or more of the criteria as required in Section 21.02.130 of the Zoning and Development Code for a Comprehensive Plan Amendment; and
- 3) The request has met one or more of the criteria as required in Section 21.02.130 of the Zoning and Development Code for a Rezone.

Therefore, Staff recommends approval of both requests.

SUGGESTED MOTION:

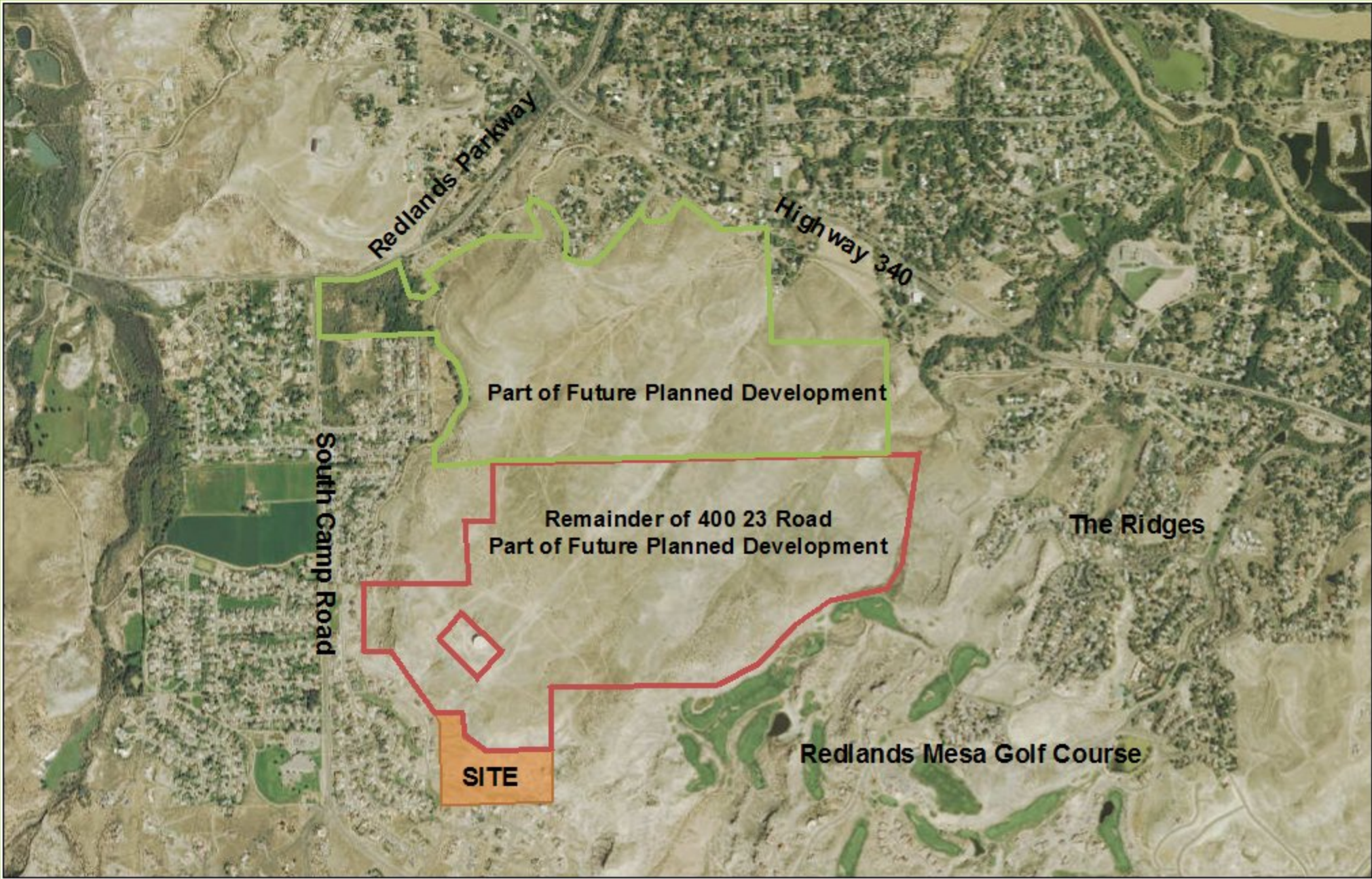
Madam Chair, on the Comprehensive Plan Amendment request CPA-2019-468 and the Rezone request RZN-2019-450, concerning a 23.2-acre portion of the property located at 400 23 Road, more particularly described as a parcel at the east end of Canyon Rim Drive, I move that the Planning Commission recommend approval of the actions to:

- 1) Amend the Comprehensive Plan from a designation of Conservation to a designation of Residential Low .5 to 2 dwelling units per acre; and
- 2) Rezone a 23.2-acre portion of the property located at 400 23 Road, more particularly described as a parcel at the east end of Canyon Rim Drive, currently zoned Planned Development (PD) without a plan to Residential 1 unit per acre (R-1).

Attachments

1. Canyon Rim 360 Maps
2. Canyon Rim 360 Site Photos
3. Inventory of Vacant Residential Zoned Properties
4. Application and Neighborhood Meeting Information
5. Canyon Rim 360 CPA RZN Correspondence from Concerned Citizens
6. Canyon Rim 360 CPA RZN Ordinance
7. Additional Letters from Concerned Citizens

Canyon Rim 360 Vicinity Map

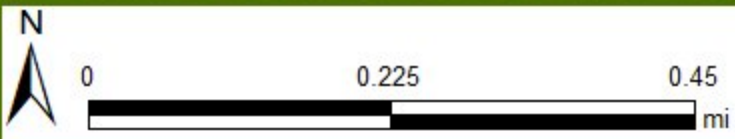
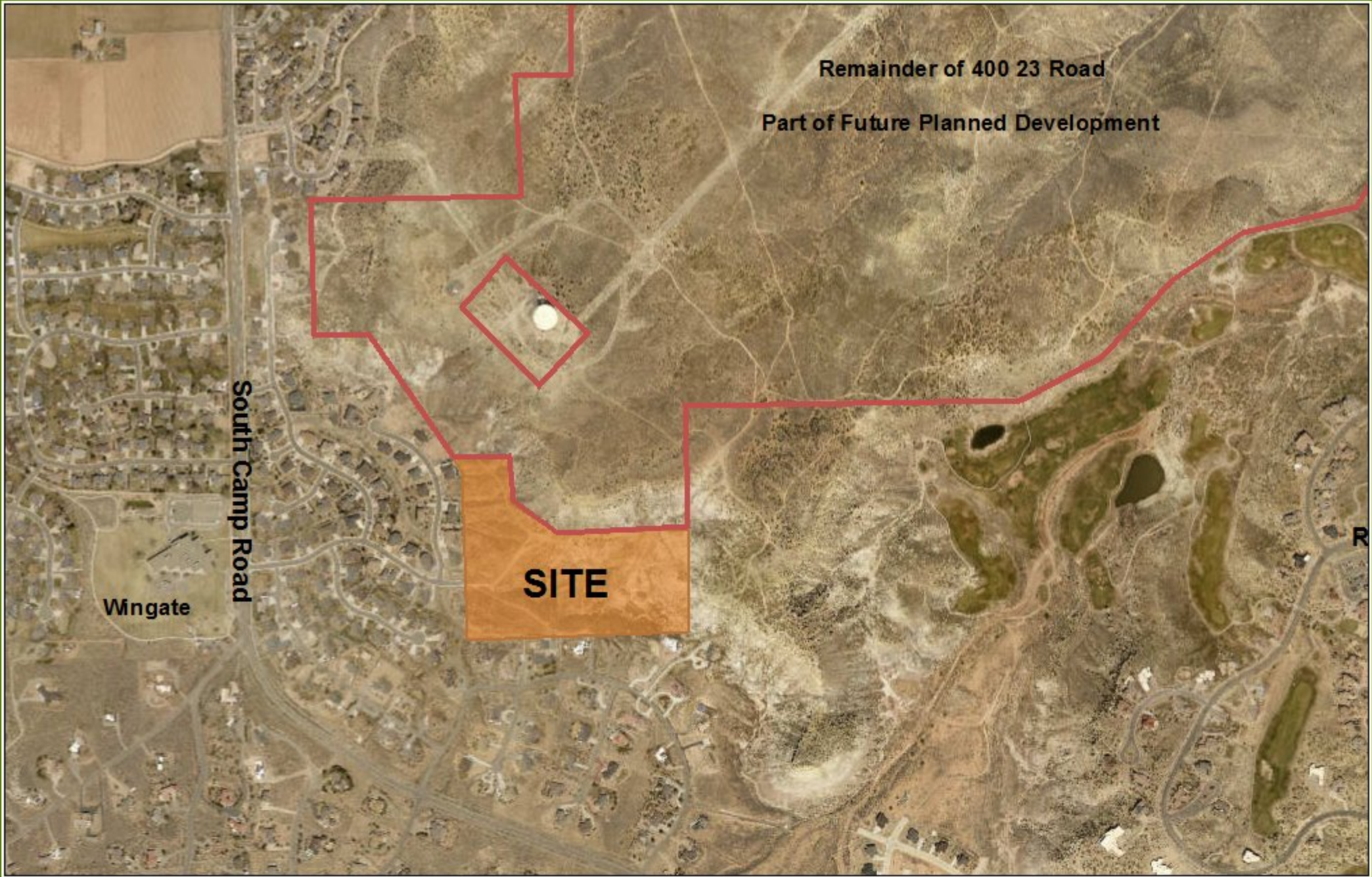


Printed: 10/2/2019

1 inch = 1,505 feet



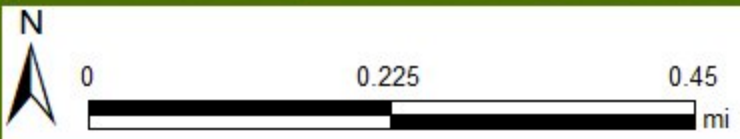
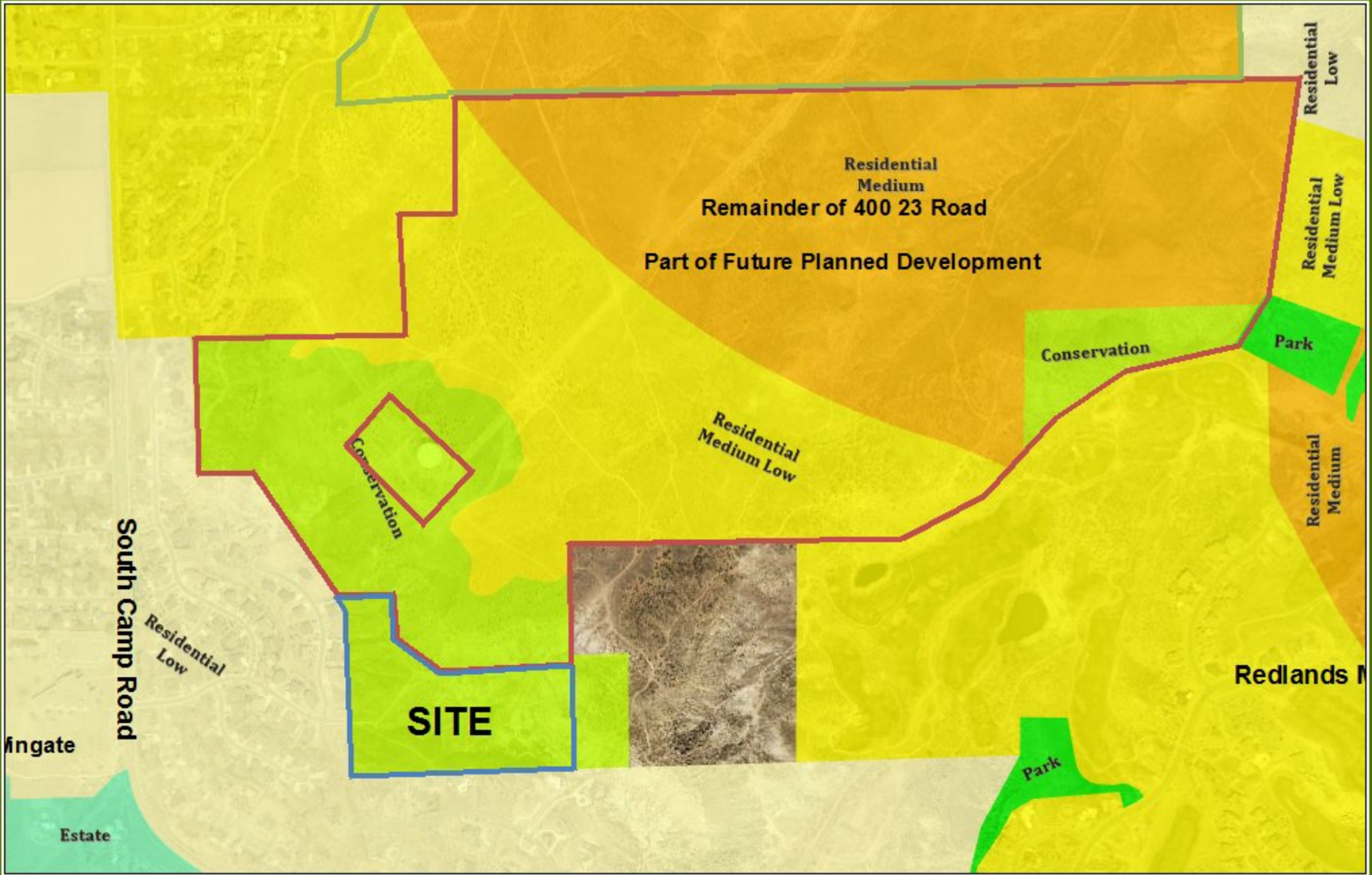
Canyon Rim 360 Location Map



Printed: 10/2/2019

1 inch = 752 feet

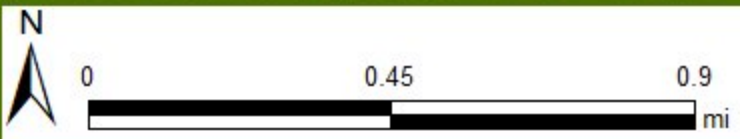
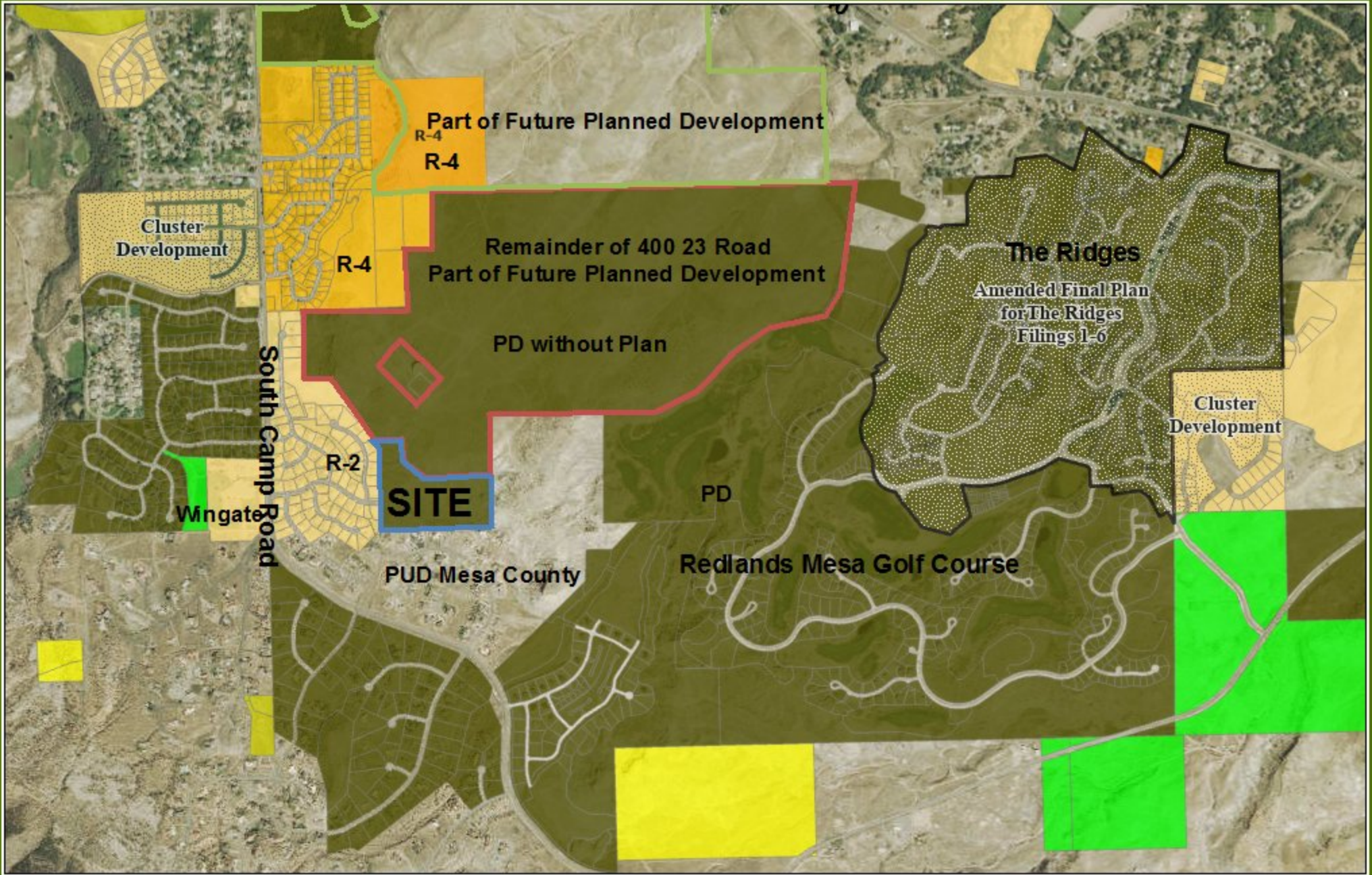
Canyon Rim 360 Future Land Use Map



Printed: 10/2/2019

1 inch = 752 feet

Canyon Rim 360 Zoning Map



Printed: 10/2/2019

1 inch = 1,505 feet

DRAWN BY MR
 CHECKED TC
 JOB NO. 1912
 DATE 08-7-2019
 REVISIONS

CANYON RIM
 SW CORNER OF 400 23 ROAD

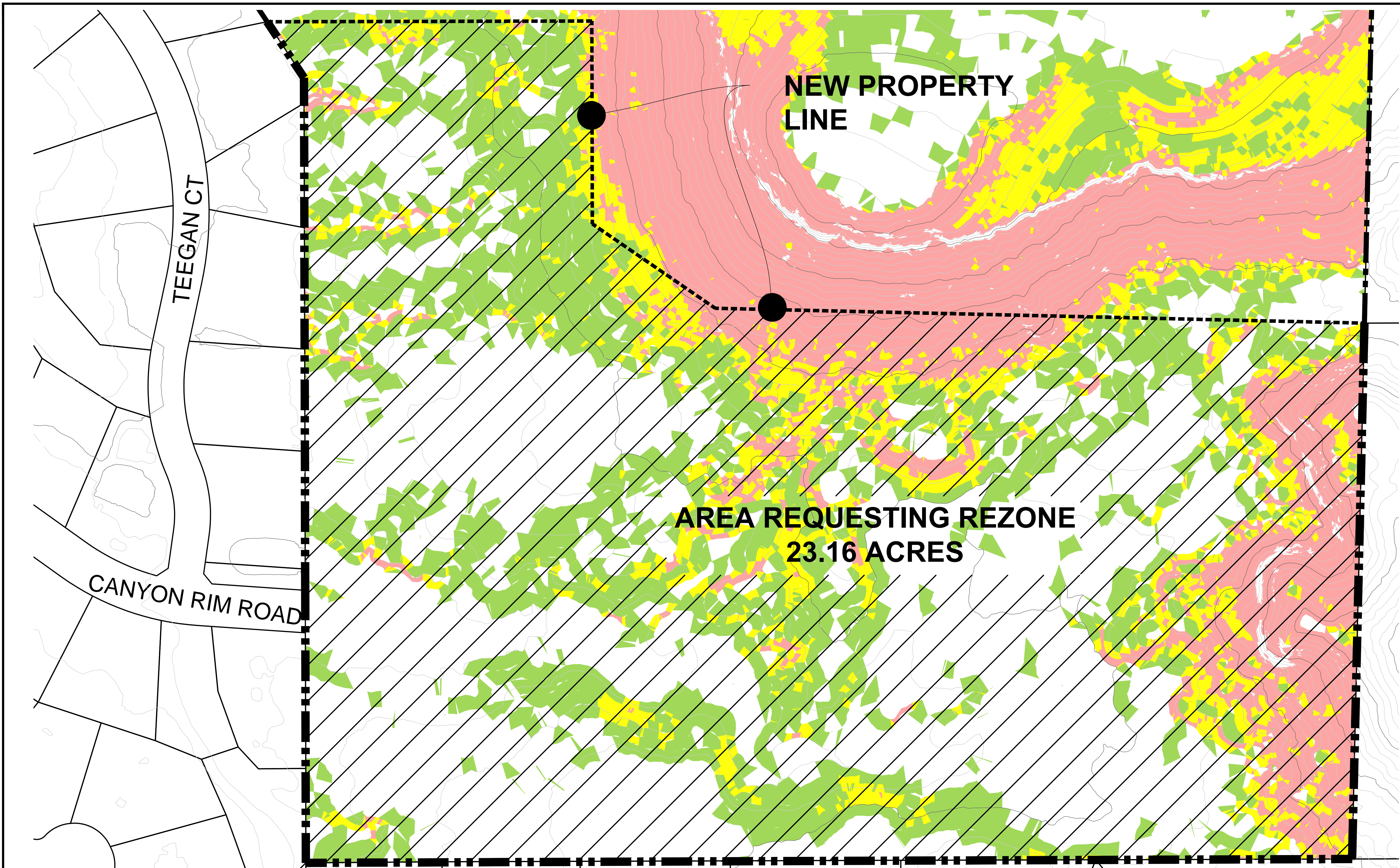


CLAVONNE, ROBERTS & ASSOCIATES, INC.
 LAND PLANNING AND
 LANDSCAPE ARCHITECTURE
 222 N. 7TH STREET
 GRAND JUNCTION, CO 81501
 970-241-0745 P
 970-241-0765 F
 www.clavonne.com

CANYON RIM

SITE SKETCH

SHEET NO.
1



AREA REQUESTING REZONE
23.16 ACRES

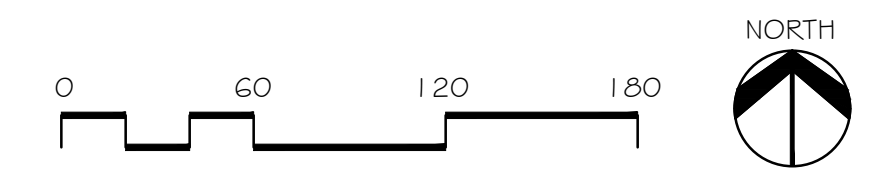
NEW PROPERTY LINE

TEEGAN CT

CANYON RIM ROAD

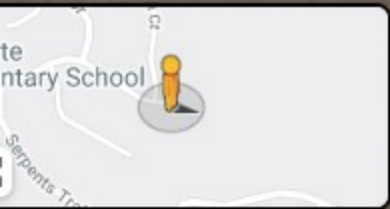
Slopes Table

Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	Black
2	10.00%	20.00%	Green
3	20.00%	30.00%	Yellow
4	30.00%	100.00%	Pink



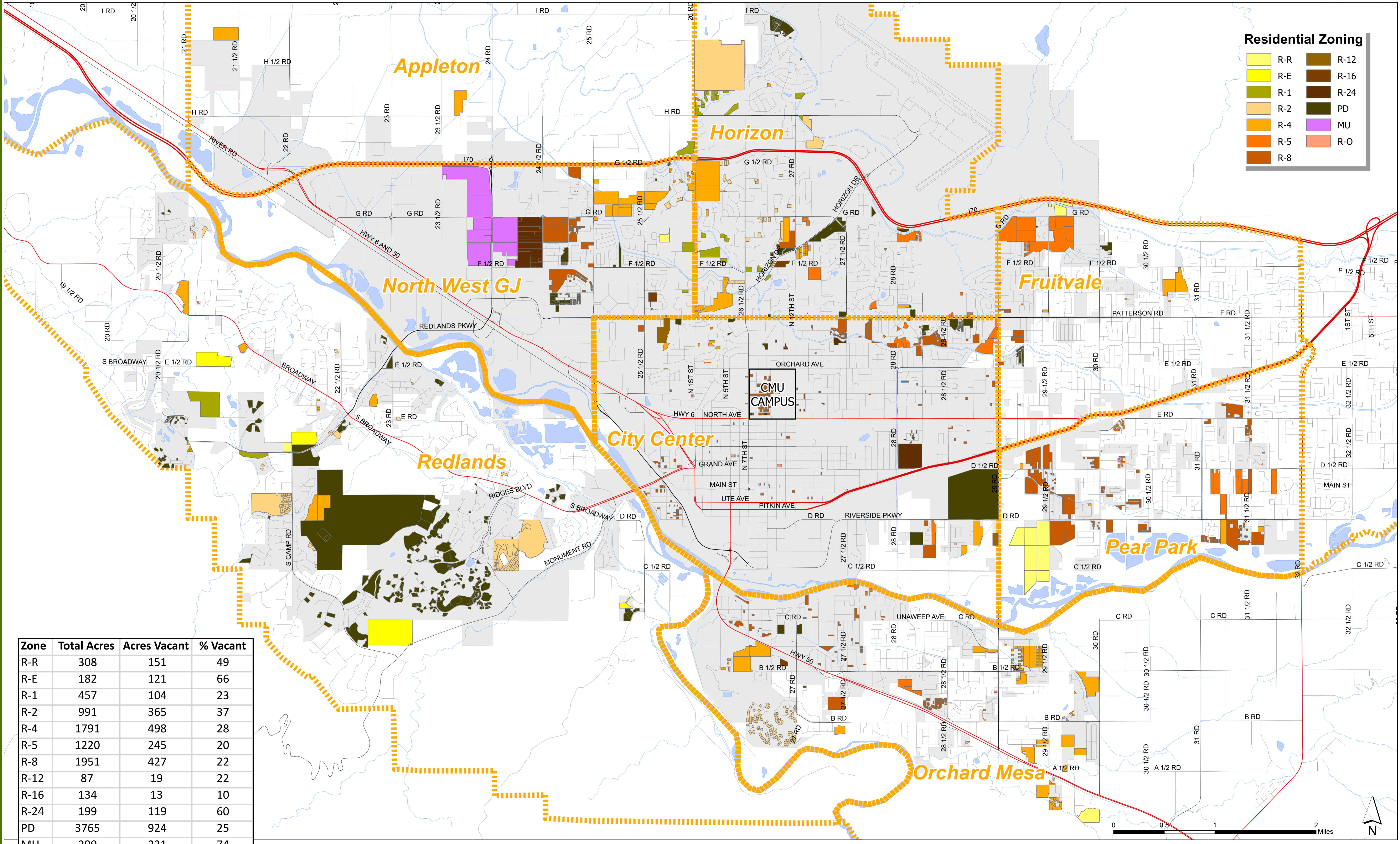


NO
MOTORIZED
VEHICLES





Inventory of Vacant Residential Zoned Properties – City Limits (Map 1)



Zone	Total Acres	Acres Vacant	% Vacant
R-R	308	151	49
R-E	182	121	66
R-1	457	104	23
R-2	991	365	37
R-4	1791	498	28
R-5	1220	245	20
R-8	1951	427	22
R-12	87	19	22
R-16	134	13	10
R-24	199	119	60
PD	3765	924	25
MU	299	221	74
R-O	120	5	5

Planning Areas City Limits



PUBLISHED: JANUARY 2016
 THIS MAP WAS DEVELOPED BY THE CITY OF GRAND JUNCTION FOR USE BY THE CITY ONLY.
 THE CITY DOES NOT GUARANTEE OR PROMISE THAT IT IS ACCURATE FOR ANY USE OTHER THAN THE ORIGINAL PURPOSE.
 FOR INFORMATION PLEASE CONTACT THE CITY OF GRAND JUNCTION: INFORMATION TECHNOLOGY DIVISION, 500 W. 5TH ST., GRAND JUNCTION, CO 81505
 G:\GIS\DEPARTMENT\PLANNING\GROWTH MAP DATA\VACANT LAND INVENTORY\Vacant_Building_Inventory.mxd

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 / COMP PLAN AMENDMENT

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

Existing Land Use Designation	<u>Livestock</u>	Existing Zoning	<u>PD</u>
Proposed Land Use Designation	<u>Single Family Residence</u>	Proposed Zoning	<u>R-1</u>

Property Information

Site Location: <u>SW Corner 400 23 Road</u>	Site Acreage: <u>370.8 (Rezoning only 23.16)</u>
Site Tax No(s): <u>2945-184-00-098</u>	Site Zoning: <u>PD (ALSO HAS 40 AC WITH MULTI-ZON OR</u>
Project Description: <u>REZONE ONLY 23.16 AC EAST OF CAYON RIM DR. + CHANGE COMP PLAN</u>	

Property Owner Information

Name:	<u>GRAND JUNCTION LAND COMPANY LLC</u>
Street Address:	<u>710 E DURANT AVE STE W-6</u>
City/State/Zip:	<u>ASPEN, CO 81611-2070</u>
Business Phone #:	<u>970-925-9046</u>
E-Mail:	<u>rmac@dunrene.com</u>
Fax #:	<u>n/a</u>
Contact Person:	<u>Robert Macgregor</u>
Contact Phone #:	<u>970-925-9046</u>

Applicant Information

Name:	<u>La Plata Communities</u>
Street Address:	<u>1755 TELSTAR DRIVE SUITE 211</u>
City/State/Zip:	<u>COLORADO SPRINGS CO, 80920</u>
Business Phone #:	<u>719-963-3236</u>
E-Mail:	<u>DGravette@laplatallc.com</u>
Fax #:	<u>n/a</u>
Contact Person:	<u>Don Gravette</u>
Contact Phone #:	<u>719-963-3236</u>

Representative Information

Name:	<u>Ciavonne, Roberts Assoc</u>
Street Address:	<u>222 Nth 7th St</u>
City/State/Zip:	<u>GJ, CO 81501</u>
Business Phone #:	<u>241-0745</u>
E-Mail:	<u>ted@ciavonne.com</u>
Fax #:	<u>n/a</u>
Contact Person:	<u>Ted Ciavonne</u>
Contact Phone #:	<u>241-0745</u>

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

Ted Ciavonne

Date

4-1-19

Signature of Legal Property Owner

[Signature]

Date

Apr 1 2019

PRESIDENT, DUNRENE MANAGEMENT, INC.
 MANAGER OF GRAND JUNCTION LAND COMPANY, LLC

Canyon Rim 360 Rezone
Comp Plan Amendment and Rezone
August 7, 2019 (Revised 10-2-2019)
Project Description

Project Overview

Grand Junction Land Company LLC presently owns the 370.8 acre parcel located at 400 23 Road. It is currently annexed into the city and zoned PD, but the plan has lapsed. La Plata Communities is the developer and pursuing a rezone and comp plan amendment of approximately 23.2 acres on the southwest corner of the 370 acre parcel, east of the end of Canyon Rim Drive. The remaining 347.6 acres are not a part of this submittal. La Plata Communities plans to rezone the 23.2 acres to R-1 in coordination with amending the Comp Plan from Conservation to Residential Low.

This is an infill project at the east end of Canyon Rim Drive. To the west is Canyon Rim Subdivision Phase 4, zoned R-2 in the City; to the south is Monument Valley Subdivision Filing 6, zoned PD in the County; to the east is a 5 acre private parcel zoned RSF-R in the County, and BLM property; and to the north is vacant land zoned PD in the City and is the remainder of the 370.8 acre parcel noted above.

The Future Land Use promotes Conservation (1DU/5AC) and Residential Medium Low (2-4 DU/AC) on this property; and the Blended Land Use (adjacent to and within the subject area) is Residential Low (2-4 DU/Acre). In addition, on the west and south the property abuts a FLU designation of Residential Low (.5-2 DU/AC).

Based on adjacency we can seek a Comp Plan Amendment to either Residential Medium Low (2-4 DU/AC) or Residential Low (.5-2 DU/AC); we are requesting the Residential Low designation in association with R-1 Zoning.

A. Project Description

Location and Site Features

- The parcel is located east of South Camp Road where Canyon Rim Drive stubs into it. The 23.2 acre parcel abuts existing subdivisions on the east and south, and is topographically associated with this existing development as it is enclosed by mesa slopes to the east and north. These mesa slopes are not developable, but will provide a natural backdrop to forthcoming development.
- There is an 8" sewer main and a Ute Water Main in Canyon Rim Drive.
- Surrounding land use /zoning:
 - to the west is Single Family Residential zone R-2 in the City;
 - to the south is Single Family Residential zoned PD in the County;
 - to the east is a vacant parcel zoned RSF-R, as well as BLM Land;
 - to the north is vacant land zoned PD in the City.
- Canyon Rim Drive will remain the only access to this property until future connectivity occurs (see Grand Junction Circulation Map).
- Within the 23.2 acres being rezoned the site generally slopes southwest with a grade variation of about 25 feet in the developable area at the base of the mesa slopes.

Existing Zoning

- The parcel is zoned PD in the city, but a plan does not exist.
- This submittal amends the comp plan and rezones the existing PD zoning in the city to an R-1 in the city. This only applies to the 23.2 acres of the larger 370 acre parcel. The remainder of the larger parcel will remain PD for now.

B. Public Benefit:

- Infill development on vacant developable land within the city;
- The efficient development of property adjacent to existing City services (infrastructure is stubbed to the property at the east end of Canyon Rim Drive);
- Extension of Canyon Rim Drive per the current Grand Junction Circulation Plan, which seeks road interconnectivity to the north;
- Replacement of the current PD zoning without a plan, with conventional zoning that defines uses and standards;
- The request for R-1 zoning with regards to compatibility to adjacent developed subdivisions.

C. Neighborhood Meeting

A neighborhood meeting was held on April 24, 2019 at 5:30 p.m. and approximately 88 neighbors attended the meeting. Neighborhood Meeting Notes are attached separately with this submittal.

D. Project Compliance, Compatibility, and Impact

1. Adopted Plans and/or Policies

The Future Land Use Plan; the Blended Land Use Policy; the Land Development Code. See Item F. below for Comp Plan Amendment compliance.

2. Surrounding Land Use

Surrounding land use /zoning: to the west is Single Family Residential zone R-2 in the City; to the south is Single Family Residential zoned PD in the County; to the east is a vacant parcel zoned RSF-R, as well as BLM Land; to the north is vacant land zoned PD in the City.

3. Site Access and Traffic

Canyon Rim Drive will remain the only access to this property until future connectivity occurs (see Grand Junction Circulation Map). R-1 zoning on a 23.2 acre site will limit traffic to that normally produced by a maximum of 23 homes.

4 & 5. Availability of Utilities and Unusual Demands

Sanitary Sewer: Sewer is provided by the City of Grand Junction. It is an existing 8" line and it is located in Canyon Rim Drive.

Storm Sewer: Per the City of Grand Junction's guidelines, the storm system will be engineered to collect the storm water in the street gutters and drainage basins and be

graded to drain towards the south west corner of the site, where exiting drainage easements and offsite drainage facilities exist.

Domestic water is provided by Ute Water via the existing line in Canyon Rim Drive.

6. Effects On Public Facilities

Zoning of R-1 on 23 acres will allow the addition of residential lots that will have expected, but not unusual impacts on the fire department, police department, and the public school system.

7. Site Soils N/A for Rezone

8. Site Geology and Geologic Hazards N/A for Rezone

9. Hours of Operation N/A

10. Number of Employees N/A

11. Signage Plans N/A

12. Irrigation No

E. Development Schedule and Phasing

- Submit rezone - Summer 2019
- Submit Major Subdivision - Fall 2019
- Begin Construction – Spring of 2020.
- The project will be constructed in a single phase.

F. Additional General Report Discussion Items

21.02.130 Comprehensive Plan Amendment (CPA).

We are seeking a Comprehensive Plan Amendment (CPA) from Conservation to Residential Low, and a Rezone to R-1. As noted above, the property has both Conservation and Residential Medium Low FLU designations on it, but is abutted by Residential Low on the west and south sides. To make it more compatible with adjacent properties, and to better match its desired R-1 zoning designation with an appropriate Comprehensive Plan density range, Residential Low is being requested.

(c) Criteria for Plan Amendments.

(1) The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

- (i) Subsequent events have invalidated the original premises and findings; and/or*
 - The adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events

- that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;
- The irregular boundary of the interface between Residential Medium Low and Conservation appears to have been somewhat associated with mesa tops and steep slopes. Current, more accurate topography, along with Hillside Regulations will preserve much of the area that was designated for Conservation.
- (ii) *The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or*
- The character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on the more developable slopes.
- (iii) *Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*
- Public facilities, in the form of utilities and an improved road, were stubbed to the property for its development.
- (iv) *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*
- Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres, and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.
- (v) *The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*
- The Grand Junction Circulation Plan can be realized;
 - On and off-site drainage improvements will benefit the surrounding subdivisions.
 - Current trail use on private land can be formalized with forthcoming development.

21.02.140 Code amendment and rezoning.

We are seeking a Rezone to R-1.

(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*

- The adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;
- The entirety of a +/- 370 acre parcel was zoned PD in the County, but has a lapsed plan. This 23.2 acre parcel is topographically separated

from the larger parcel, and is better associated with the residential development that now resides on its west and south boundaries which is City R-2 and County PD (having lots that approximate R-1 in size).

- (2) *The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or*
 - The character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on the more developable slopes.

- (3) *Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*
 - Public facilities, in the form of utilities and an improved road, were stubbed to the property for its development.

- (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*
 - Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres, and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.

- (5) *The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*
 - The Grand Junction Circulation Plan can be realized;
 - On and off-site drainage improvements will benefit the surrounding subdivisions;
 - Current trail use on private land can be formalized with forthcoming development.

DRAWN BY MR
 CHECKED TC
 JOB NO. 1912
 DATE 08-7-2019
 REVISIONS

CANYON RIM
SW CORNER OF 400 23 ROAD



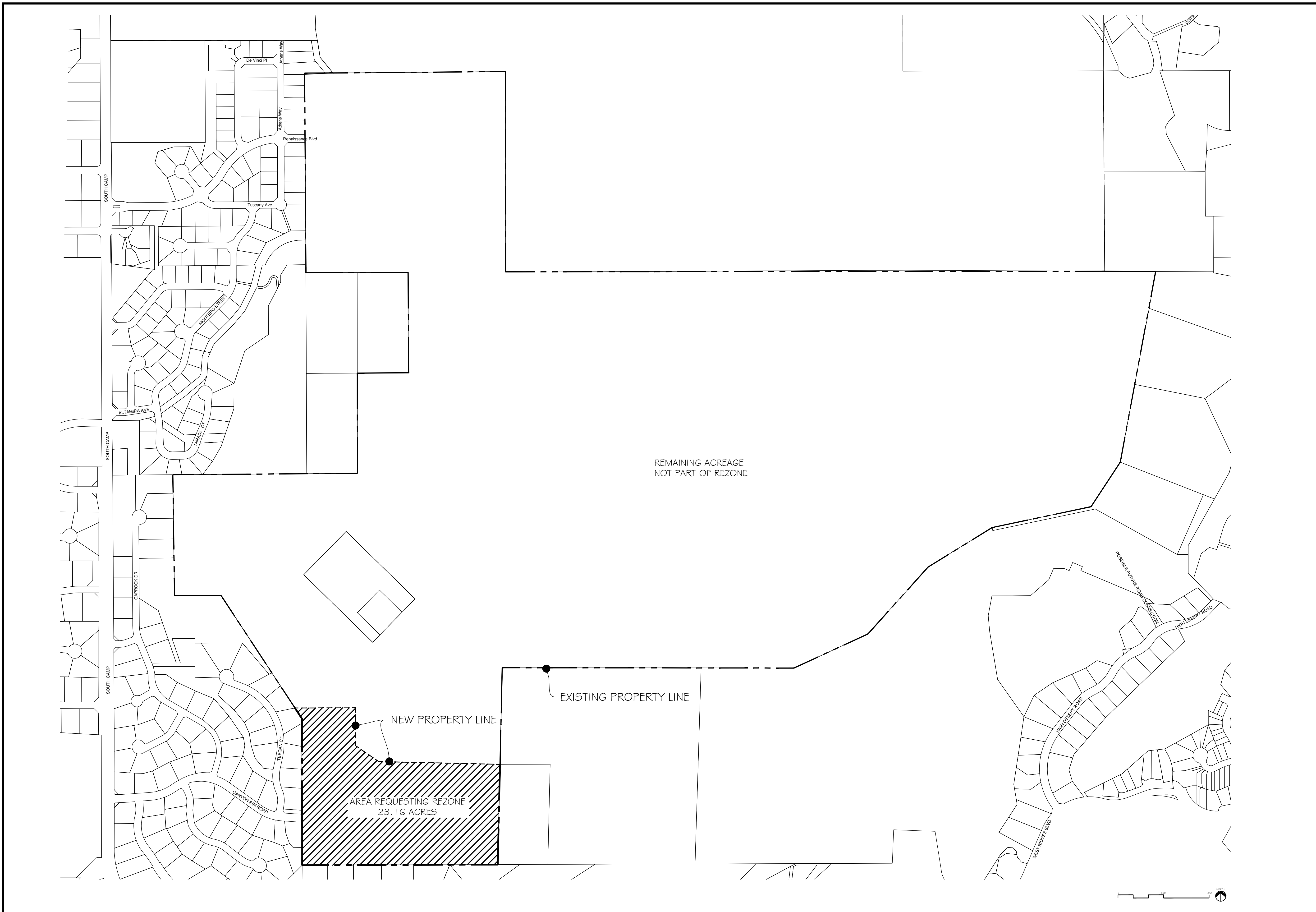
CIAVONNE, ROBERTS & ASSOCIATES, INC.
 LAND PLANNING AND
 LANDSCAPE ARCHITECTURE
 222 N. 7TH STREET
 GRAND JUNCTION, CO 81501
 970-241-0745 F
 970-241-0785 F
 www.ciavonne.com

CANYON RIM

SITE SKETCH

SHEET NO.

1



Neighborhood Meeting Notice Letter

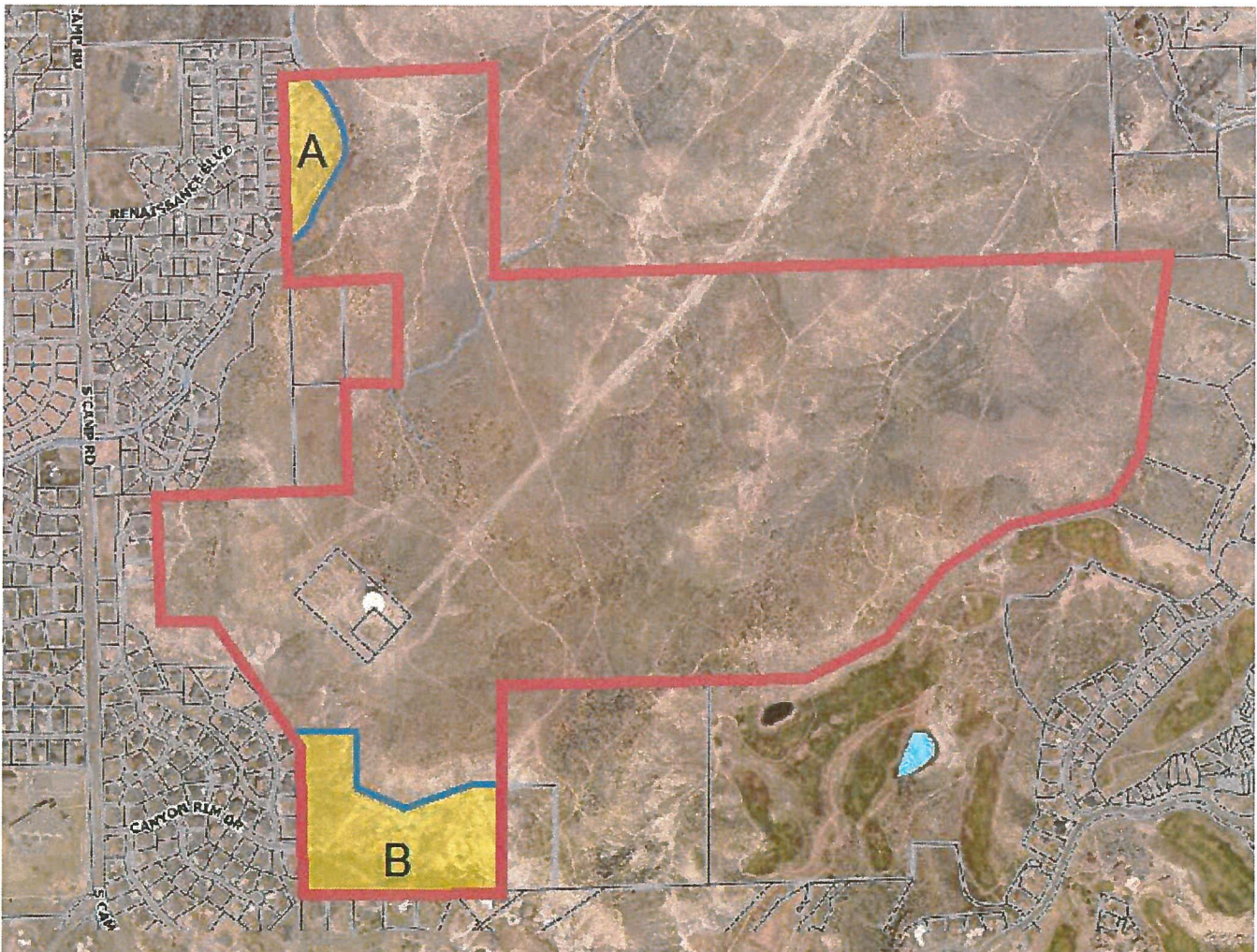
Mailing Date: April 5, 2019

RE: A Neighborhood Meeting for a Major Subdivision at the east end of Renaissance Blvd., and a Comprehensive Plan Amendment / Rezone / and Major Subdivision at the east end of Canyon Rim Drive (both projects on one property currently addressed as 400 23 Road).

Dear Property Owner:

This letter is to notify you that on **Monday (April 22nd), starting at 5:30 pm**, a neighborhood meeting will be held to update you on a proposed **Major Subdivision at the northwest corner** and a **Comprehensive Plan Amendment / Rezone / Major Subdivision at the southwest corner** of 400 23 Road, Grand Junction, Colorado. This meeting will be held in the **Sanctuary at Redlands United Methodist Church, 527 Village Way, Grand Junction Colorado 81507.**

The applicant will be submitting two applications with the City of Grand Junction on one piece of property (see the property in red below).



One of the applications is a Prelim/Final Major Subdivision on the northwest corner connecting to the Renaissance Blvd. neighborhood (A). This piece has a multi-zone of PD and R-4. The proposal is to respect the R-4 Zone and subdivide 6.55 acres into 15 single family lots connecting to the Renaissance neighborhood. The second application is a Comprehensive Plan Amendment/ Rezone/ Preliminary / Final Major Subdivision on the southwest corner connecting to the Canyon Rim Drive neighborhood (B). The proposal is to Rezone from a Planned Development Zone (with a lapsed plan) to an R-2 zone, as well as subdivide +/- 22 acres into 22 single family lots connecting to the Canyon Rim neighborhood. The remaining area outlined in red is not being considered with these submittals.

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 **La Plata Communities LLC**, its representative **Ciavonne Roberts & Associates, Inc.**, and the **City of Grand Junction** staff.

The list of property owners being notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you are not available to attend this meeting, you can provide written comment to ted@ciavonne.com or the City of Grand Junction Planning Department at kristena@gjcity.org

We look forward to seeing you at this meeting.

Sincerely,



Ted Ciavonne, PLA
Ciavonne, Roberts and Associates, Inc

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan
Amendment/Rezone/Major Sub @ Canyon Rim Drive

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE # OR EMAIL</u>
Kathy Murdoch	2213 CANYON RIM DR	murdochlab@netzero.com
BRITTA CZAPLA	2337 S. FAUCON POINT CT.	
JACK + JUDY ROGAN	6J. 434 ATHENS WAY	bcseppi@gmail.com johnf.rogan@yahoo.com
Betty Baltzer	120 Mrs. Gravelle Dr	bbaltzer@centurylink.net
Chuck Robison	355 Dakota Circle	c.robison7@sbcglobal.net
Monica Solawetz	447 Tuscany Ct	msolawetz@gmail.com
Cherie Wibbelsman	370 Caprock Dr.	cheriewibbelsman@gmail.com
Jason Laible	436 Athens Way	jelaible@hotmail.com
Susan Sayes	2121 Buffalo Dr	susayes@bresnan.net
Kristen Ashbeck	City	kristenae@jcity.org

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan
Amendment/Rezone/Major Sub @ Canyon Rim Drive

NAME ADDRESS PHONE # OR EMAIL

NAME	ADDRESS	PHONE # OR EMAIL
Dan & Joan Lacy	335 Canyon Rim CT.	danandjoanlacy@aol.com
MIKE BAKER	354 TEEGAN	ALBAKER@Y4Y.COM
Pete + Sandy Petersen	2219 Canyon Rim - Dr.	HPete@Comcast.net
BILL MURKISTEDT	338 CANYON RIM CT.	
MARY ANN GREINER	" " "	
Helen & Glean Arnold	340 Canyon Rim Ct	
Cindy Williams	358 Teegan Ct	cliffncindy@gmail.com
Don & JULIE KENDALL	360 TEEGAN CT	donkendall1954@gmail.com
Scott & Kathy Gustin	342 Canyon Rim ct	scottgustin@ychoo.cc
Martha & Istvan Potyondy	452 Athens Way	
Bill Findlay	412 Bookclub Dr 65	
Ben Hughes	347 Canyon Rim Ct	benjamin.h.hughes@gmail.com
RICHARD LIPPOTH	RENO, NV.	rlippoth@msn.com
VERONIC TOFEL	2216 MESCALERO RD	J.TOFEL@YAHOO.COM
MARY TOFEL	2216 MESCALERO AVE	MARY.TOFEL@YAHOO.COM
PAUL COWAN	371 CARLOCK DR 81507	PAULCOWAN@GMAIL.COM
Diek/Judy WIBBELMAN	446 ATHENS WAY 6781507	RJWIBBEL@YAHOO.COM
Marcus & Kellie Straub	444 Athens Way	marcusstraub@bresnan.net
David + Lorna McInay	438 Athens Way	dimeilnay@bresnan.net

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan
Amendment/Rezone/Major Sub @ Canyon Rim Drive

NAME	ADDRESS	PHONE # OR EMAIL
Jean Joan Hoelscher	2200 Canyon Rim Dr	256-1777
Daniel Brennen	2210 Canyon Rim Dr	256-1777
S Fitzgerald	441 Athens	studebakerstev@brennen.net
Michael Rudy	380 Taylor Ct	mdrook@brennan.net
Suzi Addison	San,	suzi_addison@yahoo.com
Mike Foster	639 Pineddle Ct Grand Jet, CO 81506	mfoster@CBCWPST.com
Mike Spangler	450 Athens Way 81507	Spanglerm@gmail.com
GREG DYON	525 MEADOWBANK LIX	249-1668
Katherine Johnson	352 Canyon Rim Ct	pacificslope@outlook.com
Ron Shulman	"	"
Jay Gonyea	381 Carrock Dr	Jay.gonyea@gmail.com
David & Debra Caldwell	345 Dakota Cir	davecal@brennan.net
Susan & Cal Wylie	2205 Avenel Ct.	gjsusan.wylie@gmail.com
Chick Reece	354 Hill View Dr A 81507	Christi@christireece.com
Richard Schweizer	397 S. Camp	RIS@BRENAN.NET
Tisha Gullam	2223 Tusany	tagullam@icloud.com
RICK DORRIS	CITY OF GJ	256-4034
Judi & Dennis DeVore	CITY OF GJ 353 Dakota Circle GJ	jdvoris@g-j.com ddv48@mac.com

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Monday April 22, 2019 @ 5:30pm

FOR: Major Sub @ Renaissance Blvd & Comp Plan
Amendment/Rezone/Major Sub @ Canyon Rim Drive

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE # OR EMAIL</u>
Dr. Curtis Coonan	2206 Canyon Rim Dr.	Coonan@ad.com
Jim Kyle	2210 Canyon Rim Dr.	KYLE KILISEWIS@com
THOMAS HOFFMAN	358 Caprock Dr	THOMAS.HOFFMAN@ALUMNA.USC.EDU
Suzi Addison	386 Tegan Ct	SUZIE_ADDISON@yahoo.com
JAN SIGNER	2288 Rock Valley Rd	jsigner001@gmail.com
Jarrod Psencik	341 Dakota Cir	jpsencik92@gmail.com
Kristen Lummis	347 Dakota Cir	j.lummis@me.com
JUDY + JOE SALAMON	350 Serpents Trail Dr	GJ Props@Bresnan.net
MELISSA COONAN DOUGLAS SCOTT	2219 Renaissance Blvd	MACONNOR1@aol.com
Patricia G Whistler	2209 Desert Varnish	patricia.whistler@gmail.com
Laura Merritt Kinsey	356 Tegan Ct	laurajkinsey@gmail.com
Richard + Samantha Swingle	443 mediterranean way	raswingle@aol.com
Linda McLean	385 Caprock Dr.	lmclean@bresnan.net
Reggie Farlano	2217 Renaissance Blvd	rfarlano@gmail.com
Loryn Barber	341 Canyon Rim Ct.	970-201-6920
John Barber	341 Canyon Rim Ct.	970-201-6920
Ray + Kelly Phonen	2265 Desert Varnish Ct	970-640-5327
Sue Barry Chamberlain	346 Serpents Trail Dr.	970-243-1041
Shari Steie	2435 Rock Ridge Rd	chamberlain4@bresnan.com shari.steie@yahoo.com
Dont & Sue Smith	2216 Canyon Rim Dr. turnover	Kelsey - S - 2000@yahoo.com

Steph Shrago Steph@daveandstephanie.com
575 Sunny Meadow Ln 81507

LA PLATA NEIGHBORHOOD MEETING
On Canyon Rim & Renaissance
April 24, 2019 @ 5:30pm
NOTES

A Neighborhood Meeting was held on April 24, 2019 regarding a proposed a Major Subdivision at the east end of Renaissance Blvd., and a Comprehensive Plan Amendment/Rezone/ and Major Subdivision at the east end of Canyon Rim Drive (both projects on one property currently addressed as 400 23 Road).

In Attendance:

Representatives: Don Gravette, Doug Quimby, Cody Humphrey (La Plata Communités)
Ted Ciavonne, Mallory Reams (Ciavonne, Roberts & Associates Inc.)
Mark Austin (Austin Civil Group)
Kathy Portner (City of Grand Junction)
Jarrod Whelan, Rick Dorris (City of Grand Junction)

About 88 Neighbors and spouses attended the meeting and had the following comments and concerns:

- How many lots will there be? – 15 lots @ Renaissance and 22 lots @ Canyon Rim
- What is the timeline for Canyon Rim? – It takes 4 months for the Rezone after submittal. Within that time we will design Canyon Rim (3 months) and then submit for Major Sub which that is only a 60 day process.
- Are you going to blast that hill? – We haven't completed soil research yet, but we don't anticipate any blasting needed to be done.
- Utilities? – City requires all overhead utilities to be underground now
- Construction Traffic? –BMP regulations are put in place by the City of Grand Junction to help minimize the effects of construction traffic.
- There is a 3rd Neighborhood (Monument Valley) that gets effected on the south end of "B". They were curious why we didn't color their neighborhood on the zoning map. They also requested a buffer between the two neighborhoods. – We explained that the reason their neighborhood wasn't colored was because they were in the county and this is only representative of city zoning. We also said we will take a look into buffering if we can.
- A neighbor that lived in the Renaissance neighborhood was concerned with the future construction traffic. She explained the roads are in pretty bad shape already and may not hold up. – Rick Dorris with the City of Grand Junction explained that most likely the construction traffic won't tear the roads up, but if they do the city and the developers could work together and come up with a plan to fix the damage.
- There are three drainage areas that go through the proposed subdivision, are you aware of that? – We are having real contours being shot right now. We can confirm the slopes then. We do know they exist just from the city GIS maps and we tried to line them up with property lines

as best we could. The water will go to a detention basin now and then be released at the historic rates. Also utilities have been stubbed here planning for future development and the storm drain put in was planned for a 2 year and 100 year storm event.

- A neighbor at Canyon Rim explained they just redid the drainage area a couple of years ago and it still got plugged up. Whatever got put in is inadequate. – Noted.
- Why build in a conservation area/open space area? – This is private property and the owner has the right to build here if desired.
- South Camp Rd shoulders are inadequate for recreation. – The city is widening S Camp Rd and putting in bike lanes.
- A neighbor at Canyon Rim also thinks the drainage is failing and inadequate. The few storms that happen 1-2 times a year are significant and worried what future development would do to that. – There are water quality and drainage studies that are put in place by the city.
- One neighbor was worried about the trail accesses during construction since a lot of people use them. – We will look into a way for keeping trail accesses open. There is also a way to access them on 23 Road.
- A neighbor in Renaissance agrees that the storm water is a major problem. She also commented it will be sad to see homes in her backyard now instead of open space. – We will make it a point to address drainage and so will the city.
- Does Renaissance absorb this subdivision in their HOA? – They will be their own entity.
- One neighbor expressed his concern about the Circulation Plan. He thinks Canyon Rim will no longer be a minor collector if it went all the way up to 23 Road. – We explained the Circulation Plan is made by the city and we as a community have to adapt to whatever changes are made.
- The neighbors deeply expressed the problems with the drainage on both Renaissance and Canyon Rim. . – We explained we will make it a point to address it and so will the city
- Why did you pick Canyon Rim when there are all kinds of vacant lots to build on? -We explained this is private property and the owner of the property searched far and long for quality developers. This parcel will be developed in a matter of time.
- The neighbors expressed their concern about the bad soils. The soils are full of bentonite and the neighbors are concerned the foundations won't be sound. A handful of neighbors shared stories of their own foundations cracking and what they had to do to fix it. – We have to rely on experts to tell us what to do.
- The proposed subdivision on the Renaissance area gets covered with water 1-2 times per year. – Noted. We have experts looking into the grading and drainage problems before design gets finalized.
- The neighbor in Renaissance explained he has micropiles under his house and they still failed. It was a \$50,000 problem. A handful of neighbors spoke up after that explaining their failed foundations.
- A trail user that is not a direct neighbor, but lives nearby shared her thoughts: “there is an access on 23 Road and S Broadway to solve the problem of access during construction.”
- One neighbor asked about the trail system (knowing its private property, but still curious if the trails will remain). – We explained the trails at the base of Canyon Rim will go away because of the subdivision, but the subdivision will continue to allow multiple accesses to the remaining trails up above. Those trails will remain as they are.

- One neighbor got up to express his opinion that S Camp Road is messy, bumpy, and in bad shape. He believes the neighbors that are here now are enough and that they don't need more.
- One of the neighbors with a bad foundation lives to the south of what would be the proposed Canyon Rim subdivision. She is not only concerned about the bad foundations, but also new homes towering over hers and her neighbors as Canyon Rim sits up higher than them.
- Neighbors are not convinced the developers will address the bentonite issue.
- Will there be any irrigation? – **No irrigation shares that we know of, but they will have Ute water.**
- Is it up to the developers or the builders on restrictions on 1-2 story homes as well as regulating them to be "dry land lots"? – **There will be covenants made by the developers that will address all of these issues.**
- A Renaissance neighbor explained that their neighborhood has several children as well as developmental disabled neighbors that won't be aware of additional traffic. She was wondering what could be done to slow traffic down. – **The city or developers can put in the covenants to install a "slow sign" at the entrance of Renaissance and whatever else feels necessary.**
- Neighbors are concerned with the Developers being from out of town and not local. They have not had good luck with developers in the past, but no disrespect.
- All surrounding neighborhoods would like to see some buffering between them and the two proposed subdivisions.
- One neighbor didn't understand how there can only be one road in and one road out to these new subdivisions. With the bentonite issue, the additional traffic could shake the existing foundations.
- What is the style of homes going to be? – **Similar or better than surrounding subdivisions.**
- How long to develop? – **Would like to see as soon as possible, but in realistically its market driven.**
- What's the easement going to be between the new and existing subdivision? – **There is currently no easement between subdivisions. Will be lot next to lot, but there are required setbacks that do need to be followed as well as we will look into buffering.**
- Neighbors behind Canyon Rim & Renaissance said they would rather see the new lots staggered behind them instead of directly behind them to protect the views.
- The neighbors asked if they would get to see the covenants. – **Yes. Once we submit to the city, the covenants will be public record.**
- Neighbors asked if the houses be custom or cookie cutter. – **Probably custom.**
- Will there be an HOA? Will the HOA do anything about light pollution? – **Yes there will be an HOA, it is required with new subdivisions. The city already has a night sky ordinance put in place, but for the nature of this project, we will request to have no street lights.**
- Do the trees on the plan mean you are keeping the existing cottonwoods? – **Yes we are going to try to save as much as possible.**
- One neighbor heard the city was passing an ordinance for subdivisions to now have street lights? – **No that we know of. City staff chimed in and said nothing new is being passed at this time.**

- They asked what the timeline was for the parent parcel in red. – Unclear at this time, but it - will require another neighborhood meeting after some planning has been done.
- The neighbors expressed this would be a good opportunity for the Renaissance HOA and the Canyon Rim HOA to give the developers guidance when they start to develop their covenants. – We agree. We already got access to old covenants of both subdivisions, but we realize they probably have changed by now. Good suggestion.
- The president of Canyon Rim HOA stood up and said the following:
 - The water tank gets dumped every year and FYI it sends a lot of water down to the areas of the proposed subdivision.
 - The new subdivisions should have to help pay if the drainage goes into existing subdivisions not at the historic rate and does damage.
- One neighbor explained he has seen so many people use the stub street on Renaissance as parking for the trails. What will we do to mitigate the parking? – It will still be a problem, but we will look at it.
- The neighbors were curious how they will get notified for area B (Canyon Rim) – You will get a mailing card with both Planning Commission and City Council meeting dates.
- Canyon Rim is a nice quiet neighborhood. It is one thing to add 22 homes and another thing to connect to 23 Road. Do you care? You are going to split this neighborhood. – Yes we do care. We did not plan for this road to connect to 23 Road. The city requires interconnectivity so we have to plan for it.
- It's an insult for La Plata to come in and design this subdivision when they don't live here.
- Why does the city not make you show a plan for the big parcel instead of allowing to do little pockets?
- Plans for schools? They are already at capacity. – Schools are part of Review agencies and this project will have to pay into the school system as part of their fees.
- One neighbor in Renaissance expressed how nice their entry sign is and wondered if this new neighborhood will have their own sign? – Yes.
- You said you took core samples. Are the results back? – Not back yet.
- How many core samples on Canyon Rim? – Don't know how many, but geotech engineers will inform us. They will also get more samples if they are not satisfied with the results.
- So can "A" move forward? – Yes. B still needs to go through a Rezone/Comp Plan Amendment so it will take longer.
- So "A" will just proceed and this meeting won't change the decision? – If the city deems it acceptable after review comments then yes.
- People new to this valley might not know what bentonite is. Will the developers be upfront about informing new homeowners that there is bentonite? – Yes they will.

From: Ted
To: ["William Findlay"](#)
Cc: [Doug Quimby](#)
Bcc: ["Cody Humphrey"](#); ["Don Gravette"](#)
Subject: RE: canyon rim and renaissance project meeting 4/22/19
Date: Tuesday, April 23, 2019 11:51:00 AM
Attachments: [Renaissance GRAPHIC.PDF](#)
[Canyon Rim GRAPHIC.PDF](#)

Bill,

Attached are the graphics we showed last night; they are specific to these two subdivisions, and show little about the larger 'parent' piece. I am comfortable in saying that the developer, La Plata Communities, is sensitive to the trail usage on the 'parent' property, which is displayed by the multiple accesses provided in both subdivisions.

By way of this email I am copying the developer to keep them abreast of the potential interest by the groups you represent.

Ted Ciavonne, PLA

Ciavonne Roberts & Associates, Inc.
LAND PLANNING AND LANDSCAPE ARCHITECTURE
222 N. 7th Street
Grand Junction, CO 81501
Ph (970) 241-0745
ted@ciavonne.com
www.ciavonne.com

From: William Findlay [mailto:williamafindlay@gmail.com]
Sent: Tuesday, April 23, 2019 10:55 AM
To: info@ciavonne.com
Subject: canyon rim and renaissance project meeting 4/22/19

I had to leave early due to length of meeting but had wanted to take photos of the maps but didn't get chance. Is there anyway Ted or someone could send me email attachments? I am involved with both the GJ Park and Rec Advisory Board and the Colorado West Land Trust and both have an interest in how this and the project above by the water tower area can be developed with some preservation of trails and access. Having these maps could help me pass on what I have learned to both the above groups. Thanks

From: [Linda Spinner](#)
To: kristena@gjcity.org
Cc: [Ted](#)
Subject: Renaissance and Canyon Rim development
Date: Monday, April 22, 2019 11:29:29 AM

Hopefully you can address traffic impact at the corner of South Camp and South Broadway. This has not been addressed with prior development (Granite Falls). The traffic at this intersection is increasing rapidly. With the blind curve heading west toward that intersection, it will be a short time before there is a rear end crash as cars round that curve and approach backed up vehicles waiting to turn. Vehicles coming from west need to slow down so turning is possible. Time for a round a bout at that intersection?

Linda Spinner
970-596-4522
spinnerlinda@gmail.com
Renaissance subdivision

April 18, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

Re: Subdivision Development
400 23 Road
Grand Junction, CO

Dear Ted and Kristena,

My name is Don Kendall. I reside at 360 Teegan Ct. I was surprised and a little shocked to receive your letter in the mail. We bought this lot and had our dream home built here in 2008. We were aware that the property behind us was privately owned but also knew it was inconceivable for the land behind us could be developed. It's uneven landscape, dramatic elevation grade and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area I can make sense about the land to the south of us at the end of Canyon Rim Drive and then to the east and south being developed, even though I still don't like it. In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us. After hard rains the 3 waters drainages above us turn into creeks. I'm not against the development of open property. We wouldn't be living in our home now if Canyon Rim wasn't local developers John Thomas and Dave Bagg. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. If this project moves forward, I am prepared to gather a great number of signatures on a petition from neighbors in Canyon Rim Subdivision, Monument Valley and those who recreate in this area. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations
- * Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we are going to have to heavily rely on The City of Grand Junction Planning Department, starting with you Kristena, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,

Don and Julie Kendall

From: [LeAnn Klinetobe](#)
To: [Ted; kristena@gjcity.org](mailto:kristena@gjcity.org)
Subject: Subdivision - Renaissance Blvd
Date: Monday, April 22, 2019 9:00:05 PM

This email is to let you know the concerns we have regarding the proposed subdivision in the Renaissance Blvd. area. We live on Athens Way and very much oppose the new subdivision being proposed. Our reasons are:

1. Foundation stability because of bentonite soil, an unstable slope, natural erosion, and ground water levels.
2. Drainage challenges from natural seepage, irrigation runoff, rapid erosion, and ground water levels.
3. Construction disruption and results from traffic volumes during and after construction, increased erosion and dust, unmitigated drainage problems, impeded views, and damage to existing homes due to drainage and erosion from uphill construction.

The home owners on the west side of Athens Way have spent a tremendous amount of time and money on their yards that are against the hill. Construction above them, along with the new drainage, will no doubt have an effect on their beautiful backyards. None of us who built on Athens Way had any idea that homes would be built in such close proximity. It will ruin the quiet neighborhood where we live and there are many other places where this developer could build. We really hope you will reconsider this development location!!

LeAnn Klinetobe

From: angela.kurtz
To: [Ted](#)
Cc: kristena@gjcity.com
Subject: Subdivision proposal east end of Canyon Rim Dr, property addressed as 400 23 Rd
Date: Monday, April 22, 2019 10:48:10 PM

Dear City of Grand Junction Planning and LaPlata Communities, LLC,

We were unable to attend the Canyon Rim Drive neighborhood meeting on 4.22.19.

We live several houses from the proposed site for the new development “detention” which we assume will be an irrigation pond. We are very concerned about the potential of this development and proposed drainage to create foundation instability for our house. A house across the street from us and bordering the proposed development has recently had foundation issues requiring expensive repair. We would obviously not want drainage issues compromising our tenuous soil. We would prefer this development proceed at another location due to these concerns and construction disruption. If development is to proceed, to reduce liability and potential damage to our house, alternative drainage and restricted (or no) irrigation plans would be essential.

Thank you for addressing these concerns.

Sincerely,

Matt Donaldson
Angela Kurtz
2214 Canyon Rim Dr

[Sent from Yahoo Mail for iPhone](#)

October 14, 2019

Principal Planner Kristen Ashbeck
Grand Junction Planning Commission
Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Kristen,

With this letter we are commenting on the Canyon Rim 360 subdivision request for rezone. We reside at 345 Dakota Circle, in the Monument Valley Estates Filing 6 subdivision. We built our house there a little over twenty years ago on a one acre lot. In fact, ours was the first house built in the Monument Valley Estates Filing 6 subdivision. Hopefully it can be seen how this new subdivision on our rear property line is of great concern to us.

In general, we think this project is a really bad idea. Regardless of whether the property owner has the right to develop this property, its development is not in keeping with the type of properties that are in our subdivision and will only lower our property values if allowed.

It seems that the City Planning Department is keen on making accommodations to the land owner and developer and ramming the project through, but the City Planning Department actually works for the citizens of the City and not the land owner or developer. Yes we actually live in the County, but that does not take away our rights to challenge this project as it would adversely affect our property.

The developer claims to have "Grand Junction values". We notice that he hasn't lived in this city for many years, preferring instead Colorado Springs, where he can make money building large subdivisions. We don't believe that he cares at all about our city and just says that to make people feel good about him. We are not fooled.

Much of the land the development will be situated on is highly unstable, as it contains copious amounts of shale and bentonite. The land directly behind our house is a large bentonite basin, with lots of drainage channels running through it. It has been said that the developer's engineers will surely figure out a way to build on this type of material and that it has been done before successfully. We don't believe this. Look at the infamous "falling house" that can be seen from the Redlands Parkway bridge. I'm sure everything about it was signed off on by registered engineers and it still ended up being a disaster. The houses in Canyon Rim, as well as some in our subdivision have suffered greatly from these unstable soils and it would be completely unethical to foist off new lots on any unsuspecting persons that will have even worse soil issues.

In addition to the unstable soils of this proposed subdivision, there is the hazard of rock fall from the cliffs above, especially since the ground below will be disturbed.

The Comprehensive Plan 2009 designates the development property as Conversation, 1DU/Acre. We see no benefits to be derived by the community to change this designation. We see nothing that has changed substantially to invalidate the original designation. We do see many benefits to keep this designation as it is. Many people hike and bike in that area and it is a major wildlife corridor for deer and other animals.

Contrary to what is stated by the Planning Department documents, there is no shortage of home sites in the projected size and price range of this new subdivision. A new subdivision, Granite Falls, is a good example. It is short distance down the road and is built on relatively flat terrain without many of the hazards that would befall Canyon Rim 360.

Much is made of satisfying the Grand Junction or Mesa County Circulation Plans. These documents are treated as absolutes that must be adhered to. We reject that notion. It seems that once something gets on paper, it must be done. One has to ask who is the master and who is the slave here. David served on the Mesa County Planning Commission for several years about fifteen years ago, and the extension of Canyon Rim Drive to the Easter Hill area was talked about then. He voted against it then and is still against it now, as an impractical and expensive project and as disruptive to the relative peace of the South Camp corridor.

Thank you for accepting our comments about this project. We look forward to the Planning Commission and City Council doing the right thing and keeping this area as Conservation and thereby maintaining the peace and character of the existing neighborhoods.

David and Debi Caldwell

David B. Caldwell
Debi Caldwell

345 Dakota Circle
Grand junction, CO 81507
970-256-9621

October 13, 2019

Kristen Ashbeck
City Planner, City of Grand Junction
250 N. 5th Street
Grand Junction CO 81501

Dear Kristen,

I am writing regarding the proposed rezoning of the 23-acre parcel of land at the end of Canyon Rim Drive being called "Canyon Rim 360". As I understand it, for new zoning to be approved, an amendment to the 2009 Comprehensive Plan adopted by the City of Grand Junction must be approved. The following is my rebuttal to LaPlata's comments on the Comprehensive Plan Amendment:

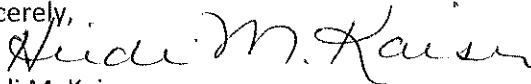
The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

- Subsequent events have invalidated the original premises and findings: (a) there haven't been any events that have invalidated the original findings. The rhetoric provided by LaPlata simply states there have been regulatory changes, but they can't confirm or disprove any impact. A lack of findings aren't findings! (b) Additionally, the idea that the area they aren't proposing to develop is being "preserved" because of their generosity, is inaccurate. It's being preserved because it is too unstable and steep to be built on. Trust me, if they could build on it, they would.
- The character and/or conditions of the area have changed such that the amendment is consistent with the plan: Nothing has changed in this area since the adoption of the 2009 Comprehensive Plan. Filing 4 of Canyon Rim was complete long before 2009 as were the homes on Dakota Circle. If the "Conservation" zoning was appropriate in 2009, it is appropriate now.
- Public and Community facilities are adequate to serve the type and scope of land use proposed: Who knows? Have the comments of Matt Sewalson been addressed – because they were numerous and significant on the preapplication review. Have Rick Dorris's comments regarding the impact on transportation been addressed – not just to his satisfaction but to the satisfaction of the existing homeowners?
- 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 only inadequate supply of land or homes in Grand Junction is in the \$300,000 range according to GJARA and the county assessor's office. Homes in Canyon Rim are \$500,000 plus, and on Dakota Circle upwards of \$600,000. It would be inconsistent with the surrounding neighborhood to allow \$300,000 homes in this area. Otherwise, there are homes in the \$500,000 range with 100 plus days on the market in this area. Granite Falls sales are flat and are mostly spec homes, rather than presold to homebuyers. Additionally, Red Rocks Valley still has lots already zoned that can be built on – demonstrating there is an existing, adequate supply of suitably designated lands.
- The community or area as defined by the presiding body will derive benefits from the proposed amendment: LaPlata's comments basically state that Canyon Rim will benefit from increased traffic and congestion. Additionally, the on and off-site drainage improvements are non-existent as evident by their drainage report. They are proposing to build homes on non-absorbent, clay soil

ABOVE the elevation of existing homes. They are stating that because there is no irrigation water, that lands will be xeriscaped and there will be no runoff. How will they control this? Even in neighborhoods without irrigation water, homeowners with deep pockets put in large expanses of Kentucky blue grass and water with domestic water. Right now, the Canyon Rim neighborhood suffers from huge volumes of water during monsoon season and anytime there is rain of any significance. EVERYTHING from this proposed development will run down into Canyon Rim's already taxed drainage area. This hasn't been adequately addressed!

In conclusion, there isn't evidence that the Comprehensive Plan can be or should be amended at this time. I respect the rights of the landowner, but his rights do not invalidate my rights as a homeowner and taxpayer in Grand Junction to have existing zoning regulations "protect and maintain the integrity and character of established neighborhoods". There are a significant number of loose ends and unanswered questions about this development and I am respectfully asking that rezoning not be approved at this time.

Sincerely,



Heidi M. Kaiser

2215 Canyon Rim Drive

Grand Junction CO 81507

October 12, 2019

Grand Junction City Planning
Grand Junction City Council

Re: 2009 Comprehensive Plan / Rezoning Request
23-acre plot at Canyon Rim Drive

My family and I moved to the Canyon View Subdivision in 1995. We were the 5th house built in the first filing. Needless to say, we have seen all the housing development in this area in the last 24 years firsthand. Since then we have seen 6 filings of homes in Canyon View, then Canyon Vista, then Trails West, then The Renaissance, then Canyon Rim and now see the new house construction in Granite Falls subdivision. Add it this, the new homes built in the northern filing of Monument Valley. We moved across South Camp Road to the Canyon Rim subdivision in 2008. If there was ever a time have a "Conservation" open space in this immediate area, it's now. This 23-acre open area has been enjoyed by us and thousands of others for its natural beauty, biking and hiking trails and wildlife for decades. It is critical that we preserve the "Conservation" zoning that was designated to these 23 acres in the 2009 Comprehensive Plan. This zoning plan cannot have more than 1 dwelling per acre.

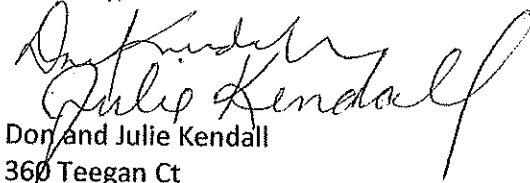
In order to amend the Comprehensive Plan, La Plata Development must show:

1. "Subsequent events have invalidated the original premises or findings of the plan", i.e. Has the area changed enough that the land should no longer be protected? No, they haven't. With all the existing subdivisions and new home construction in the area, we need this protected area more than ever.
2. "The character and/or conditions of the area have changed such that the amendment (proposed rezoning) is consistent with the Comprehensive Plan", i.e. Has the geography, development, use and character of the land has changed significantly since 2009? No, the character and the conditions have not changed.
3. "Public and Community facilities are adequate to serve the type and scope of land use proposed", i.e. In our area, are there adequate schools, fire departments, infrastructure to support more homes? Utility Infrastructure, yes, but Wingate Elementary is at capacity and our Grand Junction Fire Station #5 has had hundreds of new homes added on the Redlands to service.
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." No, there is an adequate supply of homes near by at the new Granite Falls subdivision in the \$5-650K range.

5. "The Community or area as defined by the presiding body will derive benefits from the proposed amendment (development). " Absolutely not. The Canyon Rim neighborhood will not benefit from increased traffic, congestion and development.

In closing, for the reasons above, the 23-acre area is clearly not suitable for home development and rezoning. Add to this list - unstable bentonite soil conditions, water drainage issues from the existing hillside and an aggressive elevation slope which will require retention walls. All these issues will be burdened on to the new homeowners and negatively impact the existing home sites especially on Teegan Ct. We strongly request that you deny the proposed rezoning of 23-acre plot at the end of Canyon Rim Drive and that it will remain a Conservation and Open space as originally designated in 2009.

Sincerely,



Don and Julie Kendall

360 Teegan Ct

Email: donkendall1954@gmail.com

354 Teegan Court
Grand Junction, CO 81507
October 11, 2019

Principal Planner Kristen Ashbeck
Planning Director Tamara Allen
City of Grand Junction Planning Commission
250 North 5th Street
Grand Junction, CO 81501

Subject: Comments regarding the Canyon Rim 360 Project - Comp PLAN Amendment and Rezone

To whom it may concern:

MAJOR POINT NO. 1 -- **The applicant's Project proposal DOES NOT satisfy the Criteria for Plan Amendments in the City Code 21.02.130 and rezoning in 21.02.140.** Our (mine and many of my Canyon Rim neighbors) response and rebuttals to the applicant's claims are contained in Attachment A, and it is vital for you to read this.

MAJOR POINT NO. 2 -- **What I and many of my Canyon Rim neighbors support.**

While we all believe in the landowner's rights to develop his larger 600+ acre property, we believe the amending of the 2010 Comprehensive PLAN (shortened to PLAN in the following) to remove the CONSERVATION designation on this 23-acre portion of the 360-acre parcel to be totally unjustified and unwise. Additionally, the locating of 23 homes on these lands is both dangerous and reckless given the hazards that exist. Continuing the CONSERVATION designation and application of the associated criteria of 1 dwelling unit per 5 acres is much more appropriate and is our recommendation. This density allows homes to be sited on the better soils and avoid the more sensitive areas of the property, thus reducing potential impacts to both lot owners of this new development and their neighbors.

Thinking and Reasoning supporting our position.

- A. The CONSERVATION designation is common sense and should be maintained.** The PLAN identifies CONSERVATION for public or private lands which are reserved for "open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes". In the PLAN, this property received that CONSERVATION designation (1 DU/5 acres). There are real and serious reasons behind the designation which have not changed since the development of the PLAN:
- a. There are *Geologic Hazards* which make it unsuitable for development. The City code (34.20.150) states "every effort should be made to avoid, minimize, and mitigate development in mapped hazard areas". It is easily visible that the following issues and reasons were the basis for this area to be mapped and identified as hazardous:
 - i. Rock outfall issues
 - ii. Steeper slope erosion potential
 - iii. Poor building soils
 - iv. Numerous small drainage channels and depressions
 - b. With development and existing downstream floodway issues and restrictions, new irrigation & runoff impacts would have adverse impacts on adjacent existing properties.
 - c. The PLAN may have also envisioned this CONSERVATION zone as a buffer for the big development in the old, original Planned Development area (AKA the 600+ acres).

Without it, we have no or very little break between Canyon Rim subdivision and the landowner's new development on top of the hill.

- d. Some Canyon Rim subdivision property owners looked at this CONSERVATION designation when considering the purchase of their home. Their landscaping was designed based on it. Allowing major changes would seem to be pulling the rug out from existing owners who saw that designation as a plus.
- e. To nearby property owners this designation seems consistent with the steeper slopes and rolling nature of the property and poor building soils in that area. The CONSERVATION designation should remain in place, especially since the landowner and developers have alternatives in excess of 600 adjacent acres with many other sites more readily suitable for development.
- f. The Project does not meet the stated criteria for amending the Comprehensive Plan.

B. The topography, drainage patterns and soils in this area are not conducive to smaller lots.

- a. Forcing houses onto smaller lots reduces opportunities to place houses in more environmentally suitable locations.
- b. The slope of the land east of Teegan Court (where this developer wishes to build) is significant. Disturbance of soils on this portion of the parcel is likely to have adverse effects on the existing Teegan Court homes.
- c. There are presently existing drainage problems originating from the landowner's property and apparently allowed by him. Recently, drainage and sediment movement from these properties was found to be causing the clogging of the existing Teegan Court storm sewer. The city of Grand Junction expanded a significant effort to clean the drain, and one adjacent landowner spent \$5,000 on drainage improvements directly due to this storm sewer problem.
- d. Smaller lot (less than 1 acre) development is likely to cause a net loss of infiltration capacity of this property during storm events and create issues for neighboring properties and the existing storm drainage system. Preliminary layout shows several lots bisected by sometimes more than one drainage channel.
- e. Much of this can be avoided or reduced with larger lots.

C. R-1 "Clustered" housing is inconsistent with existing surrounding housing and lot arrangements. If rezoning is to be done, it should match well with existing adjacent properties.

- a. The developer says he wants to match the Canyon Rim subdivision. But actually, it would be more appropriate to match the Dakota Circle (south) side of the property as it is the longest side of the parcel (with most of the building lots) proposed for rezoning. The Teegan Court side being almost 20% shorter. The properties on Dakota Circle are in excess of 1 acre with well-spaced structures. The developer has proposed tightly spaced lots backing up to and adjacent to these larger lots. This is inconsistent. With 30-foot setbacks, it's even more inconsistent.
- b. On Teegan Court, we have staggered lots/structures with consideration of existing drainage paths, and these drainage depressions also exist on the proposed new subdivision land. Houses on the west and east sides of Teegan Court are on staggered lots which allow for improved views and the valuable open space feeling of our neighborhood. And, this lot layout does have value, making our area more desirable. Small lots and clustering of homes, and some elevated structures on the proposed development property with the existing drainage depressions would thus be inconsistent with the adjacent development and potentially lower our property values.

In Conclusion: With an abundance of land to accommodate growth, why should we destroy the wise set-aside of this CONSERVATION zone and possibly its future ability to provide a buffer for the landowner's planned 600+ acre development? Do you really want to shoot for a **win-lose** situation, or should we be tending towards a **win-win**? If development of this property is to occur, it should not be a loss for the existing Canyon Rim and Dakota Circle neighbors and for the community in general. Please respect our neighborhood and do this project in such a way that we can all call it a win-win situation.

Sincerely,



Michael L. Baker

ATTACHMENT A

EXCERPT FROM APPLICANT'S 8-7-19 AMENDMENT/REZONE APPLICATION

Applicant's responses in black square bullets with OUR (Canyon Rim residents) comments/rebuttals in Red

21.02.130 Comprehensive Plan Amendment (CPA).

(c) *Criteria for Plan Amendments.* (shown below in italics)

(1) *The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:*

OUR comment: *We do not believe the proposed Canyon Rim 360 Project is consistent with the vision (intent), goals and policies of the Comprehensive Plan. That Plan calls for, but the proposed Project does not:*

- ❖ *Fit the vision of "Becoming the Most Livable Community West of the Rockies". To us, "Livable" means keeping CONSERVATION as it is designated and allowing open space in what can easily be called a sensitive area.*
- ❖ *Provide for - "a broad and balanced range of land uses"*
- ❖ *"Preserve areas of scenic and/or natural beauty and, where possible, include these areas in a permanent open space system."*
- ❖ *Preserve environmentally sensitive and geologic hazardous areas*

(i) *Subsequent events have invalidated the original premises and findings; and/or*

- *The adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;*
- *The irregular boundary of the interface between Residential Medium Low and Conservation appears to have been somewhat associated with mesa tops and steep slopes. Current, more accurate topography, along with Hillside Regulations will preserve much of the area that was designated for Conservation.*

OUR comment: *Subsequent events have absolutely NOT invalidated the original premises and findings.*

- ❖ *Their first bullet offers no evidence. Actually, subsequent events have dramatically proven the reasoning for the original Conservation designation to be true. Many, many homes in our subdivision have encountered very expensive foundation issues. Additionally, large boulders have rolled down the hillsides in the proposed Project area. We have essentially validated the 1 dwelling unit per 5 acres zoning criteria in the Comprehensive Plan makes ultimate sense.*
- ❖ *The second bullet appears to be incorrect. The Comprehensive Plan Future Land Use map (page 179, also better seen in the City GIS) readily shows the delineation of the Conservation zone as the Canyon Rim Filling 4 lot line on the west, the Dakota Circle properties lot lines on the south, well past the ridge line and the Ute Water property on the east, and Parcel 2945-184-00-098 on the north. All or most of this is mapped as a Geologic Hazard area, a primary reason for the CONSERVATION designation.*

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

- The character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on the more developable slopes.

OUR comments: The character of the area has not changed since the adoption of the 2009 Comprehensive Plan.

- ❖ *How does annexation change the character?*
- ❖ *Canyon Rim Filling 4 was replatted in 2003. Seven houses had been developed along Teegan Court by 2009. The character of the neighbor had been established and is not at all consistent with clustering on smaller lots. We don't know what "adjacent residential subdivisions they are referring to. The nearest newer developments are Red Rock Valley and Granite Falls. Those developments have not changed the character of our Canyon Rim neighborhood.*
- ❖ *Amendment of the Plan for some unknown changed conditions would be Inconsistent.*
- ❖ *Again, it has been shown by experience, the best plan for this area is very low density.*

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

- Public facilities, in the form of utilities and an improved road, were stubbed to the property for its development.

OUR comments: *Other facilities, as in the storm sewer system and floodway, and a local street leading to this area may be inadequate.*

- ❖ *Problems are currently occurring with plugging of the storm sewer with sediment from Mr. MacGregor's property (of which Project area is being split off). The floodway is already deficient downstream as noted in the Drainage Report by Williams Engineering. Insufficient capacity and ponding along this floodway are already threatening some developed lots even without this new development.*
- ❖ *Canyon Rim Drive is inadequate to support the new (Circulation Plan) connector road to the larger subdivision the applicant wishes to build on his other 600+ acres.*

(iv) *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*

- Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres, and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.

OUR comments: *In fact, there is not an inadequate supply for the price range the applicant is planning to build.*

- ❖ *There presently exist large subdivisions at Granite Falls (104 homesites) and a newly county approved subdivision at the corner of South Camp and Monument Road. These provide a significant and possibly an oversupply in this particular price range. There are some 1200 'Vacant Platted Parcels' (totaling 846 acres) in the Grand Junction jurisdiction in the Mesa County Vacant Land Inventory. Also, there are presently 118 MLS listings in the Redlands area (93 are over \$400k).*

- ❖ Additionally, as the applicant states he has another 343 acres in this parcel, and we know he has another adjacent 238 acre parcel. Their development work on these lands is presently underway with City staff.
- ❖ Thus, with such an abundance of land to accommodate growth, why should we destroy the wise set-aside of this CONSERVATION zone and possibly its future ability to provide a buffer for the planned 600+ acre development?

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

- The Grand Junction Circulation Plan can be realized;
- On and off-site drainage improvements will benefit the surrounding subdivisions.

OUR comment: The Canyon Rim and South Camp community will not realize significant benefits from this development; in fact, there are likely to be more negative impacts.

- ❖ *The Circulation Plan proposal for this area would not benefit the residents of Canyon Rim Drive and our subdivision. As is, this is a low use residential street, with on street parking, low speeds, children walking and playing, etc. This proposal would actually damage home values and could easily lead to many residents wanting to sell and vacate their properties. It may already be happening. Is this what you call a benefit?*
- ❖ *As far as we can tell, no on- or off-site drainage improvements are in the plan for the 360 Project. In fact, they claim no additional runoff and no need for detention, which is a bit unbelievable. Our HOA believes the development of this project may have damaging effects on our existing drainage system and possibly serious impacts on the foundations of some of our homes (particularly on Teegan Court).*
- ❖ *In fact, we can identify many negative impacts which include building in a geologic hazard zone and insisting on clustering of lots, which will be a detriment to our community.*

October 5, 2019

Principal Planner Kristen Ashbeck
Planning Director Tamara Allen
City of Grand Junction Planning Commission
250 North 5th Street
Grand Junction, CO 81501

Dear Kristen:

The following are our comments on the Canyon Rim 360 application to amend the Grand Junction Comprehensive Plan 2009 and Rezone request of the 22 Acre parcel at existing end of Canyon Rim Drive. We are adjoining landowners at 347 Dakota Circle and the parcel in question is adjacent to our property.

According to the Grand Junction Comprehensive Plan 2009 this parcel of land is designated Conservation Mineral Extraction (CON) (1DU/5 ACRE). The following are the criteria for Comprehensive Plan Amendment and Rezoning Requests, and the application by the owners of this parcel do not meet these Criteria. We expect the Grand Junction Planning Commission to maintain the Comprehensive Plan designation of this parcel at the current Conservation with 1 Dwelling Unit per 5 Acres.

Following is the section of the City of GJ Development Code regarding Amendment of the Comprehensive Plan and my comments regarding each:

21.02.130 Comprehensive Plan amendment (CPA).

(c) Criteria for Plan Amendments.

- (1) The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:
 - (i) Subsequent events have invalidated the original premises and findings; and/or
 - (ii) The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or
 - (iii) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
 - (iv) 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
 - (v) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

- (i) There have not been any events that have invalidated the original premises and findings which determined this parcel to have conservation significance.

- (ii) The existing neighborhoods adjacent to this parcel were established prior to the 2009 Comprehensive Planning Process so there are no changes to the character and/or conditions of the area which require a change of the current Conservation designation.

- (iii) Due to the existing difficult and challenging drainage and soil conditions in this parcel the adjoining land owners have already had significant impacts on their properties. For this reason the current public and community resources are not adequate, and significant study and mitigation would have to be incurred to develop this area in densities greater than the planned 1 Dwelling Unit per 5 Acres. In addition, due to existing homes located on substantially similar soils as the new development, future excavation and piling required to build sustainable building foundations in the requested higher density will have a large likelihood of causing damage to existing properties and improvements made by adjoining landowners.

(iv) There is no shortage of lots currently available in the size and density this application is requesting in the area, including 104 lots approved at Granite Falls in sight of this parcel. There is an inadequate supply of 1 Dwelling Unit per 5 Acres in the community, which is the current designated density.

(v) There are no foreseeable benefits from a change in density for the community or area if the Conservation designation changes.

Following is the section of the City of GJ Development Code regarding Rezone request and my comments regarding each:

21.02.140 Code amendment and rezoning.

(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
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
- (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
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

(1) There have not been any events that have invalidated the original premises and findings which determined this parcel to have conservation significance.

(2) The existing neighborhoods adjacent to this parcel were established prior to the 2009 Comprehensive Planning Process so there are no changes to the character and/or conditions of the area which require a change of the current Conservation designation.

(3) Due to the existing difficult and challenging drainage and soil conditions in this parcel the adjoining land owners have already had significant impacts on their properties. For this reason the current public and community resources are not adequate, and significant study and mitigation would have to be incurred to develop this area in densities greater than the planned 1 Dwelling Unit per 5 Acres. In addition, due to existing homes located on substantially similar soils as the new development, future excavation and piling required to build sustainable building foundations in the requested higher density will have a large likelihood of causing damage to existing properties and improvements made by adjoining landowners.

(4) There is no shortage of lots currently available in the size and density this application is requesting, including 104 approved at Granite Falls in sight of this parcel. There is an inadequate supply of 1 Dwelling Unit per 5 Acres, which is the current designated density.

(5) There are no foreseeable benefits from a change in density for the community or area if the Conservation designation changes.

In addition the application states "The Future Land Use promotes Conservation (1DU/5AC) and Residential Medium Low (2-4 DU/AC) on this property" – this statement is factually incorrect as the Grand Junction Comprehensive Plan 2009 Future Land Use Map has no sign of a blended or overlapping densities as described by the applicant above. See Figure 1 below.

Lastly on Page 12 of the Grand Junction Comprehensive Plan 2009 Executive Summary - Key Concepts - Implementing the Vision and Guiding Principles is the following:

5. Transitioning Density

The Comprehensive Plan coordinates future land uses so that compatible uses adjoin. When significantly different densities or uses are proposed near each other, they are shown to transition from high to low intensity by incorporating appropriate buffering.

The change requested by Canyon Rim 360 for either R-2 or R-1 with Clustering does not meet the stated position of the Grand Junction Comprehensive Plan 2009 because there is no buffering between the existing density of Monument Valley Filing 6 and the proposed densities above. If the current designated Conservation Mineral Extraction (CON) (1DU/5 ACRE) density is maintained the transitions density goal will be met.

Thank you very much for your review of our comments and as we stated we expect the recommendation to the Planning Commission to be to maintain the Conservation Designation with 1 Dwelling Unit per 5 Acres on this parcel of land.

Sincerely,

James & Kristen Lummis

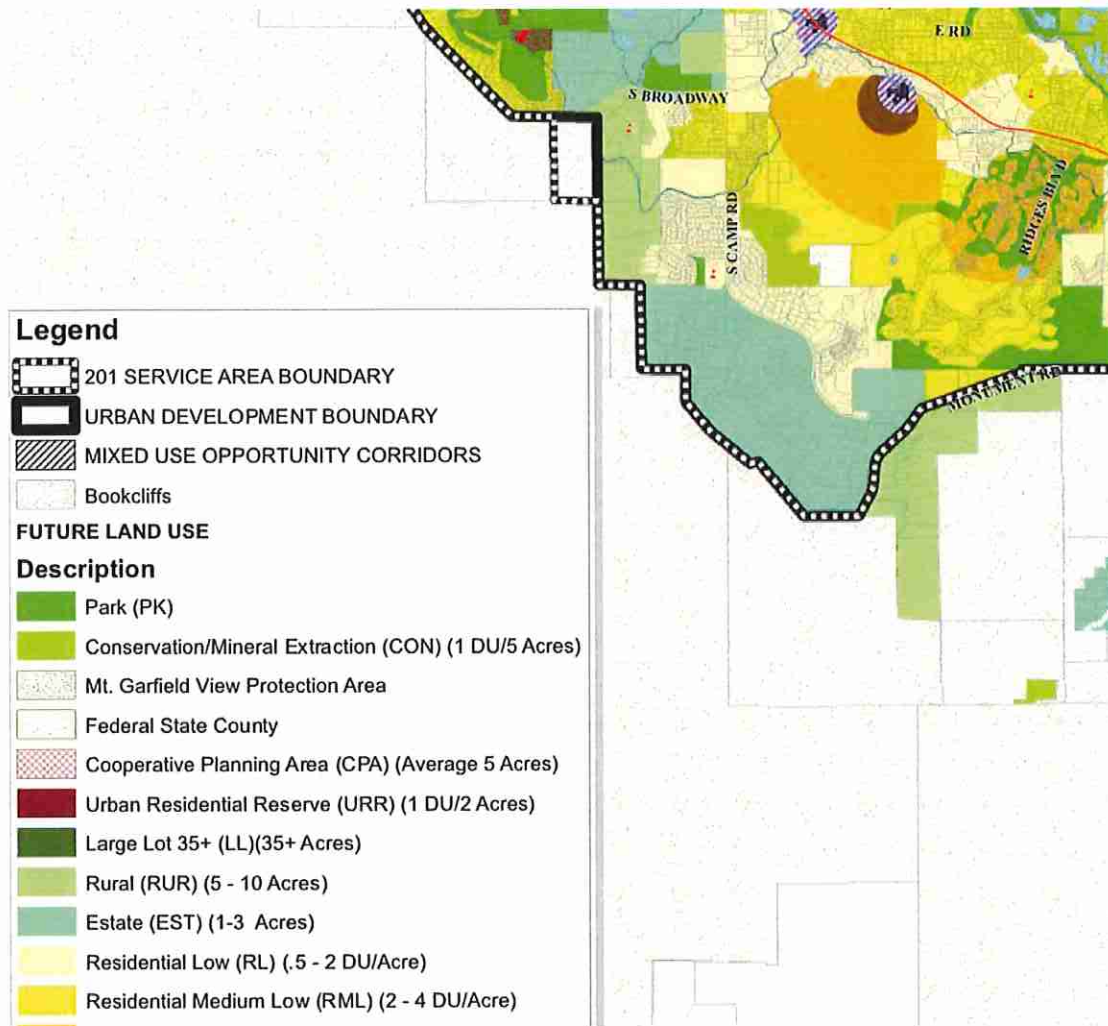
347 Dakota Circle

Grand Junction, CO 81507

Attachments: Figures 1 and Figure 2

CC: Grand Junction City Council

COMPREHENSIVE PLAN – FUTURE LAND USE MAP (Page 179 MCCP 2009) –
 Figure 1



Conservation/Mineral Extraction

Public or private lands reserved for open space, wildlife habitat, sensitive or hazardous land protection, and other environmental or conservation purposes. Mining and sand/gravel operations may be permitted as a temporary use.

Applicable Zones CSR

GRAND JUNCTION MUNICIPAL CODE VOLUME III: COMPREHENSIVE PLAN – Figure 2

A Codification of the Plan Documents that Guide Growth and Development in the City of Grand Junction, Colorado

34.20.040 Future land use and zoning.

The Redlands area is a joint planning area of Mesa County, the City of Grand Junction, and the City of Fruita. Much of the planning area is located within the joint urban planning area as depicted in the Mesa Countywide Land Use Plan and the Grand Junction Growth Plan. (The western portion of the planning area includes the GJ/Fruita/Mesa County Cooperative Planning Area (buffer or community separator) and the City of Fruita's Community Planning area (three-mile radius from City limits). The area within the joint urban planning area has a more detailed land use classification system than the more rural areas of Mesa County because of the more intense urban pressures it experiences. The planning area has 16 future land use classifications. The City's and County's development codes implement these classifications. The City's and County's zoning districts are used to establish the conditions for the use and development of land in each of the future land use categories. Lands that lie within the Redlands Planning Area and within the joint urban planning area of the City and County use the same Future Land Use Map for reference. However, the City's interpretation of the map has a regulatory effect, while the County's interpretation of the map has an advisory effect.

(f) **Areas Shown as Conservation Areas on Map.** Parcels of land that are designated as Conservation are generally properties that have limited development potential due to one or more of the following issues: floodplain, steep slopes, wetlands or major drainage issues. Properties that have such constraints with little buildable area are shown as conservation on the Future Land Use Map. Several properties previously shown as Conservation were identified as being in error and should be designated the same land use classification as other adjacent properties. These properties include:

- (1) One parcel located at 2067 E 1/2 Road from Conservation to Estate (Lots = two to five acres).
- (2) Two parcels located at 120 Mesa Grande Drive and 2336 S. Broadway respectively from Conservation to Residential Low (lots = one-half to two acres).
- (3) One parcel located at 2525 D Road from Conservation to Residential Medium-Low (two to four dwelling units per acre)

Kristen Ashbeck

From: Ray <raypl2558@gmail.com>
Sent: Sunday, September 15, 2019 10:18 AM
To: Kristen Ashbeck
Subject: Re: Canyon Rim 360

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Kristen thank you. My concern is that as you indicated in the paper the process can't be piece meal and I interpret the planning requirement GJMC 21.02.080(e) to attempt to avoid that by indicating planning of the "entire property". Unless there is a different interpretation of entire, the concept for all of parcel designated as 400 23 Road (at least the Canyon Rim section is part of the large parcel) would be required to be discussed or indeed the developers can piece meal the planning as they deem appropriate.

I really do appreciate you responding rapidly and directly, but I really think the whole process eliminates the opportunity for critical public input of the planning process if development of entire property isn't discussed. We collectively lose the opportunity to evaluate emergency response considerations, public safety, transportation, and overall impacts if the developer isn't required to provide at least a concept of the entire property. Thanks again for your service and time.

Ray

Sent from my iPhone

On Sep 15, 2019, at 9:30 AM, Kristen Ashbeck <kristena@gjcity.org> wrote:

Hi Ray,

Yes, I have your comments and thank you for submitting those. The written comments have been forwarded to the applicant's design team and they will be part of the record provided to the Planning Commission and City Council at the time the proposal is scheduled for hearings. The meeting you attended was not intended to include the "entire property" – it was for the specific purpose of the two smaller projects that are currently in the planning review process. As the developer moves forward on the "entire property", neighbors will be notified and new public meetings will be required. As far as I know, the design team is not far enough along in that process for the "entire property" to be able to have concepts, hold the public meetings and make a submittal to the City for consideration.

Please let me know if you have further questions,

Kristen Ashbeck AICP
Principal Planner

City of Grand Junction
250 North 5th Street
Grand Junction CO 81501

970-244-1491
kristena@gjcity.org

From: Ray [<mailto:raypl2558@gmail.com>]
Sent: Saturday, September 14, 2019 8:08 PM
To: Michael Baker <mbaker0404@gmail.com>
Cc: Kristen Ashbeck <kristena@gjcity.org>; Kristen Lummis <jkummis1@me.com>; Canyon Rim HOA <yourcanyonrimhoa@gmail.com>; canyomrimhoa@aol.com
Subject: Re: Canyon Rim 360

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Kristen this is Ray Plieness. You have my comments. Does the planning department address comments as a matter of practice before they send them to the Commissioners or not? If so are those responses public ally available? I am particularly interested in how your team address the “entire property”. Thank you. Ray Plieness

Sent from my iPhone

On Sep 11, 2019, at 2:49 PM, Michael Baker <mbaker0404@gmail.com> wrote:

Kristen A. -- I think you need to let us know whether our comments are lost or not. I assume the planning commissioners normally wish to review some or all of the neighbors' comments. When we wrote them and contributed our "unpaid" time, we expected the decision makers would consider our comments. Do we need to re-submit them?

I would suggest you need to make a list of all the comments you have in your possession (names, addresses and dates) and send it to us so can be sure our views are at least in the commissioners' packet (whether someone actually considers them or not).

This really doesn't look good for your process.

mike baker

On Mon, Sep 9, 2019 at 11:04 AM Kristen Ashbeck <kristena@gjcity.org> wrote:

I think the ones they included were those that went directly to the consultant. All of the others were forwarded to the developer's representative or we still have them. However, my computer crashed and was rebuilt this summer and I may have lost some of them. I can ask the developer's representative if they still have the old ones.

From: Michael Baker [mailto:mbaker0404@gmail.com]
Sent: Monday, September 9, 2019 10:24 AM
To: Kristen Ashbeck <kristena@gjcity.org>
Cc: Kristen Lummis <jkummis1@me.com>
Subject: Re: Canyon Rim 360

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My neighbor, Kristen Lummis, and I both noted that the attachment you sent me entitled "Letters from Neighbors" did not include the letters that we sent during the neighborhood meeting phase. Have they been lost or are they captured somewhere else?

Please reply to all.

mike baker

On Thu, Sep 5, 2019 at 9:36 AM Kristen Ashbeck <kristena@gjcity.org> wrote:

Hi Mike,

See attached information and let me know if you have further questions.

My mailing address is below – please put any correspondence to my attention.

Kristen Ashbeck AICP

Principal Planner

City of Grand Junction

250 North 5th Street

Grand Junction CO 81501

970-244-1491

kristena@gjcity.org

April 18, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

Re: Subdivision Development
400 23 Road
Grand Junction, CO

Dear Ted and Kristena,

My name is Don Kendall. I reside at 360 Teegan Ct. I was surprised and a little shocked to receive your letter in the mail. We bought this lot and had our dream home built here in 2008. We were aware that the property behind us was privately owned but also knew it was inconceivable for the land behind us could be developed. It's uneven landscape, dramatic elevation grade and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area I can make sense about the land to the south of us at the end of Canyon Rim Drive and then to the east and south being developed, even though I still don't like it. In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us. After hard rains the 3 waters drainages above us turn into creeks. I'm not against the development of open property. We wouldn't be living in our home now if Canyon Rim wasn't local developers John Thomas and Dave Bagg. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. If this project moves forward, I am prepared to gather a great number of signatures on a petition from neighbors in Canyon Rim Subdivision, Monument Valley and those who recreate in this area. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations
- * Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we are going to have to heavily rely on The City of Grand Junction Planning Department, starting with you Kristena, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,

Don and Julie Kendall

Kristen Ashbeck

From: Linda Spinner <spinnerlinda@gmail.com>
Sent: Monday, April 22, 2019 10:37 AM
To: Kristen Ashbeck
Cc: ted@ciavonne.com
Subject: Renaissance and Canyon Rim development

Hopefully you can address traffic impact at the corner of South Camp and South Broadway. This has not been addressed with prior development (Granite Falls). The traffic at this intersection is increasing rapidly. With the blind curve heading west toward that intersection, it will be a short time before there is a rear end crash as cars round that curve and approach backed up vehicles waiting to turn. Vehicles coming from west need to slow down so turning is possible. Time for a round a bout at that intersection?

Linda Spinner
970-596-4522
spinnerlinda@gmail.com
Renaissance subdivision

MARCUS P. STRAUB KELLIE R. CALDWELL STRAUB

444 Athens Way • Grand Junction, CO • 81507

M: 970.208.3150, marcusstraub@bresnan.net | K: 970.261.8455, kelliestraub@charter.net

To:

Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org
Tamra Allen Community Development Director, City of Grand Junction | TamraA@gjcity.org
Ted Ciavonne PLA, Ciavonne, Roberts & Associates, Inc | Ted@ciavonne.com

City Council of Grand Junction

Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org
Councilmember Phillip Pe'a, District B | PhillipP@gjcity.org
Councilmember Anna Stout, District C | AnnaS@gjcity.org
Councilmember Duke Wortmann, District D | DukeW@gjcity.org
Councilmember Duncan McArthur, District E | DuncanM@gjcity.org
Councilmember Rick Taggart, District at Large | RickT@gjcity.org
Councilmember Chuck McDaniel, District at Large | ChuckMc@gjcity.org
General Mail | BelindaW@gjcity.org

Greetings,

This letter is intended to provide direct feedback on proposed Developments A and B located at 400 23 Road and the Neighborhood Meeting that took place on Monday, April 22, 2019. As adjacent neighbors to the Major Subdivision located at the end of Renaissance Boulevard, long-term contributing citizens to our community, and a native resident of the Grand Valley, we have many important and pressing concerns about these imminent developments and future plans for the parcel as a whole.

First and foremost, it is important to point out that we do not dispute the rights of any private property owner to develop their land in accordance with all city, county, and state laws. We are also deeply grateful to the current land owner for allowing members of our community to, over the years, use and enjoy the countless walking, hiking, and biking trails that currently exist on this property.

At the same time, we do dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

In an effort to ensure fair short and long-term consideration to all individuals affected by any pending and future developments proposed for 400 23 Road, we respectfully submit the following input and concerns based in part on the responsibilities of the City of Grand Junction Planning Director and Planning Department, and as outlined in the City of Grand Junction development codes referenced below:

21.02.070 Administrative development permits.

(q) Subdivision.

- (9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;

(17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and

(18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

(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 Junction Circulation Plan, and other adopted plans;

(iv) Other standards and requirements of this code and other City policies and regulations;

(v) Adequate public facilities and services will be available concurrent with the subdivision;

(vi) The project will have little or no adverse or negative impacts upon the natural or social environment;

(vii) Compatibility with existing and proposed development on adjacent properties;

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

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

(e) Protect and maintain the integrity and character of established neighborhoods;

Item #1: Soil Quality, Soil Stability, and Drainage

This area of the valley has already experienced significant and ongoing issues related to soil quality, soil stability, and drainage. Many of the existing homeowners in surrounding neighborhoods (including, but not limited to, The Renaissance and Canyon Rim Subdivisions) have been required to invest tens and hundreds of thousands of private dollars post-construction to mitigate critical errors and/or oversights made by previous engineers, developers, and builders.

Bentonite soil, unstable slopes, natural erosion, and ground water levels are directly responsible for significant and ongoing foundation and structural issues. These same conditions exist for the lands that will house both proposed subdivisions (Development A at the end of Renaissance Boulevard and Development B at the end of Canyon Rim Drive). In addition, drainage factors from natural sources, canal seepage, irrigation runoff, and erosion from surrounding hills continue to pose serious foundation and structural issues for existing homeowners. These factors will only increase once the proposed development projects begin and 37 new homes are constructed on 29 acres of already-unstable grounds.

Colorado Law, in an effort to avoid adverse impact to downstream or downhill properties, currently requires land owners to adequately control runoff from their properties. Due to the existing landscape of privately-held land directly adjacent to proposed Developments A and B, and the structure of the entire 400 23 Road parcel, a number of valid concerns exist for current property owners. The addition of new homes and roads will only increase the potential for natural and irrigation runoff. The breadth of these impacts must be thoroughly researched, understood, and addressed prior to approval and construction.

Per the stated development codes above, it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated parties

undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth (i.e. maintenance of roads and infrastructure, police, fire, schools, etc), and minimize negative or financial impacts to existing land and homeowners.

Simply stated, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and:

1. Commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:
 - How the proposed developments will directly impact the properties of existing homeowners, and
 - Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.
2. Provide detailed information to the public about all future housing developments planned for the entire 400 23 Road parcel and be transparent with any potential soil, stability, drainage, and/or runoff issues that may exist for lower elevation subdivisions during the development process. Understanding future impact is both reasonable and fair to avoid potential harm and financial impact to existing homeowners.
3. Provide detailed information to the public about plans for two future “Unclassified Roads” that will connect Minor Collectors Renaissance Boulevard (Development A) and Canyon Rim Drive (Development B) to Major Collector 23 Road on the eastern edge of the 400 23 Road parcel. Any potential issues directly related to the construction of these roads must be thoroughly understood and revealed prior to development.
 - In fact, on prior circulation plans and planning discussions, the City required this issue be addressed before any development would be allowed. We would like a thorough explanation of why that policy was changed for this development and the legal standing to support it
 - It has also been noted that the Circulation Plan for the 400 23 Road Parcel and the Renaissance Concept Plan do not align. While the Circulation Plan calls for an Unclassified Road that will connect to Minor Collector Renaissance Boulevard (Development A), the Concept Plan does not.
4. Provide a comprehensive and public explanation as to why the “lower” sections of the 400 23 Road parcel (Development A and Development B) are being expedited through the development process when the “upper” sections nearer Major Collector 23 Road have fewer soil quality, stability issues, and drainage concerns to address, and greater potential property and value to the existing land owner and developer.
5. Provide all adjacent homeowners and HOAs (not just those within 500 feet of the proposed development property lines) with historical documentation about all previous zoning changes to both Development A and Development B.
 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both areas been repeatedly told by local real estate agents during the sales process that “there won’t be any development behind you?” These questions deserve to be investigated and understood.

Item #2: Subdivision Covenants and Aesthetics

It was clearly stated by Ted Ciavonne during the one required “neighborhood meeting” that the new homes planned for development would be of “better” quality and/or construction than the existing adjacent homes. This was a deeply offensive statement to those in attendance. Existing homeowners take great pride in their homes and have had to make significant structural and aesthetic improvements, including landscape design, standard maintenance, internal construction, and repairs to mitigate structural damage resulting from existing soil and foundation issues. We are proud of our homes and surrounding neighbors, for the most part, take great pride in the homes they have built and/or bought throughout the years.

In regard to Development A at the end of Renaissance Boulevard, the ground elevation of the proposed neighborhood is between 6 and 15 feet higher (running north to south) than the adjacent homes on the east side of Athens Way. For homeowners who back up to the proposed development, this raises several critical and very serious concerns – from all points raised previously regarding soil quality, stability, drainage, and runoff issues, and the impact all will have on existing landscapes and foundations – in addition to privacy, noise, and aesthetics.

In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

In an effort to ensure that any new developments adhere to the City of Grand Junction development codes referenced above, we respectfully request that:

1. A complete engineering and geological evaluation of Development A and Development B, plus all adjacent properties, be undertaken to fully understand any potential current and future potential effects to soil quality and stability due to increased disturbance from construction and added drainage from natural sources and/or irrigation.
2. All HOA covenants for the new proposed subdivisions be written and released prior to development being approved and started.
3. Covenants require single story homes to help preserve views, protect privacy, and maintain aesthetics consistent with surrounding neighborhoods.
4. Covenants require xeriscaping to help minimize the risks and negative effects associated with increased soil instability and poor drainage from increased irrigation and runoff.
5. New lot lines be strategically staggered against existing lot lines.
6. Adequate buffer zones be added to proposed development plans for both neighborhoods.
7. Input from Redlands Water and Power Company about the proposed projects and plans for the existing water canal running along the western edge of proposed Development A be made public.
8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

Item #3: Creating and Protecting Open Spaces

It is the responsibility of any community to thoughtfully and strategically create, maintain, and protect adequate open space for its contributing citizens. This is especially important for the Grand Valley as our population continues to grow and development needs continue to expand. In order to preserve the native look, feel, and culture of this historic area – including nature, animals, and items of historical relevance – private citizens and public officials must be willing to work together toward collaborative and mutually agreeable solutions.

The “Future Land Use Map,” “Circulation Plan,” and “Existing Zoning Map” for the 400 23 Road parcel displayed by Ciavonne, Roberts & Associates, Inc at the April 22nd Neighborhood Meeting clearly demonstrate that all land included in the parcel is targeted for immediate and near-term development, all but eliminating any possibility of future outdoor and recreational use.

As it currently exists, and at the generosity of the existing land owner, this tract of land has grown as a popular recreational area within the City of Grand Junction. Countless individuals respectfully enjoy this landscape as a place to exercise, engage in physical activity, take in views, share time together, commune with nature, and improve their lives. The ability and freedom to do so has been a core tenant of our community, marketed extensively, and is now one reason our area continues to grow in popularity. Complete development of this parcel will eliminate one of the last remaining centrally-located open spaces in our valley and will also result in the destruction of countless animals, trees, and the mysterious hand-carved gnomes that line the western ridge adjacent to existing BLM land.

With the goal of protecting and preserving a fair volume of open space available for use by those who live here now and the many generations that will come, we respectfully request the City take a “time out” to adequately:

1. Study the possibility of purchasing and/or placing the land in a conservation trust.
2. Study the possibility of working in collaboration with the BLM and other organizations (i.e the Trust for Public Land and the Colorado West Land Trust, among others) to preserve the land as open space.
3. Consider the creation of a conversation easement that would include and connect the lands currently slated for development (A and B) with the western ridge of land adjacent to BLM land. This action would preserve all lower lands, eliminate expensive and extensive soil, drainage, and runoff mitigation complications associated with the Renaissance and Canyon Rim extensions, save existing nature preserves – including the beautiful Cottonwood trees lining the canal at the end of Renaissance Boulevard – and maintain some of the oldest juniper trees and hand-carved gnomes placed by one our valley’s most beloved citizens and artists. The preservation of a wide “greenbelt” of land, with easy trail access, would also result in lower development costs and higher home values for future development of 400 23 Road.

In closing, we offer the following summary comments:

- The right of the existing landowner to develop his property is not under dispute.
- The rights of existing and adjacent property and homeowners carry equal weight and must be thoroughly considered before any development plans are finalized and construction projects commence.
- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.

- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

As adjacent homeowners to proposed Development A, we have a number of significant concerns regarding the plan for housing directly behind our homes. Homes on the east side of Athens Way, running north and south of Renaissance Boulevard are topographically much lower in elevation (from 5 to 15 feet or more) from the land proposed for development. It is important for the City of Grand Junction to review, adequately address, and build solutions into their plans for these potential concerns – and communicate them to homeowners – prior to developments being approved.

- Have planning departments representatives from the City been on-site to adequately review and understand the impact to adjacent homeowners from building so close in proximity?
- How will the City manage the potential negative effects to existing homeowners from excessive drainage due to construction, irrigation, natural seepage, runoff, and more?

Thank you for your time and consideration,

Marcus P. Straub

Marcus P. Straub
p: 970.261.8455 | e: marcusstraub@bresnan.net

Kellie R. Caldwell Straub

Kellie R. Caldwell Straub
p: 970.261.8455 | e: kelliestraub@charter.net

From: Karen Combs 7kcombs@gmail.com
Subject: 400 23 Road Proposed Developments
Date: May 20, 2019 at 8:26 AM



To: KristenA@gjcity.org, TamraA@gjcity.org, Ted@ciavonne.com, PhyllisN@gjcity.org
Cc: PhillipP@gjcity.org, AnnaS@gjcity.org, DukeW@gjcity.org, DuncanM@gjcity.org, RickT@gjcity.org, ChuckMc@gjcity.org, BelindaW@gjcity.org, Rob Bleiberg rob@cowestlandtrust.org, SouthCampNeighbors@gmail.com, yourcanyonrimhoa@gmail.com
Bcc: Libby Collins libby@cowestlandtrust.org, Karen Combs 7kcombs@gmail.com, Lynn Wegener lynnwegener@gmail.com

Dear Kristen Ashbeck, Tamra Allen, Ted Ciavonne, and Honorable Grand Junction City Councilwoman Phyllis Norris

We are writing in strong support of the recent Open Letter to you regarding 400 23 Road proposed developments submitted by Kelli Straub. We'd like to relate our personal comments. At the end of last year, we moved from East Orchard Mesa/Palisade to what we have nicknamed our "last home" on Caprock Drive. We loved our rural life among the orchards and vineyards, enjoyed biking the Fruit Loop plus the activities of Palisade. However, we consciously choose to stay in our treasured valley and to move close to the Monument for the following reasons:

- As we are seniors, having safe walking and bicycle paths adjacent to neighborhood roads is now more important to us. We look forward to the new bike path extension to Lunch Loop and hope that the path will eventually extend to South Camp Road.
- "Easter Hill" aka "Water Tank" offers readily accessible walking paths with unparalleled spectacular 360 views of our valley. Thank you Robert Macgregor for allowing this area to be enjoyed and valued by so many residents, young and old. These trails were a key factor in deciding our home location.
- Our home location is closer to Main St and the richness of activities that downtown offers, especially the Avalon.
- We were ready to have neighbors next door to us - versus down a 1/4 mile driveway and beyond.
- Finally, we love the dark sky at night.

Our immediate concerns with Renaissance Boulevard Extension (Development A):

Due diligence. It concerns us that the Renaissance development seems to be happening most rapidly with minimal involvement of the adjacent homeowners who have the most at stake with problematic soils, drainage concerns and other issues which jeopardize their homes and neighborhood - with potentially significant financial repercussions. We feel the city planners need to be transparent and open to working with existing residents, not just developers. We dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

Given development codes ([21.02.070](#) sections q and r), it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated parties undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth and minimize negative or financial impacts to existing land and homeowners.

Simply, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:

- How the proposed developments will directly impact the properties of existing homeowners, and
- Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.

Our immediate concerns with Canyon Rim Drive Extension (Development B):

From our Soils Report 5/6/2008, produced by Grand Junction Lincoln DeVore, Inc:

"While it is believed that under the existing conditions at the time of this exploration, the construction process would not be affected by any free-flow waters, it is very possible that several years after development is initiated, a troublesome perched water condition may develop that will provide construction difficulties. In addition, this potential perched water could create some problems for existing or future foundations on the tract. Therefore, it is recommended that the future presence of a perched water table be considered in all design and construction of both the proposed residential structures and any subdivision improvements." We underlined for emphasis. Perched water is "groundwater occurring in a

saturated zone separated from the main body of groundwater by unsaturated rock" according to Merriam-Webster.

Our soils report additionally referenced Senate Bill 13 (CRS 6-6.5-101) that the developer provide the owner a copy of Special Publication 43, "A Guide to Swelling Soils for Colorado Homebuyers and Homeowners".

We live close to the "low end" of Caprock Dr. with an easement behind our home for drainage from higher areas, i.e., Teegan Court area and the Water Tank hillside to the east. But will that easement of green space be enough to drain the proposed "upstream" development too? With more homes, more land will be disturbed with fewer paths of runoff and soil to accommodate drainage. The issues of Development B are very similar to those above for Renaissance Development A. Let us all pause to take stock, research, and work together.

Our immediate concerns with the larger 400 23 Road Parcel:

1) Protecting Open Spaces per the City Development Standards (code 21.06.020 Public and private parks and open spaces, section b. and Trails, section c.)

We would like to see the development plans to retain a minimum of 10% of gross acreage as "open" - or understand the plan for equivalency on these proposed projects.

2) Landscape, buffering and screening standards. (21.06.040 - b.8.)

"Preservation of Significant Landscape Features. Existing landscape features such as escarpments, large or old trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the Director as part of the development review process. To the extent the Director deems practicable, such features shall be preserved by the final plans and to such extent, count toward landscape and open space area requirements. Features to be preserved shall be protected throughout site development."

How does the development plan include retaining some of our oldest juniper trees in the valley?

Can we preserve the aesthetics of the unique ridge line bluff to the west - unlike what has happened on Monument Road?

See 21.06.060 Subdivision standards, section h on Location and Use of Open and Undeveloped Space.

3) The 400 23 Road parcel is the last remaining undeveloped central jewel of our valley. Given its magnitude, natural beauty, and varied opportunities for development, green space and trails, the city council, planners and developer should take time for input and smart planning. With the work underway on the Grand Junction 2020 Comprehensive Plan, it seems reasonable that 2020 work should address this parcel as part of the "big picture" of our valley development. Further, we would like to see the 400 23 Road owner/developer work closely with the Western Colorado Land Trust, the BLM, and Trust for Public Land on creative trail and open space conservations.

4) Last but not least, wildlife activity and corridors need to be taken into account. Regardless of development of 400 23 Road, wildlife in the greater Monument area will continue to move to access food, water, the river - all vital to them. We need to proactively consider their impact as we impact them.

With sincere respect and hope for engagement,

Lynn Wegener

Karen Combs

Lynn Wegener and Karen Combs
372 Caprock Drive
Grand Junction, CO 81507
970-523-4364

Kristen Ashbeck, City of Grand Junction Planning Department
kristena@gjcity.org

Tamra Allen, Planning Director City of Grand Junction
Tamraa@gjcity.org

Ted Ciavonne, Ciavonne, Roberts and Associates
ted@ciavonne.com

April 26, 2019

Thank you for the opportunity to provide comments regarding development on two parcels at 400 23 Road.

We do not dispute the landowner's right to develop this parcel. However, as adjacent landowners, we dispute the notion that he and his chosen developer can develop their plans without consideration of the private property rights of neighboring landowners and in a manner which accommodates the property concerns of impacted neighbors and conforms with City of Grand Junction Development Codes and Standards.

To this point, we offer the following suggestions.

1. Soils and drainage

There are significant, legitimate concerns regarding soils and drainage in the parcels, especially regarding the extension of Canyon Rim Drive into 22 acres of variable, largely bentonite soils, containing two ephemeral streams that capture runoff from surrounding hills.

The City of Grand Junction should undertake a comprehensive soils and drainage analysis to determine how development in this area will impact existing homeowners, many of whom have already had to undergo expensive and extensive mitigation. It would also help determine which party bears (City of GJ, developer, homebuilder, or property owner) liability for damages that occur to existing and future homeowners

With this information, the City could determine how many homesites are appropriate for this land as well as require infrastructure to avoid damages to current existing neighborhoods and to homeowners within the proposed new neighborhoods.

Additionally, we think it is important that the developer be transparent about future development. The development of a potentially busy road, extending Canyon Rim Drive up onto the top of the 400 23 Road parcel will have significant runoff, soils and drainage issues. It makes sense that these issues be known before proceeding with development. If they are not known, this will only cause harm to homeowners in the future.

The current Grand Junction Circulation Plan specifies an "Unclassified Road" to connect the Minor Collector Canyon Rim Drive to the Major Collector 23 Road on the eastern edge of the owner's parcel. The city should address this road now for the reasons stated above. Also on prior circulation plans and planning discussions for the current Parcel B the city required this issue be addressed before any development was allowed. Why has this changed for this development?

The landowner, developer and the City bear responsibility for ensuring that any development be of high quality, structurally sound and safe, and that the development will not result in damage to existing homeowners, thus requiring them to spend thousands of dollars on repairs.

Furthermore, under Colorado law landowners are required to control runoff from their property, not allowing it to impact those downhill or downstream from them. The City should hold the current landowner and developer to this standard in order to ensure no one suffers material harm in the developers' pursuit of profit.

Lastly from current City of GJ development code it is the Planning Director's responsibility to:

21.02.070 Administrative development permits.

(q) Subdivision.

- 9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;
- (17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and
- (18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

- (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 Junction Circulation Plan, and other adopted plans;
 - (iv) Other standards and requirements of this code and other City policies and regulations;
 - (v) Adequate public facilities and services will be available concurrent with the subdivision;
 - (vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
 - (vii) Compatibility with existing and proposed development on adjacent properties;

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

We expect a rigorous adherence to these responsibilities by the planning director for this development application.

2. Mitigation of impacts to the Monument Valley neighborhood

We believe Monument Valley, including Dakota Circle, was developed as a PUD and the lot size (greater than 1 acre going up to 2+ acres) is equivalent to R-E zoning. Therefore, it is appropriate, and included in the City's development code, that R-1 zoning provide a buffer/transition zone before moving to R-2 zoning. This could be accomplished by creating open space or one-acre lots on the south side of the Canyon Rim extension, and then allowing R-2 zoning on the north side. Please note, that larger lots would have a higher value and be more desirable than the small lots currently shown on the plat, and could better take into account soils and geography, as well as remain in keeping with the character of an existing neighborhood that predates Canyon Rim.

3. Measures to improve the aesthetics and value of the new development

a) Staggered lots lines. Staggered lot lines should be required throughout both proposed developments. Houses lined up back-to-back in straight lines are largely out of character with this area. Staggered lots lines preserve and protect views, and provide desirable privacy, for all homeowners, existing and new.

b) Covenants requiring single story homes. This will help preserve and protect views of existing and new homeowners as well as provide architectural consistency within the development.

City of Grand Junction Code states the following, and is applicable to both items 2 and 3 above.

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

(e) Protect and maintain the integrity and character of established neighborhoods;

4. Open Space Considerations.

This parcel is a popular recreational area close in to the City of Grand Junction. A time out to study the possibility of the City, in conjunction with the BLM, Mesa County and organizations like the Trust for Public Land or the Colorado West Land Trust, could preserve, via an easement, the western portion of 400 23 Road, linking the two proposals slated for development with the western ridge land and adjacent BLM land.

Preserving a wide greenbelt in this area with easy trail access would result in higher values for future development of 400 23 Road, while avoiding the soils and drainage complications associated with the Renaissance and Canyon Rim extensions.

If this is not possible, we request a trail connection from open space owned by Monument Valley Filing 7, Dakota Circle and cul-de-sacs adjacent to, to existing BLM land.

As we said above, we do not dispute the right of the landowner to develop his property.

However we ask that the City of Grand Junction work diligently to ensure that the property rights of existing owners in this area are not adversely impacted.

Allowing an R-2 zoning along the southside of the property adjacent to Dakota Circle has an adverse impact upon existing property rights. It is a taking.

Likewise, allowing development that is inappropriate for the geographic conditions, resulting in harm to existing homeowners is a violation of property rights and a taking.

Existing homeowners purchased property in these neighborhoods anticipating a certain neighborhood character as well as an assumption that their property rights are given equal weight to the rights of anyone else.

These rights and expectations have a legitimate place in this discussion and we request that the City take into account all concerns and work with the landowner and developer to ensure new development that is responsible, respectful and appropriate, meeting the needs of all parties.

Thank you very much.

Sincerely,

James B Lummis

Kristen Lummis

347 Dakota Circle, Grand Junction, CO 81507
970-260-2137

Subject: Neighborhood Concerns and Community Comments re: 400 23 Road Proposed Developments A (Renaissance Boulevard) & B (Canyon Rim Drive)

To: Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org Tamra Allen Planning Director, City of Grand Junction | TamraA@gjcity.org

City Council of Grand Junction Mayor Barbara Traylor Smith, District B | BarbaraS@gjcity.org Mayor Pro Tem Bennett Boeschstein, District C | BennettB@gjcity.org Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org Councilmember Duke Wortmann, District D | DukeW@gjcity.org Councilmember Duncan McArthur, District E | DuncanM@gjcity.org Councilmember Chris Kennedy, District at Large | ChrisKen@gjcity.org Councilmember Rick Taggart, District at Large | RickT@gjcity.org General Mail | BelindaW@gjcity.org

I contend the Neighborhood meeting held on April 22, 2019 in regard to the subject development did not comply with GJMC 21.02.080(e) for neighborhood meeting requirements for the following reasons;

- 1) The city staff did not explain the rules and requirements. City staff did not provide information regarding the project's compliance with the Comprehensive Plan and any applicable adopted plan or ordinance. Even when asked specifically about transportation development for the entire property and the apparent piece meal approach of the entire property the staff did not provide information on the process for the benefits of the neighbors and impacted citizens to understand the process. The applicant did not describe any ways to mitigate impacts but rather simply stated that we will meet the legal requirements later in the process, but clearly didn't facilitate a discussion or answer questions in a way to provide any context on the approach to mitigate issues. Lastly, it indicates in the code (at a minimum) the concept plan shall delineate access to the site; internal circulation, the range of density of the entire property or the maximum intensity (square footage and stories for all buildings). The meeting did not show any internal circulation except for 2 small areas within the property (**entire property** of 400 23 Road) which clearly misses the intent of providing the neighbors an opportunity to understand the entire concept for the **entire property**.
- 2) Of major concern is transportation and emergency planning of the individual pieces of the entire property proposed on the "internal circulation". Per the 2018, Grand Junction Circulation Plan, Street Plan Functional Classification Map, it indicates that for unclassified future streets (which the entire property delineated two in the graphics shown at the meeting) requires a Traffic Impact Analysis to designate it's classification that demonstrates vehicle traffic demand within the area of interest (not limited to the particular development under consideration). It is clear, that the intent of **the entire property** development is to use existing roads developed to provide access to existing subdivisions in significantly different ways in the future, with no identified analysis of the impacts, let alone mitigations planned as required by the neighborhood meeting and planning codes.

Based on this I would request the City not approve any permits or other actions that allow the planning process to move forward until a compliant meeting is held. The City should require the applicant to host another meeting or the City should host another meeting and comply with the intent of the Neighborhood meeting and have a dialogue on the entire property to include project impacts, mitigation plans, and the results of the Traffic Impact Analysis.

Raymond Plienness, Resident Canyon Rim Subdivision, HOA Board Member

2205 Desert Varnish Court, Grand Junction, CO 81507

Kristen Ashbeck

From: Kristen Ashbeck
Sent: Thursday, May 23, 2019 9:10 AM
To: ted@ciavonne.com
Subject: FW: Proposed Developments near Canyon Rim and Renaissance Sub-Divisions

From: Paul Cowan [mailto:PaulCowan886@hotmail.com]
Sent: Wednesday, May 22, 2019 7:16 PM
To: Phyllis Norris <phyllisn@gjcity.org>; Phillip Pe'a <phillipp@gjcity.org>; Anna Stout <annas@gjcity.org>; Duke Wortmann <dukew@gjcity.org>; Rick Taggart <rickt@gjcity.org>; Belinda White <belindaw@gjcity.org>; Kristen Ashbeck <kristena@gjcity.org>; TamaraA@gjcity.org; Chuck McDaniel <chuckmc@gjcity.org>
Subject: Proposed Developments near Canyon Rim and Renaissance Sub-Divisions

Dear City Officials,

I am a resident of the Canyon Rim sub-division and have lived in the neighborhood since 2010. By now, I am sure you have received copies of the "Open Letter to the City of Grand Junction" which summarizes neighborhood concerns regarding the proposed developments in the Renaissance and Canyon Rim sub-divisions. I've been following this issue closely and agree with the points made in that letter. I would like to add some of my personal observations and concerns.

Let me premise my remarks by saying that I respect the right of the property owner to utilize and develop his property. I am also very grateful that he has allowed me to enjoy his property as a hiker, a birder, and a bike rider. It has greatly improved the quality of living in this area. It is nice to have a Pinyon and Juniper forested area so close to urban development.

I have spent a lot of time hiking and bike riding on the single track trails in the "Water Tank" Area. I also ride a road bike several times a week and my route takes me through the Canyon Rim, Renaissance and Trails West neighborhoods. On these rides, I have noticed that after a good rainstorm, mud and gravel has washed down on to the north end of Teagan Court, the north end of Canyon Rim Court and particularly near the cut-de-sac on Mirada Court. When I am on the foot path that runs above the outermost homes of the Renaissance sub-division that are on Montero Court and Mirada Court, it is obvious that those property owners are already experiencing problems with drainage and run-off from the cliffs above their property. I can see debris moving down hill towards their back yards. While I am not a geologist, it is obvious to me that there are run-off and soil stability issues from the slopes above the two existing sub-divisions. I believe future development on these cliff areas will only exacerbate the problem existing property owners are already experiencing. I am very concerned about the impacts these new developments may have on existing property owners in both sub-divisions.

It is my understanding that the original plan for the parcel adjacent to Canyon Rim was that it was to be a "conservation easement" and only a maximum of four or five homes could be built there. Surely the developer knew this when he purchased this land. Why do we have zoning if it can be so easily changed at the request of one person, especially when such a change will have a significant impact on the surrounding homeowners who purchased their homes and/or lots based on the zoning that existed at that time. I have no issue with the construction of four or five homes in this area. However, I believe that what is being proposed (23 homes) is not suitable for this geologically unstable area. If home owners are supposed to do due diligence regarding nearby zoning before purchasing their homes, why should developers be any different? There is a vacant lot for sale at the end of Canyon Rim Drive. Can I purchase that lot and then ask the city to change the zoning of my lot to allow me to operate a fire

siren testing facility as part of my new house? Obviously I am exaggerating but this example is what bothers me about zoning changes that occur right next to established neighborhoods.

Has anyone from the City planning department ever been out to this proposed development area when it is wet from rainfall? I have hiked through there many times and the bentonite soil turns in to a wet gloppy mess with slippery "goo" plastered to my hiking boots. I don't even think of taking my bike up there. Given the problems existing homeowners have had due to the soil conditions, I am very skeptical that any new development in these particular locations will fare any better than the numerous property owners in Canyon Rim who experienced serious problems with their houses (as described in the "Open" letter).

I had a recent conversation with another Canyon Rim property owner who told me that when Canyon Rim first came on the market, he considered purchasing a lot on Teagan Court which is the street closest to the new proposed subdivision B. He told me that prior to his purchasing the property, he had the building site analyzed by an engineer. This engineer told my neighbor that due to the soil conditions, it would probably cost at least \$200,000 to do the amount of excavation that would be necessary to prepare the site for a foundation. Needless to say, he decided to purchase a different lot, as far away from Teagan Court as he could get.

From the meetings that I have attended, there seems to be a rush on the part of the City and the developer to get the Canyon Rim parcel re-zoned and construction activities started as soon as possible. I believe that a more prudent course of action is to follow through with the recommendations made in the "Open" letter. A determination needs to be made that any new development is not going to have an adverse impact on existing and adjacent property owners. It is my understanding that this is required by law. And I believe it is only right that new developments must comply with existing City of Grand Junction planning codes.

No one is disputing the right of the property owner to develop his land. However, I don't think a development of the scale being proposed is an appropriate or smart use of this particular area between the existing sub-divisions and the top of the rim where the water tank and cell phone towers are. I agree with the point made in the "Open" letter that it would be good planning to acquire this area as a greenbelt which would buffer the development that will eventually occur on the rest of the property (further to the east) from the Canyon Rim and Renaissance sub-divisions. It would preclude the construction of this large number of houses on very unstable soil and minimize the impact (run-off, drainage, etc.) such a development would cause to those of us who are already living in the Canyon Rim and Renaissance sub-divisions. The developer could still build four or five houses in this particular area. It would save valuable open space that will only become scarcer as Grand Junction continues to grow. The open space would even be a nice marketing type amenity for the future development that is planned further to the east.

Thank you for your consideration and listening to our concerns.

Sincerely,

Paul Cowan
Marlyn Peterson
371 Caprock Drive
Grand Junction, Colorado 81507
435-260-1825

Kristen Ashbeck

From: Kristen Ashbeck
Sent: Thursday, May 23, 2019 11:00 AM
To: ted@ciavonne.com
Subject: FW: Canyon Rim Concept Plat

DeVore

From: Dennis DeVore [mailto:ddv48@mac.com]
Sent: Monday, April 29, 2019 1:35 PM
To: ted@ciavonne.com
Cc: Kristen Ashbeck <kristena@gjcity.org>
Subject: Canyon Rim Concept Plat

Ted & Kristena,

I would like to add a comment regarding the Canyon Rim Concept Plat that was displayed at the public meeting on April 22, 2019 at the Redlands Methodist Church. I have attached a sketch of the concept plat, from a photo taken the night of the meeting. I have annotated it to help explain our concern.

Blue Magenta = The lot where I live at 353 Dakota Circle, which will adjoin the proposed subdivision.

Red = A substantial natural arroyo that runs along the north side of my lot, with may be 40% on my property and 60% along the south boundaries of proposed Lots 7 and 8;

Green = Dedicated open space/floodplain of the existing Canyon Rim subdivision; it continues north of Canyon Rim Drive I just didn't draw it in; this is a major waterway through Canyon Rim subdivision.

My concerns are:

- 1) It appears there is no provision for including the "red" area on my sketch as part of an expanded open space/floodplain area; this would be simple and logical, because the areas are contiguous and part of the same waterway (the waterway forks at my property, this is the easterly channel);
- 2) The concept plat actually "narrows" the width of the utility easement in this area of Lot 7; I'm not sure an easement would provide any protection of the arroyo. But a narrower easement seems to imply that the lot has more buildable area further south than other lots along that south subdivision boundary.
- 3) This arroyo is marginally vegetated, and the slopes are extremely fragile; disturbing it would increase sediment, and of course building in this area would constrict or alter the channel of the seasonal flash floods that flow through this waterway every summer;
- 4) I am concerned that anything that disturbs or alters the north side, ie, south boundaries of Lots 7 & 8, could possibly alter the channel enough to cause erosion on my side.

What would I suggest?

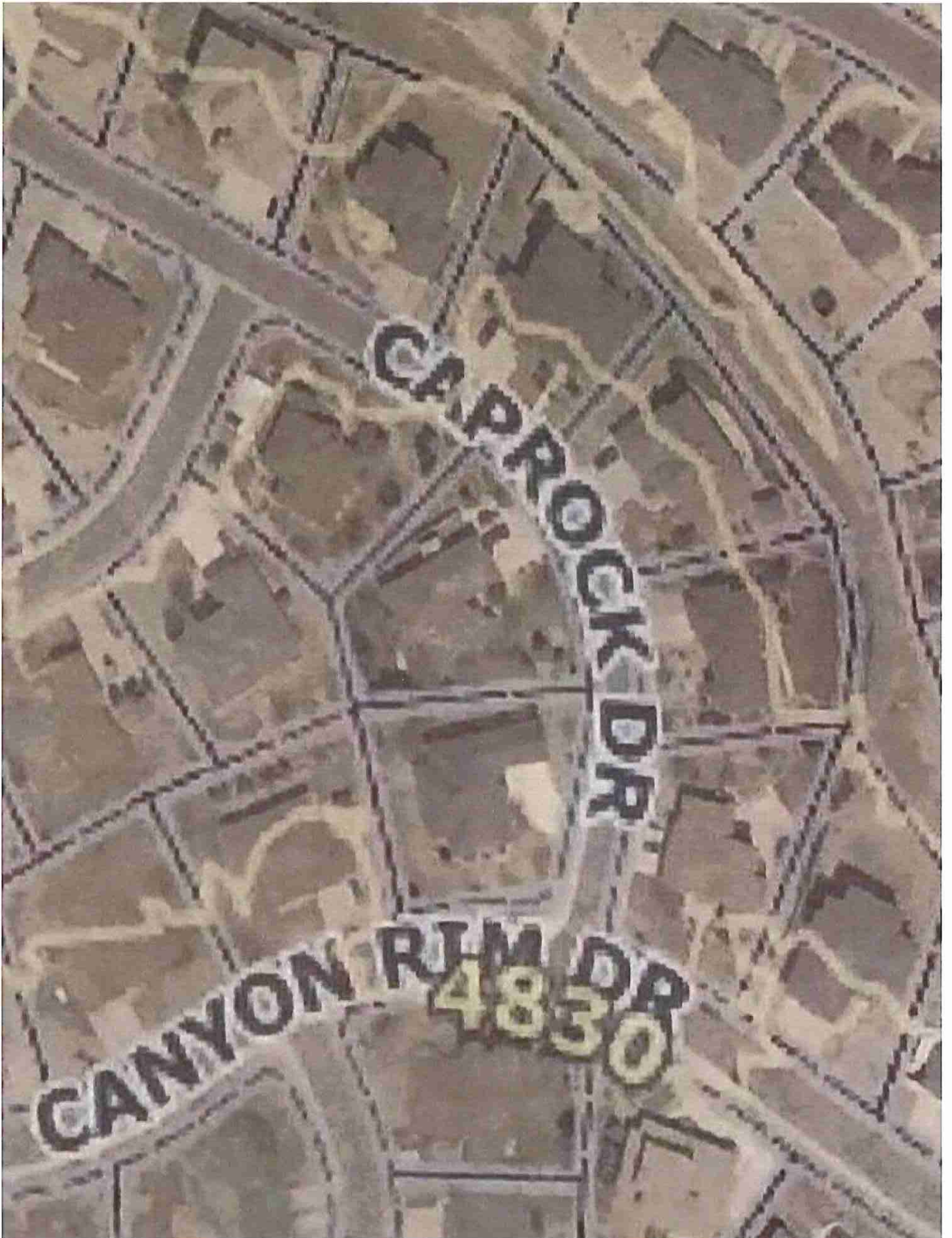
1) The best and easiest solution would be to add the arroyo area to the open space/flood plain that now exists in Canyon View, ie, combine the "red" with the "green" outline on my attached sketch. You would then establish an undisturbed, contiguous area, off limits to construction of any kind, and under the control of the HOA;

2) Another solution would be to designate a "no build" area for Lots 7 and 8, with a defined boundary; the problem is that a builder could try to challenge or skirt such wording with a walkout basement, etc. by keeping permanent improvements out of the area, but still excavating into the waterway;

3) And lastly, a possible solution would be special setback requirements for Lots 7 and 8 that would keep any improvements north of the top of the arroyo, leaving the waterway undisturbed; but again, a builder would possibly try to skirt around such wording with a walkout basement by claiming the dirtwork is just a landscaping improvement. To me, this is not an effective solution.

Thank you for your time,

Dennis & Judi DeVore
353 Dakota Circle
GJ 81507



OPEN LETTER TO THE CITY OF GRAND JUNCTION

Neighborhood Concerns and Community Comments re: 400 23 Road
Proposed Developments A (Renaissance Boulevard) & B (Canyon Rim Drive)

To:

✶ Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org
Tamra Allen Planning Director, City of Grand Junction | TamraA@gjcity.org
Ted Ciavonne PLA, Ciavonne, Roberts & Associates, Inc | Ted@ciavonne.com

Please read last
2 pages.

City Council of Grand Junction

Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org
Councilmember Phillip Pe'a, District B | PhillipP@gjcity.org
Councilmember Anna Stout, District C | AnnaS@gjcity.org
Councilmember Duke Wortmann, District D | DukeW@gjcity.org
Councilmember Duncan McArthur, District E | DuncanM@gjcity.org
Councilmember Rick Taggart, District at Large | RickT@gjcity.org
Councilmember Chuck McDaniel, District at Large | ChuckMc@gjcity.org
General Mail | BelindaW@gjcity.org

Greetings,

This letter is intended to provide direct feedback on proposed Developments A and B located at 400 23 Road and the Neighborhood Meeting that took place on Monday, April 22, 2019. As adjacent neighbors to the Major Subdivisions located at the end of Renaissance Boulevard and Canyon Rim Drive, long-term contributing citizens to our community, and native residents of the Grand Valley, we have many important and pressing concerns about these imminent developments and future plans for the parcel as a whole.

First and foremost, it is important to point out that we do not dispute the rights of any private property owner to develop their land in accordance with all city, county, and state laws. We are also deeply grateful to the current land owner for allowing members of our community to, over the years, use and enjoy the countless walking, hiking, and biking trails that currently exist on this property.

At the same time, we do dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

In an effort to ensure fair short and long-term consideration to all individuals affected by any pending and future developments proposed for 400 23 Road, we respectfully submit the following input and concerns based in part on the responsibilities of the City of Grand Junction Planning Director and Planning Department, and as outlined in the City of Grand Junction development codes referenced below:

21.02.070 Administrative development permits.

(q) Subdivision.

- (9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;

- (17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and
- (18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

(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 Junction Circulation Plan, and other adopted plans;
- (iv) Other standards and requirements of this code and other City policies and regulations;
- (v) Adequate public facilities and services will be available concurrent with the subdivision;
- (vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
- (vii) Compatibility with existing and proposed development on adjacent properties;
- (xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

- (e) Protect and maintain the integrity and character of established neighborhoods;

Item #1: Soil Quality, Soil Stability, and Drainage

This area of the valley has already experienced significant and ongoing issues related to soil quality, soil stability, and drainage. Many of the existing homeowners in surrounding neighborhoods (including, but not limited to, The Renaissance and Canyon Rim Subdivisions) have been required to invest tens and hundreds of thousands of private dollars post-construction to mitigate critical errors and/or oversights made by previous engineers, developers, and builders.

Bentonite soil, unstable slopes, natural erosion, and ground water levels are directly responsible for significant and ongoing foundation and structural issues. These same conditions exist for the lands that will house both proposed subdivisions (Development A at the end of Renaissance Boulevard and Development B at the end of Canyon Rim Drive). In addition, drainage factors from natural sources, canal seepage, irrigation runoff, and erosion from surrounding hills continue to pose serious foundation and structural issues for existing homeowners. These factors will only increase once the proposed development projects begin and 37 new homes are constructed on 29 acres of already-unstable grounds.

Colorado Law, in an effort to avoid adverse impact to downstream or downhill properties, currently requires land owners to adequately control runoff from their properties. Due to the existing landscape of privately-held land directly adjacent to proposed Developments A and B, and the structure of the entire 400 23 Road parcel, a number of valid concerns exist for current property owners. The addition of new homes and roads will only increase the potential for natural and irrigation runoff. The breadth of these impacts must be thoroughly researched, understood, and addressed prior to approval and construction.

Per the stated development codes above, it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated parties

undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth (i.e. maintenance of roads and infrastructure, police, fire, schools, etc), and minimize negative or financial impacts to existing land and homeowners.

Simply stated, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and:

1. Commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:
 - How the proposed developments will directly impact the properties of existing homeowners, and
 - Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.
2. Provide detailed information to the public about all future housing developments planned for the entire 400 23 Road parcel and be transparent with any potential soil, stability, drainage, and/or runoff issues that may exist for lower elevation subdivisions during the development process. Understanding future impact is both reasonable and fair to avoid potential harm and financial impact to existing homeowners.
3. Provide detailed information to the public about plans for two future “Unclassified Roads” that will connect Minor Collectors Renaissance Boulevard (Development A) and Canyon Rim Drive (Development B) to Major Collector 23 Road on the eastern edge of the 400 23 Road parcel. Any potential issues directly related to the construction of these roads must be thoroughly understood and revealed prior to development.
 - In fact, on prior circulation plans and planning discussions, the City required this issue be addressed before any development would be allowed. We would like a thorough explanation of why that policy was changed for this development and the legal standing to support it
 - It has also been noted that the Circulation Plan for the 400 23 Road Parcel and the Renaissance Concept Plan do not align. While the Circulation Plan calls for an Unclassified Road that will connect to Minor Collector Renaissance Boulevard (Development A), the Concept Plan does not.
4. Provide a comprehensive and public explanation as to why the “lower” sections of the 400 23 Road parcel (Development A and Development B) are being expedited through the development process when the “upper” sections nearer Major Collector 23 Road have fewer soil quality, stability issues, and drainage concerns to address, and greater potential property and value to the existing land owner and developer.
5. Provide all adjacent homeowners and HOAs (not just those within 500 feet of the proposed development property lines) with historical documentation about all previous zoning changes to both Development A and Development B.
 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both areas been repeatedly told by local real estate agents during the sales process that “there won’t be any development behind you?” These questions deserve to be investigated and understood.

Item #2: Subdivision Covenants and Aesthetics

It was clearly stated by Ted Ciavonne during the one required “neighborhood meeting” that the new homes planned for development would be of “better” quality and/or construction than the existing adjacent homes. This was a deeply offensive statement to those in attendance. Existing homeowners take great pride in their homes and have had to make significant structural and aesthetic improvements, including landscape design, standard maintenance, internal construction, and repairs to mitigate structural damage resulting from existing soil and foundation issues. We are proud of our homes and surrounding neighbors, for the most part, take great pride in the homes they have built and/or bought throughout the years.

In regard to Development A at the end of Renaissance Boulevard, the ground elevation of the proposed neighborhood is between 6 and 15 feet higher (running north to south) than the adjacent homes on the east side of Athens Way. For homeowners who back up to the proposed development, this raises several critical and very serious concerns – from all points raised previously regarding soil quality, stability, drainage, and runoff issues, and the impact all will have on existing landscapes and foundations – in addition to privacy, noise, and aesthetics.

In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

In an effort to ensure that any new developments adhere to the City of Grand Junction development codes referenced above, we respectfully request that:

1. A complete engineering and geological evaluation of Development A and Development B, plus all adjacent properties, be undertaken to fully understand any potential current and future potential effects to soil quality and stability due to increased disturbance from construction and added drainage from natural sources and/or irrigation.
2. All HOA covenants for the new proposed subdivisions be written and released prior to development being approved and started.
3. Covenants require single story homes to help preserve views, protect privacy, and maintain aesthetics consistent with surrounding neighborhoods.
4. Covenants require xeriscaping to help minimize the risks and negative effects associated with increased soil instability and poor drainage from increased irrigation and runoff.
5. New lot lines be strategically staggered against existing lot lines.
6. Adequate buffer zones be added to proposed development plans for both neighborhoods.
7. Input from Redlands Water and Power Company about the proposed projects and plans for the existing water canal running along the western edge of proposed Development A be made public.
8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

Item #3: Creating and Protecting Open Spaces

It is the responsibility of any community to thoughtfully and strategically create, maintain, and protect adequate open space for its contributing citizens. This is especially important for the Grand Valley as our population continues to grow and development needs continue to expand. In order to preserve the native look, feel, and culture of this historic area – including nature, animals, and items of historical relevance – private citizens and public officials must be willing to work together toward collaborative and mutually agreeable solutions.

The “Future Land Use Map,” “Circulation Plan,” and “Existing Zoning Map” for the 400 23 Road parcel displayed by Ciavonne, Roberts & Associates, Inc at the April 22nd Neighborhood Meeting clearly demonstrate that all land included in the parcel is targeted for immediate and near-term development, all but eliminating any possibility of future outdoor and recreational use.

As it currently exists, and at the generosity of the existing land owner, this tract of land has grown as a popular recreational area within the City of Grand Junction. Countless individuals respectfully enjoy this landscape as a place to exercise, engage in physical activity, take in views, share time together, commune with nature, and improve their lives. The ability and freedom to do so has been a core tenant of our community, marketed extensively, and is now one reason our area continues to grow in popularity. Complete development of this parcel will eliminate one of the last remaining centrally-located open spaces in our valley and will also result in the destruction of countless animals, trees, and the mysterious hand-carved gnomes that line the western ridge adjacent to existing BLM land.

With the goal of protecting and preserving a fair volume of open space available for use by those who live here now and the many generations that will come, we respectfully request the City take a “time out” to adequately:

1. Study the possibility of purchasing and/or placing the land in a conservation trust.
2. Study the possibility of working in collaboration with the BLM and other organizations (i.e the Trust for Public Land and the Colorado West Land Trust, among others) to preserve the land as open space.
3. Consider the creation of a conversation easement that would include and connect the lands currently slated for development (A and B) with the western ridge of land adjacent to BLM land. This action would preserve all lower lands, eliminate expensive and extensive soil, drainage, and runoff mitigation complications associated with the Renaissance and Canyon Rim extensions, save existing nature preserves – including the beautiful Cottonwood trees lining the canal at the end of Renaissance Boulevard – and maintain some of the oldest juniper trees and hand-carved gnomes placed by one our valley’s most beloved citizens and artists. The preservation of a wide “greenbelt” of land, with easy trail access, would also result in lower development costs and higher home values for future development of 400 23 Road.

In closing, we offer the following summary comments:

- The right of the existing landowner to develop his property is not under dispute.
- The rights of existing and adjacent property and homeowners carry equal weight and must be thoroughly considered before any development plans are finalized and construction projects commence.
- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.

- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

See the attached last page

Lee A. Hoelscher
 Name
2200 Canyon Rim Dr
 Address
970-256-1777
 Phone

Joan C. Hoelscher
 Name
2200 Canyon Rim Dr.
 Address
970-256-1777
 Phone

Attachment for Personal Comments:

We are the homeowners on the NW corner of Canyon Rim Drive and South Camp Road directly across from Wingate Elementary School and Park. We are extremely concerned about how the increased traffic flow from this proposed Development B would have on this intersection. The main issues of concern would be traffic increase and flow, child and pedestrian safety, a noisier neighborhood, and loss of house selling possibilities.

Presently with school buses and parents dropping off and picking up children at the school around the hours of 8-9:00 am, noon, 2-4:30pm plus any evening activities has created parking issues on Canyon Rim Dr. These times have also created of bottleneck traffic situation at our intersection and more safety issues because of the too small school parking lot overflow. Many pedestrians, dog walkers and bike riders use Canyon Rim Drive as an extension of the Park now too. In our opinion this particular intersection already is too busy especially with speeding motorists heading north on South Camp coming down the hill before Wingate's school warning lights. So, which city/county entity will be willing and responsible for this extra traffic flow, road maintenance, school safety issues and increased population problems just at this corner due to this new housing development project, not to restate all the other people's concerns mentioned above.

OPEN LETTER TO THE CITY OF GRAND JUNCTION

Neighborhood Concerns and Community Comments re: 400 23 Road Proposed Developments A (Renaissance Boulevard) & B (Canyon Rim Drive)

To:

Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org
Tamra Allen Planning Director, City of Grand Junction | TamraA@gjcity.org
Ted Ciavonne PLA, Ciavonne, Roberts & Associates, Inc | Ted@ciavonne.com

City Council of Grand Junction

Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org
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 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both areas been repeatedly told by local real estate agents during the sales process that “there won’t be any development behind you?” These questions deserve to be investigated and understood.

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In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

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8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

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In closing, we offer the following summary comments:

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- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.

- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

Michael Rooks
 Name
386 Teegan Ct g.J 81507
 Address
(970) 639-5520
 Phone

Susan Addison
 Name
386 Teegan Ct g.J 81507
 Address
(970) 639-5520
 Phone

April 22, 2019

To: City of Grand Junction Planning Department

Clavonne Roberts and Associates, Inc

RE: proposed subdivisions connected to Canyon Rim (and Renaissance)

From: Michael Whistler, resident Canyon Rim Subdivision

Patrice Whistler, President Canyon Rim HOA (patrice.whistler@gmail.com)



We have many worries and concerns about the proposed developments beyond the Canyon Rim subdivision (and similar concerns for the Renaissance area). Below are listed the major areas of concern.

1. Unstable soil: the area for proposed homes is mostly unstable soil composed largely of bentonite and clay. This has been discovered with the core drillings in the area. Our HOA has been aware of this due to many existing homes in Canyon Rim with cracked and shifted foundations.

There will need to be enormous amounts of soil removal and replacement with risks for dust, mud and road destruction due to multiple and endless transport in and out of the construction areas.

The proposed building sites are in areas of elevation and dramatic surrounding slopes, where water rushes down from the hillside on a regular basis. This means that new homes located in the proposed construction areas will be at risk for significant foundation issues and water damage.

2. Water run off: water was found in one core drill at 25 ft. water run off and mud is already an existing issue in Canyon Rim. Water is only absorbed 2 inches in to the soil in this area. There are basements adjacent to the proposed construction filled with water, requiring sump pumps and other relief. The new streets will also push run off directly in to the existing streets below.
3. Dust/mud run off: during construction, dust will blow down into the existing homes, clogging the swamp coolers most of us have (and most are Australian type with very expensive filters). With rain and construction water there will be mud rushing into yards and possibly homes, as well as into the streets below.

4. Traffic: we have fairly low traffic in our neighborhood, except for the increase due to open trail access in the proposed building locations. Our streets are already cracked and not holding up to low traffic let alone increase from 22 homes on an extended Canyon Rim and other street extensions.
5. Recreation: this area, though privately owned, has been graciously open for access to neighbors and others from across the city for walking, hiking, mountain biking and dog walking. It would be a wonderful area to be bought by conservation or other groups for maintaining multipurpose public use. The proposed construction would destroy many existing trails and severely limit access to others.
6. Water tower: Ute water empties the water tank yearly to get a clean fill. In the past they would just DUMP the water and the run off would send mud rushing down in to the existing Canyon Rim homes. In recent years we have reminded them of this concern and they have allowed for a slower and more controlled release, which never the less still presents run off complications.
7. Ecological effects: The geological structures of the hillside are maintained by the desert ecosystem that currently resides there, including miles of native scrubland, local animal habitats, and cryptobiotic soil. The effects of the proposed construction would disastrously disrupt this precious ecosystem, and thereby compromise the fragile silt and clay structures below, increasing the frequency of erosion and mudslides, and putting both newly constructed homes and existing ones at risk.

4/22/2019

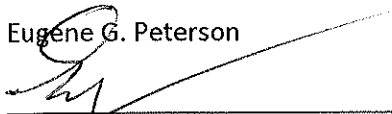
To whom it may concern,

As a current homeowner in the Canyon Rim subdivision, we would like to voice our concerns as to the new proposed development to the east. I'm the last house before the open space where the development is to be built. We understand that this is private land and could be developed at any time, but our hope is that the developer would take into consideration the surrounding communities. Our concerns are as follows:

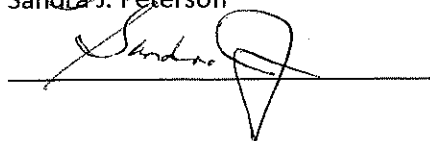
- Increased traffic through our subdivision.
 - The number of cars for 22 houses would equate to a minimum of 44 cars which would mean at least 88 additional cars will travel down Canyon Rim Drive. This will:
 - Increase noise
 - Increase speeds which will affect children and pets in our HOA.
 - Increased noise
 - Increased dust which would not only affect the inside living conditions, but also the swamp cooler pads will need to be changed more frequently.
 - Additional wear and tear of the asphalt
 - The construction traffic will bring a tremendous amount of dirt, dust, mud and disruption to our neighborhood for months, maybe even years to come.
 - If the road is eventually continued over the ridge, this then could be a major thoroughfare for traffic and eventually drive the property values down for our houses.
- Additional Drainage through our HOA
 - We already have issues with our main gully getting sediment buildup which we are addressing, but can't help but see the potential of additional sediment getting washed into the gully therefore causing additional financial burdens for our communities.
 - The potential for flash flooding with additional impervious surfaces above our development.
- The houses along the east side of Teegan Court:
 - Could experience landscaping issues with runoff from the new houses built above them which could cause them to spend additional money in landscaping.
 - Since this area has an extremely high concentration of Bentonite, the potential for foundation issues with these houses would increase drastically now that the water table is altered.
- Light pollution:
 - Canyon Rim hasn't any street lights and homeowners are required to turn off lights by 11 pm and only up/down lighting in the neighborhood.

Sincerely,

Eugene G. Peterson



Sandra J. Peterson



EMAIL - TTBR@COMCAST.NET

April 18, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

Re: Subdivision Development
400 23 Road
Grand Junction, CO

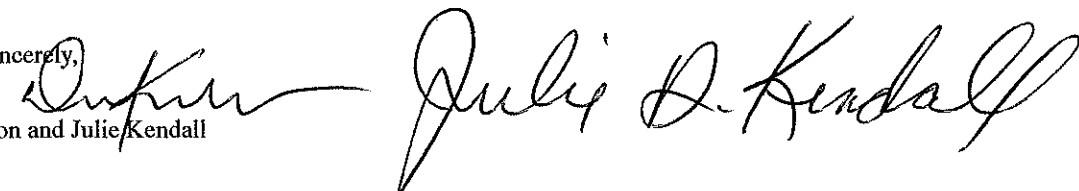
Dear Ted and Kristena,

My name is Don Kendall. I reside at 360 Teegan Ct. I was surprised and a little shocked to receive your letter in the mail. We bought this lot and had our dream home built here in 2008. We were aware that the property behind us was privately owned but also knew it was inconceivable for the land behind us could be developed. It's uneven landscape, dramatic elevation grade and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area. I can make sense about the land to the south of us at the end of Canyon Rim Drive and then to the east and south being developed, even though I still don't like it. In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us. After hard rains the 3 waters drainages above us turn into creeks. I'm not against the development of open property. We wouldn't be living in our home now if Canyon Rim wasn't local developers John Thomas and Dave Bagg. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. If this project moves forward, I am prepared to gather a great number of signatures on a petition from neighbors in Canyon Rim Subdivision, Monument Valley and those who recreate in this area. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations
- * Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we are going to have to heavily rely on The City of Grand Junction Planning Department, starting with you Kristena, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,


Don and Julie Kendall

April 22, 2019

Ted Ciavonne – Ciavonne, Roberts and Associates, Inc
Kristena – City of Grand Junction Planning Department

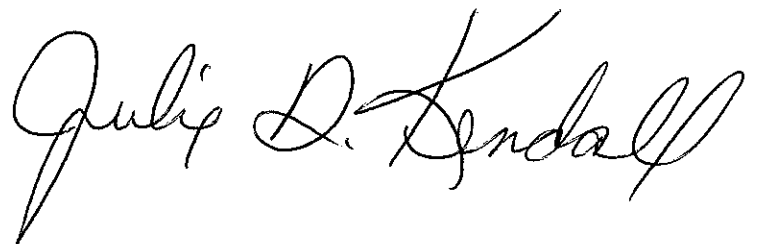
Re: Subdivision Development
400 23 Road
Grand Junction, CO

Dear Ted and Kristena,

My name is Don Kendall. I reside at 360 Teegan Ct. I will address additional issues I have with this proposed development. After reviewing the street and lot layout given to me the our HOA, I feel that the houses along Teegan Court will suffer the most from this subdivision, as we each will have a new house directly behind and way above us. Views, peace and quiet gone, not to mention decreased property values. I noticed that you didn't even have the consideration to at least stagger the lot layout behind us. That's been the standard in our subdivision. That shows me that you are not concerned about how we are impacted by this development. Yu are only concerned about packing as many lots in this area as possible. We have one road in and one road out, meaning the residences along Canyon Rim Drive will bear the impact of all the development construction. Dump trucks, earthmovers, graders, excavators, backhoes, water trucks, concrete trucks along with the supply od concrete pipe, manholes, water pipe utility wiring and piping. And of course, all the dirt, mud, dust and noise for months. And we haven't even got to the 22 home construction contractors, equipment and suppliers. Then 45-60 more vehicles along Canyon Rim Drive. South Camp can't handle the additional traffic. It a bad, beat up road right now. Kistena, you don't have to take my word for it, just drive it yourself. The city of GJ has not improved or maintained South Camp well more may years. I know, I have driven on it for 25 years now. Please consider the issues in your planning meetings. I would like to see no houses behind Teegan Court at all. The other part of the development makes more sense.

Sincerely,

Don and Julie Kendall



OPEN LETTER TO THE CITY OF GRAND JUNCTION

Neighborhood Concerns and Community Comments re: 400 23 Road
Proposed Developments A (Renaissance Boulevard) & B (Canyon Rim Drive)

To:

Kristen Ashbeck Senior Planner, City of Grand Junction | KristenA@gjcity.org
Tamra Allen Community Development Director, City of Grand Junction | TamraA@gjcity.org
Ted Ciavonne PLA, Ciavonne, Roberts & Associates, Inc | Ted@ciavonne.com

City Council of Grand Junction

Councilmember Phyllis Norris, District A | PhyllisN@gjcity.org
Councilmember Phillip Pe'a, District B | PhillipP@gjcity.org
Councilmember Anna Stout, District C | AnnaS@gjcity.org
Councilmember Duke Wortmann, District D | DukeW@gjcity.org
Councilmember Duncan McArthur, District E | DuncanM@gjcity.org
Councilmember Rick Taggart, District at Large | RickT@gjcity.org
Councilmember Chuck McDaniel, District at Large | ChuckMc@gjcity.org
General Mail | BelindaW@gjcity.org

Dear Ms. Ashbeck,

Greetings,

This letter is intended to provide direct feedback on proposed Developments A and B located at 400 23 Road and the Neighborhood Meeting that took place on Monday, April 22, 2019. As adjacent neighbors to the Major Subdivisions located at the end of Renaissance Boulevard and Canyon Rim Drive, long-term contributing citizens to our community, and native residents of the Grand Valley, we have many important and pressing concerns about these imminent developments and future plans for the parcel as a whole.

First and foremost, it is important to point out that we do not dispute the rights of any private property owner to develop their land in accordance with all city, county, and state laws. We are also deeply grateful to the current land owner for allowing members of our community to, over the years, use and enjoy the countless walking, hiking, and biking trails that currently exist on this property.

At the same time, we do dispute the notion that any land owner and their chosen developer(s) have rights that supersede those of adjacent and existing property owners.

In an effort to ensure fair short and long-term consideration to all individuals affected by any pending and future developments proposed for 400 23 Road, we respectfully submit the following input and concerns based in part on the responsibilities of the City of Grand Junction Planning Director and Planning Department, and as outlined in the City of Grand Junction development codes referenced below:

21.02.070 Administrative development permits.

(q) Subdivision.

- (9) Safeguard the interests of the public, the homeowner, and the subdivider;
- (13) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface water;
- (14) Prevent flood damage to persons and properties;
- (15) Restrict building in areas poorly suited for building or construction;
- (16) Prevent loss and injury from landslides, mudflows, and other geologic hazards;

- (17) Ensure adequate public facilities and services are available or will be available concurrent with the projected impacts of the subdivision; and
- (18) Ensure the proposal will not impose hardship or substantial inconvenience to nearby landowners or residents.

(r) Preliminary Subdivision Plan.

- (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 Junction Circulation Plan, and other adopted plans;
 - (iv) Other standards and requirements of this code and other City policies and regulations;
 - (v) Adequate public facilities and services will be available concurrent with the subdivision;
 - (vi) The project will have little or no adverse or negative impacts upon the natural or social environment;
 - (vii) Compatibility with existing and proposed development on adjacent properties;
 - (xi) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

21.03.010 Purpose.

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

- (e) Protect and maintain the integrity and character of established neighborhoods;

Item #1: Soil Quality, Soil Stability, and Drainage

This area of the valley has already experienced significant and ongoing issues related to soil quality, soil stability, and drainage. Many of the existing homeowners in surrounding neighborhoods (including, but not limited to, The Renaissance and Canyon Rim Subdivisions) have been required to invest tens and hundreds of thousands of private dollars post-construction to mitigate critical errors and/or oversights made by previous engineers, developers, and builders.

Bentonite soil, unstable slopes, natural erosion, and ground water levels are directly responsible for significant and ongoing foundation and structural issues. These same conditions exist for the lands that will house both proposed subdivisions (Development A at the end of Renaissance Boulevard and Development B at the end of Canyon Rim Drive). In addition, drainage factors from natural sources, canal seepage, irrigation runoff, and erosion from surrounding hills continue to pose serious foundation and structural issues for existing homeowners. These factors will only increase once the proposed development projects begin and 37 new homes are constructed on 29 acres of already-unstable grounds.

Colorado Law, in an effort to avoid adverse impact to downstream or downhill properties, currently requires land owners to adequately control runoff from their properties. Due to the existing landscape of privately-held land directly adjacent to proposed Developments A and B, and the structure of the entire 400 23 Road parcel, a number of valid concerns exist for current property owners. The addition of new homes and roads will only increase the potential for natural and irrigation runoff. The breadth of these impacts must be thoroughly researched, understood, and addressed prior to approval and construction.

Per the stated development codes above, it is the responsibility of the Planning Director, the City of Grand Junction Planning Department, and involved personnel to ensure that land owners, developers, and all associated

parties undertake development projects that are structurally sound, of high quality, enhance the existing and surrounding communities, address associated growth (i.e. maintenance of roads and infrastructure, police, fire, schools, etc), and minimize negative or financial impacts to existing land and homeowners.

Simply stated, ANY development that has the potential of causing structural damage, geological harm, or financial strain to existing homes, homeowners, or surrounding neighborhoods should be paused or stopped until reasonable studies and adequate solutions can be created.

Given these immediate and pressing concerns, we respectfully request that the City of Grand Junction and Planning Department act in good faith, place the development of these projects on hold, and:

1. Commit to a comprehensive soil and drainage analysis of the proposed development areas to determine:
 - How the proposed developments will directly impact the properties of existing homeowners, and
 - Who will bear responsibility for future mitigation issues that arise for existing homeowners whose properties will undoubtedly be affected during the construction process and/or after development of both major subdivisions is complete.
2. Provide detailed information to the public about all future housing developments planned for the entire 400 23 Road parcel and be transparent with any potential soil, stability, drainage, and/or runoff issues that may exist for lower elevation subdivisions during the development process. Understanding future impact is both reasonable and fair to avoid potential harm and financial impact to existing homeowners.
3. Provide detailed information to the public about plans for two future “Unclassified Roads” that will connect Minor Collectors Renaissance Boulevard (Development A) and Canyon Rim Drive (Development B) to Major Collector 23 Road on the eastern edge of the 400 23 Road parcel. Any potential issues directly related to the construction of these roads must be thoroughly understood and revealed prior to development.
 - In fact, on prior circulation plans and planning discussions, the City required this issue be addressed before any development would be allowed. We would like a thorough explanation of why that policy was changed for this development and the legal standing to support it
 - It has also been noted that the Circulation Plan for the 400 23 Road Parcel and the Renaissance Concept Plan do not align. While the Circulation Plan calls for an Unclassified Road that will connect to Minor Collector Renaissance Boulevard (Development A), the Concept Plan does not.
4. Provide a comprehensive and public explanation as to why the “lower” sections of the 400 23 Road parcel (Development A and Development B) are being expedited through the development process when the “upper” sections nearer Major Collector 23 Road have fewer soil quality, stability issues, and drainage concerns to address, and greater potential property and value to the existing land owner and developer.
5. Provide all adjacent homeowners and HOAs (not just those within 500 feet of the proposed development property lines) with historical documentation about all previous zoning changes to both Development A and Development B.
 - The original PUD for the area located at the end of Canyon Rim Drive (Development B) called for just four homesites? When was this changed? What was the original PUD for the area located at the end of Renaissance Boulevard (Development A)? Why have countless homeowners in both

areas been repeatedly told by local real estate agents during the sales process that “there won’t be any development behind you?” These questions deserve to be investigated and understood.

Item #2: Subdivision Covenants and Aesthetics

It was clearly stated by Ted Ciavonne during the one required “neighborhood meeting” that the new homes planned for development would be of “better” quality and/or construction than the existing adjacent homes. This was a deeply offensive statement to those in attendance. Existing homeowners take great pride in their homes and have had to make significant structural and aesthetic improvements, including landscape design, standard maintenance, internal construction, and repairs to mitigate structural damage resulting from existing soil and foundation issues. We are proud of our homes and surrounding neighbors, for the most part, take great pride in the homes they have built and/or bought throughout the years.

In regard to Development A at the end of Renaissance Boulevard, the ground elevation of the proposed neighborhood is between 6 and 15 feet higher (running north to south) than the adjacent homes on the east side of Athens Way. For homeowners who back up to the proposed development, this raises several critical and very serious concerns – from all points raised previously regarding soil quality, stability, drainage, and runoff issues, and the impact all will have on existing landscapes and foundations – in addition to privacy, noise, and aesthetics.

In regard to Development B at the end of Canyon Rim Drive, existing ephemeral streams that capture runoff from surrounding hills and the extensive presence of bentonite soils pose serious structural and foundational issues. Adjacent neighbors, like those who live in Monument Valley, have much larger lots than those proposed in the new neighborhood and have a strong desire to maintain the quality of their existing landscape.

In an effort to ensure that any new developments adhere to the City of Grand Junction development codes referenced above, we respectfully request that:

1. A complete engineering and geological evaluation of Development A and Development B, plus all adjacent properties, be undertaken to fully understand any potential current and future potential effects to soil quality and stability due to increased disturbance from construction and added drainage from natural sources and/or irrigation.
2. All HOA covenants for the new proposed subdivisions be written and released prior to development being approved and started.
3. Covenants require single story homes to help preserve views, protect privacy, and maintain aesthetics consistent with surrounding neighborhoods.
4. Covenants require xeriscaping to help minimize the risks and negative effects associated with increased soil instability and poor drainage from increased irrigation and runoff.
5. New lot lines be strategically staggered against existing lot lines.
6. Adequate buffer zones be added to proposed development plans for both neighborhoods.
7. Input from Redlands Water and Power Company about the proposed projects and plans for the existing water canal running along the western edge of proposed Development A be made public.
8. The existing covenants for the northern-most homes on Athens Way in The Renaissance be reviewed and extended to any new proposed subdivision. These properties have a 30-foot “no build” zone at the eastern edge of their property lines and adjacent to the Redlands Water and Power Company canal road.

Item #3: Creating and Protecting Open Spaces

It is the responsibility of any community to thoughtfully and strategically create, maintain, and protect adequate open space for its contributing citizens. This is especially important for the Grand Valley as our population continues to grow and development needs continue to expand. In order to preserve the native look, feel, and culture of this historic area – including nature, animals, and items of historical relevance – private citizens and public officials must be willing to work together toward collaborative and mutually agreeable solutions.

The “Future Land Use Map,” “Circulation Plan,” and “Existing Zoning Map” for the 400 23 Road parcel displayed by Ciavonne, Roberts & Associates, Inc at the April 22nd Neighborhood Meeting clearly demonstrate that all land included in the parcel is targeted for immediate and near-term development, all but eliminating any possibility of future outdoor and recreational use.

As it currently exists, and at the generosity of the existing land owner, this tract of land has grown as a popular recreational area within the City of Grand Junction. Countless individuals respectfully enjoy this landscape as a place to exercise, engage in physical activity, take in views, share time together, commune with nature, and improve their lives. The ability and freedom to do so has been a core tenant of our community, marketed extensively, and is now one reason our area continues to grow in popularity. Complete development of this parcel will eliminate one of the last remaining centrally-located open spaces in our valley and will also result in the destruction of countless animals, trees, and the mysterious hand-carved gnomes that line the western ridge adjacent to existing BLM land.

With the goal of protecting and preserving a fair volume of open space available for use by those who live here now and the many generations that will come, we respectfully request the City take a “time out” to adequately:

1. Study the possibility of purchasing and/or placing the land in a conservation trust.
2. Study the possibility of working in collaboration with the BLM and other organizations (i.e the Trust for Public Land and the Colorado West Land Trust, among others) to preserve the land as open space.
3. Consider the creation of a conversation easement that would include and connect the lands currently slated for development (A and B) with the western ridge of land adjacent to BLM land. This action would preserve all lower lands, eliminate expensive and extensive soil, drainage, and runoff mitigation complications associated with the Renaissance and Canyon Rim extensions, save existing nature preserves – including the beautiful Cottonwood trees lining the canal at the end of Renaissance Boulevard – and maintain some of the oldest juniper trees and hand-carved gnomes placed by one our valley’s most beloved citizens and artists. The preservation of a wide “greenbelt” of land, with easy trail access, would also result in lower development costs and higher home values for future development of 400 23 Road.

In closing, we offer the following summary comments:

- The right of the existing landowner to develop his property is not under dispute.
- The rights of existing and adjacent property and homeowners carry equal weight and must be thoroughly considered before any development plans are finalized and construction projects commence.

- Development that is inappropriate for the current geographic conditions and/or directly violates the existing City of Grand Junction development codes will cause irreparable harm and financial hardship to existing homeowners.
- Thorough studies must be taken to fully understand the potential impact of current and future proposed development in this area, especially as it relates to soil quality, soil stability, drainage, and runoff, and the affect on existing and future homeowners.
- The full and/or partial development of this parcel into family-centered neighborhoods will require extensive contributions from the City of Grand Junction, both short and long-term, to provide adequate personnel to address population growth. What plans exist for the addition of staff to maintain roads and infrastructure? How many additional police and fire department employees will need to be hired? How will this development impact all existing (and already overcrowded) schools? What plans are in place, if any, to build new schools to offset this growth? Where will new schools and fire stations be located? These are important and thoughtful considerations that need to be understood and explained prior to approval and construction.
- The reconsideration of full and/or partial conversation areas, easements, and greenbelt areas adjacent to existing BLM land to maintain open space and ensure the community's continued ability to use, enjoy, and recreate on lands within the City of Grand Junction is fair and reasonable.
- The rights and reasonable expectations of all involved parties – including the existing landowner, his chosen developer(s), nearby and adjacent homeowners, and the community at large – have a legitimate place in the discussion about what ultimately happens to this parcel of land, both short and long-term.
- It is the core responsibility of the City of Grand Junction and all associated representatives to ensure that all developments within the city limits are handled appropriately, respectfully, and in a way that demonstrate care for its community and honor for its existing codes. The number of existing developments taking place within our city's limits, and the number of planning department personnel carrying out review and approval of these developments, along with the speed at which Developments A and B of the 400 23 Road parcel are being pushed through, raises significant concern.

Personal Comments:

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

- Margaret Mead -

Jmi Kanni
 Heidi Kaiser

Name

2215 Canyon Rim Dr.
 Grand Junction CO
 81507

Name

354 Teegan Court
Grand Junction, CO 81507
April 22, 2019

Subject: Concerns associated with Canyon Rim Drive neighborhood development proposal

To whom it may concern:

Let me first say, you have the right to develop property you own, but it should not be to the detriment and potential expense of your neighbors. They should not incur additional costs of maintaining and repairing their properties due to your development. I am the landowner underlying a drainage easement and pipe inlet at the corner of Canyon Rim Drive and Teegan Court that drains a majority of the proposed development property, and thus, I have significant concerns about additional flow of runoff and sediment through my property and the possibility of an increased water table in this area.

I have some background in these issues from 30+ years' experience with working in flooding and ground water issues with the US Army Corps of Engineers and Bureau of Reclamation. Although I'm have not thoroughly examined the potential issues with this development, some items are easily worrisome:

1. Runoff and sediment issues. Development of this property with new extensive impervious areas will increase construction and post construction runoff and is likely to impact the downstream existing floodway through the Canyon Rim subdivision. During construction, increased runoff and sediment movement from disturbed areas would likely exasperate existing runoff and sediment deposition issues in that channel. Past sediment deposition has blocked the outlets of several pipelines carrying runoff from the proposed development property. Additional sediment could decrease the capacity of the channel, raising the invert elevation, and exasperate problems with existing pipe lines flowing into this channel.
2. Potential establishment of new ground water table. If irrigation is allowed on new lawns and gardens, up gradient of existing Canyon Rim homes (particularly, Teegan Court and east Canyon Rim Drive properties), groundwater table issues for existing homesites could arise. Establishment of a new ground water table based on irrigation in this area would likely impact

foundations of these homes. Currently, problems already exist with water and foundation movement for several of these homes.

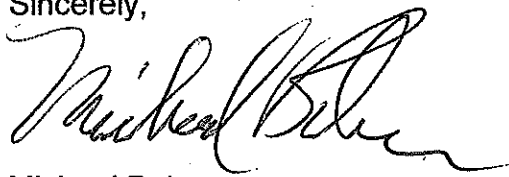
Below are some questions I have at this point:

1. Will you be destroying the natural drainage channels?
2. Will irrigation be allowed on these properties?
3. Will intercepts be installed to prevent irrigation water infiltration/induced ground water tables from affecting adjacent properties?
4. What are the design criteria for the detention basin? (frequency of runoff design event, invert elevation, top of flood pool, spillway requirements, basin lining, etc.)
5. How do you expect to prevent any lateral water movement into my foundation area from this detention basin?
6. Will you commit to insuring this development has no impact on the integrity of my foundation?
7. Will I, as the adjacent landowner, be able to comment on specifics of this detention basin? Will you commit to satisfy my concerns?
8. Do you plan to address soil piping issues on the south side of the property?
9. Will there be screening/fencing from adjacent properties?

The City and the developer should be prepared to explain the regulations and development requirements for drainage, including runoff retention/detention, sediment control, and establishment/increases in the ground water tables in previously in-irrigated areas.

Existing homeowners should be entitled to recover damages inflicted by any unthoughtful development of adjacent lands.

Sincerely,



Michael Baker
Retired Professional Engineer

Phone: 970-270-6184

PS: Since we just received this planned layout today, April 22, 2019, 3 hours prior to the "Neighborhood Meeting", there was not time to fully review and evaluate this proposal. I may have additional comments at a later date.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION TO RESIDENTIAL LOW AND REZONING TO R-1 (RESIDENTIAL 1 UNIT PER ACRE) FOR A 23.16-ACRE PORTION OF A PROPERTY LOCATED AT 400 23 ROAD, MORE PARTICULARLY DESCRIBED AS A SITE AT THE EAST END OF CANYON RIM DRIVE

Recitals:

The applicant and owner, Grand Junction Land Company, LLC, of a 23.16-acre portion of the property located at 400 23 Road, more particularly described as a site at the east end of Canyon Rim Drive, (referred to herein and more fully described below as the "Property"), proposes a Comprehensive Plan Amendment from Conservation/Mineral Extraction to Residential Low and rezone from Planned Development (PD) without a plan to Residential 1 unit per acre (R-1).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Planning Commission reviewed the request for the proposed Comprehensive Plan Amendment and Rezone, and determined that it satisfies the amendment and rezoning criteria provided in GJMC 21.02.130 and 140; applicable criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies and recommended approval of the amendment to Residential Low and the rezone request to Residential 1 unit per acre (R-1).

The City Council, after a public hearing and review of the proposed Comprehensive Plan Amendment (CPA-2019-468) to Residential Low and Rezone (RZN-2019-450) to Residential 1 unit per acre (R-1), determined that the request satisfies the applicable criteria of the Code and are consistent with the purpose and intent of the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION TO RESIDENTIAL LOW AND THE REZONE TO R-1 (RESIDENTIAL 1 UNIT PER ACRE) ARE APPROVED.

This Ordinance applies to the following described property with land use and zoning designation as noted:

Beginning at the Southeast corner of the Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$ of Section 19, Township 1 South, Range 1 West of the Ute Meridian, Grand Junction, Mesa County, Colorado whence the Northeast corner of the Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$ of said Section 19 bears N 01°18'39" East a distance of 1292.81 feet for a basis of bearings with all

bearings contained herein being relative thereto; thence along the South line of the Southeast ¼ Northwest ¼ S 89°49'19" W a distance of 1284.71 feet to the Southwest corner of the Southeast ¼ Northwest ¼; thence along the East line of Canyon Rim Phase 1 and 4, N 00°11'50" W a distance of 962.21 feet; thence N 33°18'34" W a distance of 82.64 feet; thence N 90°00'00" E a distance of 400.00feet; thence S 00°08'05" E a distance of 207.47 feet; thence S 55°30'24" E a distance of 261.30 feet; thence S 89°41'10" E a distance of 732.73 feet to a point on the East line of said Southeast ¼ Northwest ¼ Section 19; thence S 01°18'59" W a distance of 660.53 feet to the Point of Beginning.

Containing 23.16 acres as described and depicted on Exhibit A.

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

PASSED and ADOPTED this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

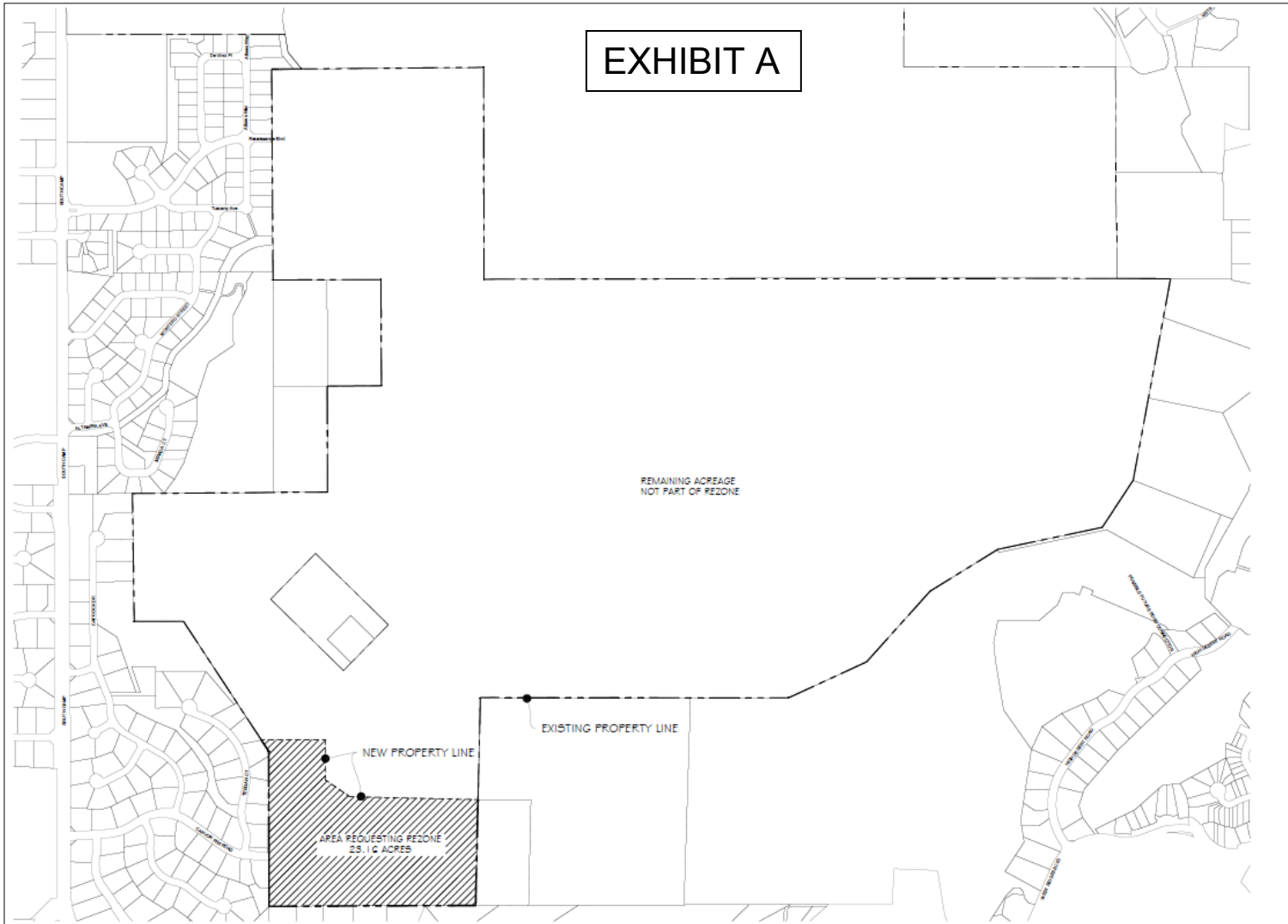
EXHIBIT A

REMAINING ACREAGE
NOT PART OF REZONE

EXISTING PROPERTY LINE

NEW PROPERTY LINE

AREA REQUESTING REZONE
25.14 ACRES



Kristen Ashbeck

From: Cindy Williams <cliffncindy@gmail.com>
Sent: Monday, October 21, 2019 2:34 PM
To: Kristen Ashbeck; citymanager; engineering; comdev; visitgj; Rick Taggart
Cc: Chuck McDaniel; kraiga@gjcity.ort; Phyllis Norris; Phillip Pe'a; Anna Stout
Subject: Canyon Rim 360 - 23 Acre Development - Planning Meeting

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I was surprised and a little shocked to receive your letter in the mail. I bought this lot and had my dream home built here in 2007. I was aware that the property behind us was privately owned, but understood that it was inconceivable that it could be developed. It's uneven landscape, dramatic elevation grade, and several natural water drainages, would make it very difficult to level and build homes. Also, the presence of expansive soils, which we in Canyon Rim and in neighboring subdivisions all know too much about. Numerous foundations have had to be repaired in this area.

In addition, by allowing this land to be open to public use for 25 plus years even though it's privately owned has set a precedence. Hundreds of mountain bikers and hikers use the trail behind us.

After hard rains the 3 water drainages above us turn into creeks. I'm not against the development of open property. I wouldn't be living in my home now if Canyon Rim hadn't been developed by local developers. But this new development doesn't fit here. The Renaissance, Trails West and Canyon Rim all were developed along South Camp Road and were developed up to the current foothills and fit the natural landscape and topography. Houses and streets behind Teegan Court don't. My fear is that I will see a street, houses and retaining walls that tower above us removing views, peace and quiet, and decreasing property values for the existing homes along Teegan Court. I will again list the reasons I'm against this development:

- *Dramatic and aggressive uphill elevation
- *Natural water drainages will have to be altered.
- * Expansive soils conditions not conducive to home foundations *Doesn't fit the natural topography
- *Established biking and hiking trails are present

In closing, I feel that we have to heavily rely on The City of Grand Junction Planning Department, starting with Kristen, to have a professional and mindful discernment about the construction of this subdivision. The owner of this property doesn't live here, know about us or really care about us. Their goal in the end is financial gain and then will just move on to the next project. But the City of Grand Junction should and hopefully will care.

Sincerely,

Cynthia Williams

358 Teegan Ct

Grand Junction, CO 81507

Begin forwarded message:

From: "Nextdoor Redlands Monument" <reply@hs.email.nextdoor.com>

Date: October 20, 2019 at 4:07:46 PM MDT

Subject: Urgent alert: EASTER HILL DEVELOPMENT GJ Planning...

Reply-To:

reply+GQYTCMZZGM2F64DSN5SHKY3UNFXW4X2QJ5JVIXZRG13TEOJUGMYTC===@reply.nextdoor.com

▪ Lois Kinsey, Redlands Monument

EASTER HILL DEVELOPMENT

GJ Planning Commission is meeting 10/22 to decide whether the 600+ acres of Easter Hill and 23 acres behind Canyon Rim will be given permission to go forward with development. Our best offense is a standing room crowd and a deluge of letters to City Commissioners.

Tuesday 10/22 6:00pm GJ City Hall Auditorium

[View or reply](#)

[Thank](#) · [Private message](#)

You can also reply to this email or use Nextdoor for [iPhone](#) or [Android](#)

Kristen Ashbeck

From: Tamra Allen
Sent: Thursday, October 17, 2019 3:57 PM
To: Lynn Wegener
Cc: Kristen Ashbeck
Subject: RE: LaPlata development proposal - Canyon Rim 360

Ms. Wegener - I wanted to confirm that we are in receipt of your correspondence regarding the Canyon Rim project. Thank you for taking the time to submit your comments.

Respectfully,

Tamra Allen, AICP
Community Development Director
City of Grand Junction, Colorado
tamraa@gjcity.org
970-256-4023



From: Lynn Wegener [mailto:lynnwegener@gmail.com]
Sent: Thursday, October 17, 2019 2:51 PM
To: Kristen Ashbeck <kristena@gjcity.org>; Tamra Allen <tamraa@gjcity.org>; Rick Taggart <ricket@gjcity.org>; Phyllis Norris <phyllisn@gjcity.org>; Phillip Pe'a <phillipp@gjcity.org>; Anna Stout <annas@gjcity.org>; Duke Wortmann <dukew@gjcity.org>; Kraig Andrews <kraiga@gjcity.org>; Chuck McDaniel <chuckmc@gjcity.org>
Subject: LaPlata development proposal - Canyon Rim 360

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Dear Kristen Ashbeck, Tamra Allen, and Honorable Grand Junction City Council Members,

I am writing concerning the proposed development known as Canyon Rim 360, the extension of Canyon Rim Drive and development of a 22-house subdivision.

I understand the current Comprehensive Plan designates this property as "Conservation". It has been used for that purpose for years with all ages enjoying hiking, biking, dog walking and recreation by our total community. I feel that the area has not changed to warrant an exception to the current designation. This open space has continued to be used for recreational purposes and the adjacent subdivision remains as originally designed and built. The Comprehensive Plan was adopted in 2009 with this conservation designation after most of the Canyon Rim subdivision was built in the mid 2000's.

Canyon Rim Drive provides access to several dozen houses along that street and Teegan Court. The proposed development would double the number of houses served by this access road. The proposal also shows that the Canyon Rim Drive extension would then be further developed to add even more traffic to an access road that was original

designed with traffic calming curves for local access to the current subdivision. This development will also add students to the nearby Wingate School, which has already been impacted by the existing development in the Granite Falls Subdivision to the west of South Camp Road, in the old Farmland pasture property.

It is difficult to understand yet another subdivision is warranted in this area. The Granite Falls subdivision development a mile away off South Camp Road is not yet a third completed in the last 1 ½ years and a number of completed houses and lots remain for sale. Also, there are three houses and vacant land in the Canyon Rim Subdivision for sale adjacent to this proposed development indicating there is sufficient housing availability in this area.

I respectfully request that in the interest of the community and our local neighborhood, this request be denied.

Sincerely,

Lynn Wegener
372 Caprock Drive
Grand Junction, Colorado 81507

Kristen Ashbeck

From: Tamra Allen
Sent: Thursday, October 17, 2019 3:54 PM
To: Karen Combs
Cc: Kristen Ashbeck
Subject: RE: Do NOT modify our Comprehensive Plan for the 23-acre development at Canyon Rim Drive by LaPlata

Ms. Combs – I wanted to confirm that we are in receipt of your correspondence regarding the Canyon Rim project. Thank you for taking the time to submit your comments.

Respectfully,

Tamra Allen, AICP
Community Development Director
City of Grand Junction, Colorado
tamraa@gjcity.org
970-256-4023



From: Karen Combs [mailto:7kcombs@gmail.com]
Sent: Thursday, October 17, 2019 3:02 PM
To: Kristen Ashbeck <kristena@gjcity.org>; Tamra Allen <tamraa@gjcity.org>; Rick Taggart <rickt@gjcity.org>; Phyllis Norris <phyllisn@gjcity.org>; Phillip Pe'a <phillipp@gjcity.org>; Anna Stout <annas@gjcity.org>; Duke Wortmann <dukew@gjcity.org>; Kraig Andrews <kraiga@gjcity.org>; Chuck McDaniel <chuckmc@gjcity.org>; comdev <comdev@gjcity.org>
Subject: Do NOT modify our Comprehensive Plan for the 23-acre development at Canyon Rim Drive by LaPlata

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Dear Kristen Ashbeck, Tamra Allen, and Honorable Grand Junction City Council Members,

We strongly encourage you to **reject** the LaPlata proposed amendment of change to our Comprehensive Plan for their 23 acres at the end of Canyon Rim Drive. Their current zoning status of “Conservation” should remain in place for the following reasons:

1) Nothing has changed since the 2009 Comprehensive Plan regarding this parcel. It was deemed then to be “sensitive, hazardous land”. It needs our continued protection as nothing has changed. The surrounding Canyon Rim neighborhood was 99% built out by 2009 with LaPlata property conserved as an environmental buffer, so to speak. The LaPlata property is at the base of steep, high hillsides of unstable, expansive soils. Drainage is a serious concern not just for the proposed LaPlata neighborhood, but existing Canyon Rim neighborhood. The LaPlata development will cover up more surface area for drainage and disrupt soil

percolation - which the Canyon Rim subdivision did not take into account years ago when it was established. [Criteria for Plan Amendments, (1) (i) and (ii)]

2) The Dakota Circle area to the south of La Plata property is adjacent to similar "sensitive, hazardous" land forms. The lots backing up to the land forms are 1 - 3 acres in size, versus the proposed LaPlata lot size of well under an acre. Can LaPlata's difficult, lousy housing location truly support the density that LaPlata proposes given the soil and other environmental concerns?

- 325 Dakota Cir - 1.96 acres
- 335 Dakota Cir - 2.53 acres
- 339 Dakota Cir - 3.11 acres
- 347 Dakota Cir - 1.05 acres
- 349 Dakota Cir - 1.04 acres
- 351 Dakota Cir - 1.08 acres
- 355 Dakota Cir - 1.17 acres

3) For this amendment, LaPlata cannot prove that "The community or area, as defined by the presiding body, will derive benefits from the proposed amendment." Ask any realtor - there is a surplus of homes on the market > \$500k, which move very slowly. The Canyon Rim neighborhood has one lot for sale and multiple homes for sale. Plus, the Canyon View neighborhood across South Camp Rd. has several of homes for sale. Within the city, we should focus on more environmentally suitable areas for housing developments than LaPlata's tight, hazardous acreage. [Criteria for Plan Amendments, (1) (iv) and (v)]

Thank you for your consideration of my comments.

Karen Combs

372 Caprock Drive
Grand Junction, CO 81507

Kristen Ashbeck

From: Paul Cowan <PaulCowan886@hotmail.com>
Sent: Thursday, October 17, 2019 11:26 AM
To: Kristen Ashbeck; TamaraA@gjcity.org; Phillip Pe'a; Anna Stout; Phyllis Norris; Duke Wortmann; Kraig Andrews; Rick Taggart
Subject: Canyon Rim Re-Zoning

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Dear City Officials,

I would like to submit my comments regarding the proposed rezoning of the 23 acres of land near the Canyon Rim sub-division. I've been a resident of this sub-division since 2010. I don't believe that the Comprehensive Plan that currently governs zoning in this area is invalid. The current plan zones those 23 acres for "conservation" and that designation should stand. It is my understanding that lands currently zoned "Conservation" means they are reserved for open space, wildlife habitat, sensitive or hazardous land protection, etc. My wife and I are frequent users of this open space as hikers, bird-watchers, and cyclists and we believe that any change to the zoning of this area would be greatly detrimental to maintaining the goals of providing citizens with opportunities for open space and conservation areas. Visit this area on a weekend and you will see that many people who live in this area are utilizing this area.

I was at an urban planning meeting a few years ago and someone made the comment that "they don't make open space anymore." This is especially applicable to this 23 acres. This is the largest piece of open space left on the Redlands that is immediately adjacent to the urbanized area of Grand Junction. It is one of the few places near Grand Junction where one can still visit a Pinyon-Juniper Forest without having to go up in to the Monument or to the Colorado Canyons Conservation Area. It is a great area to go for a walk with your dog, to bird-watch, or to trail run. It has some of the best "easy" single track mountain bike riding in Mesa County; much easier than the trails found at the Lunch Loops area. Once this resource is gone, it can never be re-claimed.

This is a "quality of life" issue." Grand Junction was recently named by "Where to Retire" magazine as one of the top retirement town in the country. The Economic Development office is trying to market Grand Junction as a center for outdoor recreation and outdoor related industries. We are trying to attract people and diversified industries to move here. So why would the Planning Commission and City Council allow this last chunk of open land to be re-zoned for a dense housing development?

Has there been a change in character and conditions here in this part of the Redlands that would justify this change? In my opinion, there has not. There are still three unbuilt lots in the currently developed part of Canyon Rim; two on Teegan Court and one on Canyon Rim. I also understand that there are unsold lots in Red Rocks Valley. I drove through that new Granite Falls sub-division this past weekend. Most of the new homes have "For Sale" signs in their front yards from either real estate agents or contractors so it appears that most of these new houses are spec homes and not pre-purchased

homes. A friend who is a real estate agent told me that sales in this development are "slow." There are also many unbuilt vacant lots in this new sub-division. There are several houses in the Canyon Rim subdivision that have been on the market for some time, especially the larger ones with the walk-out basements that are at a much higher price-point (around 500K and up) than what most new home buyers are looking for (around \$300K according to my real estate friends). For those buyers who can afford a more expensive house, there would appear to be an adequate supply existing right now.

If one drives west on Monument Drive towards South Camp Road, there are at least two large signs put up by local real estate companies that advertise the availability of residential acreage for future housing developments. There is another similar sign on South Camp Road just north of the Red Rocks development. Those signs have been up for months. The land has evidently not sold. What does this tell us? Perhaps there is not a large market for homes that would be in the \$400K and up price range? Perhaps most local developers and contractors know about the soils that exist around this area, hence their lack of interest. A neighbor here in Canyon Rim told me that when this sub-division was first being developed, he looked in to buying a lot on Teegan Drive. He had the building site analyzed by an engineer who told him that because of the expansive soil issue, it would probably cost about \$100K just to prepare the building site. So one can assume that any new houses built in the hilly topography overlooking Canyon Rim area will be significantly more expensive than what the market seems to be at right now.

The Red Rock Valley and Granite Falls sub-divisions, as well as the current availability of residential real estate along Monument and South Camp Roads indicate that there is already an adequate supply of suitably designated land available right now to accommodate the proposed land use.

Have any studies been done on the existing traffic flows on South Camp Road? During the day, it is already difficult to make a left turn on to South Camp Road from the Canyon Rim sub-division. Northbound traffic on South Camp Road coming around the blind curve just south of Wingate Elementary School is frequently traveling way too fast, considering the fact Wingate Elementary School is directly across the street from where the entrance to Canyon Rim is located. Even the flashing lights of the pedestrian signal fail to get many drivers to slow down. An expansion of 23 road would empty out on to South Camp Road right by the school. This would only exacerbate the dangerous situation that already exists there now. An expanded 23 road would certainly destroy the ambiance and character of the Canyon Rim neighborhood and certainly cause much more traffic by Wingate Elementary School.

Does the planning commission and city council even care about these concerns? **There is no way that this proposed development is going to provide any benefits to the existing Canyon Rim neighborhood, unless the planning commission and city council think that more traffic, more noise, more congestion, and more clogged roads are a good thing. The unstable geology of this area is not going to change and in fact, could impact already existing homes by altering drainage patterns, the water table, etc. Has this been adequately studied? Approving this change will destroy the character of our nice neighborhood and lower our property values.**

The issue of expansive soils in this area has not changed in the last ten years, nor the fact that whenever there is hard rainfall here, there is run-off from the hills overlooking Teegan Court down in to the homes that are already there. When I walk or ride my bike on the trail overlooking those homes after a good

rainstorm, I can see the debris and runoff heading downhill right towards the back of these houses. Sometimes there is even run-off of mud and gravel on to the streets. This has been especially noticeable at the far north end of Caprock Drive.

Finally, I'd like to make a few comments about the concept of zoning. Most of us who moved out here and bought our property did so because of the zoning that existed then and still does now. I assume that when the developer purchased this land, he knew what the existing zoning was, ie., "conservation". What is the point of even having zoning if it can be so easily changed whenever someone makes a request? I understand that the developer wants a return on his investment but I can only assume that he knew what the existing zoning was when the land was purchased. I have no problem with one house per five acres. This would still maintain the open nature of this fine piece of natural beauty and still allow the property owner the opportunity to receive a return on their investment. Ideally, the city would recognize the value of this open space and work with other organizations to purchase this land and keep it as city owned open space.

I urge the Planning Commission to deny this change. I submitted similar comment several months ago to city planning staff and city council. I did not receive one reply from anyone in city government. Thank you for listening to my concerns.

Sincerely,

Paul Cowan
371 Caprock Drive

Kristen Ashbeck

From: comdev
Sent: Wednesday, October 16, 2019 4:50 PM
To: Kristen Ashbeck
Subject: FW: Canyon Rim 360 Project

From comdev email.

Pat

From: Merritt & Lois Kinsey [mailto:hmkinsey@gmail.com]
Sent: Wednesday, October 16, 2019 8:24 AM
To: comdev <comdev@gjcity.org>
Subject: Canyon Rim 360 Project

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Attention: Kristen Ashbeck and Tamara Allen

Dear City Planners

Following is the text of a letter sent today objecting to the proposal building of housing in an area designated by the 2009 Comprehensive Plan as a conservation area. We believe approval of a rezoning for such a plan would not be in the city's best interests.

H. Merritt Kinsey

There is a Project titled "Canyon Rim 360" coming up for a Planning Department and City Council review shortly. My neighbors and I have some very serious concerns about this plan.

First, the City is still operating under the 2009 Comprehensive Plan, and for this Plan to be proceed, the existing Comprehensive Plan would need to be amended. In this plan that is STILL current, this area is designated as a Conservation Area, and for good reasons.

- The area in consideration is Geologically unstable, with significant deposits of Bentonite soils. The City Code states that 'every effort should be made to avoid, mitigate, and minimize development in the mapped hazard areas'
- The 23 acres in question are within a mapped hazardous area. There are likely rock falls, steep slope erosion, poor building soils, and many small drainage channels throughout this acreage.

- The Conservation designation area allows for 1 Dwelling Unit per 5 acres, a reasonable number. The Developer claims that the City should amend the Comprehensive Plan of 2009 to a much higher density of dwelling units, in an R-1 request with 'clustered' homes. This is totally inconsistent with the adjoining areas along Teegan Court and Dakota Drive and will adversely affect values in those areas.
- Current homes on Teegan and Dakota are located on staggered lots, which allows for improved views and natural drainages. Even with this, there are several homes whose foundations have shifted due to unstable soils.
- The developer claims that character and conditions of the area have changed such that the amendment they desire is consistent with the Comprehensive plan. This is patently untrue.
- Canyon Rim was completed in 2009. Most purchasers on Teegan and on Dakota were told by their realtors that the area behind their homes was a Conservation Area due to unbuildable soils and the conservation designation. It needs to stay that way!
- There is an abundance of building sites available to developers in the Redlands area without amending the Comprehensive Plan and Conservation designation, i.e.: Granite Falls, with more suitable soil conditions that are NOT in designated Conservation areas.
- Presently, there is a large inventory of high-end housing available in the Redlands, as well as open buildable areas. Adding to that inventory is unwise, especially when adding would involve changing a designated Conservation area.
- The overall plat that the owner has includes some 600 acres of property, mostly on top of the bluff in the Easter Hill/23 Road areas. Why would the city want to destroy the safety-wise set aside of the Conservation area over a 23 unit piece, which will also provide a buffer for the landowners planned 600 acre development?

In summary, Please respect our neighborhood and the conservation set aside originally passed as part of the 2009 Comprehensive plan. This development should NOT be approved at the expense of the existing neighborhoods, who will be placed at risk for flooding and soils clogging up the drainages that currently exist.

Very truly yours,
 H. Merritt Kinsey
 356 Teegan Court
 Grand Junction, CO 81507
hmkkinsey@gmail.com; 970-210-6364

Kristen Ashbeck

From: comdev
Sent: Wednesday, October 16, 2019 4:50 PM
To: Kristen Ashbeck; Tamra Allen
Subject: FW: 360 Project

From comdev email.

Pat

From: Lois Kinsey [mailto:loiskinsey@gmail.com]
Sent: Wednesday, October 16, 2019 9:08 AM
To: comdev <comdev@gjcity.org>
Subject: 360 Project

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Dear Ms. Ashbeck & Ms. Allen,

I have concerns regarding the Canyon Rim 360 Project.

As I understand it, the City is still operating under the 2009 Comprehensive Plan. Consequently, in order for the 360 Project to proceed, the existing Comprehensive Plan would need to be amended. I object to removing the **Conservation** designation from the current Comprehensive Plan.

1. I applaud those who developed the 2009 Comprehensive Plan and designated the Conservation Area. I am sure they studied the current science of the area and acted accordingly to not only protect the open space but also to protect future homeowners from building/buying a home on unstable and hazardous land.
2. The Conservation designation allows for **1DU/5** acres. The developer is asking for 22 houses on 23 acres.
3. There are real and serious reasons behind the Conservation designation which have not changed since the development of the Comprehensive Plan. There are Geologic Hazards which make the area unsuitable for development and the City Code states 'every effort should be made to avoid, minimize and mitigate development in mapped hazard areas'. The 23 acres in question are within a mapped hazardous area. There is potential for rock outfall issues, steep slope erosion, poor building soils (i.e. bentonite), and many, many small drainage channels.
4. **"The City may amend the Comprehensive Plan if the proposed change is consistent with the vision, goals and policies of the Comprehensive Plan and"** In my view the 360 Project does not fit the vision of "Becoming the Most Livable Community West of the Rockies". The area in question is the last large open space in the City between the Colorado River & the Colorado National Monument. Hundreds of bikers, walkers, joggers from all over the valley use the area daily. We, who live here, know this from talking to many, many people/families/bikers over the last 6 months.
5. **"Subsequent events have invalidated the original premises and findings; and/or"**
From the developer: the adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;

Response: I would argue that subsequent events have proven the need to retain the Conservation designation and, with effort, an assessment could be made. Many, many homes in our subdivision have encountered significant foundation issues & subsequent costs. Large boulders have also been known to roll down the hillsides. Canyon Rim Filing 4 was approved for development in 2003, Teegan Court was developed by 2009. Houses with engineered foundations are still moving in 2019. Ask any house inspector or builder familiar with this subdivision. Take a look at Red Rocks Valley....

6. "The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or"

From the developer: the character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on more developable slopes.

Response: Again, Canyon Rim was essentially complete by 2009. I don't have a date for Dakota Circle but it is of similar construction and even larger lots than Canyon Rim (generally ½ acre+).

What adjacent subdivisions is the developer referring to? - Granite Falls in a field on the other side of South Camp and at least ¼ mile north? Red Rocks Valley, two subdivisions to our south and somewhat of a disaster due to unstable ground? Buffalo Drive and Canyon Vista directly across South Camp and built in the 1990's? How are 23 clustered homes going to fit in with Canyon Rim and enhance the area?

7. "An inadequate supply of suitable designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use: and/or"

From the developer: Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.

Response: I question whether the above statement is accurate. Granite Falls (104 homes) on South Camp and a county approved subdivision at the corner of South Camp & Monument Road will provide a significant & possible oversupply in \$400+ price range. Currently there are 93 listings in the Redlands at \$400+.

In addition, the City is currently looking for money to mitigate traffic on Patterson Road. There are 3 access points to the Redlands - has anyone ever experienced 'rush hour' traffic on Redlands Parkway? Approving additional large developments on South Camp, Broadway, and Monument Roads will put major pressure on the 2 lane Redlands Parkway bridge.

I could go on and on: soil erosion, increased pressure on Canyon Rim culverts which we maintain at our own expense and the developer means to use without any recompense, the comments we've heard from builders/inspectors familiar with this area, the comments we heard when core drilling of the area occurred in April, etc.

In Conclusion: In the overall 600+ acre plan, how financially important to the overall proposal are the 23 acres within the **CONSERVATION ZONE**. Why should we destroy the safety-wise **CONSERVATION ZONE** and possibly its future ability to provide a buffer for the landowners planned 600+ development? Do you really want to shoot for a **win-lose** situation, or should we be aiming for a **win-win**? Please respect our neighborhood and do this project in such a way that we can all call it a **win-win**.

Respectfully yours,
Lois J Kinsey
356 Teegan Court
Grand Junction, CO 81507
loiskinsey@gmail.com

356 Teegan Court
Grand Junction, CO 81507
October 14, 2019

Kristen Ashbeck, City Planner
Grand Junction Planning Dept.
250 North Fifth Street
Grand Junction CO 81501

Dear Ms. Ashbeck,

I have concerns regarding the Canyon Rim 360 Project.

As I understand it, the City is still operating under the 2009 Comprehensive Plan. Consequently, in order for the 360 Project to proceed, the existing Comprehensive Plan would need to be amended. I object to removing the **Conservation** designation from the current Comprehensive Plan.

1. I applaud those who developed the 2009 Comprehensive Plan and designated the Conservation Area. I am sure they studied the current science of the area and acted accordingly to not only protect the open space but also to protect future homeowners from building/buying a home on unstable and hazardous land.
2. The Conservation designation allows for **1DU/5** acres. The developer is asking for 22 houses on 23 acres.
3. There are real and serious reasons behind the Conservation designation which have not changed since the development of the Comprehensive Plan. There are Geologic Hazards which make the area unsuitable for development and the City Code states 'every effort should be made to avoid, minimize and mitigate development in mapped hazard areas'. The 23 acres in question are within a mapped hazardous area. There is potential for rock outfall issues, steep slope erosion, poor building soils (i.e. bentonite), and many, many small drainage channels.
4. **"The City may amend the Comprehensive Plan if the proposed change is consistent with the vision, goals and policies of the Comprehensive Plan and"** In my view the 360 Project does not fit the vision of "Becoming the Most Livable Community West of the Rockies". The area in question is the last large open space in the City between the Colorado River & the Colorado National Monument. Hundreds of bikers, walkers, joggers from all over the valley use the area daily. We, who live here, know this from talking to many, many people/families/bikers over the last 6 months.
5. **"Subsequent events have invalidated the original premises and findings; and/or"**
From the developer: the adoption of the Persigo 201 boundary, the creation of the Comprehensive Plan, the creation of Hillside regulations, are all events that would impact this property in some fashion, however being an old county PD with a lapsed plan there is no means to assess this;
Response: I would argue that subsequent events have proven the need to retain The Conservation designation and, with effort, an assessment could be made. Many, many homes in our subdivision have encountered significant foundation issues & subsequent costs. Large boulders have also been known to roll down the hillsides. Canyon Rim Filing 4 was approved for development in 2003, Teegan Court was developed by 2009. Houses with engineered foundations are still moving in 2019. Ask any house inspector or builder familiar with this subdivision. Take a look at Red Rocks Valley....
6. **"The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or"**
From the developer: the character of the area has changed with the annexation and development of adjacent residential subdivisions, as well as the Hillside regulations that support clustering of smaller lots on more developable slopes.
Response: Again, Canyon Rim was essentially complete by 2009. I don't have a date for Dakota Circle but it is of similar construction and even larger lots than Canyon Rim (generally ½ acre+).

What adjacent subdivisions is the developer referring to? - Granite Falls in a field on the other side of South Camp and at least ¼ mile north? Red Rocks Valley two subdivisions to our south and somewhat of a disaster due to unstable ground? Buffalo Drive and Canyon Vista directly across South Camp and built in the 1990's? How are 23 clustered homes going to fit in with Canyon Rim and enhance the area?

7. "An inadequate supply of suitable designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use: and/or

From the developer: Residential growth pressure is high throughout the community, as witnessed by the lack of housing inventory. The remaining 343 acres and more will be developed as vacant land is scarce in the city, and large parcels of vacant land is even scarcer. This project will be a doorway to the future development of the vacant land to the north.

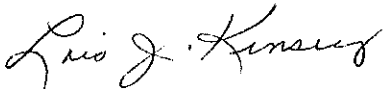
Response: I question whether the above statement is accurate. Granite Falls (104 homes) on South Camp and a county approved subdivision at the corner of South Camp & Monument Road will provide a significant & possible oversupply in \$400+ price range. Currently there are 93 listings in the Redlands at \$400+.

In addition, the City is currently looking for money to mitigate traffic on Patterson Road. There are 3 access points to the Redlands - has anyone ever experienced 'rush hour' traffic on Redlands Parkway? Approving additional large developments on South Camp, Broadway, and Monument Roads will put major pressure on the 2 lane Redlands Parkway bridge.

I could go on and on: soil erosion, increased pressure on Canyon Rim culverts which we maintain at our own expense and the developer means to use without any recompense, the comments we've heard from builders/inspectors familiar with this area, the comments we heard when core drilling of the area occurred in April, etc.

In Conclusion: In the overall 600+ acre plan, how financially important to the overall proposal are the 23 acres within the **CONSERVATION ZONE**. Why should we destroy the safety-wise **CONSERVATION ZONE** and possibly its future ability to provide a buffer for the landowners planned 600+ development? Do you really want to shoot for a **win-lose** situation, or should we be aiming for a **win-win**? Please respect our neighborhood and do this project in such a way that we can all call it a **win-win**.

Respectfully yours,



Lois J Kinsey

City Planner Kristen Ashbeck
Grand Junction City Council
250 North Fifth Street
Grand Junction, CO 81501

Dear Ms. Ashbeck

There is a Project titled "Canyon Rim 360" coming up for a Planning Department and City Council review shortly. My neighbors and I have some very serious concerns about this plan.

First, the City is still operating under the 2009 Comprehensive Plan, and for this Plan to be proceed, the existing Comprehensive Plan would need to be amended. In this plan that is STILL current, this area is designated as a Conservation Area, and for good reasons.

- The area in consideration is Geologically unstable, with significant deposits of Bentonite soils. The City Code states that 'every effort should be made to avoid, mitigate, and minimize development in the mapped hazard areas'
- The 23 acres in question are within a mapped hazardous area. There are likely rock falls, steep slope erosion, poor building soils, and many small drainage channels throughout this acreage.
- The Conservation designation area allows for 1 Dwelling Unit per 5 acres, a reasonable number. The Developer claims that the City should amend the Comprehensive Plan of 2009 to a much higher density of dwelling units, in an R-1 request with 'clustered' homes. This is totally inconsistent with the adjoining areas along Teegan Court and Dakota Drive and will adversely affect values in those areas.
- Current homes on Teegan and Dakota are located on staggered lots, which allows for improved views and natural drainages. Even with this, there are several homes whose foundations have shifted due to unstable soils.
- The developer claims that character and conditions of the area have changed such that the amendment they desire is consistent with the Comprehensive plan. This is patently untrue.

- Canyon Rim was completed in 2009. Most purchasers on Teegan and on Dakota were told by their realtors that the area behind their homes was a Conservation Area due to unbuildable soils and the conservation designation. It needs to stay that way!
- There is an abundance of building sites available to developers in the Redlands area without amending the Comprehensive Plan and Conservation designation, i.e.: Granite Falls, with more suitable soil conditions that are NOT in designated Conservation areas.
- Presently, there is a large inventory of high-end housing available in the Redlands, as well as open buildable areas. Adding to that inventory is unwise, especially when adding would involve changing a designated Conservation area.
- The overall plat that the owner has includes some 600 acres of property, mostly on top of the bluff in the Easter Hill/23 Road areas. Why would the city want to destroy the safety-wise set aside of the Conservation area over a 23 unit piece, which will also provide a buffer for the landowners planned 600 acre development?

In summary, Please respect our neighborhood and the conservation set aside originally passed as part of the 2009 Comprehensive plan. This development should NOT be approved at the expense of the existing neighborhoods, who will be placed at risk for flooding and soils clogging up the drainages that currently exit.

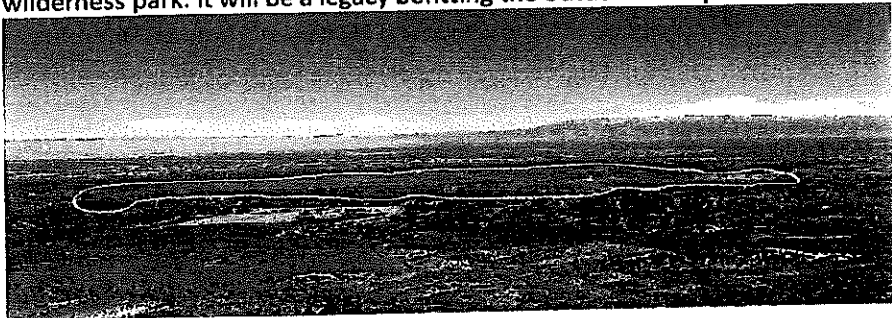
Very truly yours,



H. Merritt Kinsey
356 Teegan Court
Grand Junction, CO 81507
hmkinsey@gmail.com; 970-210-6364

Petition to Grand Junction City Council to Purchase Easter Hill for an Open Space Park

The undersigned citizens do hereby respectfully call upon City Council to enter into negotiations to purchase, or otherwise preserve the Easter Hill property, or critical portions thereof, for an open space park. This includes all the currently undeveloped lands surrounding the Redlands Ute Water storage tank. The hiking, biking and expansive views of the Grand Mesa, the Monument and the Book Cliffs it avails are located on this last large open space between the River and the Monument that is within the city. It is over 600 acres of high desert emptiness crisscrossed with trails. Grand Junction is projected to double in population over the next 25 years. The actions we take now to preserve open space will determine what we pass along to future generations. Once it is gone, it is gone forever. To fully appreciate the need, it is pertinent to understand the demographics of the current users. The petition author has witnessed hundreds of hikers, bikers and dog walkers from the unofficial trailhead at the end of Canyon Rim Drive which is but one of at least 5 entry points. He has spoken with many. Who are they? They are young children with their parents. They are teens and young adults attending area schools and CMU. They are workers getting in some exercise before or after work. They are retirees. They are high school and CMU cycling teams. They are cross country running teams. They are from all over the valley. Grand Junction, Fruita, Palisade, Clifton, Orchard Mesa. And they all share one common bond. The love of open space where they can get their heads clear. The current property owner has graciously allowed the use of his property for years. As is his right, he is now moving to profit on his investment by developing it. There is another way forward. We urge City Council to collaborate with The Colorado West Land Trust and other interested parties to purchase Easter Hill for an open space wilderness park. It will be a legacy befitting the outdoor lifestyle Grand Junction epitomizes. Thank you.



Name: David B. Caldwell

Address: 345 Dakota Circle

City & zip: Grand Junction, CO 81507

Signature: David B. Caldwell

E mail(optional) davidcaldwell@bresnan.net

Are you at least 18? Y N

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Name: Deborah J. Caldwell

Address: 345 Dakota Circle

City & zip: Grand Junction 81507

Signature: Deborah J. Caldwell

E mail(optional): debcauld@bresnan.net

Are you at least 18? Y or N

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Name: **Robert Bristol**

Address: **448 Athens Way**

City & zip: **Grand Junction, CO 81507**

Signature: 

E mail(optional): **sky@wispertel.net**

Are you at least 18? Y or N **Yes**