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**PLANNING COMMISSION AGENDA
TUESDAY, MAY 28, 2024 - CANCELLED**

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider a request by the City of Grand Junction, Property Owner, to rezone a total of 14.38 acres from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) with 11.96 acres of the total acreage located at the SW corner of the Winters Ave and Riverside Pkwy Intersection including 1441 Winters Ave, and 2.42 acres of the total acreage at the NW corner of the Winters Ave and Riverside Pkwy intersection. -- **THIS ITEM TO BE RESCHEDULED TO THE JUNE 11TH PLANNING COMMISSION HEARING**
2. Consider a request by Five Star Homes and Development Inc. to vacate all easements as identified on the Birks Blue Estates subdivision plat as granted to the public by Reception Number 1263633 with the exception of all easements located within Lot 30. -- **THIS ITEM TO BE RESCHEDULED TO A FUTURE HEARING DATE**
3. Consider a request by Five Star Homes and Development Inc. to vacate all rights-of-way as identified on the Birks Blue Estates subdivision plat as granted to the public by Reception Number 1263633 with the exception of the 50-foot right-of-way dedicated and platted as B 1/2 Road. -- **THIS ITEM TO BE RESCHEDULED TO A FUTURE HEARING DATE**

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
May 14, 2024, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:33 p.m. by Chairman Teske.

Those present were Planning Commissioners; Ken Scissors, Shanon Secrest, Keith Ehlers, Ian Moore, and Orin Zyvan.

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 1 members of the public in attendance, and 0 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from April 9, 2024.

Commissioner Scissors moved to approve the consent agenda.
Commissioner Zyvan seconded; motion passed 5-0.

REGULAR AGENDA

1. Volleys CUP Termination **CUP-2024-128**

Consider a request by Paul Herek, applicant and business owner, to terminate an existing Conditional Use Permit (CUP-2013-491 and amended with CUP-2020-147) on a property of approximately 1.596 acres in a CG (Commercial General) zone district located at 304 North Avenue and 1130 N. 3rd Street.

Staff Presentation

Jessica Johnsen, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Paul Herek with Volleys was present and available for questions.

Questions for staff and applicant

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 7, 2024, via www.GJSpeaks.org.

Mike Sitz expressed concerns about increased parking needs with the addition of the new volleyball courts, and requested that the CUP be extended.

Commissioner Ehlers and Mr. Sitz had a dialogue about the history of parking issues on site.

Jessica Johnsen noted that there are no minimum parking requirements for nonresidential uses in the redevelopment and infill areas.

Paul Herek indicated that Volleys is closed on the weekends.

The public comment period was closed at 5:46 p.m. on May 14, 2024.

Discussion

Commissioner Zyvan asked for more information on the request to terminate the CUP.

Commissioner Ehlers clarified the

Chairman Teske agreed with Commissioner Ehler's comments.

Motion and Vote

Commissioner Ehlers made the following motion "Mr. Chairman, on the Termination of the Conditional Use Permit for the property located at 304 North Avenue and 1130 N. 3rd Street, City File number CUP-2024-128, I move that the Planning Commission approve the termination of the CUP with the findings of fact listed in the staff report."

Commissioner Zyvan seconded; motion passed 5-0.

OTHER BUSINESS

Niki Galehouse let the Commission know that Commissioner Duyvejonck had submitted her resignation and Commissioner Zyvan would be filling her spot.

ADJOURNMENT

Commissioner Ehlers moved to adjourn the meeting.

The vote to adjourn was 5-0.

The meeting adjourned at 5:56 p.m.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: May 28, 2024
Presented By: Thomas Lloyd, Senior Planner
Department: Community Development
Submitted By: Thomas Lloyd, Senior Planner

Information

SUBJECT:

Consider a request by the City of Grand Junction, Property Owner, to rezone a total of 14.38 acres from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) with 11.96 acres of the total acreage located at the SW corner of the Winters Ave and Riverside Pkwy Intersection including 1441 Winters Ave, and 2.42 acres of the total acreage at the NW corner of the Winters Ave and Riverside Pkwy intersection. -- **THIS ITEM TO BE RESCHEDULED TO THE JUNE 11TH PLANNING COMMISSION HEARING**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The City of Grand Junction, property owner, is requesting a rezone of a total of 14.38 acres from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) with 11.96 acres of the total acreage located at the SW corner of the Winters Ave and Riverside Pkwy Intersection including 1441 Winters Ave, and 2.42 acres of the total acreage at the NW corner of the Winters Ave and Riverside Pkwy intersection. The requested MU-2 zone district is consistent with the One Grand Junction Comprehensive Plan Land Use Map designation of Mixed-Use.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject properties are situated at the intersection of Winters Avenue and Riverside Parkway. All the parcels are currently vacant, but at one time the parcel south of Winters Avenue housed the Doug Jones Sawmill. The City purchased the Sawmill property located at 1441 Winters Avenue in December 2019. The City was deeded the rest of the property to be rezoned from the Colorado Department of Public Health and

the Environment (CDPHE) in 1997. The current zone district of the property is I-2 (Industrial General). In December 2020, a year after the City purchased the property, the One Grand Junction Comprehensive Plan was adopted by the City and the subject property was given a land use designation of Mixed Use (8+ du/ac). The City of Grand Junction, property owner, is requesting a rezone of the properties to MU-2 (Mixed-Use Light Commercial). The Land Use Plan map, as adopted, supports the MU-2 zone district. The "Mixed Use" land use designation is implemented through zone districts which are comprised of uses that include higher residential densities while also allowing commercial, retail, employment, and service-oriented uses.

It's important to note that a portion of the property to be rezoned to MU-2 (Mixed-Use Light Commercial) will be subject to restrictive covenants that were put in place by CDPHE. In the property's deed that conveyed it to the City, restrictive covenants state that the property (i) must be used for public purposes, (ii) not to use groundwater from the site for any purpose, (iii) not to perform construction of any kind on the property without written approval of construction plans by the Grantor and the U.S. Department of Energy, (iv) that any habitable structures constructed on the property shall employ a radon ventilation system or other mitigation measures, and (v) that its use of the property shall not adversely impact ground water or interfere with ground water remediation. These covenants will need to be considered when determining future use of the property.

The request for a rezone anticipates future mixed-use development on the property. The One Grand Junction Comprehensive Plan encourages urban infill redevelopment on underutilized properties through policies that encourage increased activation of the riverfront and downtown area.

The purpose of the MU-2 zone district is to accommodate commercial, employment, multifamily, and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation. Commercial uses in the MU-2 district may be somewhat larger in scale and more flexible than the MU-1 (Mixed-Use Neighborhood) district but smaller in scale than MU-3 (Mixed-Use Downtown). Ground stories along streets are intended for commercial uses while upper stories are most appropriate for residential and/or office uses. The MU-2 district supports the Comprehensive Plan principles pertaining to Mixed-Use areas.

In addition to the MU-2 (Mixed-Use Light Commercial) zoning requested by the applicant, the following zone districts would also be consistent with the Comprehensive Plan designation of Mixed-Use:

- a. R-16 (Residential High 16)
- b. R-24 (Residential High 24)
- c. MU-1 (Mixed-Use Neighborhood)
- d. MU-2 (Mixed-Use Light Commercial)
- e. MU-3 (Mixed-Use Downtown)

The properties adjacent to the subject property to the north are zoned P-1 (Public, Parks, and Open Space) and I-2 (Industrial General). The property adjacent to the West and South are I-2 (Industrial General) and CG (Commercial General). To the South and the East, Las Colonias Park is zoned PD (Planned Development).

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held at Las Colonias Park on April 4, 2024, in accordance with Section 21.02.030(c) of the Zoning and Development Code. Of note, a concept plan was not presented at the meeting due to there being no concept for the site. The submittal of a concept plan at the time of rezoning is strongly discouraged since the decision is based on all permitted uses for the site in the proposed zoning district and not a site-specific development plan. The City staff was present as the Applicant, along with three members of the public. Additional information was presented regarding the timeline of the rezone request, opportunities for public comment, and public notification for the rezone request. Attendees at the meeting were concerned about the compatibility of residential uses adjacent to industrial zoned areas that allow and have existing higher intensity uses. There were also concerns about additional traffic and how it may affect the existing industrial operations in the area as well as safety on Riverside Parkway.

Notice was consistent with the provisions in Section 21.02.030(g) of the Zoning and Development Code. The subject property was posted with a public hearing notice sign on May 15, 2024. 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 May 18, 2024. The notice of this public hearing was published May 19, 2024 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between May 21, 2024 and May 28, 2024 through the GJSpeaks platform.

ANALYSIS

The criteria for review are set forth in Section 21.02.050(I)(3)(ii) of the Zoning and Development Code, which provides that an applicant for rezoning has the burden of producing evidence that proves **each** of the following criteria:

(A) Consistency. The proposed zoning is generally consistent with applicable provisions of the Comprehensive Plan.

The proposed rezone to MU-2 implements the following Plan principles, goals, and policies of the Comprehensive Plan:

Land Use Plan: Relationship to Existing Zoning

Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan. The requested zoning of MU-2 is

compatible with and an implementing zone district for the Comprehensive Plan Land Use Map designation of Mixed Use.

Plan Principle 3: Responsible and Managed Growth

Where We Are Today (and Where We Are Going) – The Comprehensive Plan raises concerns about a waning supply of attainable housing combined with a limited supply of land that has existing infrastructure available. Priority has been placed on areas such as this property identified for infill and redevelopment to move forward effectively and manage growth.

How We Will Get There – The policies in this principle address how growth should happen within the city. One such policy is to support a compact growth pattern and encourage the efficient use of land through the Zoning & Development Code. Another is to encourage infill and redevelopment to leverage existing infrastructure, with special emphasis being on underutilized properties. The last applicable policy is to support the development of neighborhood-centered commercial uses and mixed-use development. Rezoning these properties to MU-2 accomplishes all of these.

Plan Principle 4: Downtown and University Districts

Where We Are Today (and Where We Are Going) – The Comprehensive Plan identifies Investment in the Riverfront as an important step in the activation and redevelopment of the Downtown area. With its proximity to Las Colonias Park and the Colorado River, this property has the potential to be an important piece in the development in the River District, giving more residents and businesses the opportunity to locate near the new infrastructure and amenities constructed in that area.

How We Will Get There – This principle encourages a mix of uses in the three subdistricts that comprise the Downtown District. Specifically, this policy encourages mixed-use development in the River District due to the abundance of open space amenities and pedestrian-bicycle infrastructure along the riverfront. The policy further encourages the River District to develop into more of an urban neighborhood context with a mix of uses such as residential, home businesses, grocery, retail, and institutional to enhance the enjoyment and quality of life of residents and visitors alike in this area. In addition, this principle encourages the redevelopment of underutilized properties. The Comprehensive Plan encourages the need for infill development, placemaking, and connectivity as key elements of keeping a Downtown area vibrant. Rezoning the subject properties to MU-2 supports implementation of these policies.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Where We Are Today (and Where We Are Going) – The Comprehensive Plan identifies the need for strong neighborhoods and a variety of housing choices. Alternative housing types provide options for residents, such as affordability, low maintenance, community open spaces, and shared facilities. Another benefit of multifamily development is that it can be less expensive for the City to provide

services than conventional single-family housing. The community has also expressed a preference for these housing areas to be located with easy access to commercial services and outdoor recreational amenities. The City's goal is to have a more diverse range of housing types to expand the City's reputation for livability and affordability.

How We Will Get There – To accomplish this, the Comprehensive Plan encourages promoting more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes. Rezoning a property to Mixed-Use helps accomplish this by giving developers more flexibility for different housing types on a given site.

Plan Principle 8: Resource Stewardship

Where We Are Today (and Where We Are Going) – The Comprehensive Plan identifies the need to protect Grand Junction's rich natural resources. This includes water conservation, protecting landscape and habitat, natural areas and agriculture, and minimizing new developments impact on the environment.

How We Will Get There – The Comprehensive Plan identifies the need to promote the use of sustainable development practices by maximizing existing infrastructure. Rezoning the subject property to MU-2 would allow for more urban development in an area that has the appropriate infrastructure along the riverfront to support it rather than developing in existing greenfields.

Riverfront Area Specific Policies

The subject properties are identified as being in the Riverfront Mixed Use Area referenced in Chapter 4 of the Comprehensive Plan. This rezone is consistent with the Riverfront Area mixed use area specific policies. The area specific policies encourage a mix and relationship of uses with vertical mixed-use or freestanding multi-family buildings and that development adjacent to the Colorado River should work to activate and enhance the riverfront. Rezoning this property to MU-2 would allow development to develop the property in line with these policies.

Lower Downtown Subarea and Functional Improvements

This property is identified within the Riverside Parkway Mixed Use Character Area in the Lower Downtown Subarea. The Comprehensive Plan indicates that this area should be developed with a mix of uses oriented towards both Riverside Parkway and the park areas along the Riverfront. Uses such as hotels, entertainment, multifamily, commercial, and offices are all identified as acceptable development in this area. Further, 1441 Winters Ave and the property to the north are identified as *Opportunity Sites* on the potential functional improvements map in this subarea. Functional improvements are key improvements that will help ensure the area evolves in a way consistent with the community's vision. Opportunity sites are sites that are underutilized but would have a significant positive effect on activities and energy in the Lower Downtown Subarea if they were redeveloped. A rezone to MU-2 would be an important step in further implementing this portion of the Comprehensive Plan and further activating the Lower Downtown Subarea.

Staff finds that this criterion has been met.

(B) Development Patterns. The proposed zoning will result in logical and orderly development pattern(s).

The Land Use Plan map identifies the subject properties as Mixed Use. The requested MU-2 zone is an implementing zone district of the Mixed Use land use designation. The Mixed Use land use designation is implemented through zone districts which are comprised of uses that include higher residential densities while also allowing commercial, retail, employment, and service-oriented uses. The Land Use Plan map identifies Mixed Use as an appropriate use along the Riverside Parkway corridor to further encourage more urban redevelopment of these properties adjacent to such amenities as Las Colonias Park and the Riverfront Trail. The Comprehensive Plan encourages urban redevelopment in areas that have amenities nearby and existing infrastructure.

The subject property is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan which classifies it as an urban infill area. In Tier 1 areas, development should be directed toward vacant and underutilized parcels such as this one. This encourages orderly development patterns and limits infrastructure extensions while still allowing for both residential and business growth. The proposed MU-2 zoning district on the subject property will increase the availability of higher density residential units while also providing the opportunity for commercial uses for servicing that additional density.

The Comprehensive Plan identifies the need to promote the use of sustainable development practices by maximizing existing infrastructure. Rezoning the subject property to MU-2 would allow for more urban development in an area that has the appropriate infrastructure along the Riverfront to support it rather than developing existing greenfields. The subject property has sewer service and all other urban amenities to the property. Further, the City has completed substantial capital investment in the Riverfront area with the construction of Riverside Parkway, Las Colonias Park, Las Colonias Business Park, Dos Rios, and the Riverfront Trail. The City's investment has greatly improved multi-modal transportation alongside Riverside Parkway and north towards the Downtown employment area. The amenities of Las Colonias Park and the Riverfront trail provide a gathering space for future community members in the Lower Downtown subarea and have enhanced the livability of this area. The culmination of the City's investment makes this area a logical place for community members to live, work, and play.

Surrounding properties have a mix of land use designations and zone districts. Properties directly to the west are zoned I-2 (Industrial General). The area directly to the north is zoned a mixture of I-2 and I-1 (Industrial Light). This area of the City has seen substantial growth recently with the investment the City has completed in Riverside Parkway and Las Colonias Park. With this investment, this area has

become attractive for infill development and particularly for higher density residential and commercial uses. The area to the west along Riverside Parkway extending to S 9th St is zoned CG (Commercial General) and has an approved site plan for the Kimball Residences. There is also an existing mixed-use development nearby with the Struthers Residences. The area to the south is zoned PD at Las Colonias Park with both commercial and recreational uses. To the southwest from Las Colonias is property zoned MU-2 which consists of a campground as well as the Eddy Apartment building. Further west along Riverside Parkway includes the Dos Rios PD with a variety of commercial and residential uses planned for the site. Rezoning the subject property to MU-2 will be an extension of existing and planned mixed-use development already present in this area. Mixed-use development on this site will have a significant effect on the further activation of the public and private spaces in the lower downtown area and will build on the City's previous investment and work.

Staff finds that this criterion has been met.

(C) Benefits. The community or area, as decided by the reviewing body, derives an overall benefit(s) from the proposed zoning.

The community and area will benefit from this proposed request. The proposed zone provides an opportunity for housing with a range of density consistent with the Comprehensive Plan, along with commercial and institutional uses that can be supported by the additional housing. The further activation of this area will build on the City's previous efforts in the River District with the Dos Rios and Las Colonias projects. As stated earlier, the Comprehensive plan has identified this property as an opportunity site. Opportunity sites are sites that are underutilized but would have a significant positive effect on activities and energy in the Lower Downtown Subarea if they were redeveloped. A rezone to MU-2 would be a benefit to the community because it would be a step in further implementing this portion of the Comprehensive Plan and further activating the Lower Downtown Subarea.

Staff finds that this criterion has been met.

FINDINGS OF FACT AND STAFF RECOMMENDATION

After reviewing the Sawmill rezone request, for a rezone from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) with 11.96 acres of the total acreage located at the SW corner of the Winters Ave and Riverside Pkwy Intersection including 1441 Winters Ave, and 2.42 acres of the total acreage at the NW corner of the Winters Ave and Riverside Pkwy intersection, the following findings of fact have been made:

1. The request has met the burden of proof identified in Section 21.02.050(1)(3)(ii) of the Zoning and Development Code.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the Rezone request for the aforementioned property, City file number RZN-2024-236, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

- 1. Exhibit 1 - Development Application
- 2. Exhibit 2 - Site Maps
- 3. Exhibit 3 - Proposed Rezone Ordinance



Development Application

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

Petition For: Rezone

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

Existing Land Use Designation: <u>Mixed-Use</u>	Existing Zoning: <u>I-2, P-1</u>
Proposed Land Use Designation: <u>Mixed-Use</u>	Proposed Zoning: <u>MU-2</u>

Property Information

Site Location: NW/SW CORNER OF WINTERS AND RIVERSIDE Site Acreage: 14.38

Site Tax No(s): 294524215008, 294525200268, 294524300272 Site Zoning: I-2 (Industrial General)

Project Description: The City of Grand Junction, property owner, is requesting a rezone of a total of 14.38 acres from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) located at the NW and SW corner of the Winters Avenue and Riverside Parkway Intersection.

Property Owner Information

Applicant Information

Representative Information

Name: City of Grand Junction Name: City of Grand Junction Name: Community Development

Street Address: 250 N 5th St Street Address: 250 N 5th St Street Address: 250 N 5th St

City/State/Zip: Grand Junction, CO, City/State/Zip: Grand Junction, CO, City/State/Zip: Grand Junction, CO,

Business Phone #: 970-244-1508 Business Phone #: _____ Business Phone #: 970-244-1430

E-Mail: andrea.phillips@gjcity.org E-Mail: _____ E-Mail: thomas.lloyd@gjcity.org

Fax #: _____ Fax #: _____ Fax #: _____

Contact Person: _____ Contact Person: _____ Contact Person: Thomas Lloyd

Contact Phone #: _____ Contact Phone #: _____ Contact Phone #: 970-256-4143

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: Thomas Lloyd - Community Dev Date: 5/21/24
Please print and sign

Signature of Legal Property Owner: Andrea Phillips, Interim City Manager Date: 5/20/24
Please print and sign

Recorded at _____ o'clock _____ M.,
Reception No. _____

Recorder

QUITCLAIM DEED

The Colorado Department of Public Health and the Environment ("Grantor"), whose address is 4300 Cherry Creek Drive South, Denver, Colorado, 80222-1530, City and County of Denver, State of Colorado, pursuant to 42 U.S.C § 7914 (c) (1) (B) and C.R.S. § 25-11-303, hereby donates and quit claims to the City of Grand Junction ("Grantee", whose address is 250 North 5th Street, Grand Junction, Colorado, 81501, City of Grand Junction, County of Mesa, State of Colorado, the following real property in the County of Mesa, State of Colorado, to wit: A parcel of land containing Ninety Seven and Eighty Third (97.83) acres more or less, described as follows:

BOOK 2320 . PAGE 884
1796705 0945AM 04/29/97
MONIKA TODD CLK&REC MESA COUNTY CO
DOCUMENT FEE \$NO FEE

A parcel of land situated in the S½S½SE¼NE¼ and in Lot 3 of Section 23, and in the SW¼NW¼, the SE¼NW¼, Lot 3 and Lot 4 of Section 24, all in Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the East ¼ corner of Section 23, Township 1 South, Range 1 West of the Ute Meridian; thence N 00° 16' 54" W along the East line of the S½S½SE¼NE¼ of said Section 23 a distance of 330.32 feet to the Northeast Corner of said S½S½SE¼NE¼, thence N 89° 14' 53" W along the North line of said S½S½SE¼NE¼ a distance of 1318.19 feet to the Northwest Corner of said S½S½SE¼NE¼, thence S 00° 03' 46" W along the West line of said S½S½SE¼NE¼ a distance of 43.20 feet to a point on the South right-of-way line of Kimball Avenue and the True Point of Beginning of the parcel described herein; thence S 57° 18' 26" E a distance of 220.01 feet to a point 10.00 feet southerly measured at right angle to the centerline of the Denver and Rio Grande Western Railroad Spur Line; thence along a line parallel with and 10.00 feet southerly of said Railroad Spur centerline the following four (4) courses:

- 1) 211.84 feet along the arc of a curve to the left having a radius of 369.93 feet, a central angle of 32° 48' 39", and a long chord bearing S 73° 42' 44" E a distance of 208.96 feet;
- 2) N 89° 52' 57" E a distance of 710.66 feet;
- 3) 353.70 feet along the arc of a curve to the left having a radius of 1156.28 feet, a central angle of 17° 31' 37", and a long chord bearing N 81° 07' 09" E a distance of 352.33 feet;
- 4) N 72° 21' 21" E a distance of 488.61 feet to a point on the North line of the S½SW¼SW¼NW¼ of Section 24, Township 1 South, Range 1 West; thence N 89° 56' 27" E along the North line of said S½SW¼SW¼NW¼ a distance of 72.40 feet to the Southeast Corner of Lot 3, Colorado West Development Park, Filing No.2; thence N 00° 11' 11" W along the East line of said Lot 3 a distance of 67.50 feet to the Southwest Corner of Lot 4 of said Colorado West Development Park, Filing No.2; thence N 89° 36' 26" E along the South line of said Lot 4 a distance of 252.36 feet to the Southeast Corner of said Lot 4; thence S 00° 23' 34" E along the west line of Lot 6 of said Colorado West Development Park, Filing No. 2 a distance of 144.00 feet to the Southwest Corner of said Lot 6; thence N 89° 42' 38" E along the South line of said Lot 6 a distance of 411.62 feet to a point on the West line of the SE¼NW¼ of said Section 24; thence N 00° 22' 48" W along the West line of said SE¼NW¼ a distance of 1064.19 feet to the Northwest Corner of said SE¼NW¼, thence N 89° 57' 16" E along the North line of said SE¼NW¼ a distance of 799.91 feet to Northwest Corner of Pleasant View Subdivision (Replat); thence S 00° 06' 46" W along the West boundary of said Pleasant View Subdivision (Replat) a distance of 823.83 feet to the Southwest Corner of said Pleasant View Subdivision (Replat); thence S 89° 53' 44" E along the South boundary of said Pleasant View Subdivision (Replat) a distance of 528.15 feet to a point on the West right-of-way line for 27 ½ Road; thence S 00° 06' 46" W along said West right-of-way line a distance of 494.90 feet to a point on the North line of Lot 3 of said Section 24; thence S 89° 55' 33" W along the North line of said Lot 3 a distance of 652.10 feet; thence leaving said North line S 00° 08' 01" E a distance of 521.56 feet to the North bank of the main channel of the Colorado River; thence along the North bank of the main channel of said Colorado River the following four (4) courses:

- 1) S 75° 52' 39" W a distance of 681.87 feet;
- 2) S 74° 18' 00" W a distance of 262.06 feet;
- 3) N 83° 57' 00" W a distance of 192.50 feet;
- 4) S 80° 23' 00" W a distance of 521.30 feet;

thence along the North bank of the north channel of said Colorado River the following four (4) courses:

- 1) N 78° 24' 00" W a distance of 662.60 feet;
- 2) S 87° 31' 00" W a distance of 404.40 feet;
- 3) S 73° 37' 00" W a distance of 187.60 feet;
- 4) S 89° 21' 00" W a distance of 463.96 feet to a point on the West line of Lot 3 of said Section 23; thence N 00° 03' 46" E along the West line of said Lot 3 and West line of the S½S½SE¼NE¼ of said Section 23 a distance of 1069.94 feet to the True Point of Beginning. Said parcel contains 97.83 acres more or less; Subject to a permanent 25 foot ingress-egress easement situate in the E ½ of Section 23, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said easement being 25 feet to the left (east) of an existing easement as conveyed to Prosperity Park, Inc., February 20, 1981 and recorded in Book 1299 at Page 197 of the records of the Mesa County Clerk and Recorder and said easement being extended south of the Prosperity Park Inc. Easement to the south line of the property, more particularly described as follows: Beginning at the Southwest corner of the SE¼NE¼ of Section 23, Township 1 South, Range 1 West, whose South line bears N 90° 00' 00" E with all bearings contained herein being relative thereto; thence N 00° 36' 22" W a distance of 289.92 feet to the Southerly edge of Kimball Avenue; thence leaving said Southerly edge of Kimball Avenue S 57° 51' 25" E a distance of 53.69 feet to the True Point of Beginning of the easement described herein; thence S 00° 36' 22" E a distance of 261.35 feet along the East line of the easement as recorded in said Book 1299 at Page 197 to the South line of the SE¼NE¼ of said Section 23, thence S 00° 43' 57" E a distance of 416.13 feet to the South line of the easement recorded in said Book 1299 at Page 197; thence S 90° 00' 00" W a distance of 45.15 feet along the South line of said existing easement as recorded in said Book 1299 at Page 197 to the West line of the NE¼SE¼ of said Section 23; thence South along the West line of the NE¼SE¼ of said Section 23 to the South line of the Property and the Point of Termination. The above described easement being left or East of the described line.

Including nine (9) shares of the capital stock of the Grand Valley Irrigation Company;

Grantor reserves to itself any non-tributary ground water underlying this parcel, the right to develop tributary ground water, and the right to surface access for ground water development;

Subject to: (i) any coal, oil, gas, or other mineral rights in any person; (ii) existing rights-of-way for roads, railroads, telephone lines, transmission lines, utilities, ditches, conduits, or pipelines on, over, or across said lands; (iii) court liens, judgments, or financial encumbrances such as deeds of trust for which a formal consent or order has been obtained from a court for the lien holder; (iv) other rights, interests, reservation or exceptions of record; and the following terms, conditions, rights, reservations and covenants:

Grantee agrees to accept financial responsibility for any costs associated with the disruption of any improvements on the site should the Department of Energy be required by the U.S. Nuclear Regulatory Commission to perform further surface remedial action;

Grantee covenants (i) not to use the property for any purpose other than public purposes as required by UMTRCA, 42 U.S.C. 7901 et. seq., as amended; (ii) not to use ground water from the site for any purpose, and not to construct wells or any means of exposing ground water to the surface unless prior written approval is given by the Grantor and U.S. Department of Energy; (iii) not to perform construction of any kind on the property unless prior written approval of construction plans, designs and specifications is given by Grantor and the U.S. Department of Energy; (iv) that any habitable structures constructed on the property shall employ a radon ventilation system or other radon mitigation measures; and (v) that its use of the property shall not adversely impact ground water quality nor interfere with ground water remediation under UMTRCA;

These covenants are made in favor and to the benefit of Grantor, shall run with the land and be binding upon Grantee and its successors and assigns, and shall be enforceable by Grantor, and its successors and assigns;

Grantee acknowledges that the property was once used as a uranium milling site, and that the Grantor makes no representations or warranties that the property is suitable for Grantee's purposes;

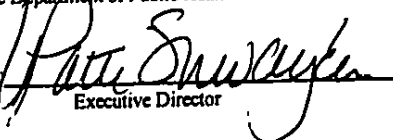
IN WITNESS WHEREOF:

GRANTOR:

APPROVED AS TO FORM:


David Kreutzer - Assistant Attorney General

STATE OF COLORADO
Roy Romer, Governor
Acting by and through
The Department of Public Health and Environment

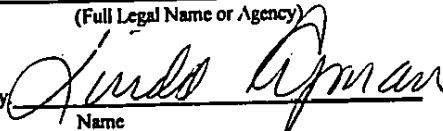
By: 
Executive Director

By: 
Program Approval

ACCEPTANCE OF DEED
AND COVENANTS

GRANTEE:

CITY OF GRAND JUNCTION
(Full Legal Name or Agency)

By: 
Name

Title: Mayor

(Affix Seal)



ATTESTATION:

Stephanie Nye
City/County Clerk

Signed this day of , 19

STATE OF COLORADO, }-
County of

The foregoing instrument was acknowledged before me this *26th*
day of *March*, 19*97* by *Linda Ofman and Stephanie Nye*

My commission expires *2/2/98*

Witness my hand and official seal



Christine English
Notary Public

WARRANTY DEED



This Warranty Deed made this 30th day of December, 2019 by and between **Winters Ave., LLC, a Colorado Limited Liability Company, Grantor**, whose mailing address is 1441 Winters Avenue, Grand Junction, CO 81501, for and in consideration of One Million, Eight Hundred Thousand and 00/100 Dollars, (\$1,800,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to the **City of Grand Junction, a Colorado home rule municipality, Grantee**, whose address is 250 N. 5th Street, Grand Junction, CO 81501, its successors and assigns forever, the following described real property together with all improvements, lying and being in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lots 5 and 6, Colorado West Development Park Filing Two as recorded in the Mesa County Clerk and Recorder's records, plus all of the vacated right-of-way abutting Lots 5 and 6 less that portion of Lot 6 previously granted to Grantee.

Also known by street and number as: 1441 Winters Avenue, Grand Junction, CO 81501.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, 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 above bargained premises, with the hereditaments and appurtenances, including but not limited to the wall adjacent to the right-of-way on the real property and continuing along the City's properties abutting.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances, together with any and all water rights and/or water shares, and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever. Grantor further covenants that it has full power and lawful authority to grant, sell and convey the same and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind and nature whatsoever, except taxes for the current year to be prorated to the date of sale and other encumbrances of record.

Executed and delivered this 30th day of December, 2019.

Winters Ave., LLC

Doug Jones
Doug Jones, Member

State of Colorado)
)ss
County of Mesa)

The foregoing instrument was acknowledged before me this 30th day of December, 2019 by Doug Jones, Member of Winters Ave., LLC.

My commission expires 12/31/21 Alice E. Young
Witness my hand and official seal.

ALICE E. YOUNG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20014039435
My Commission Expires December 17, 2021

Notary Public

Sawmill Property
Neighborhood Meeting Notes
April 4, 2024

A meeting was held at Las Colonias Park, at the Mariposa picnic shelter at 5:30 pm within view of the Sawmill property. There were three members of the public that attended. In attendance was a surrounding property owner Mr. Greg Guth. Representing Valor Tactical Innovation were CFO Wanda Carlson and Environment Health and Safety Manager Jeff Purdy. In attendance from the city was Thomas Lloyd from the Community Development Department.

City staff conducted the meeting and presented the proposed rezone of the city owned property at 1441 Winters Avenue along with the property across Winters Ave. The city's proposal is to rezone the property from Industrial General (I-2) to Mixed-Use Light Commercial (MU-2).

Public Comments/Questions

The attendees of the meeting had general concerns about the potential for residential dwelling units adjacent to an industrial area and asked why the city was interested in this rezoning. The attendees did not think that residential would be compatible with the existing industrial uses in the area. Staff explained that this property was identified as being an opportunity site to further enhance the River District in the 2020 Comprehensive plan due to the existing infrastructure and amenities nearby. Staff explained that the property was identified as Mixed Use on the Future Land Use Map. Attendees had concerns about traffic issues that might affect their operations as well as the potential for complaints from future residents in the area about their industrial operations. There were also concerns about the potential for car accidents on Riverside Parkway. Staff indicated that traffic analyses would be conducted and addressed during the major site plan process.

Attendees asked who would be partnering with the city to develop the property. Additionally, they asked whether a developer would receive incentives to develop the property. One attendee indicated his concerns with the city potentially providing incentives for private development. Staff indicated that it is unknown who would develop the property and that this is strictly a rezone of the property and that a partnership is not being sought out at this time. Staff explained that if the rezone is approved, the city would then likely seek bids for a partnership.

The representatives from Valor Tactical Innovation had concerns about new residential units in proximity to their facility. The company holds permits from various Federal and State regulatory agencies that are governed based on inhabited building distances. Valor Tactical Innovation's concern is that too many inhabited dwelling units could make the regulatory burden too scrutinous to continue their operation on Winters Ave. Staff explained the public comment process and that there would be opportunities to voice these concerns at upcoming Planning Commission and Town Council meetings.

EXHIBIT 1 - REZONE PARCEL A

Part of the Northwest 1/4 of Section 24, T1S, R1W,
Ute Meridian, City of Grand Junction,
Mesa County, Colorado

Legal Description

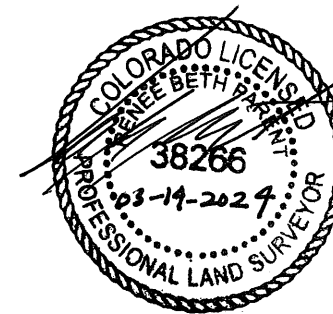
A portion of a parcel of land described in Reception Number 1796705, Lot 5 and a portion of Lot 6 in Colorado West Development Park Filing 2 same as recorded in Reception Number 1139503 and vacated Right-of-Way as described in Ordinance 2157 and the same as recorded in Reception Number 1349053 located in the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) and the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 24, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 24, whence the Center Quarter Corner bears N89°57'33"E using the Mesa County Local Coordinate System (MCLCS) with all other bearings herein being relative thereto; thence from said Point of Commencement, N54°00'18"E, a distance of 1,635.40 feet to the Northeast Corner of said Lot 5, Colorado West Development Park - Filing No. 2 being the Point of Beginning; thence N00°22'00"W, a distance of 6.76 feet along the West line of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of said Section 24; thence N89°48'41"E, a distance of 122.54 feet; thence Southeasterly along the arc of a 774.00 foot radius curve concave Southerly, a distance of 117.77 feet thru a central angle of 08°43'06" whose chord bears S85°49'47"E, a distance of 117.66 feet; thence Southeasterly along the arc of a 66.50 foot radius curve concave Southwesterly, a distance of 106.26 feet thru a central angle of 91°33'05" whose chord bears S35°41'41"E, a distance of 95.31 feet; thence S10°04'51"W, a distance of 237.97 feet; thence Southwesterly along the arc of a 576.50 foot radius curve concave Northwesterly, a distance of 798.56 feet thru a central angle of 79°21'54" whose chord bears S49°45'48"W, a distance of 736.23 feet; thence S89°26'45"W, a distance of 350.47 feet; thence N00°20'37"W, a distance of 227.59 feet to the Southwest corner of Lot 4 in said Colorado West Development Park - Filing No. 2; thence N89°39'23"E, a distance of 253.00 feet along the South line of said Lot 4 to the Southeast corner of said Lot 4; thence N00°20'37"W, a distance of 562.79 feet along the East line of said Lot 4 to the Northwest corner of said Lot 5 in Colorado West Development Park - Filing No. 2; thence N89°58'39"E, a distance of 410.43 feet along the North line of said Lot 5 to the Point of Beginning.

Except that portion of Right-of-Way as dedicated and described in Reception Number 2297517.

Said Rezone containing 521,049 Square Feet or 11.96 Acres, more or less as described.

Authored by:
Renee B. Parent, CO LS #38266
City Surveyor, City of Grand Junction



Renee B. Parent, CO PLS #38266
244 N. 7th St. Grand Junction, CO. 81501
(970) 256-4003

Engineering & Transportation Department

Sheet 1 of 4

The descriptions shown hereon has been derived from subdivision plats, deposit surveys & deed descriptions as recorded in the office of the Mesa County Clerk & Recorder & monuments as shown. This sketch does not constitute a legal boundary survey, & is not intended for use of establishing or verifying property boundary lines.

Drawn By: NCW
Date: 03/14/24
Reviewed By: RBP
Approved By: RBP

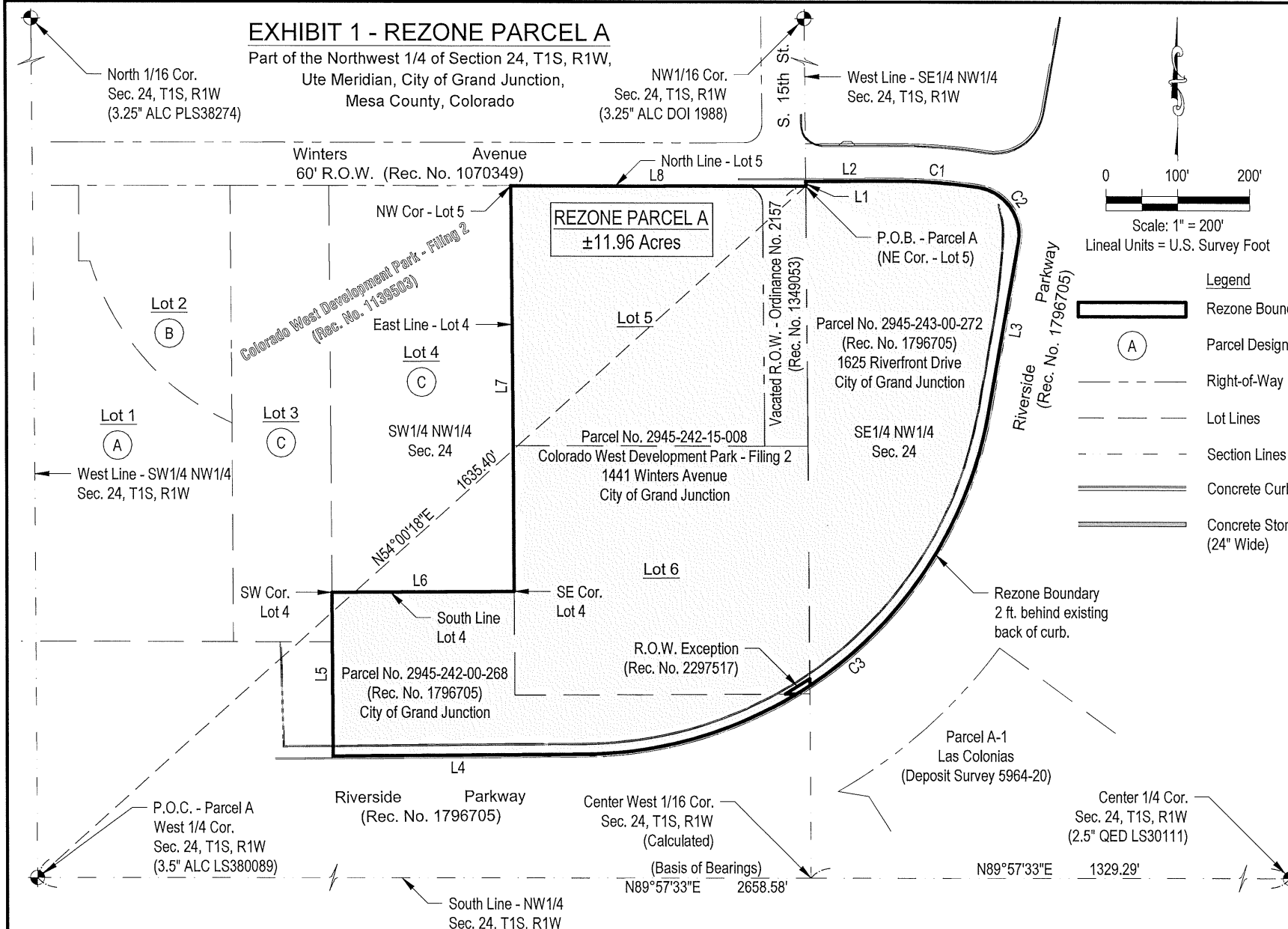
ABBREVIATIONS			
Rec. No.	Reception Number	Cor.	Corner
R.O.W.	Right-of-Way	AC.	Acres
P.O.B.	Point of Beginning	T	Township
P.O.C.	Point of Commencement	R	Range

Exhibit 1 - Rezone Parcel A
Part of the Northwest 1/4 of Section 24, T1S, R1W,
Ute Meridian, City of Grand Junction,
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO
244 North 7th Street
Grand Junction, Co. 81501

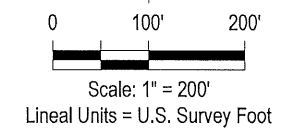
EXHIBIT 1 - REZONE PARCEL A

Part of the Northwest 1/4 of Section 24, T1S, R1W,
Ute Meridian, City of Grand Junction,
Mesa County, Colorado



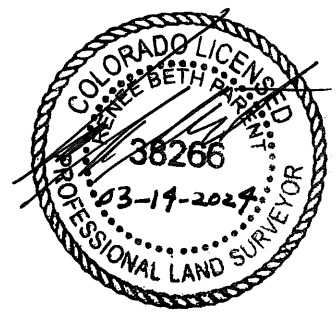
Line Table					
No.	Bearing	Distance	No.	Bearing	Distance
L1	N00°22'00"W	6.76'	L5	N00°20'37"W	227.59'
L2	N89°48'41"E	122.54'	L6	N89°39'23"E	253.00'
L3	S10°04'51"W	237.97'	L7	N00°20'37"W	562.79'
L4	S89°26'45"W	350.47'	L8	N89°58'39"E	410.43'

Curve Table				
No.	Arc	Radius	Delta	Chord Bearing/Distance
C1	117.77'	774.00'	08°43'06"	S85°49'47"E 117.66'
C2	106.26'	66.50'	91°33'05"	S35°41'41"E 95.31'
C3	798.56'	576.50'	79°21'54"	S49°45'48"W 736.23'



- Legend**
- Rezone Boundary
 - Parcel Designations
 - Right-of-Way Lines
 - Lot Lines
 - Section Lines
 - Concrete Curb & Gutter
 - Concrete Stone Wall (24" Wide)

- Parcel Information**
- Parcel No. 2945-242-15-001 (Rec. No. 246067)
 Lot 1 - Colorado West Development Park - Filing 2
 1227 Winters Avenue
 Waste Management of Colorado
 - Parcel No. 2945-242-15-002 (Rec. No. 2344145)
 Lot 2 - Colorado West Development Park - Filing 2
 21257 Winters Avenue
 Junction Leasing, LLC.
 - Parcel No. 2945-242-15-007 (Rec. No. 2746274)
 Lots 3 & 4 - Colorado West Development Park - Filing 2
 1328 & 1331 Winters Avenue
 Store Capital Acquisitions, LLC.



Renee B. Parent, CO PLS #38266
 244 N. 7th St. Grand Junction, CO. 81501
 (970) 256-4003

Engineering & Transportation Department

Sheet 2 of 4

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Drawn By: NCW
 Date: 03/14/24
 Reviewed By: RBP
 Approved By: RBP

ABBREVIATIONS

Rec. No.	Reception Number	Cor.	Corner
R.O.W.	Right-of-Way	AC.	Acres
P.O.B.	Point of Beginning	T	Township
P.O.C.	Point of Commencement	R	Range

Exhibit 1 - Rezone Parcel A
 Part of the Northwest 1/4 of Section 24, T1S, R1W,
 Ute Meridian, City of Grand Junction,
 Mesa County, Colorado

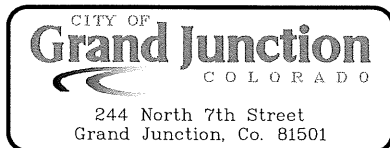


EXHIBIT 2 - REZONE PARCEL B

Part of the Northwest 1/4 of Section 24, T1S, R1W,
Ute Meridian, City of Grand Junction,
Mesa County, Colorado

Legal Description

A portion of a parcel of land described in Reception Number 1796705, located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 24, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

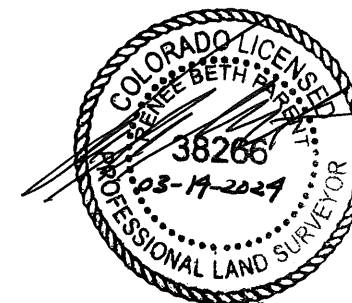
Beginning at the Northwest Sixteen (NW1/16) Corner of said Section 24, thence from said Point of Beginning, N89°58'16"E, a distance of 375.78 feet along the North line of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4); thence S10°03'53"W, a distance of 260.17 feet; thence Southwesterly along the arc of a 67.00 foot radius curve concave Northwesterly, a distance of 103.79 feet thru a central angle of 88°45'36" whose chord bears S54°26'41"W, a distance of 93.72 feet; thence Northwesterly along the arc of a 826.00 foot radius curve concave Southerly, a distance of 129.94 feet thru a central angle of 09°00'495" whose chord bears N85°40'55"W, a distance of 129.81 feet; thence S89°48'41"W, a distance of 122.70 feet to a point on the West line of said Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of said Section 24; thence N00°21'59"W, a distance of 301.11 feet along said West line to the Point of Beginning.

Said Rezone containing 105,222 Square Feet or 2.42 Acres, more or less as described.

The basis of bearings is the south line of the Northwest Quarter of said Section 24, N89°57'33"E using the Mesa County Local Coordinate System (MCLCS).

Authored by:

Renee B. Parent, CO LS #38266
City Surveyor, City of Grand Junction



Renee B. Parent, CO PLS #38266
244 N. 7th St. Grand Junction, CO. 81501
(970) 256-4003

Engineering & Transportation Department

Sheet 3 of 4

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Date: 03/14/24
Reviewed By: RBP
Approved By: RBP

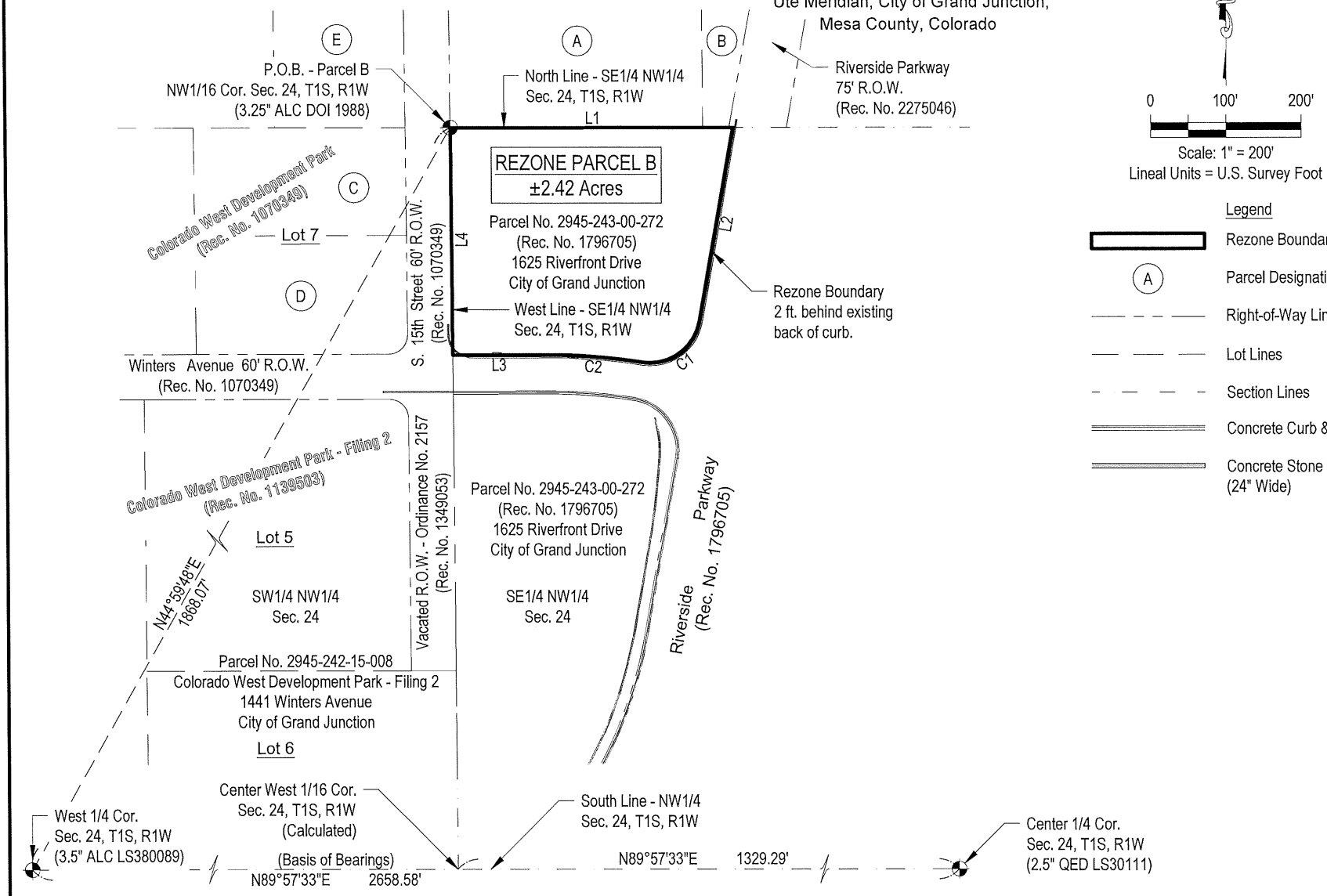
ABBREVIATIONS
Rec. No. Reception Number Cor. Corner
R.O.W. Right-of-Way AC. Acres
P.O.B. Point of Beginning T Township
P.O.C. Point of Commencement R Range

Exhibit 2 - Rezone Parcel B
Part of the Northwest 1/4 of Section 24, T1S, R1W,
Ute Meridian, City of Grand Junction,
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO
244 North 7th Street
Grand Junction, Co. 81501

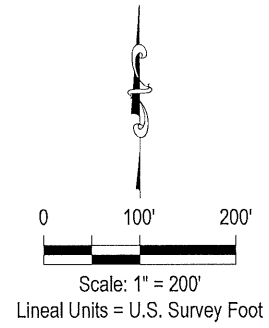
EXHIBIT 2 - REZONE PARCEL B

Part of the Northwest 1/4 of Section 24, T1S, R1W,
Ute Meridian, City of Grand Junction,
Mesa County, Colorado



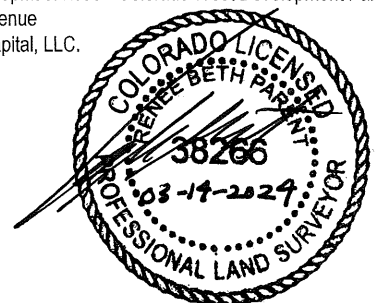
Curve Table				
No.	Arc	Radius	Delta	Chord Bearing/Distance
C1	103.79'	67.00'	88°45'36"	S54°26'41"W 93.72'
C2	129.94'	826.00'	09°00'49"	N85°40'55"W 129.81'

Line Table		
No.	Bearing	Distance
L1	N89°58'16"E	375.78'
L2	S10°03'53"W	260.17'
L3	S89°48'41"W	122.70'
L4	N00°21'59"W	301.11'



- Legend**
- Rezone Boundary
 - Parcel Designations
 - Right-of-Way Lines
 - Lot Lines
 - Section Lines
 - Concrete Curb & Gutter
 - Concrete Stone Wall (24" Wide)

- Parcel Information**
- Parcel No. 2945-242-00-233 (Rec. No. 1937088)
710 South 15th Street
A & G Partnership, LLP
 - Parcel No. 2945-242-00-262 (Rec. No. 1936868)
Parkerson Brothers, LLC
 - Parcel No. 2945-242-12-015 (Rec. No. 2326170)
Part of Lot 7 - Colorado West Development Park
1031 Winters Avenue
Teddy Bair Enterprises, LLC.
 - Parcel No. 2945-242-12-014 (Rec. No. 2412519)
Part of Lot 7 - Colorado West Development Park
1440 Winters Avenue
D.S. Partnership, LLC.
 - Parcel No. 2945-242-12-027 (Rec. No. 2099616)
 - Parcel D - Replat of Lot 3 - Colorado West Development Park
1453 4th Avenue
Hercules Capital, LLC.



Renee B. Parent, CO PLS #38266
244 N. 7th St. Grand Junction, CO. 81501
(970) 256-4003

Engineering & Transportation Department

Sheet 4 of 4

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Date: 03/14/24
Reviewed By: RBP
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ABBREVIATIONS
 Rec. No. Reception Number Cor. Corner
 R.O.W. Right-of-Way AC. Acres
 P.O.B. Point of Beginning T Township
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Exhibit 2 - Rezone Parcel B
Part of the Northwest 1/4 of Section 24, T1S, R1W,
Ute Meridian, City of Grand Junction,
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO
244 North 7th Street
Grand Junction, Co. 81501

General Project Report

Sawmill Property Rezoning

Background:

The city is proposing to rezone vacant land owned by the city for future development. The property is located at 1441 Winters Avenue on the corner of Riverside Parkway and Winters Avenue. The property consists of 14.38 acres, see area highlighted in yellow below. The rezoning area will contain a portion of Lots 4, 5 and 6 of the Colorado West Development Park, and a portion of the ROW and 2 feet behind the existing back of curb alongside Riverside Parkway and Winters Avenue. See below for the properties included in this request as well as the attached Rezone Exhibit for more detail.



Proposed Zoning:

The current zoning on the property south of Winters Ave is Industrial General (I-2). The current zoning on the property north of Winters Ave is Public Parks and Open Space (P-1). The proposed zone of the two properties is Mixed-Use Light Commercial (MU-2).

The properties lie within the area of Mixed-Use on the Land Use Map of the 2020 One Grand Junction Comprehensive Plan. The purpose of the Mixed-Use Land Use Designation in the Comprehensive Plan is to provide residential uses with a range of higher densities while also allowing commercial, retail, employment, and service-oriented uses. The zone districts that implement the Mixed-Use land use category include Residential High 16 (RH-16), Residential High 24 (RH-24), Community Services and Recreation (CSR), Mixed-Use Neighborhood (MU-1), Mixed-Use Light Commercial (MU-2), and Mixed-Use Downtown (MU-3). Zone districts that implement that land use category range in density from 12 units an acre (minimum) to 24 dwelling units an acre. The requested MU-2 zoning provides for a minimum density of 16 units an acre.

The purpose of the MU-2 zone district is to accommodate commercial, employment, multifamily and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation. Commercial uses in the MU-2 district may be somewhat larger in scale and more flexible than the MU-1 district but smaller in scale than MU-3. Ground stories along streets are intended for commercial uses while upper stories are most appropriate for residential and/or office uses. The MU-2 district supports the comprehensive plan principles pertaining to Mixed-Use areas.

In terms of surrounding zoning, the properties to the east and south are zoned Planned Development (PD) and are part of the RiverFront at Las Colonias Park and Business Park. Properties to the west are zoned Commercial General (CG) and Industrial General (I-2).

Neighborhood Meeting:

A Neighborhood Meeting was held on Thursday, April 4 at 5:30 to discuss the rezoning of the property. See the attached Neighborhood meeting Notes.

Rezoning Review Criteria:

- 1) **Review Criteria.** An applicant for Rezoning has the burden of producing evidence that proves each of the following criteria:
 - a) **Consistency**
The proposed zoning is generally consistent with applicable provisions of the Comprehensive Plan.

Response:

The proposed rezone to MU-2 (Mixed Use) implements the following Plan principles, goals, and policies of the Comprehensive Plan:

- Land Use Plan: *Relationship to Existing Zoning*

Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan. The requested zoning of MU-2 is compatible with and an implementing zone district for the Comprehensive Plan Land Use Map designation of Mixed Use.

- Plan Principle 3: *Responsible and Managed Growth*

Where We Are Today (and Where We Are Going) – The Comprehensive Plan raises concerns about a waning supply of attainable housing combined with a limited supply of land that has existing infrastructure available. Priority has been placed on areas such as this property identified for infill and redevelopment to move forward effectively and manage growth.

How We Will Get There – The policies in this principle address how growth should happen within the city. One such policy is to support a compact growth pattern and encourage the efficient use of land through the Zoning & Development Code. Another is to encourage infill and redevelopment to leverage existing infrastructure, with special emphasis being on underutilized properties. The last applicable policy is to support the development of neighborhood-centered commercial uses and mixed-use development. Rezoning these properties to MU-2 accomplishes all of these.

- Plan Principle 4: Downtown and University Districts

Where We Are Today (and Where We Are Going) – The Comprehensive Plan identifies Investment in the Riverfront as an important step in the activation and redevelopment of the Downtown area. With its proximity to Las Colonias Park and the Colorado River, this property has the potential to be an important piece in the development in the River District, giving more residents and businesses the opportunity to locate near the new infrastructure and amenities constructed in that area.

How We Will Get There – This principle encourages a mix of uses in the three subdistricts that comprise the Downtown District. Specifically, this policy encourages mixed use development in the River District due to the abundance of

open space amenities and pedestrian-bicycle infrastructure along the riverfront. The policy further encourages the River District to develop into more of an urban neighborhood context with a mix of uses such as residential, home businesses, grocery, retail, and institutional uses. Having such a mix of uses will enhance the enjoyment and quality of life of residents and visitors alike in this area, while also encouraging a variety of housing options for residents in this area. In addition, this principle encourages the redevelopment of underutilized properties. The Comprehensive Plan encourages the need for infill development, placemaking, and connectivity as key elements of keeping a Downtown area vibrant. Rezoning the subject properties to MU-2 is supported by the previously mentioned policies for all these reasons.

- Plan Principle 5: Strong Neighborhoods and Housing Choices

Where We Are Today (and Where We Are Going) – The Comprehensive Plan identifies the need for strong neighborhoods and a variety of housing choices. Alternative housing types provide options for residents such as affordability, low maintenance, community open spaces, and shared facilities. Another benefit of multifamily is that it can be less expensive for the city to provide services than conventional single-family housing. The community has also expressed a preference for these housing areas to be located with easy access to commercial services and outdoor recreational amenities. The city's goal is to have a more diverse range of housing types to expand the city's reputation for livability and affordability.

How We Will Get There – To accomplish this, the Comprehensive Plan encourages promoting more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes. Rezoning a property to Mixed-Use helps accomplish this by giving developers more flexibility for different housing types on a given site.

- Plan Principle 8: Resource Stewardship

Where We Are Today (and Where We Are Going) – The Comprehensive Plan identifies the need to protect Grand Junctions rich natural resources. This includes water conservation, protecting landscape and habitat, natural areas and agriculture, and minimizing new developments impact on the environment.

How We Will Get There – The Comprehensive Plan identifies the need to promote the use of sustainable development practices by maximizing existing infrastructure. Rezoning the subject property to MU-2 would allow for more urban development in an area that has the appropriate infrastructure along the riverfront to support it rather than developing in existing greenfields.

- **Riverfront Area Specific Policies:** The subject properties are identified as being in the Riverfront Mixed Use Area referenced in Chapter 4 of the Comprehensive Plan. This rezone is consistent with the Riverfront Area mixed use area specific policies. The area specific policies encourage a mix and relationship of uses with vertical mixed-use or freestanding multi-family buildings and that development adjacent to the Colorado River should work to activate and enhance the riverfront. Rezoning this property to MU-2 would allow development to develop the property in line with these policies.

- **Lower Downtown Subarea and Functional Improvements:** This property is identified within the Riverside Parkway Mixed Use Character Area in the Lower Downtown Subarea. The comprehensive plan indicates that this area should be developed with a mix of uses oriented towards both Riverside Parkway and the park areas along the Riverfront. Uses such as Hotels, entertainment, multifamily, and commercial uses and offices are all identified as acceptable development in this area. A rezone of MU-2 would be supported by this. Further, 1441 Winters Ave and the property to the north is identified as a potential functional improvement. Functional improvements are key improvements that will help ensure the area evolves in a way consistent with the community's vision. Specifically, 1441 Winters Ave is identified as an opportunity site. Opportunity sites are sites that are underutilized but would have a significant positive effect on activities and energy in the Lower Downtown Subarea if they were redeveloped. A rezone to MU-2 would be an important step in further implementing this portion of the comprehensive plan and further activating the Lower Downtown Subarea.

b) **Development Patterns**

The proposed zoning will result in logical and orderly development pattern(s).

As stated before, the Future Land Use Map identifies 1441 Winters Avenue and the property to the north as Mixed Use. The requested zoning of MU-2 is compatible with this designation since MU-2 is an implementing zone district of Mixed Use identified areas. The Future Land Use Map identifies Mixed Use as an appropriate use along the Riverside Parkway Corridor to further encourage more urban redevelopment of these properties adjacent to such amenities as Las Colonias Park and the Riverfront Trail. The adopted land use plan as included in the 2020 Comprehensive Plan encourages urban redevelopment in areas that have existing amenities nearby and infrastructure. Additionally, the proposed property results in a logical development pattern because it would be an extension of the other mixed-use areas along Riverside Parkway and the Colorado River and would have a significant effect on the further activation of the public and private spaces in lower downtown.

c) **Benefits**

The community or area, as decided by the reviewing body, derives an overall benefit(s) from the proposed zoning.

The community and area will benefit from this proposed request. The proposed zone provides an opportunity for housing with a range of density consistent with the Comprehensive plan along with commercial and institutional uses that can be supported by the additional housing. The further activation of this area will build on the city's previous efforts in the River District with the Dos Rios and Las Colonias projects. As stated earlier, the Comprehensive plan has identified this property as an opportunity site. Opportunity sites are sites that are underutilized but would have a significant positive effect on activities and energy in the Lower Downtown Subarea if they were redeveloped. A rezone to MU-2 would be a benefit to the community because it would be a step in further implementing this portion of the comprehensive plan and further activating the Lower Downtown Subarea.

Site Photos:

Looking at the Site from Across the St on Winters Ave



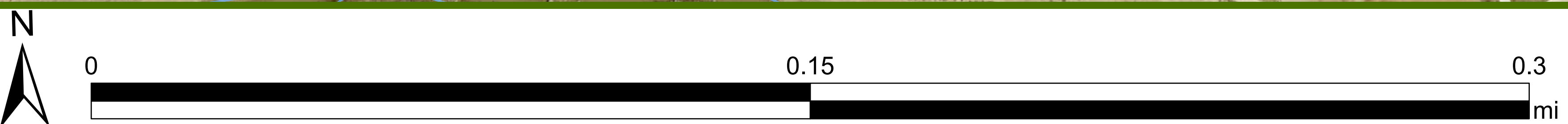
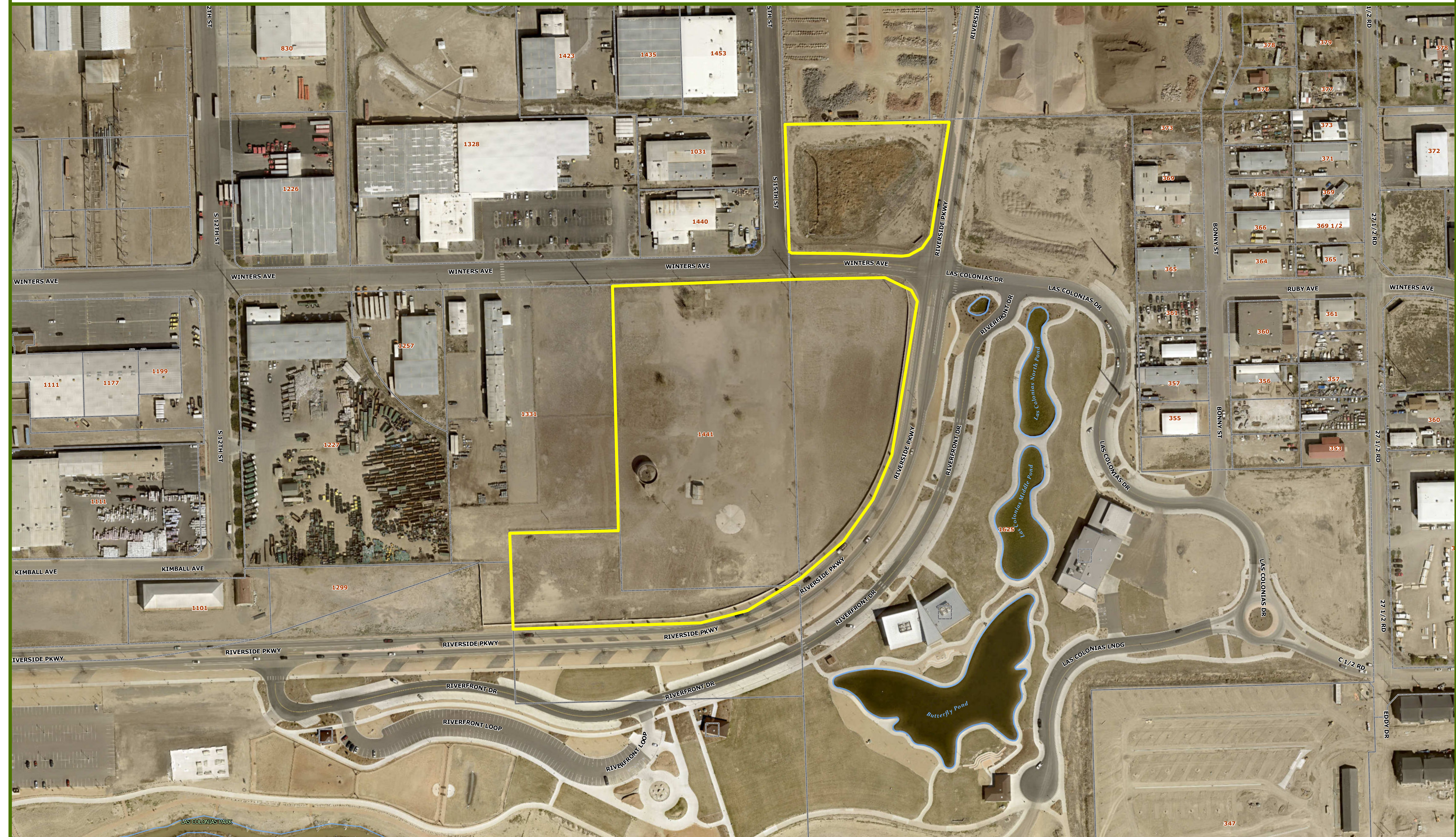
View of the Northeast Corner from Across the St on Riverside Parkway



View of the SE Corner from Across the Street on Riverside Parkway

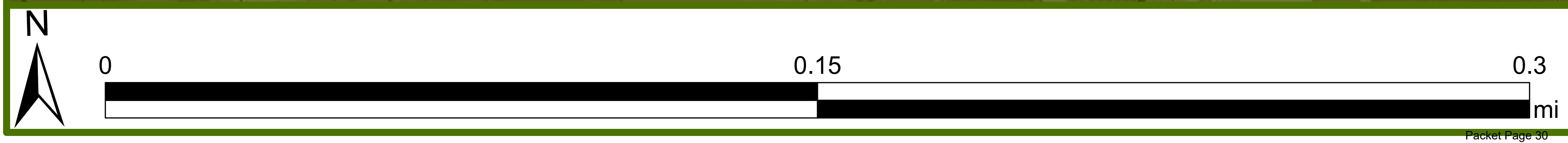
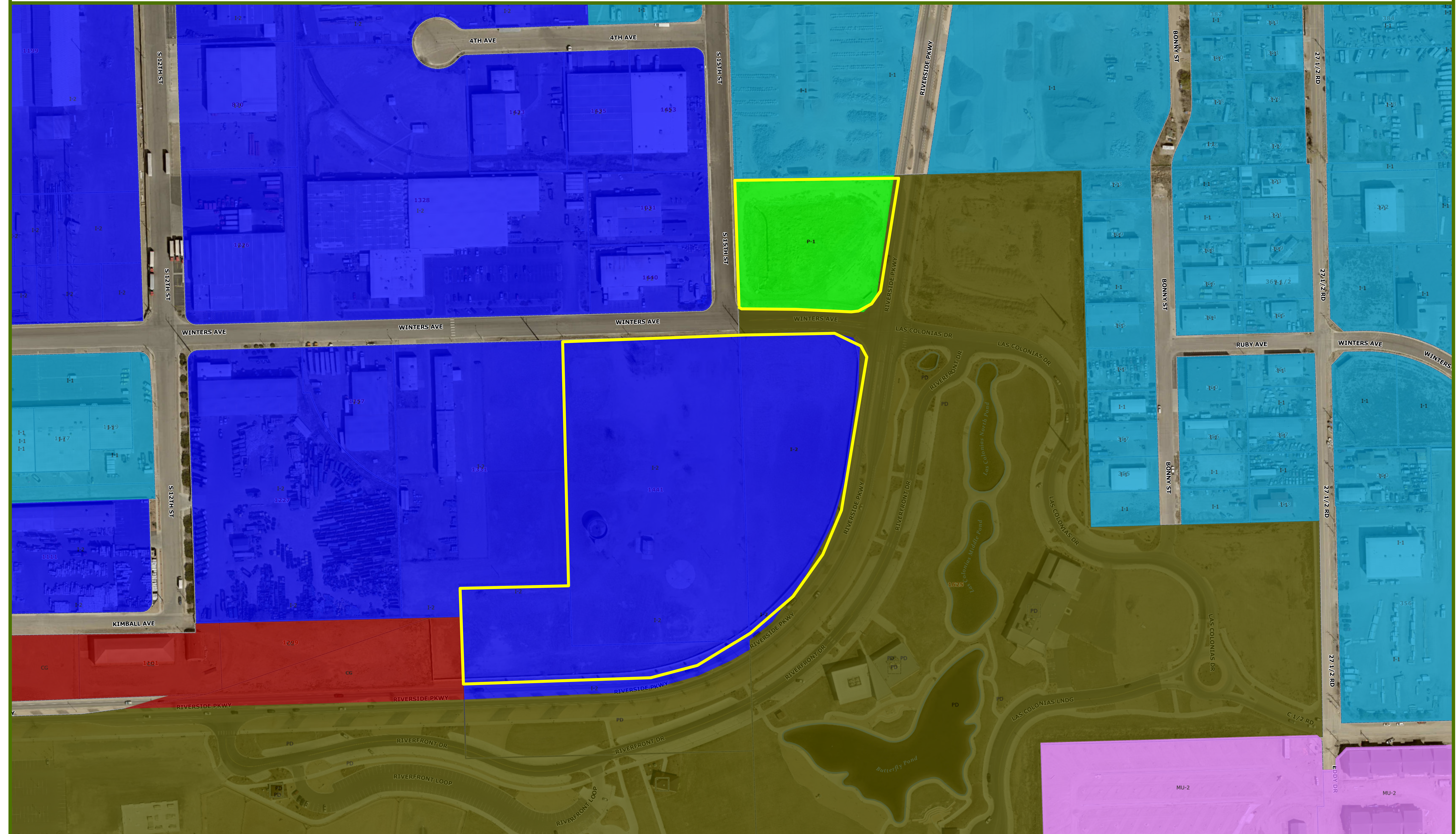


Sawmill Property Aerial



Printed: 4/3/2024
1 inch equals 94 feet
Scale: 1:1,128

Sawmill Property Current Zoning



Printed: 4/3/2024
1 inch equals 94 feet
Scale: 1:1,128

ORDINANCE NO.

AN ORDINANCE REZONING APPROXIMATELY 14.38 ACRES FROM I-2 (INDUSTRIAL GENERAL) AND P-1 (Public Parks and Open Space) TO MU-2 (Mixed-Use Light Commercial) ZONE DISTRICT LOCATED AT THE NW AND SW CORNER OF THE WINTERS AVE AND RIVERSIDE PKWY INTERSECTION

Recitals:

The property owner, City of Grand Junction, proposes a rezone from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) on a total of 14.38 acres with 11.96 acres of the total acreage located at the SW corner of the Winters Ave and Riverside Pkwy Intersection including 1441 Winters Ave, and 2.42 acres of the total acreage at the NW corner of the Winters Ave and Riverside Pkwy intersection.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) for Parcel A and Parcel B, finding that it is consistent with the One Grand Junction Land Use Map designation of Mixed-Use and the plan’s goals and policies.

After public notice and public hearing, the Grand Junction City Council finds that rezoning from I-2 (Industrial General) and P-1 (Public Parks and Open Space) to MU-2 (Mixed-Use Light Commercial) for Parcel A and Parcel B is consistent with the vision, intent, goals, and policies of the Comprehensive Plan. The City Council also finds that the request for rezone to the MU-2 (Mixed-Use Light Commercial) zone district meets the stated criteria of Section 21.02.050(l)(3)(ii) of the Grand Junction Zoning and Development Code.

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

The following property is hereby zoned MU-2 (Mixed-Use Light Commercial)

Parcel A

A portion of a parcel of land described in Reception Number 1796705, Lot 5 and a portion of Lot 6 in Colorado West Development Park Filing 2 same as recorded in Reception Number 1139503 and vacated Right-of-Way as described in Ordinance 2157 and the same as recorded in Reception Number 1349053 located in the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) and the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 24, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 24, whence the Center Quarter Comer bears N89°57'33"E using the Mesa County Local Coordinate System (MCLCS) with all other bearings herein being relative thereto; thence from said Point of Commencement, N54°00'18"E,

a distance of 1,635.40 feet to the Northeast Corner of said Lot 5, Colorado West Development Park - Filing No. 2 being the Point of Beginning; thence $\text{N}00^{\circ}22'00''\text{W}$, a distance of 6.76 feet along the West line of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of said Section 24; thence $\text{N}89^{\circ}48'41''\text{E}$, a distance of 122.54 feet; thence Southeasterly along the arc of a 774.00 foot radius curve concave Southerly, a distance of 117.77 feet thru a central angle of $08^{\circ}43'06''$ whose chord bears $\text{S}85^{\circ}49'47''\text{E}$, a distance of 117.66 feet; thence Southeasterly along the arc of a 66.50 foot radius curve concave Southwesterly, a distance of 106.26 feet thru a central angle of $91^{\circ}33'05''$ whose chord bears $\text{S}35041'41''\text{E}$, a distance of 95.31 feet; thence $\text{S}10^{\circ}04'51''\text{W}$, a distance of 237.97 feet; thence Southwesterly along the arc of a 576.50 foot radius curve concave Northwesterly, a distance of 798.56 feet thru a central angle of $79^{\circ}213'54''$ whose chord bears $\text{S}49^{\circ}45'48''\text{W}$ a distance of 736.23 feet; thence $\text{S}89^{\circ}26'45''\text{W}$, a distance of 350.47 feet; thence $\text{N}00^{\circ}20'37''\text{W}$, a distance of 227.59 feet to the Southwest corner of Lot 4 in said Colorado West Development Park - Filing No. 2; thence $\text{N}89^{\circ}39'23''\text{E}$, a distance of 253.00 feet along the South line of said Lot 4 to the Southeast corner of said Lot 4; thence $\text{N}00^{\circ}20'37''\text{W}$, a distance of 562.79 feet along the East line of said Lot 4 to the Northwest corner of said Lot 5 in Colorado West Development Park - Filing No. 2 ; thence $\text{N}89^{\circ}58'39''\text{E}$, a distance of 410.43 feet along the North line of said Lot 5 to the Point of Beginning. Except that portion of Right-of-Way as dedicated and described in Reception Number 2297517. Said Rezone containing 521,049 Square Feet or 11.96 Acres, more or less as described.

Parcel B

A portion of a parcel of land described in Reception Number 1796705, located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 24, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

Beginning at the Northwest Sixteen (NW1/16) Corner of said Section 24, thence from said Point of Beginning, $\text{N}89^{\circ}58'16''\text{E}$, a distance of 375.78 feet along the North line of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4); thence $\text{S}10^{\circ}03'53''\text{W}$, a distance of 260.17 feet; thence Southwesterly along the arc of a 67.00 foot radius curve concave Northwesterly, a distance of 103.79 feet thru a central angle of $88^{\circ}45'36''$ whose chord bears $\text{S}54^{\circ}26'41''\text{W}$, a distance of 93.72 feet; thence Northwesterly along the arc of a 826.00 foot radius curve concave Southerly, a distance of 129.94 feet thru a central angle of $09^{\circ}00'495''$ whose chord bears $\text{N}85^{\circ}401'55''\text{W}$, a distance of 129.81 feet; thence $\text{S}89^{\circ}48'41''\text{W}$, a distance of 122,70 feet to a point on the West line of said Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of said Section 24; thence $\text{N}00^{\circ}21'59''\text{W}$, a distance of 301.11 feet along said West line to the Point of Beginning.

Said Rezone containing 105,222 Square Feet or 2.42 Acres, more or less as described.

The basis of bearings is the south line of the Northwest Quarter of said Section 24, $\text{N}89^{\circ}57'33''\text{E}$ using the Mesa County Local Coordinate System (MCLCS).

INTRODUCED on first reading this 3rd day of July 2024 and ordered published in pamphlet form.

ADOPTED on second reading this 17th day of July 2024 and ordered published in pamphlet form.

Abe Herman
President of the Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: May 28, 2024
Presented By: Timothy Lehrbach, Senior Planner
Department: Community Development
Submitted By: Tim Lehrbach, Senior Planner

Information

SUBJECT:

Consider a request by Five Star Homes and Development Inc. to vacate all easements as identified on the Birks Blue Estates subdivision plat as granted to the public by Reception Number 1263633 with the exception of all easements located within Lot 30. -
- THIS ITEM TO BE RESCHEDULED TO A FUTURE HEARING DATE

RECOMMENDATION:

Staff recommends conditional approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Five Star Homes & Development Inc., is requesting to vacate all public and public utilities easements as granted and identified on the Birks Blue Estates subdivision plat as recorded in 1978 within Reception #1263633 with the exception of all easements located within Lot 30. The easements requested to be vacated include all utility, drainage, irrigation, and pedestrian easements that were granted to the public and public utilities. The easement vacation requests are in conjunction with the proposed development of a new residential subdivision to be named Fairview Glen.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Existing utility, drainage, and irrigation easements were conveyed in 1978 to the public and public utilities within the dedication language on the subdivision plat for Birks Blue Estates (Reception #1263633). These easements were granted to the public and public utilities for the installation and maintenance of utilities and drainage facilities, including but not limited to transmission lines, electric lines, gas lines, and telephone lines.

The Birks Blue Estates subdivision contained 30 single-family detached lots on 10.01 acres but to date has never developed and remains vacant land. The applicants

have purchased Lots 1 through 29 and intend to develop and replat the area into a new residential subdivision to be named Fairview Glen (City file SUB-2022-488). The applicant's proposed Fairview Glen subdivision would include 62 single-family detached lots within the existing zoning of RM-8 (Residential Medium 8).

Presently there are existing overhead power lines and drainage ditch/pipes located along the western property line of the undeveloped Birks Blue Estates subdivision and the eastern edge of Sunland Subdivision. There are existing stormwater pipes located along the north property line (Lots 15 and 16) of the subdivision within an existing Utility, Drainage, & Irrigation Easement. The remaining utility, drainage, and irrigation easements requested to be vacated within the undeveloped subdivision do not presently have any public or franchise utilities (water, sewer, storm sewer, electric, telephone, or cable).

As part of the new subdivision proposal for Fairview Glen, new utility and associated easements and rights-of-way would be conveyed to either the public or homeowner's association as necessary. The benefit for the applicant with this proposed vacation request is to remove the existing easement encumbrances from the existing platted Lots 1 through 29 in order to replat the area. New easements would be granted as necessary, corresponding and aligning with the proposed new lot and street layout.

The applicant did not purchase Lot 30 within Birks Blue Estates, so those easements identified within that specific lot are not part of the easement vacation request.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was not required for an easement vacation. Notice was completed consistent with the provisions in Section 21.02.080(g) of the Zoning and Development Code. The subject area was posted with an application sign on May 15, 2024. 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 May 17, 2024. Notice of this public hearing was published May 19, 2024 in the *Grand Junction Daily Sentinel*. An online hearing with opportunity for public comment was held between May 21, 2024 and May 28, 2024 through the GJSpeaks platform.

ANALYSIS

The application for this easement vacation was made prior to the adoption of the current Zoning and Development Code and is therefore subject to the requirements of the code in effect at the time of application. The criteria for review are set forth at Section 21.02.100(c) of the pre-2023 Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements. The vacation shall conform to the following:

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

The request to vacate the existing easements previously conveyed with the (undeveloped) Birks Blue Subdivision does not conflict with the 2020 One Grand Junction Comprehensive Plan, Grand Junction Circulation Plan, or other adopted plans and policies of the City. Vacation of these easements will have no impact on public facilities or services provided to the public because new public and private easements sufficient to provide for existing and proposed infrastructure are required to be created as part of the Fairview Glen subdivision proposal. A condition of approval is warranted to guarantee that such easements are provided via recorded plat concurrent with the recording of this resolution.

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

Principal 3: Responsible and Managed Growth:

Goal 2: Encourage infill and redevelopment to leverage existing infrastructure.

The proposed vacation facilitates the replatting of the unbuilt Birks Blue Estates subdivision into a subdivision which meets the intent of and development standards applicable to the RM-8 zone district. This furthers the goal to encourage infill development using existing infrastructure.

Principal 5: Strong Neighborhoods and Housing Choices:

Goal 1: Promote more opportunities for housing choices that meet the needs of people of all ages, abilities and incomes.

The proposed vacation facilitates the replatting of the unbuilt Birks Blue Estates subdivision into a subdivision which increases the number of lots from 30 to 61, expanding and diversifying housing choices in the area.

Therefore, staff finds that this criterion is met.

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

This request is to vacate existing conveyed easements as identified within the current, but undeveloped Birks Blue Estates subdivision. No parcels will be landlocked as a result of the proposed vacation request.

Therefore, staff finds that this criterion is met.

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

This vacation request does not impact access to any parcel. Therefore, staff finds that this criterion is 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);

New public and private utility infrastructure and easements will be constructed and dedicated on the new subdivision plat or by separate instrument. No comments concerning the proposed vacation requests were received from the utility review agencies indicating issue or adverse impacts related to this request or the quality of services provided to the properties.

Therefore, staff finds that this criterion is 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

New public and private utility infrastructure and easements will be constructed and dedicated on the new subdivision plat or by separate instrument. Neither staff nor utility providers have identified that this request to vacate existing easements will inhibit the provision of adequate public facilities and services.

Therefore, staff finds that this criterion is met.

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

Maintenance requirements for the City will not change as a result of the proposed vacation requests as new public and private easements will be created with the new subdivision proposal. With the elimination of the existing easements and with the granting of new easements as necessary, the Applicant can develop the property as desired without the unnecessary encumbrance caused by the existing easement locations, etc.

Therefore, staff finds that this criterion is met.

FINDINGS OF FACT AND STAFF RECOMMENDATION

After reviewing the Birks Blue Estates request for Vacation of all Easements as identified on the subdivision plat as granted to the public by Reception Number 1263633, with the exception of all easements located within Lot 30, the following findings of fact have been made with the recommended condition of approval:

1. The request conforms with Section 21.02.100(c) of the Zoning & Development Code.
2. The requested vacation does not conflict with the goals and policies of the 2020 Comprehensive Plan.

Condition 1. Prior to or concurrent with recording the resolution vacating the requested easements, the granting of new and approved public and private easements shall be conveyed, consistent with City standards, either by separate

instrument or on a subdivision plat which will cover existing and proposed utilities and drainage.

Therefore, Staff recommends conditional approval of the requested vacation.

SUGGESTED MOTION:

Mr. Chairman, on the request for Vacation of all Easements as identified on the Birks Blue Estates subdivision plat as granted to the public and public utilities by Reception Number 1263633, with the exception of all easements located within Lot 30, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and condition as listed in the staff report.

Attachments

1. Development Application
2. Site Maps
3. Draft Resolution

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"/>	Existing Zoning <input type="text"/>
Proposed Land Use Designation <input type="text"/>	Proposed Zoning <input type="text"/>

Property Information

Site Location: Site Acreage:

Site Tax No(s): Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application Date

Signature of Legal Property Owner Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Five Star Homes and Development Inc. ("Entity") is the owner of the following property:

(b) Parcel Nos. 2945-251-26-031 & 032

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) President 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:

[Empty box for limited authority details]

The Entity is the sole owner of the property.

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

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) Vacation of Right-of-Way/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: Karie Padilla

Printed name of person signing: Karie Padilla, President

State of Colorado)

County of Mesa) ss.

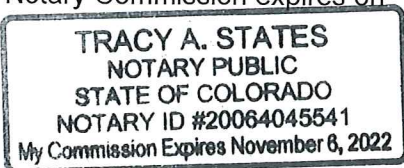
Subscribed and sworn to before me on this 8th day of June, 20 22

by Karie Padilla, President

Witness my hand and seal.

My Notary Commission expires on

11/06/2022



Tracy A. States

Notary Public Signature

Doc Fee: \$62.50

14 W

WARRANTY DEED

This Deed, made November 14, 2018, Between The Ray H. Poarch Revocable Trust of the County Mesa, State of Colorado, grantor(s) and Five Star Homes and Development, Inc., a Colorado corporation, whose legal address is P.O. Box 1667, Clifton, CO 81520 County of Mesa, and State of Colorado, grantee. WITNESS, That the grantor, for and in the consideration of the sum of **SIX HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO/100'S (\$625,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Mesa, State of Colorado described as follows:

See Exhibit A attached hereto and made a part hereof.

also known by street and number as **2767 C Rd, Grand Junction, CO 81503-2092**

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

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 (Title Review) of the contract dated October 23, 2018, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

SELLER:

The Ray H. Poarch Revocable Trust

Mark Miller
by: Mark Miller, Successor Trustee

STATE OF CALIFORNIA
COUNTY OF

}ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me November 14, 2018 by by Mark Miller as Successor Trustee of The Ray H. Poarch Revocable Trust.

Witness my hand and official seal.

See attached

Notary Public
My Commission expires:



ATTACHED LEGAL DESCRIPTION

Parcel A:

Lots 1 through and including 15, Birks Blue Estates, County of Mesa, State of Colorado

Parcel B:

Lots 16 through and including 29, Birks Blue Estates, County of Mesa, State of Colorado

Parcel C:

Beginning at a point on the North line of Section 25, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, 1470.06 feet West of the Northeast Corner of Section 25, thence West along the North line of said Section 25, 330.1 feet to a point; thence South parallel with the East line of said Section 25, 1319.84 feet more or less to the South line of the N1/2 NE1/4 of said Section 25; thence East along the South line of said N1/2 NE1/4 of said Section 25, 330.1 feet; thence North parallel with the East line of said

Section 25, 1319.5 feet to the beginning, County of Mesa, State of Colorado

LESS AND EXCEPT the North 30.00 feet thereof as conveyed in Deed recorded October 13, 1998 at Reception No. 1868682.

Also Known as: **2767 C Rd, Grand Junction, CO 81503-2092**

ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

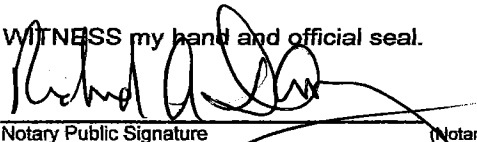
County of San Luis Obispo }

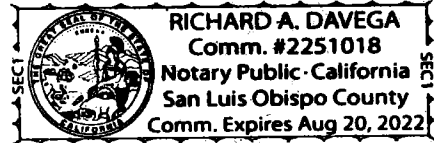
On 11/14/2018 before me, Richard A. Davega, Notary Public
(Here insert name and title of the officer)

personally appeared Mark Miller
who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public Signature



(Notary Public Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Warranty Deed
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 11/14/2018

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s) Successor
- Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named **Five Star Homes and Development Inc** and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

2. The type of entity is a:

- | | |
|--|---|
| <input checked="" type="checkbox"/> corporation | <input type="checkbox"/> registered limited liability partnership |
| <input type="checkbox"/> nonprofit corporation | <input type="checkbox"/> registered limited liability limited partnership |
| <input type="checkbox"/> limited liability company | <input type="checkbox"/> limited partnership association |
| <input type="checkbox"/> general partnership | <input type="checkbox"/> government or governmental subdivision or agency |
| <input type="checkbox"/> limited partnership | <input type="checkbox"/> trust (Section 38-30-108.5, C.R.S.) |
| <input type="checkbox"/> other: | |

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

4. The mailing address for the entity is: **1635 North 1st Street, Grand Junction, Colorado 81501.**

5. The name position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is: **Karie Padilla as President.**

6.² The authority of the foregoing person(s) to bind the entity is not limited limited as follows:

7. Other matters concerning the manner in which the entity deals with interests in real property: **NONE**

Executed this 8th day of December, 2021.

Karie Padilla
Karie Padilla, President

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 8th day of December, 2021, by **Karie Padilla, President.**

Witness my hand and official seal.

My commission expires: 11/28/2023

[Signature]
Notary Public

EMILY A SCHEVE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194003825
MY COMMISSION EXPIRES JANUARY 28, 2023

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

Parcel Nos. 2945-251-26-031 & 032, No Physical Address, located north and west of 2774 B 1/2 Road

Vacation of ROW and Vacation of Easements

General Project Report

June 22, 2022

Prepared for:

City of Grand Junction
Grand Junction, CO 81501

Prepared by:



215 PITKIN AVE. #201, GRAND JUNCTION, CO 81501

Phone: (970) 241-4722

info@rccwest.com

A. Project Description

1. A request for a Vacation of Right-of-Way (ROW) and Vacation of Easements, previously platted as Birks Blue Estates in 1979, located north and west of 2774 B ½ Road in Grand Junction, CO. The parcel is located within the City limits of Grand Junction.
2. The sites contain approximately 7.17 acres when combined.
3. The project consists of two vacant residential lots containing approximately 3.61 and 3.51 acres each, split by ROW. Once the ROW and easements are vacated the site will contain approximately 8.96 acres.

B. Public Benefit

This proposal will vacate the right-of-way and easements formerly dedicated. The site will then be replatted into 62 single-family residential lots (6.92 DU/AC) and newly configured right-of-way. The public will benefit by the addition of single-family residential lots in an area that is mostly developed. Upon development of this project, the extension of sewer, as well as other services will be made further meeting public need for extended services.

C. Neighborhood Meeting

A Neighborhood Meeting was held as required and meeting minutes are included within this submittal.

D. Project Compliance, Compatibility, and Impact

1. **Adopted plans and/or policies:**
The project complies with the adopted codes and zoning requirements for this property. The property is zoned PUD with an underlying zoning of R-8. The proposed density meets the intent of the zone district and the 2020 Comprehensive Plan.
2. **Land use in the surrounding area:** The project is surrounded by existing medium density residential development. Commercial uses exist on the south side of B ½ Road.
3. **Site access and traffic patterns:** Not applicable for this submittal. A separate Preliminary/Final Subdivision application is being processed simultaneously.
4. **Availability of utilities, including proximity of fire hydrants**

Ute Water District
City of Grand Junction Sanitation District
Xcel Energy
Charter/Spectrum
Century Link
City of Grand Junction Fire- Station 4
Orchard Mesa Irrigation District

A fire flow form will be provided with the Preliminary/Final Subdivision submittal.

5. **Special or unusual demands on utilities:** Not applicable for this submittal.
6. **Effects on public facilities:** Not applicable for this submittal.
7. **Hours of operations:** Not applicable for this submittal.
8. **Number of employees:** Not applicable for this submittal.
9. **Signage plans:** Not applicable for this submittal.
10. **Site Soils Geology:** Not applicable for this submittal.
11. **Impact of project on site geology and geological hazards:** Not applicable for this submittal.

E. Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted.

Section 21.02.070(6) General Approval Criteria

(6) General Approval Criteria. No permit may be approved by the Director unless all of the following criteria are satisfied:

- (i) Compliance with the Comprehensive Plan and any applicable adopted plan.
This vacation of ROW and easements with the intent of replatting new ROW and easements is in compliance with the Comprehensive Plan as it does not change the existing or future land uses.
- (ii) Compliance with this zoning and development code.
This vacation of ROW and easements is in compliance with the zoning and development code.
- (iii) Conditions of any prior approvals.
There are no prior approval conditions for this submittal.

(iv) Public facilities and utilities shall be available concurrent with the development.

Public facilities and utilities will be with this vacation process and subsequent Preliminary/Final Plan Submittal.

(v) Received all applicable local, State and federal permits.

Not applicable for this submittal.

21.02.100 Vacation of public right-of-way or easement

(c) Approval Criteria. The vacation of the right-of-way or easement shall conform to the following:

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

The proposed vacations will conform to the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City.

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

This vacation of ROW and easements will not result in landlock parcels.

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

Access will be designated within the Preliminary/Final Subdivision submittal and is reasonable, economically viable, and does not reduce or devalue the properties affected.

(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 major impacts on the health, safety, and/or welfare of the community or quality of public facilities and services as a result of the vacations.

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

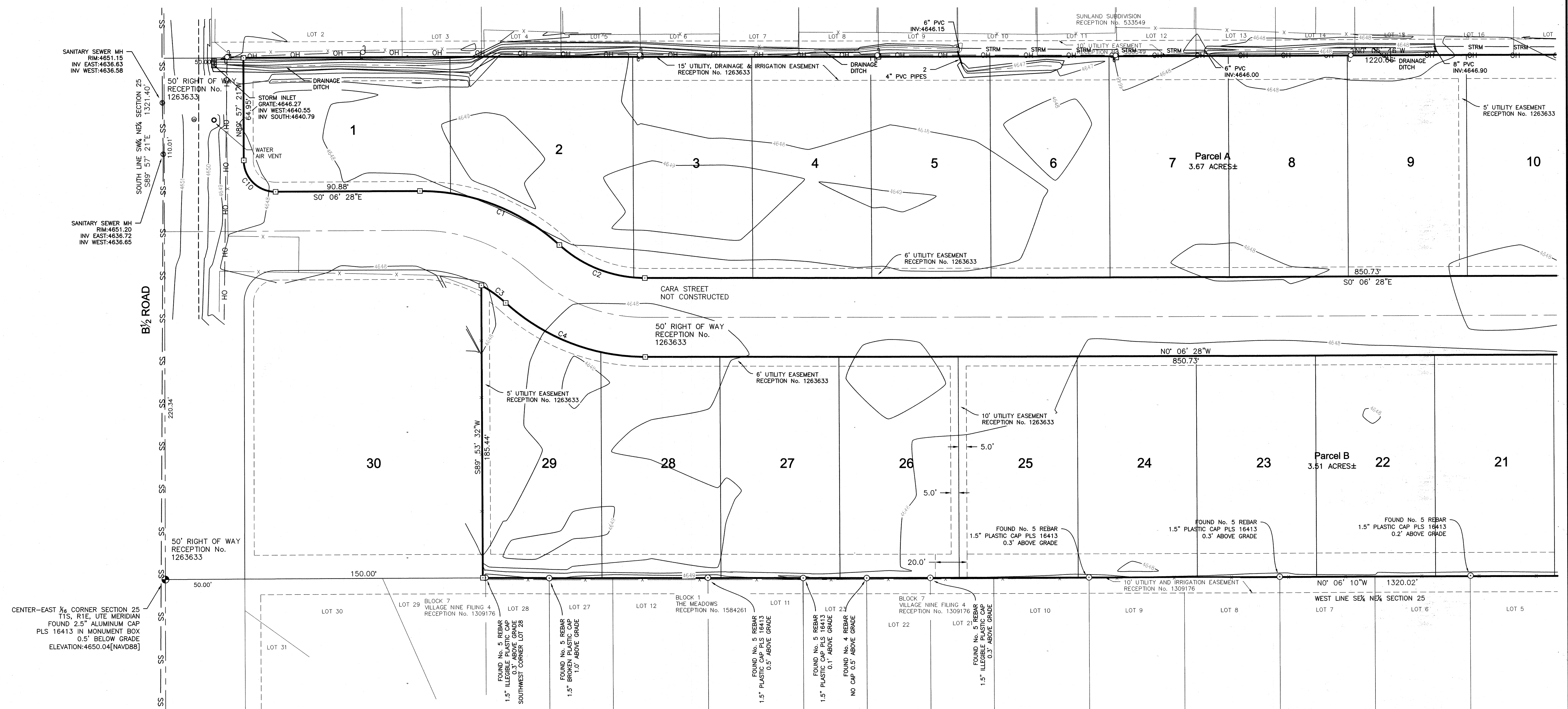
There will be adequate public facilities available to this property and parcels within vicinity.

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

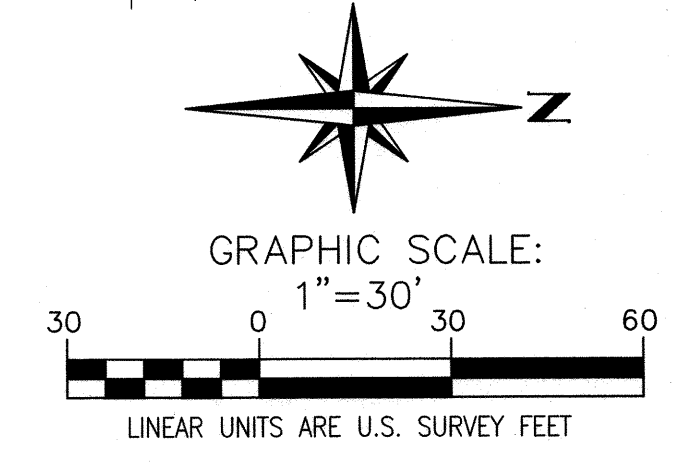
The proposed vacation of ROW and easements won't result in maintenance requirements from the City. Newly proposed ROW and easements will be identified as part of the Preliminary/Final Subdivision submittal.

IMPROVEMENT SURVEY PLAT

SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

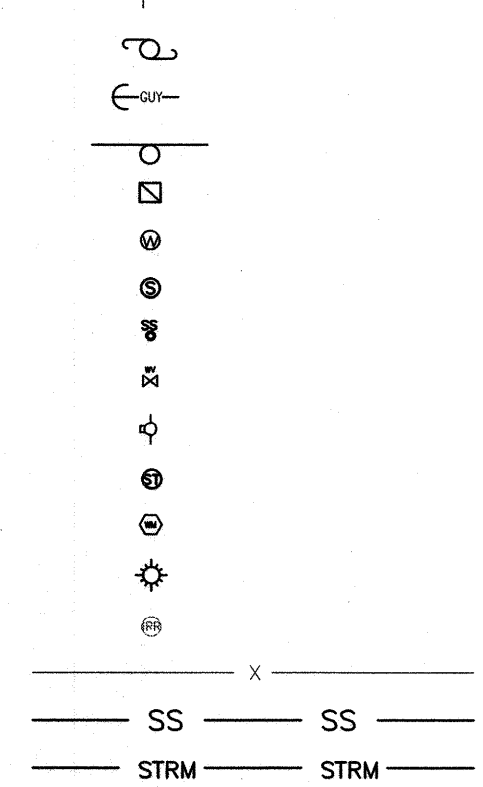


CENTER-EAST ¼ CORNER SECTION 25
T1S, R1E, UTE MERIDIAN
FOUND 2.5" ALUMINUM CAP
PLS 16413 IN MONUMENT BOX
0.5' BELOW GRADE
ELEVATION:4650.04[NAVD88]

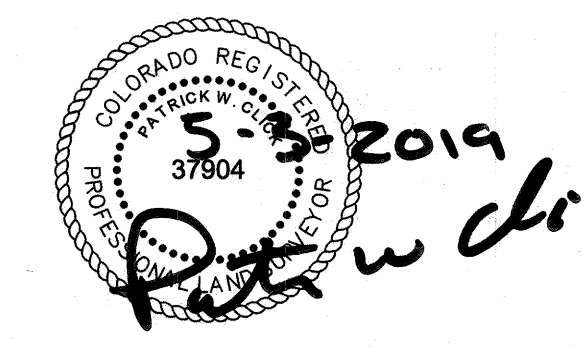


LEGEND:
 FOUND SURVEY MARKER AS DESCRIBED
 FOUND PROPERTY CORNER AS DESCRIBED
 SET NO. 6 REBAR WITH 3-1/4 INCH ALUMINUM CAP PLS 37904
 SET NO. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904

EXISTING UTILITY POLE
 EXISTING GUY WIRE
 EXISTING SIGN
 EXISTING UTILITY PEDESTAL
 EXISTING WATER MANHOLE
 EXISTING SANITARY SEWER MANHOLE
 EXISTING SANITARY SEWER CLEANOUT
 EXISTING WATER VALVE
 EXISTING FIRE HYDRANT
 EXISTING STORM MANHOLE
 EXISTING WATER METER
 EXISTING LIGHT POLE
 EXISTING IRRIGATION FEATURE
 EXISTING FENCE LINE
 EXISTING SANITARY SEWER LINE
 EXISTING STORM SEWER LINE



Curve Table				
Curve #	Radius	Length	Delta	Chord Length
C1	129.36'	96.31'	042° 39' 23"	94.10'
C2	79.36'	59.08'	042° 39' 23"	57.73'
C3	79.36'	18.99'	013° 42' 25"	18.94'
C4	129.36'	96.31'	042° 39' 23"	94.10'
C5	125.01'	63.17'	028° 57' 10"	62.50'
C6	75.01'	37.74'	028° 49' 46"	37.35'
C7	20.00'	30.77'	088° 08' 18"	4649.37'
C8	75.01'	37.90'	028° 57' 10"	37.50'
C9	125.01'	63.17'	028° 57' 10"	62.50'
C10	20.00'	31.47'	090° 09' 06"	28.32'



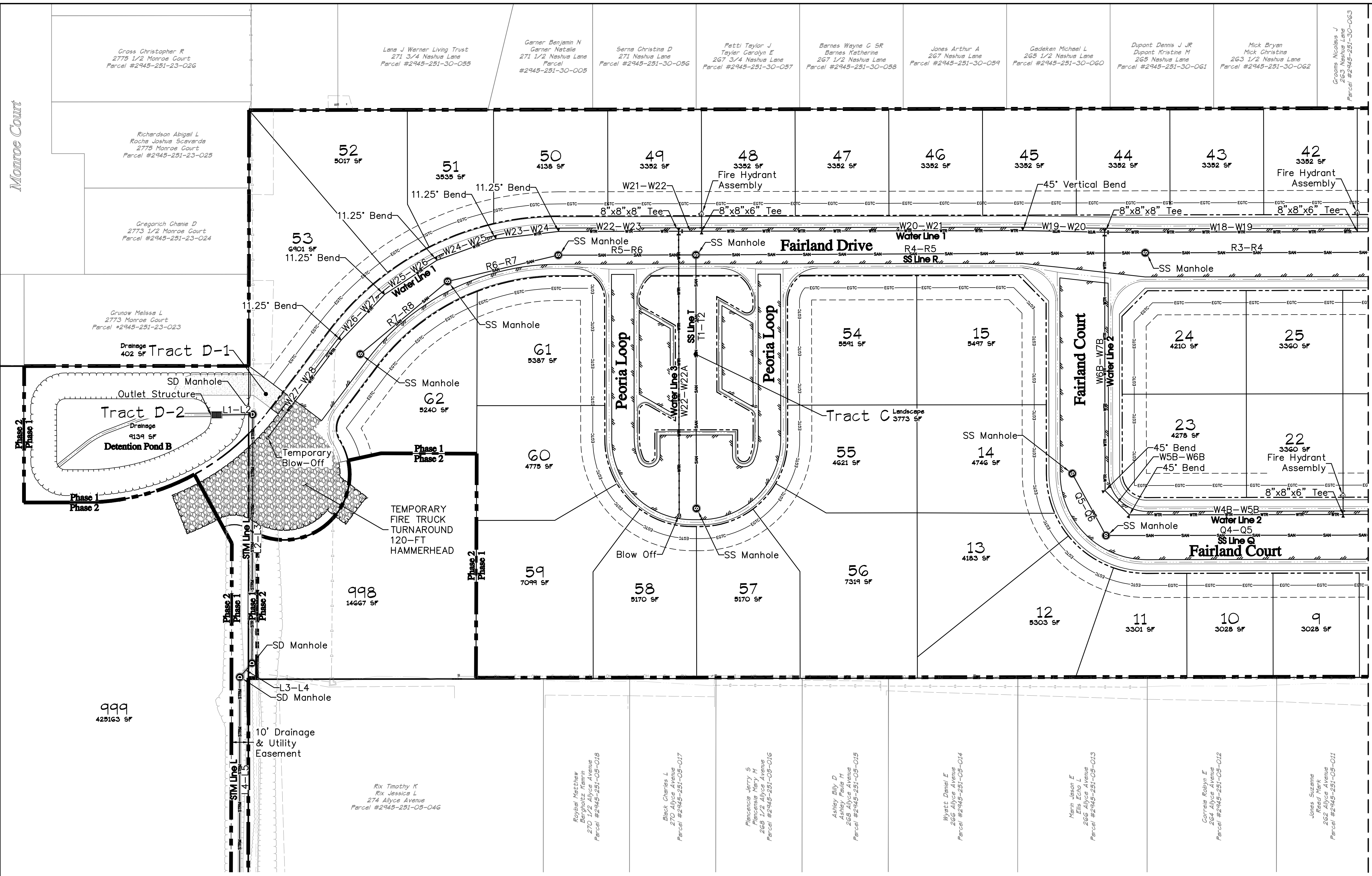
LAND SURVEY DEPOSIT
 MESA COUNTY SURVEYORS OFFICE
 DATE 10/10/2019
 BOOK 1 PAGE 173
 DEPOSIT No. 5860-19

IMPROVEMENT SURVEY PLAT
 FIVE STAR HOMES AND DEVELOPMENT, INC.
 SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25
 TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
 COUNTY OF MESA, STATE OF COLORADO

JOB #: 2019033 FIELD WORK: MM/SL
 DATE: 5/3/19 DRAWING NAME: 2019033 ISP DRAWN BY: PC

POLARIS SURVEYING
 PATRICK W. CLICK P.L.S.
 3194 MESA AVE. #B
 GRAND JUNCTION, CO 81504
 PHONE (970)434-7038

DEPOSIT 5860-19



PR-SD Pipe Table

Pipe Name	Length (ft)	Size (in)	Material	Slope
L1-L2	18.2	18	RCP	0.40%
L2-L3	144.2	24	RCP	0.30%
L3-L4	10.8	24	RCP	0.30%
L4-L5	119.0	24	RCP	0.39%
L5-L6	31.8	24	RCP	0.40%

PR-SS Pipe Table

Pipe Name	Length (ft)	Size (in)	Material	Slope
Q4-Q5	511.5	8	SDR 35 PVC	0.45%
Q5-Q6	40.9	8	SDR 35 PVC	0.45%
R3-R4	466.8	8	SDR 35 PVC	0.45%
R4-R5	260.5	8	SDR 35 PVC	0.45%
R5-R6	79.8	8	SDR 35 PVC	0.45%
R6-R7	65.9	8	SDR 35 PVC	0.45%
R7-R8	65.9	8	SDR 35 PVC	0.45%
T1-T2	147.1	8	SDR 35 PVC	0.45%

PR-WTR Pipe Table

Pipe Name	Length (ft)	Size (in)	Material
W4B-W5B	123.9	8	C900 PVC
W5B-W6B	19.9	8	C900 PVC
W6B-W7B	149.9	8	C900 PVC
W18-W19	146.6	8	C900 PVC
W19-W20	47.5	8	C900 PVC
W20-W21	186.2	8	C900 PVC
W22-W22A	164.7	8	C900 PVC
W22-W23	69.6	8	C900 PVC
W23-W24	36.6	8	C900 PVC
W24-W25	36.4	8	C900 PVC
W25-W26	36.4	8	C900 PVC
W26-W27	36.5	8	C900 PVC
W27-W28	70.9	8	C900 PVC

UTILITY SHEETS

- SD Line L..... Sheet C36
- SS Line Q..... Sheet C25-C26
- SS Line R..... Sheet C27-C29
- SS Line T..... Sheet C30
- WTR Line 1..... Sheet C37-C39
- WTR Line 2..... Sheet C40-C42

ACCEPTANCE BLOCK
 The City of Grand Junction review constitutes general compliance with the City's Development Standards, subject to these plans being sealed, signed, and dated by the Professional of Record. Review by the City does not constitute approval of the plan design. The City neither accepts nor assumes any liability for errors or omissions. Errors in the design or calculations remain the responsibility of the Professional of Record. Construction must commence within one year from the date of plan signature.

City Planner _____ Date _____
 City Development Engineer _____ Date _____

811 UNCC
 Know what's below. Call before you dig.
 800.922.1987
 www.uncc.org
 CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

Project Benchmark
 MCSM 528-2 3" BRASS CAP EAST 1/16 SEC 25, T1S, R1E, UTE MERIDAIN
 NORTHING: 28899.82
 EASTING: 98677.88
 ELEVATION: 4650.42
 DATUM SOURCE: MCLCS Zone "GVA" (NAVD 88)

SCALE (FEET)
 0 30 60
 HORIZONTAL
 VERTICAL:
 CONTOUR INTERVAL: 1 FT

PROJECT PHASE: Preliminary/Review DATE ISSUED: 5.13.2022

NO.	DATE	REVISION	BY

S:\PROJECTS\1966 Five Star Homes and Development\003 Fairview Glen\Design\DWG\05-Sheet\1966-003 Composite Utility Plan.dwg [Phase 1 - North] 6/23/2022 3:25:23 PM

PRELIMINARY

RIVER CITY CONSULTANTS
 215 Pitkin Avenue, Unit 201 Phone: 970.241.4722
 Grand Junction, CO 81501 Fax: 970.241.8841
 www.rcwest.com
 DRAWN BY: CTR PROJECT: 1966-003
 CHECKED BY: IDG
 ORIGINAL SHEET SIZE: 22 x 34

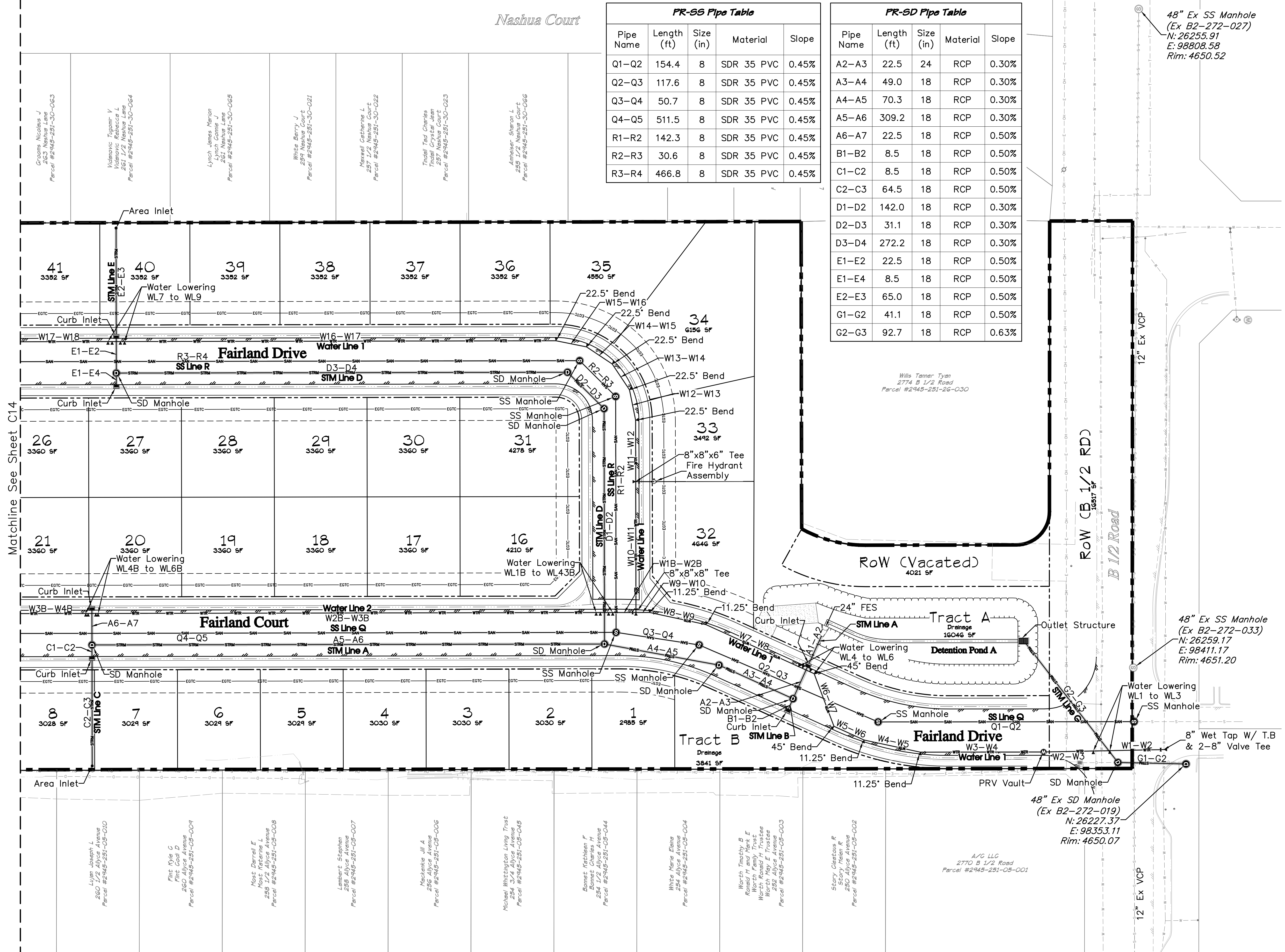
FIVE STAR HOMES & DEVELOPMENT INC.
 Fairview Glen Phase 1
 Utility Composite
 Phase 1 - North
 C14

Nashua Court

PR-SS Pipe Table				
Pipe Name	Length (ft)	Size (in)	Material	Slope
Q1-Q2	154.4	8	SDR 35 PVC	0.45%
Q2-Q3	117.6	8	SDR 35 PVC	0.45%
Q3-Q4	50.7	8	SDR 35 PVC	0.45%
Q4-Q5	511.5	8	SDR 35 PVC	0.45%
R1-R2	142.3	8	SDR 35 PVC	0.45%
R2-R3	30.6	8	SDR 35 PVC	0.45%
R3-R4	466.8	8	SDR 35 PVC	0.45%

PR-SD Pipe Table				
Pipe Name	Length (ft)	Size (in)	Material	Slope
A2-A3	22.5	24	RCP	0.30%
A3-A4	49.0	18	RCP	0.30%
A4-A5	70.3	18	RCP	0.30%
A5-A6	309.2	18	RCP	0.30%
A6-A7	22.5	18	RCP	0.50%
B1-B2	8.5	18	RCP	0.50%
C1-C2	8.5	18	RCP	0.50%
C2-C3	64.5	18	RCP	0.50%
D1-D2	142.0	18	RCP	0.30%
D2-D3	31.1	18	RCP	0.30%
D3-D4	272.2	18	RCP	0.30%
E1-E2	22.5	18	RCP	0.50%
E1-E4	8.5	18	RCP	0.50%
E2-E3	65.0	18	RCP	0.50%
G1-G2	41.1	18	RCP	0.50%
G2-G3	92.7	18	RCP	0.63%

PR-WTR Pipe Table			
Pipe Name	Length (ft)	Size (in)	Material
W1-W2	32.7	8	C900 PVC
W1B-W2B	14.0	8	C900 PVC
W2-W3	30.0	8	C900 PVC
W2B-W3B	300.5	8	C900 PVC
W3-W4	74.3	8	C900 PVC
W3B-W4B	54.1	8	C900 PVC
W4-W5	34.7	8	C900 PVC
W5-W6	20.0	8	C900 PVC
W6-W7	33.9	8	C900 PVC
W7-W8	61.4	8	C900 PVC
W8-W9	34.8	8	C900 PVC
W9-W10	8.2	8	C900 PVC
W10-W11	78.9	8	C900 PVC
W11-W12	37.1	8	C900 PVC
W12-W13	18.7	8	C900 PVC
W13-W14	18.7	8	C900 PVC
W14-W15	18.7	8	C900 PVC
W15-W16	18.7	8	C900 PVC
W16-W17	260.2	8	C900 PVC
W17-W18	59.2	8	C900 PVC
WL1-WL2	3.5	8	C900 PVC
WL1B-WL2B	2.5	8	C900 PVC
WL2-WL3	3.6	8	C900 PVC
WL2B-WL3B	5.0	8	C900 PVC
WL3-WL4	2.8	8	C900 PVC
WL3B-WL4B	2.5	8	C900 PVC
WL4-WL5	2.8	8	C900 PVC
WL4B-WL5B	1.4	8	C900 PVC
WL5-WL6	5.0	8	C900 PVC
WL5B-WL6B	4.6	8	C900 PVC
WL6-WL7	2.5	8	C900 PVC
WL6B-WL7B	1.4	8	C900 PVC
WL7-WL8	2.5	8	C900 PVC
WL8-WL9	5.0	8	C900 PVC
WL9-WL10	2.5	8	C900 PVC



UTILITY SHEETS

SD Line A.....	Sheet C31
SD Line B.....	Sheet C32
SD Line C.....	Sheet C32
SD Line D.....	Sheet C33-C34
SD Line E.....	Sheet C35
SD Line G.....	Sheet C35
SS Line Q.....	Sheet C25-C26
SS Line R.....	Sheet C27-C29
WTR Line 1.....	Sheet C37-C39
WTR Line 2.....	Sheet C40-C42

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City Planner _____ Date _____

City Development Engineer _____ Date _____

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 MCSM 528-2 3" BRASS CAP EAST 1/16 SEC 25, T1S, R1E, UTE MERIDAIN UNAWEEP AVENUE
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 EASTING: 98677.88
 ELEVATION: 4650.42
 DATUM SOURCE: MCLCS Zone "GVA" (NAVD 88)

SCALE (FEET)

HORIZONTAL: 0 30 60

VERTICAL: _____

CONTOUR INTERVAL: 1 FT

PROJECT PHASE: Preliminary/Review DATE ISSUED: 5.13.2022

NO.	DATE	REVISION	BY

S:\PROJECTS\1966 Five Star Homes and Development\003 Fairview Glen\Design\DWG\05-Sheet\1966-003 Composite Utility Plan.dwg [Phase 1 - South] 6/23/2022 3:25:34 PM

RIVER CITY CONSULTANTS
 215 Pitkin Avenue, Unit 201 Phone: 970.241.4722
 Grand Junction, CO 81501 Fax: 970.241.8841
 www.rcwest.com

DRAWN BY: CTR PROJECT: 1966-003
 CHECKED BY: IDG
 ORIGINAL SHEET SIZE: 22 x 34

FIVE STAR HOMES & DEVELOPMENT INC.

Fairview Glen Phase 1
 Utility Composite
 Phase 1 - South

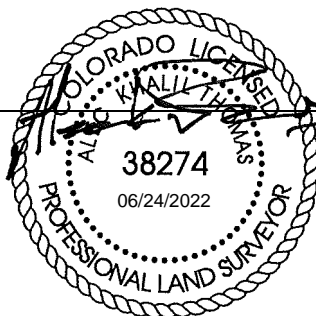
C15

EASEMENT EXTINGUISHMENT

All easements as granted and platted on Birks Blue Estates, a subdivision plat recorded at the Mesa County Clerk and Recorder at Reception Number 1263633, situated in the northeast quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado

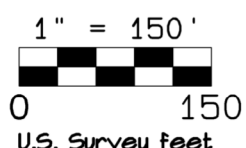
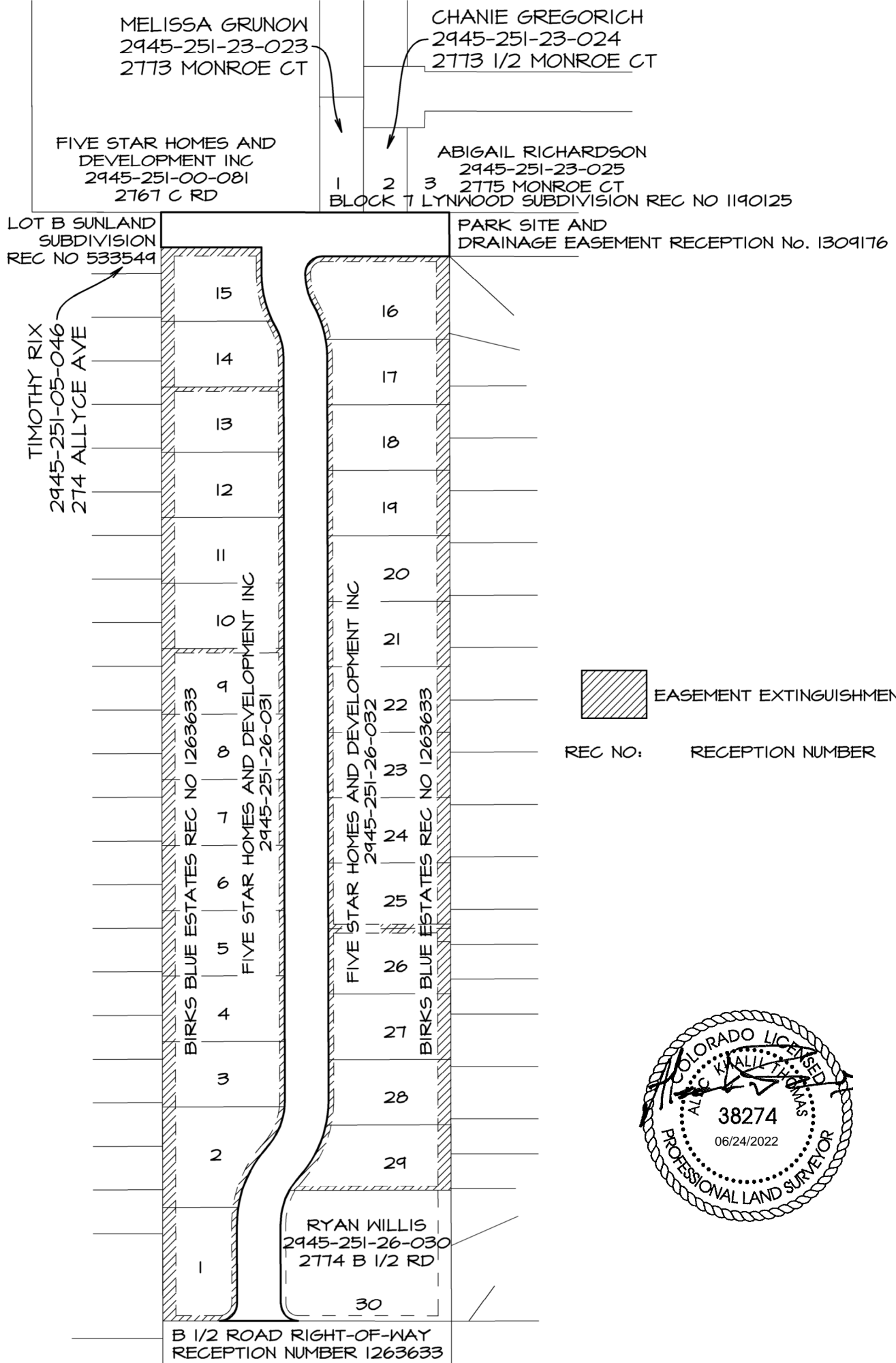
Excepting therefrom all easements within Lot 30 of said Birks Blue Estates.

This description was prepared by:
Alec K. Thomas
Colorado P.L.S. 38274
744 Horizon Court - #110
Grand Junction, CO 81506



NOTICE: Any rewriting or retyping of this description must NOT include this preparation information. Lack of an original seal indicates this document is not the original.

EXHIBIT B



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

RIVER CITY
CONSULTANTS

215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

Drawn: AKT Checked: NA 6/22/22 Job No. 1966-003

S:\PROJECTS\1966 Five Star Homes and Development\003 Fairview Glen\Survey\DWG\1966-003 ease ext.dwg



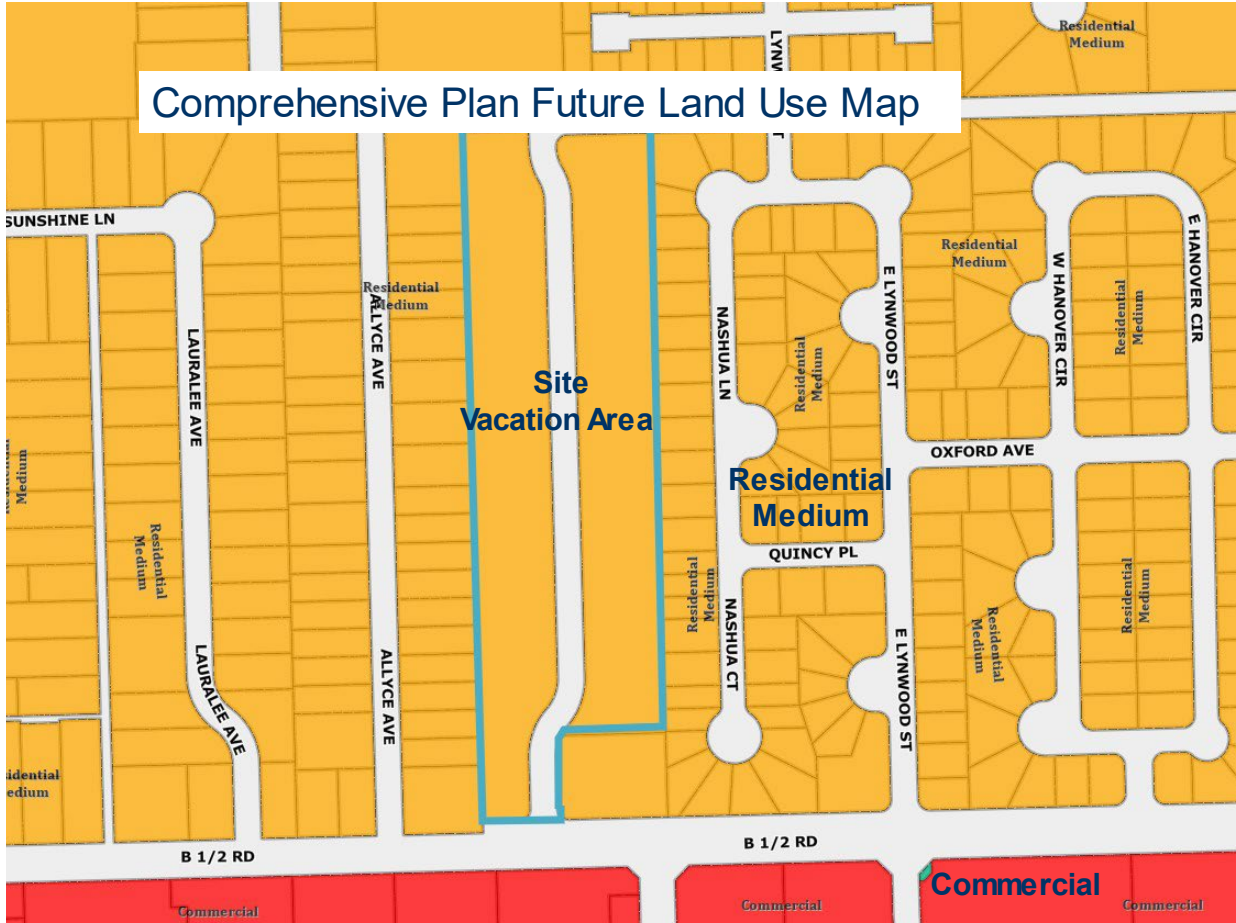


Aerial Photo Map

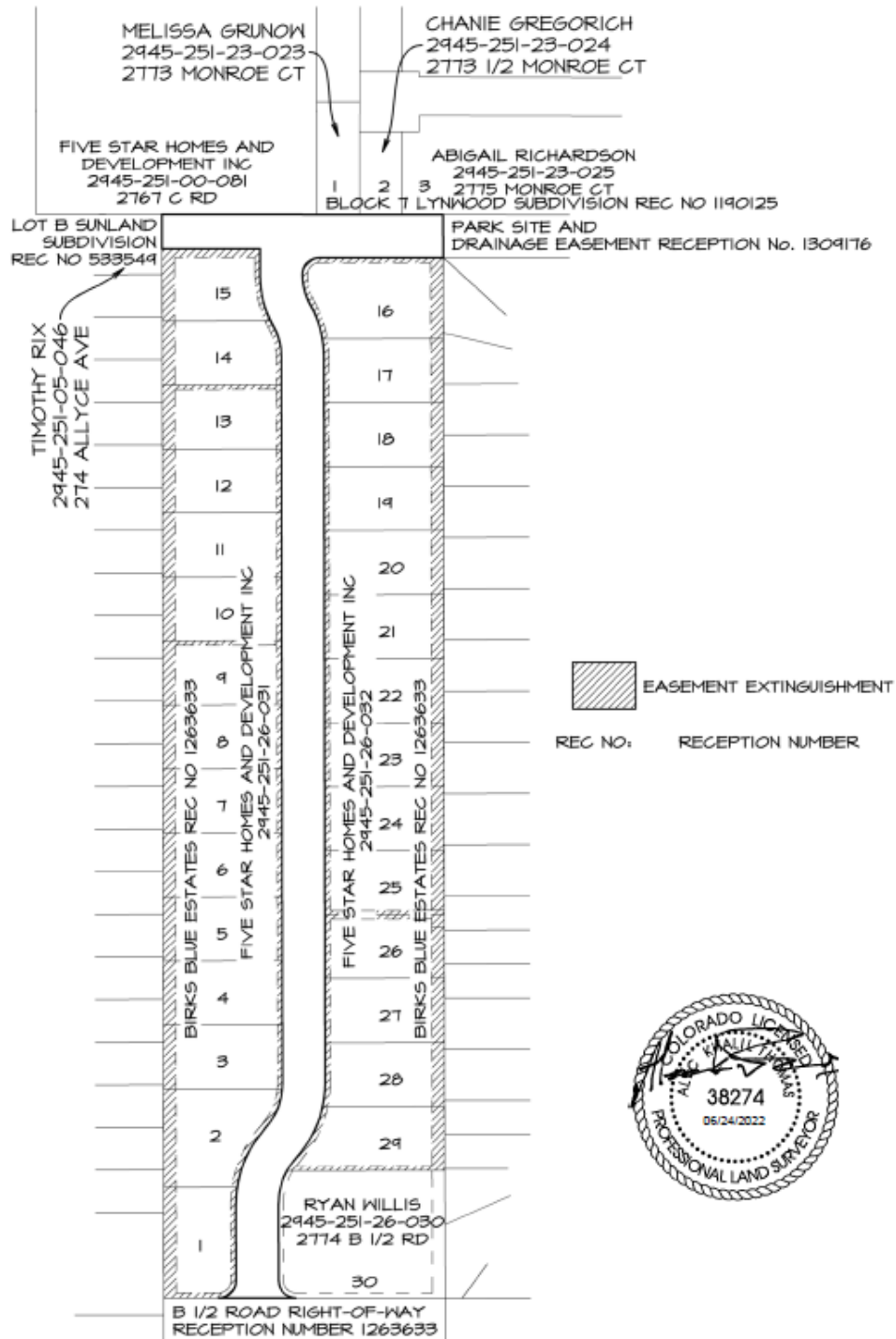
Site Vacation Area

Proposed Fairview Glen Subd.

Comprehensive Plan Future Land Use Map



Easement Vacation Areas:





Pictometry view of property looking north – April 2020

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION VACATING ALL EASEMENTS AS IDENTIFIED ON THE BIRKS BLUE ESTATES SUBDIVISION PLAT AS GRANTED TO THE PUBLIC BY RECEPTION NUMBER 1263633 WITH THE EXCEPTION OF ALL EASEMENTS LOCATED WITHIN LOT 30

LOCATED NORTH OF B ½ ROAD AND WEST OF 27 ¾ ROAD

RECITALS:

Vacation of easements has been requested by Five Star Homes & Development Inc., for the development of property located north of B ½ Road and West of 27 ¾ Road. The existing easements on the property were conveyed to the public on the subdivision plat for Birks Blue Estates, reception number 1263633.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate all easements as identified on the Birks Blue Estates subdivision plat, as recorded in Mesa County Records, Reception No. 1263633, with the exception of all easements located within Lot 30, is consistent with the Comprehensive Plan, the Grand Junction Circulation Plan, and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following easements are hereby vacated upon the listed condition being met:

1. Prior to recording of this resolution vacating the requested easements, the granting of new and approved public and private easements shall be conveyed, consistent with City standards, either by separate instrument or on a subdivision plat which will cover existing and proposed utilities.

All easements as granted and platted on Birks Blue Estates, a subdivision plat recorded at the Mesa County Clerk and Recorder at Reception Number 1263633, situated in the northeast quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, excepting therefrom all easements within Lot 30 of said Birks Blue Estates.

See Exhibit A.

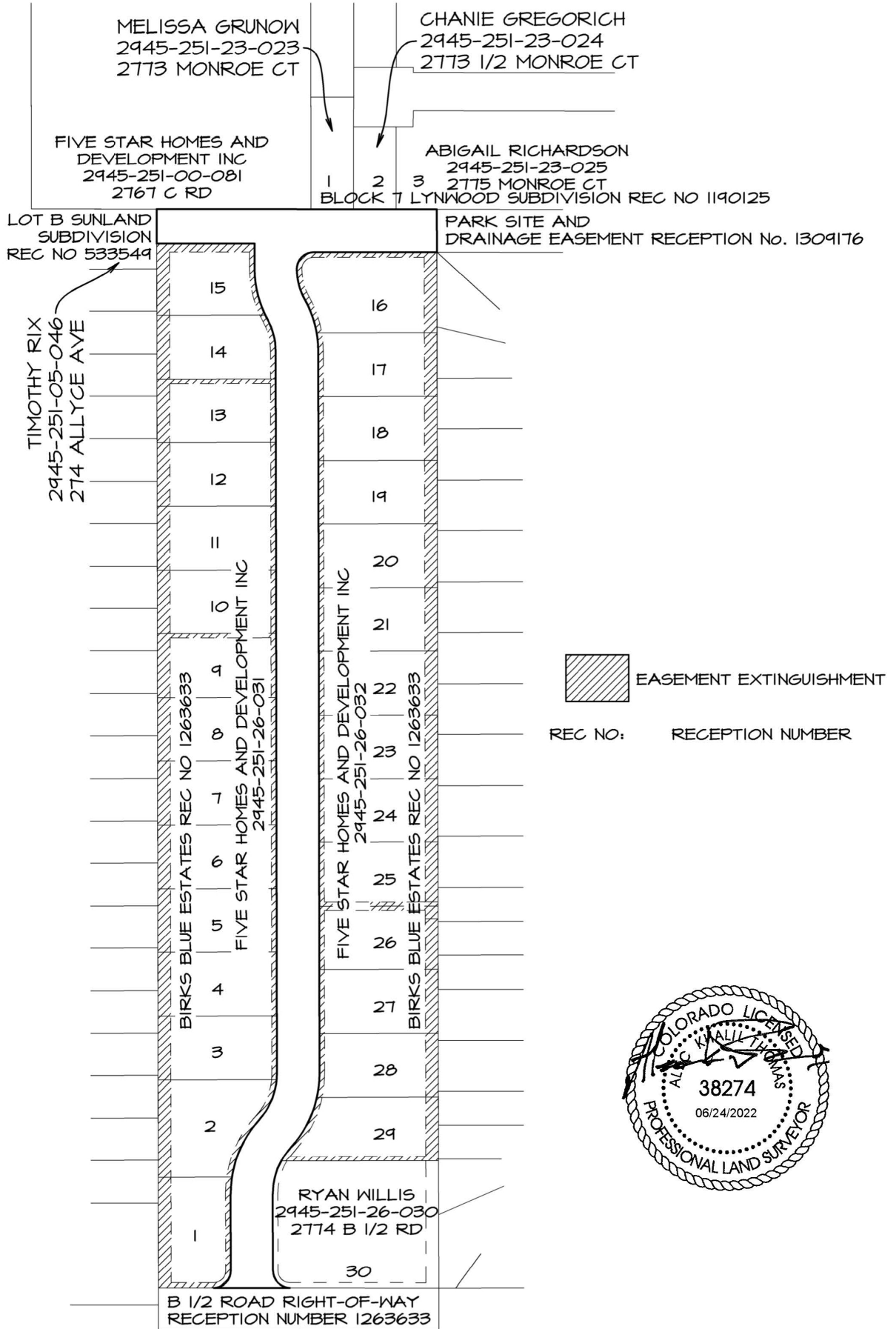
PASSED and ADOPTED this _____ day of _____, 2024.

ATTEST:

President of City Council

City Clerk

EXHIBIT A





Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: May 28, 2024
Presented By: Timothy Lehrbach, Senior Planner
Department: Community Development
Submitted By: Tim Lehrbach, Senior Planner

Information

SUBJECT:

Consider a request by Five Star Homes and Development Inc. to vacate all rights-of-way as identified on the Birks Blue Estates subdivision plat as granted to the public by Reception Number 1263633 with the exception of the 50-foot right-of-way dedicated and platted as B 1/2 Road. -- THIS ITEM TO BE RESCHEDULED TO A FUTURE HEARING DATE

RECOMMENDATION:

Staff recommends conditional approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Five Star Homes & Development Inc., requests to vacate all rights-of-way as granted and identified on the Birks Blue Estates subdivision plat as recorded in 1978 within Reception #1263633 with the exception of the 50' right-of-way area dedicated and platted as B 1/2 Road, in anticipation of future residential subdivision development for the proposed Fairview Glen subdivision. The request to vacate is consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

The existing platted rights-of-way for Cara Street and Newport Lane were conveyed in 1978 to the public within the Dedication language on the subdivision plat for Birks Blue Estates (Reception # 1263633). The applicants are requesting to vacate all rights-of-way within the existing platted subdivision with the exception of the 50' right-of-way area dedicated and platted as B 1/2 Road. The Newport Lane portion of the right-of-way along the north property line of the subdivision does contain stormwater pipes, however the rights-of-way of Cara Street and Newport Lane have never been developed.

The Birks Blue Estates subdivision contained 30 single-family detached lots on 10.01-

acres but to date has never developed and remains vacant land. The applicants have purchased Lots 1 through 29 and intend to develop and replat the area into a new residential subdivision to be named Fairview Glen (City file SUB-2022-488). The applicant's proposed Fairview Glen subdivision would include 62 single-family detached lots within the existing zoning of RM-8 (Residential Medium 8).

Since Lots 1 through 29 currently exist as platted lots that have never developed, required access to the lots would be eliminated as part of the vacation request, however as a condition of approval and as part of the new subdivision proposal for Fairview Glen, new utility and associated easements and rights-of-way would be conveyed to either the public or homeowner's association as necessary that would correspond with the new lot layout as dedicated on the new subdivision plat or by separate instrument. The benefit for the applicant with this proposed right-of-way vacation request would be to remove the existing right-of-way encumbrances from the existing platted Lots 1 through 29 and replat the area and provide and grant new rights-of-way and easements as necessary that would correspond and align with the proposed new lot and street layout.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed vacation of rights-of-way and subdivision plan application was held on June 16, 2022 in accordance with Section 21.02.080(e) of the Zoning and Development Code. The Applicant, Applicant's Representative, and City staff were in attendance along with three area residents. The three residents had no concerns with the proposed subdivision and felt that the proposal would match existing, surrounding development.

Notice was completed consistent with the provisions in Section 21.02.080(g) of the Zoning and Development Code. The subject property was posted with an application sign on May 15, 2024. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on May 17, 2024. The notice of the Planning Commission public hearing was published on May 19, 2024 in the *Grand Junction Daily Sentinel*. An online hearing with opportunity for public comment was held between May 21, 2024 and May 28, 2024 through the GJSpeaks platform.

ANALYSIS

The application for this easement vacation was made prior to the adoption of the current Zoning and Development Code and is therefore subject to the requirements of the code in effect at the time of application. The criteria for review are set forth at Section 21.02.100(c) of the pre-2023 Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements. The vacation shall conform to the following:

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

The request to vacate the existing rights-of-way previously conveyed with the (undeveloped) Birks Blue Subdivision does not conflict with the 2020 One Grand Junction Comprehensive Plan, Grand Junction Circulation Plan, or other adopted plans and policies of the City. Vacation of these rights-of-way will have no impact on public facilities or services provided to the public because new rights-of-way and public and private easements sufficient to provide for existing and proposed infrastructure are required to be created as part of the Fairview Glen subdivision proposal. A condition of approval is warranted to guarantee that such rights-of-way and easements are provided via recorded plat concurrent with the recording of this resolution.

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

Principal 3: Responsible and Managed Growth:

Goal 2: Encourage infill and redevelopment to leverage existing infrastructure.

The proposed vacation facilitates the replatting of the unbuilt Birks Blue Estates subdivision into a subdivision which meets the intent of and development standards applicable to the RM-8 zoning district. This furthers the goal to encourage infill development using existing infrastructure.

Principal 5: Strong Neighborhoods and Housing Choices:

Goal 1: Promote more opportunities for housing choices that meet the needs of people of all ages, abilities and incomes.

The proposed vacation facilitates the replatting of the unbuilt Birks Blue Estates subdivision into a subdivision which increases the number of lots from 30 to 61, expanding and diversifying housing choice in the area.

Therefore, staff finds that this criterion is met.

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

This request is to vacate all rights-of-way within the undeveloped Birks Blue Estates subdivision with the exception of the right-of-way located along B ½ Road. The existing platted lots within Birks Blue Estates are anticipated to be re-subdivided and eliminated with the new subdivision proposal for the future Fairview Glen subdivision. A condition of approval is warranted to ensure that such replatting occurs prior to the effectiveness of the proposed vacation ordinance. With such condition, no parcels will be landlocked as a result of the proposed vacation request.

Therefore, staff finds that this criterion is 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;

The rights-of-way requested to be vacated would not physically impact access to any parcel because the existing subdivision plat within the undeveloped Birks Blue Estates is anticipated to be re-subdivided and eliminated with the new subdivision proposal for the future Fairview Glen subdivision. A condition of approval is warranted to ensure that such replatting occurs prior to the effectiveness of the proposed vacation ordinance. With such condition, no access to any parcels will be affected as a result of the proposed vacation request.

Therefore, staff finds that this criterion is 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);

New public rights-of-way and utility infrastructure easements will be constructed and dedicated on the new subdivision plat or by separate instrument as a condition of approval. No comments were received from utilities or other service providers that this vacation request would create any adverse impacts or that facilities or services would be diminished.

Therefore, staff finds that this criterion is 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

New public rights-of-way and utility infrastructure easements will be constructed and identified/dedicated on the new subdivision plat or by separate instrument as a condition of approval. Neither staff nor utility providers have identified that this vacation request will inhibit the provision of adequate public facilities and services,

Therefore, staff finds that this criterion is met.

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

Maintenance requirements for the City will not change as a result of the proposed vacation since the rights-of-way have never been developed with streets or other infrastructure. New public rights-of-way and easements for necessary infrastructure will be created with the new subdivision proposal. The anticipated benefit of the vacation request is the ability for the Applicant to develop the property with infrastructure that is constructed to City standards as well as the construction and alignment of roads consistent with the Grand Junction Circulation Plan.

Therefore, staff finds that this criterion is met.

FINDINGS OF FACT AND STAFF RECOMMENDATION

After reviewing the Birks Blue Estates request for Vacation of all Rights-of-Way as identified on the Birks Blue Estates subdivision plat as granted to the public by Reception Number 1263633 with the exception of the 50' right-of-way area dedicated and platted as B ½ Road, the following findings of fact have been made with the recommended condition of approval:

- 1. The request conforms with Section 21.02.100 (c) of the of the Zoning and Development Code.
- 2. The requested vacation does not conflict with the goals and policies of the 2020 Comprehensive Plan

Condition 1. Prior to or concurrent with recording of an Ordinance vacating the requested rights-of-way, the granting of new and approved public rights-of-way and/or private streets/easements shall be conveyed, consistent with City standards, either by separate instrument or on a subdivision plat which will cover existing and proposed infrastructure and drainage.

Therefore, Staff recommends conditional approval of the requested vacation.

SUGGESTED MOTION:

Mr. Chairman, on the Birks Blue Estates subdivision request for Vacation of all Rights-of-Way as identified on the subdivision plat as granted to the public by Reception Number 1263633 with the exception of the 50' right-of-way area dedicated and platted as B ½ Road, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact as listed in the staff report.

Attachments

- 1. Development Application
- 2. Site Maps
- 3. Vacation Ordinance

Development Application

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

Petition For:

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

Existing Land Use Designation <input type="text"/>	Existing Zoning <input type="text"/>
Proposed Land Use Designation <input type="text"/>	Proposed Zoning <input type="text"/>

Property Information

Site Location: <input type="text" value="No Physical Address, North & West of 2774 B 1/2 Road"/>	Site Acreage: <input type="text" value="Approx. 10 acres, combined"/>
Site Tax No(s): <input type="text" value="2945-251-26-031 & 032"/>	Site Zoning: <input type="text" value="R-8"/>
Project Description: <input type="text" value="Vacate previously platted ROW and utility easements Birks Blue Estates"/>	

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Signature of Legal Property Owner

Date

Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Five Star Homes and Development Inc. ("Entity") is the owner of the following property:

(b) Parcel Nos. 2945-251-26-031 & 032

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) President 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:

[Empty box for limited authority details]

The Entity is the sole owner of the property.

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

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) Vacation of Right-of-Way/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: Karie Padilla

Printed name of person signing: Karie Padilla, President

State of Colorado)

County of Mesa) ss.

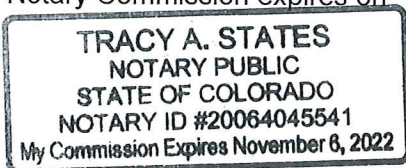
Subscribed and sworn to before me on this 8th day of June, 20 22

by Karie Padilla, President

Witness my hand and seal.

My Notary Commission expires on

11/06/2022



Tracy A. States

Notary Public Signature

Doc Fee: \$62.50

14 ✓

WARRANTY DEED

This Deed, made November 14, 2018, Between The Ray H. Poarch Revocable Trust of the County Mesa, State of Colorado, grantor(s) and Five Star Homes and Development, Inc., a Colorado corporation, whose legal address is P.O. Box 1667, Clifton, CO 81520 County of Mesa, and State of Colorado, grantee. WITNESS, That the grantor, for and in the consideration of the sum of **SIX HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO/100'S (\$625,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Mesa, State of Colorado described as follows:

See Exhibit A attached hereto and made a part hereof.

also known by street and number as **2767 C Rd, Grand Junction, CO 81503-2092**

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

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 (Title Review) of the contract dated October 23, 2018, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

SELLER:

The Ray H. Poarch Revocable Trust

Mark Miller
by: Mark Miller, Successor Trustee

STATE OF CALIFORNIA
COUNTY OF

}ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me November 14, 2018 by by Mark Miller as Successor Trustee of The Ray H. Poarch Revocable Trust.

Witness my hand and official seal.

See attached

Notary Public
My Commission expires:



ATTACHED LEGAL DESCRIPTION

Parcel A:

Lots 1 through and including 15, Birks Blue Estates, County of Mesa, State of Colorado

Parcel B:

Lots 16 through and including 29, Birks Blue Estates, County of Mesa, State of Colorado

Parcel C:

Beginning at a point on the North line of Section 25, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, 1470.06 feet West of the Northeast Corner of Section 25, thence West along the North line of said Section 25, 330.1 feet to a point; thence South parallel with the East line of said Section 25, 1319.84 feet more or less to the South line of the N1/2 NE1/4 of said Section 25; thence East along the South line of said N1/2 NE1/4 of said Section 25, 330.1 feet; thence North parallel with the East line of said

Section 25, 1319.5 feet to the beginning, County of Mesa, State of Colorado

LESS AND EXCEPT the North 30.00 feet thereof as conveyed in Deed recorded October 13, 1998 at Reception No. 1868682.

Also Known as: **2767 C Rd, Grand Junction, CO 81503-2092**

ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of San Luis Obispo }

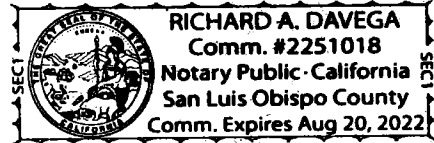
On 11/14/2018 before me, Richard A. Davega, Notary Public
(Here insert name and title of the officer)

personally appeared Mark Miller
who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Handwritten Signature]
Notary Public Signature



(Notary Public Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Warranty Deed
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 11/14/2018

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s) Successor
- Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

Parcel Nos. 2945-251-26-031 & 032, No Physical Address, located north and west of 2774 B 1/2 Road

Vacation of ROW and Vacation of Easements

General Project Report

June 22, 2022

Prepared for:

City of Grand Junction
Grand Junction, CO 81501

Prepared by:



215 PITKIN AVE. #201, GRAND JUNCTION, CO 81501

Phone: (970) 241-4722

info@rccwest.com

A. Project Description

1. A request for a Vacation of Right-of-Way (ROW) and Vacation of Easements, previously platted as Birks Blue Estates in 1979, located north and west of 2774 B ½ Road in Grand Junction, CO. The parcel is located within the City limits of Grand Junction.
2. The sites contain approximately 7.17 acres when combined.
3. The project consists of two vacant residential lots containing approximately 3.61 and 3.51 acres each, split by ROW. Once the ROW and easements are vacated the site will contain approximately 8.96 acres.

B. Public Benefit

This proposal will vacate the right-of-way and easements formerly dedicated. The site will then be replatted into 62 single-family residential lots (6.92 DU/AC) and newly configured right-of-way. The public will benefit by the addition of single-family residential lots in an area that is mostly developed. Upon development of this project, the extension of sewer, as well as other services will be made further meeting public need for extended services.

C. Neighborhood Meeting

A Neighborhood Meeting was held as required and meeting minutes are included within this submittal.

D. Project Compliance, Compatibility, and Impact

1. **Adopted plans and/or policies:**
The project complies with the adopted codes and zoning requirements for this property. The property is zoned PUD with an underlying zoning of R-8. The proposed density meets the intent of the zone district and the 2020 Comprehensive Plan.
2. **Land use in the surrounding area:** The project is surrounded by existing medium density residential development. Commercial uses exist on the south side of B ½ Road.
3. **Site access and traffic patterns:** Not applicable for this submittal. A separate Preliminary/Final Subdivision application is being processed simultaneously.
4. **Availability of utilities, including proximity of fire hydrants**

Ute Water District
City of Grand Junction Sanitation District
Xcel Energy
Charter/Spectrum
Century Link
City of Grand Junction Fire- Station 4
Orchard Mesa Irrigation District

A fire flow form will be provided with the Preliminary/Final Subdivision submittal.

5. **Special or unusual demands on utilities:** Not applicable for this submittal.
6. **Effects on public facilities:** Not applicable for this submittal.
7. **Hours of operations:** Not applicable for this submittal.
8. **Number of employees:** Not applicable for this submittal.
9. **Signage plans:** Not applicable for this submittal.
10. **Site Soils Geology:** Not applicable for this submittal.
11. **Impact of project on site geology and geological hazards:** Not applicable for this submittal.

E. Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted.

Section 21.02.070(6) General Approval Criteria

(6) General Approval Criteria. No permit may be approved by the Director unless all of the following criteria are satisfied:

- (i) Compliance with the Comprehensive Plan and any applicable adopted plan.
This vacation of ROW and easements with the intent of replatting new ROW and easements is in compliance with the Comprehensive Plan as it does not change the existing or future land uses.
- (ii) Compliance with this zoning and development code.
This vacation of ROW and easements is in compliance with the zoning and development code.
- (iii) Conditions of any prior approvals.
There are no prior approval conditions for this submittal.

(iv) Public facilities and utilities shall be available concurrent with the development.

Public facilities and utilities will be with this vacation process and subsequent Preliminary/Final Plan Submittal.

(v) Received all applicable local, State and federal permits.

Not applicable for this submittal.

21.02.100 Vacation of public right-of-way or easement

(c) Approval Criteria. The vacation of the right-of-way or easement shall conform to the following:

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

The proposed vacations will conform to the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City.

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

This vacation of ROW and easements will not result in landlock parcels.

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

Access will be designated within the Preliminary/Final Subdivision submittal and is reasonable, economically viable, and does not reduce or devalue the properties affected.

(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 major impacts on the health, safety, and/or welfare of the community or quality of public facilities and services as a result of the vacations.

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

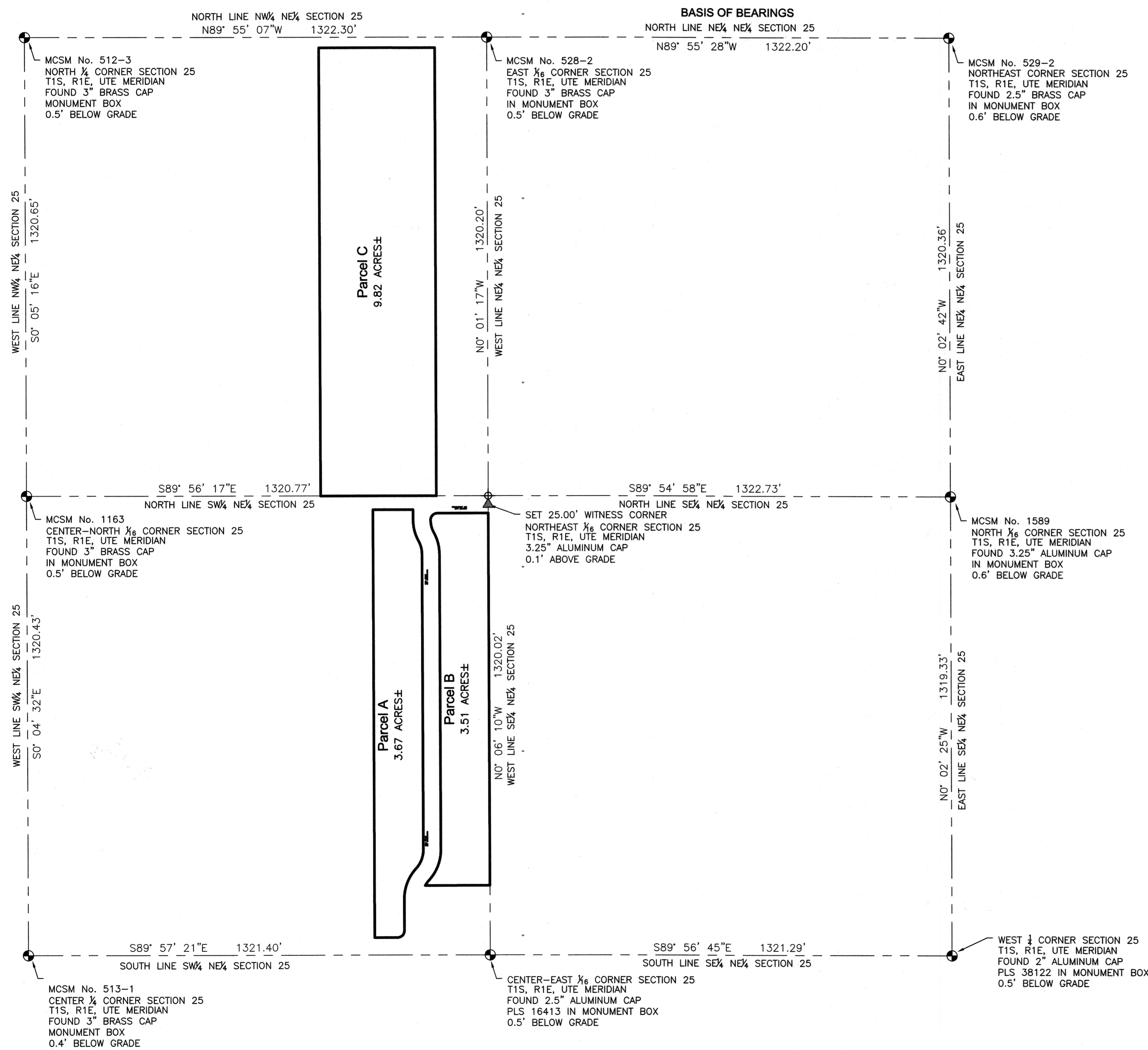
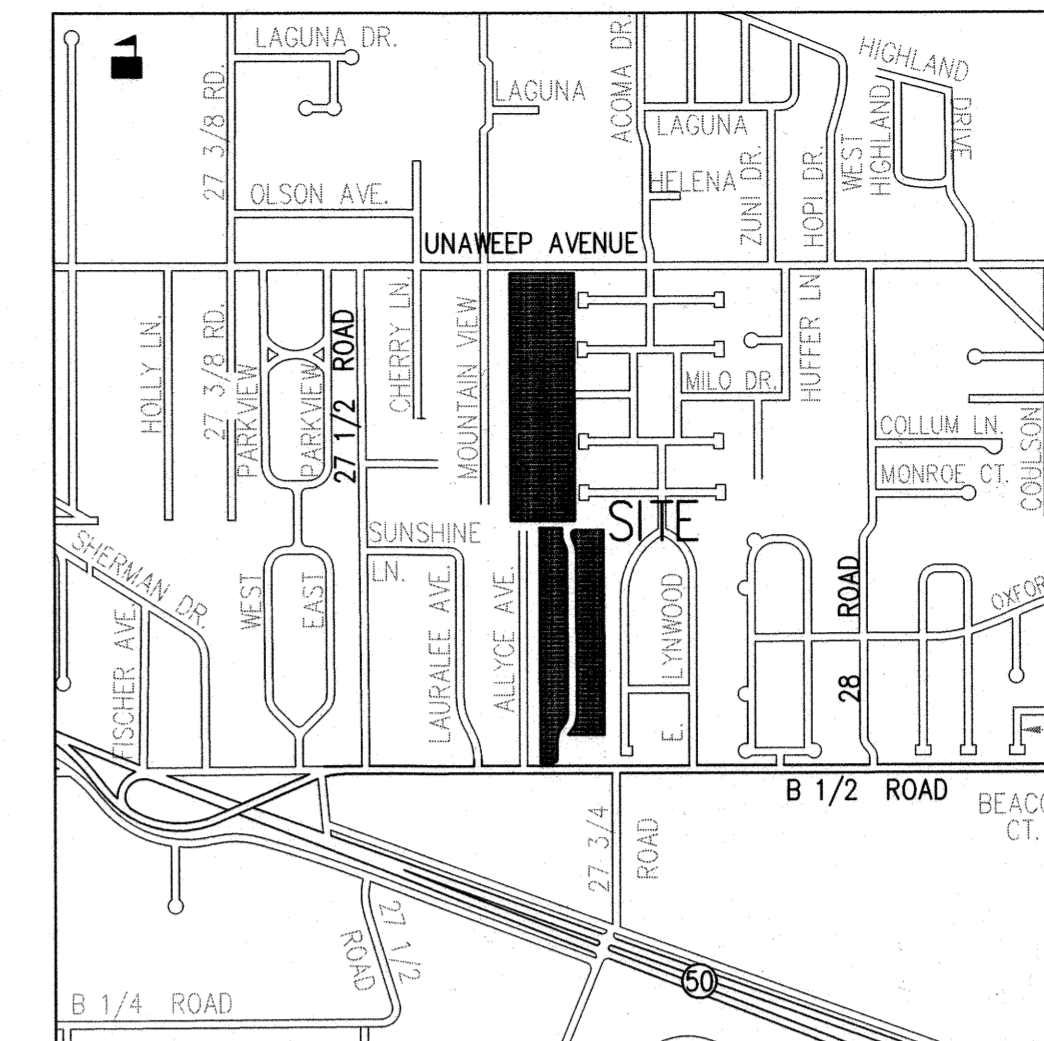
There will be adequate public facilities available to this property and parcels within vicinity.

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

The proposed vacation of ROW and easements won't result in maintenance requirements from the City. Newly proposed ROW and easements will be identified as part of the Preliminary/Final Subdivision submittal.

IMPROVEMENT SURVEY PLAT

SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION: Warranty Deed Reception Number 2862032

Parcel A:
Lots 1 through and including 15, Birks Blue Estates
County of Mesa, State of Colorado

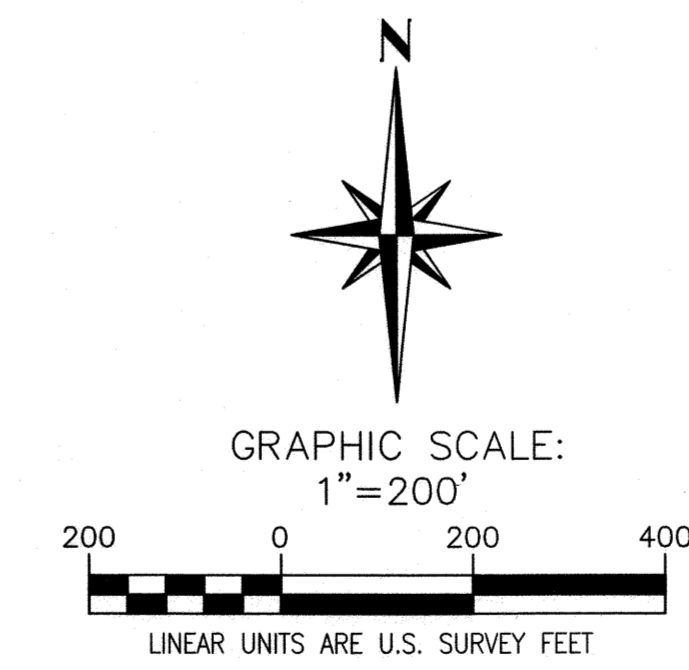
Parcel B:
Lots 16 through and including 29, Birks Blue Estates
County of Mesa, State of Colorado

Parcel C:
Beginning at a point on the North line of Section 25, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, 1470.06 feet West of the Northeast Corner of Section 25, thence West along the North line of said Section 25, 330.1 feet to a point; thence South parallel with the East line of said Section 25, 1319.84 feet more or less to the South line of the N1/2 NE1/4 of said Section 25; thence East along the South line of said N1/2 NE1/4 of said Section 25, 330.1 feet; thence North parallel with the East line of said Section 25, 1319.5 feet to the beginning, County of Mesa, State of Colorado

LESS AND EXCEPT the North 30.00 feet thereof as conveyed in Deed recorded October 13, 1998 at Reception No. 1868682.

NOTES

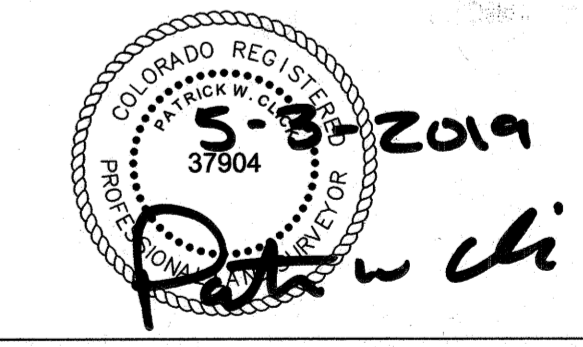
- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE USING A CURRENT TITLE POLICY FROM HERITAGE TITLE COMPANY, FILE NUMBER 460-H0546104-097-TB9.
- BEARINGS ARE BASED ON THE NORTH LINE OF NE¼ NE¼ SECTION 25, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN. THE VALUE USED N89°55'28"W WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. MESA COUNTY SURVEY MARKERS WERE FOUND AT THE EAST AND WEST ENDS OF SAID LINE AS SHOWN HEREON.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2862032, OF THE MESA COUNTY RECORDS.



LEGEND:

FOUND SURVEY MARKER AS DESCRIBED
SET No. 6 REBAR WITH 3-1/4 INCH ALUMINUM CAP PLS 37904

SURVEYOR'S CERTIFICATION:
I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.



COLORADO REGISTERED LAND SURVEYOR PLS #37904

IMPROVEMENT SURVEY PLAT	
FIVE STAR HOMES AND DEVELOPMENT, INC.	
SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25 TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN COUNTY OF MESA, STATE OF COLORADO	
JOB #: 2019033	FIELD WORK: MM/SL
DATE: 5/3/19	DRAWING NAME: 2019033 ISP DRAWN BY: PC
POLARIS SURVEYING	
PATRICK W. CLICK P.L.S.	
3194 MESA AVE. #B GRAND JUNCTION, CO 81504 PHONE (970)434-7038	

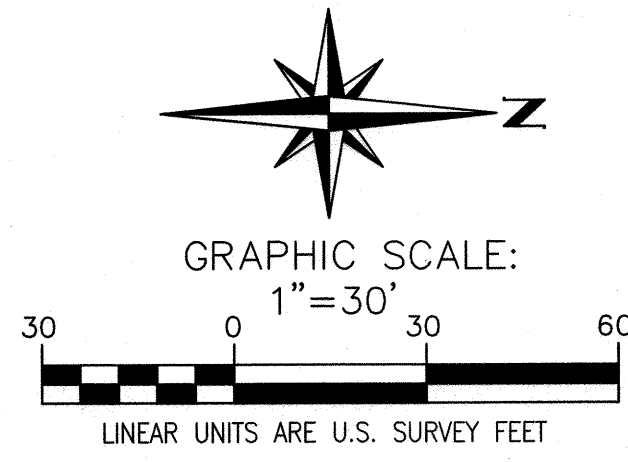
LAND SURVEY DEPOSIT
MESA COUNTY SURVEYORS OFFICE
DATE: 10/10/2019
BOOK: 1 PAGE: 173
DEPOSIT No. 5858-19

SHEET 1 OF 4

DEPOSIT 5858-19

IMPROVEMENT SURVEY PLAT

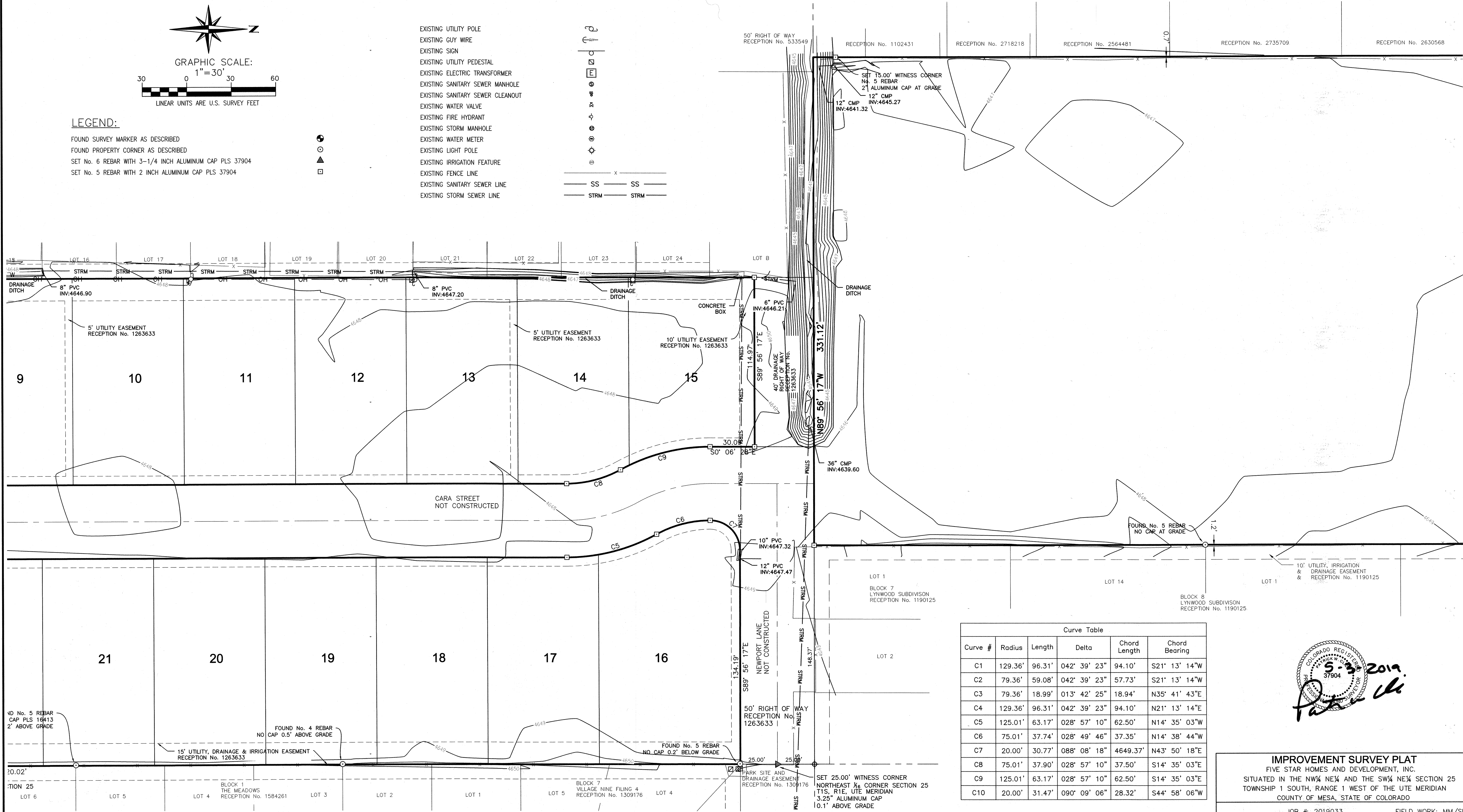
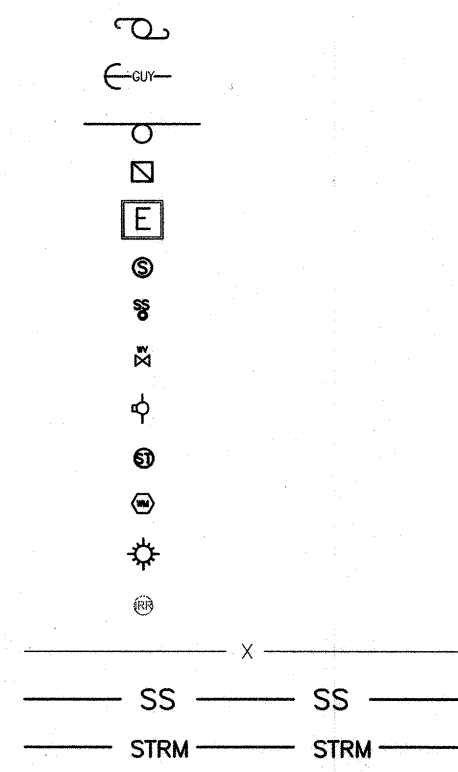
SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LEGEND:

- FOUND SURVEY MARKER AS DESCRIBED
- FOUND PROPERTY CORNER AS DESCRIBED
- ▲ SET No. 6 REBAR WITH 3-1/4 INCH ALUMINUM CAP PLS 37904
- SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904

- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING SIGN
- EXISTING UTILITY PEDESTAL
- EXISTING ELECTRIC TRANSFORMER
- EXISTING SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER CLEANOUT
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING STORM MANHOLE
- EXISTING WATER METER
- EXISTING LIGHT POLE
- EXISTING IRRIGATION FEATURE
- EXISTING FENCE LINE
- EXISTING SANITARY SEWER LINE
- EXISTING STORM SEWER LINE



Curve Table					
Curve #	Radius	Length	Delta	Chord Length	Chord Bearing
C1	129.36'	96.31'	042° 39' 23"	94.10'	S21° 13' 14"W
C2	79.36'	59.08'	042° 39' 23"	57.73'	S21° 13' 14"W
C3	79.36'	18.99'	013° 42' 25"	18.94'	N35° 41' 43"E
C4	129.36'	96.31'	042° 39' 23"	94.10'	N21° 13' 14"E
C5	125.01'	63.17'	028° 57' 10"	62.50'	N14° 35' 03"W
C6	75.01'	37.74'	028° 57' 10"	37.35'	N14° 38' 44"W
C7	20.00'	30.77'	088° 08' 18"	4649.37'	N43° 50' 18"E
C8	75.01'	37.90'	028° 57' 10"	37.50'	S14° 35' 03"E
C9	125.01'	63.17'	028° 57' 10"	62.50'	S14° 35' 03"E
C10	20.00'	31.47'	090° 09' 06"	28.32'	S44° 58' 06"W



IMPROVEMENT SURVEY PLAT
FIVE STAR HOMES AND DEVELOPMENT, INC.
SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

LAND SURVEY DEPOSIT
MESA COUNTY SURVEYORS OFFICE
DATE 10/10/2019
BOOK 1 PAGE 173
DEPOSIT No. 5861-19

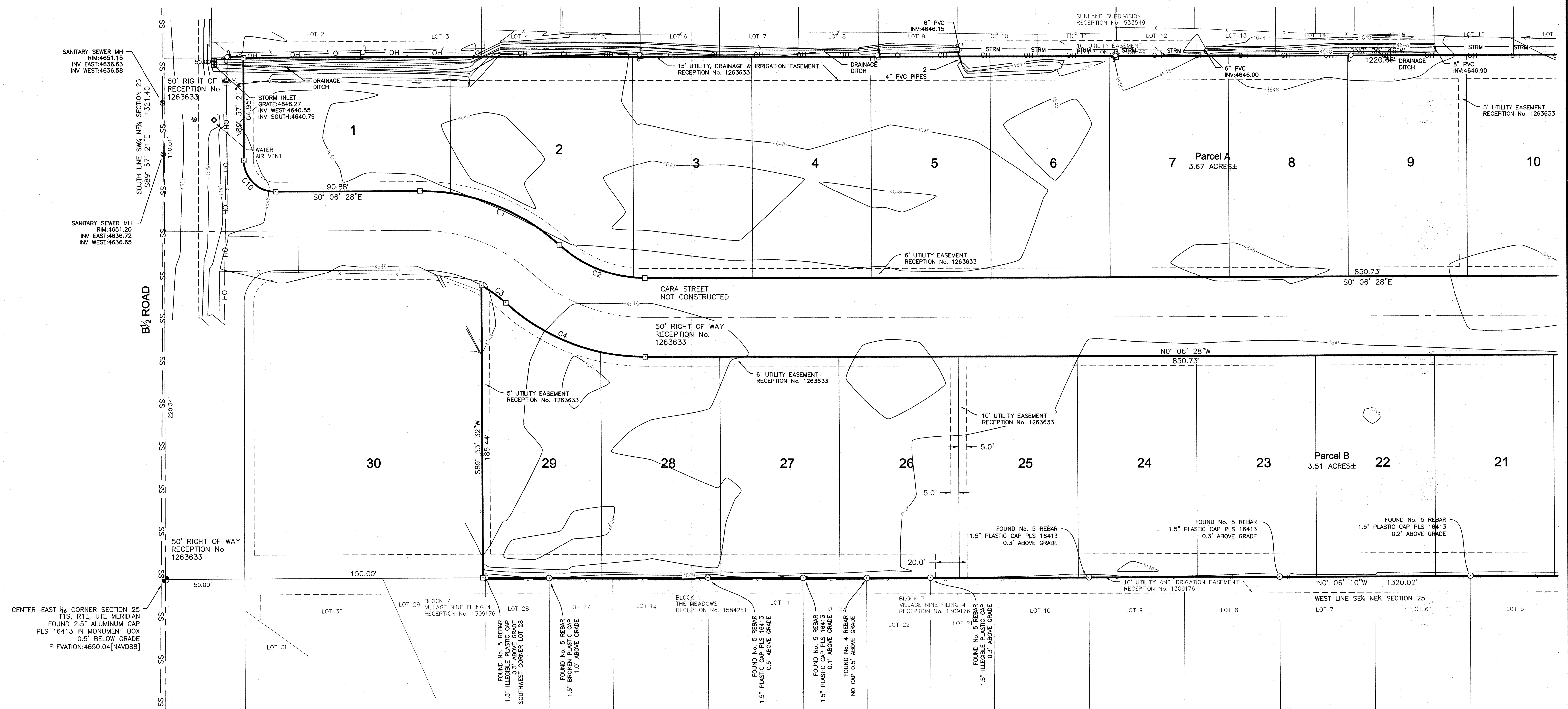
JOB # 2019033 FIELD WORK: MM/SL
DATE: 5/3/19 DRAWING NAME: 2019033 ISP DRAWN BY: PC
POLARIS SURVEYING
PATRICK W. CLICK P.L.S.
3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

SHEET 3 OF 4

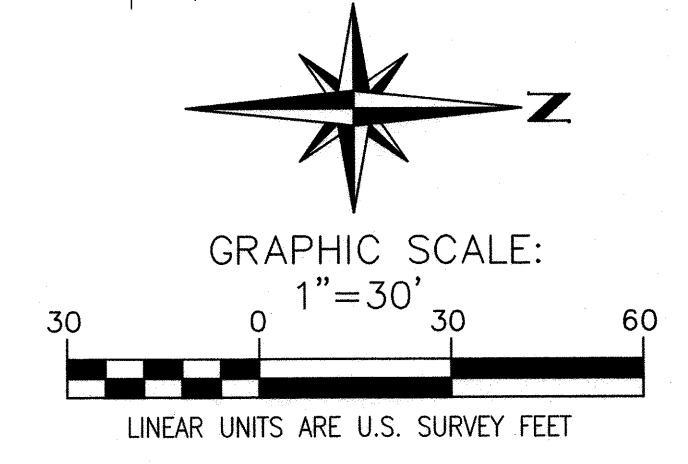
DEPOSIT 5861-19

IMPROVEMENT SURVEY PLAT

SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



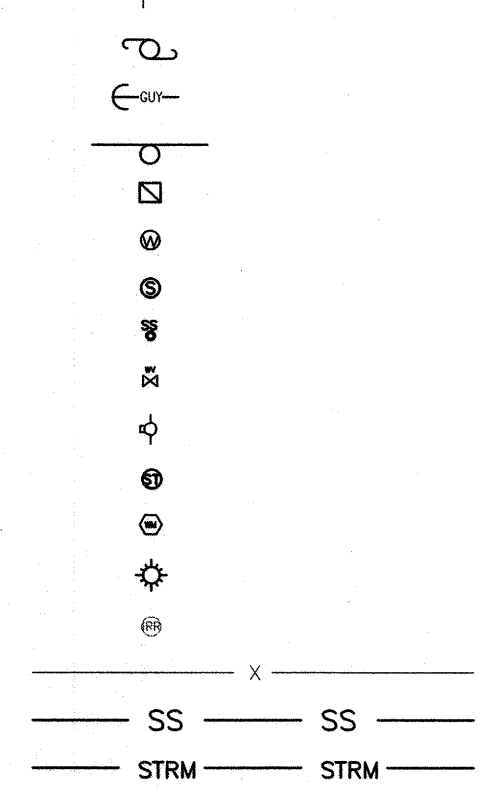
CENTER-EAST ¼ CORNER SECTION 25
T1S, R1E, UTE MERIDIAN
FOUND 2.5\"/>



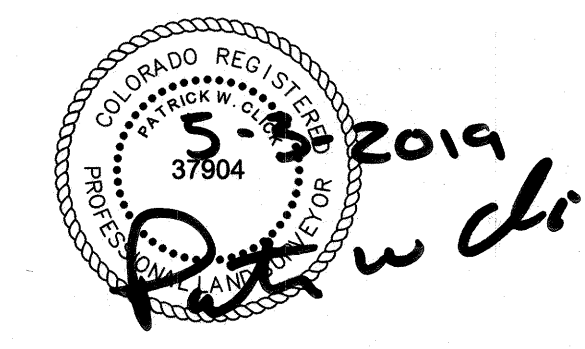
LEGEND:

- FOUND SURVEY MARKER AS DESCRIBED
- FOUND PROPERTY CORNER AS DESCRIBED
- SET NO. 6 REBAR WITH 3-1/4 INCH ALUMINUM CAP PLS 37904
- SET NO. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904

- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING SIGN
- EXISTING UTILITY PEDESTAL
- EXISTING WATER MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER CLEANOUT
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING STORM MANHOLE
- EXISTING WATER METER
- EXISTING LIGHT POLE
- EXISTING IRRIGATION FEATURE
- EXISTING FENCE LINE
- EXISTING SANITARY SEWER LINE
- EXISTING STORM SEWER LINE



Curve Table				
Curve #	Radius	Length	Delta	Chord Length
C1	129.36'	96.31'	042° 39' 23"	94.10'
C2	79.36'	59.08'	042° 39' 23"	57.73'
C3	79.36'	18.99'	013° 42' 25"	18.94'
C4	129.36'	96.31'	042° 39' 23"	94.10'
C5	125.01'	63.17'	028° 57' 10"	62.50'
C6	75.01'	37.74'	028° 49' 46"	37.35'
C7	20.00'	30.77'	088° 08' 18"	4649.37'
C8	75.01'	37.90'	028° 57' 10"	37.50'
C9	125.01'	63.17'	028° 57' 10"	62.50'
C10	20.00'	31.47'	090° 09' 06"	28.32'



LAND SURVEY DEPOSIT
MESA COUNTY SURVEYORS OFFICE
DATE 10/10/2019
BOOK 1 PAGE 173
DEPOSIT No. 5860-19

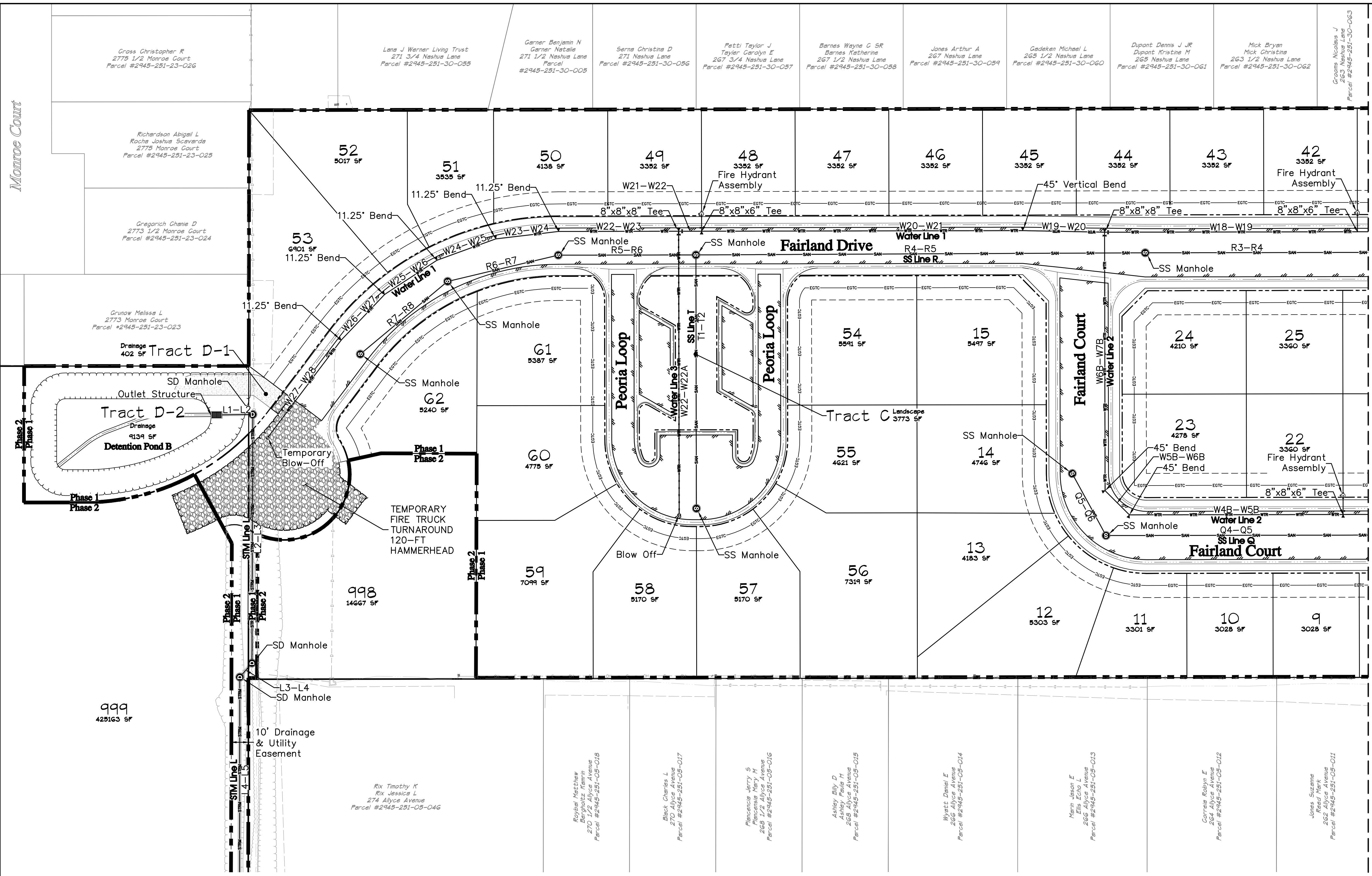
IMPROVEMENT SURVEY PLAT
FIVE STAR HOMES AND DEVELOPMENT, INC.
SITUATED IN THE NW¼ NE¼ AND THE SW¼ NE¼ SECTION 25
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

JOB #: 2019033 FIELD WORK: MM/SL
DATE: 5/3/19 DRAWING NAME: 2019033 ISP DRAWN BY: PC

POLARIS SURVEYING
PATRICK W. CLICK P.L.S.

3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

DEPOSIT 5860-19



PR-SD Pipe Table

Pipe Name	Length (ft)	Size (in)	Material	Slope
L1-L2	18.2	18	RCP	0.40%
L2-L3	144.2	24	RCP	0.30%
L3-L4	10.8	24	RCP	0.30%
L4-L5	119.0	24	RCP	0.39%
L5-L6	31.8	24	RCP	0.40%

PR-SS Pipe Table

Pipe Name	Length (ft)	Size (in)	Material	Slope
Q4-Q5	511.5	8	SDR 35 PVC	0.45%
Q5-Q6	40.9	8	SDR 35 PVC	0.45%
R3-R4	466.8	8	SDR 35 PVC	0.45%
R4-R5	260.5	8	SDR 35 PVC	0.45%
R5-R6	79.8	8	SDR 35 PVC	0.45%
R6-R7	65.9	8	SDR 35 PVC	0.45%
R7-R8	65.9	8	SDR 35 PVC	0.45%
T1-T2	147.1	8	SDR 35 PVC	0.45%

PR-WTR Pipe Table

Pipe Name	Length (ft)	Size (in)	Material
W4B-W5B	123.9	8	C900 PVC
W5B-W6B	19.9	8	C900 PVC
W6B-W7B	149.9	8	C900 PVC
W18-W19	146.6	8	C900 PVC
W19-W20	47.5	8	C900 PVC
W20-W21	186.2	8	C900 PVC
W22-W22A	164.7	8	C900 PVC
W22-W23	69.6	8	C900 PVC
W23-W24	36.6	8	C900 PVC
W24-W25	36.4	8	C900 PVC
W25-W26	36.4	8	C900 PVC
W26-W27	36.5	8	C900 PVC
W27-W28	70.9	8	C900 PVC

UTILITY SHEETS

- SD Line L..... Sheet C36
- SS Line Q..... Sheet C25-C26
- SS Line R..... Sheet C27-C29
- SS Line T..... Sheet C30
- WTR Line 1..... Sheet C37-C39
- WTR Line 2..... Sheet C40-C42

ACCEPTANCE BLOCK
 The City of Grand Junction review constitutes general compliance with the City's Development Standards, subject to these plans being sealed, signed, and dated by the Professional of Record. Review by the City does not constitute approval of the plan design. The City neither accepts nor assumes any liability for errors or omissions. Errors in the design or calculations remain the responsibility of the Professional of Record. Construction must commence within one year from the date of plan signature.

City Planner _____ Date _____
 City Development Engineer _____ Date _____

811 UNCC
 Know what's below. Call before you dig.
 800.922.1987
 www.uncc.org
 CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

Project Benchmark
 MCSM 528-2 3" BRASS CAP EAST 1/16 SEC 25, T1S, R1E, UTE MERIDAIN
 NORTHING: 28899.82
 EASTING: 98677.88
 ELEVATION: 4650.42
 DATUM SOURCE: MCLCS Zone "GVA" (NAVD 88)

SCALE (FEET)
 0 30 60
 HORIZONTAL
 VERTICAL:
 CONTOUR INTERVAL: 1 FT

PROJECT PHASE: Preliminary/Review DATE ISSUED: 5.13.2022

NO.	DATE	REVISION	BY

S:\PROJECTS\1966 Five Star Homes and Development\003 Fairview Glen\Design\DWG\05-Sheet\1966-003 Composite Utility Plan.dwg [Phase 1 - North] 6/23/2022 3:25:23 PM

PRELIMINARY

RIVER CITY CONSULTANTS
 215 Pitkin Avenue, Unit 201 Grand Junction, CO 81501
 Phone: 970.241.4722 Fax: 970.241.8841
 www.rcwest.com
 DRAWN BY: CTR PROJECT: 1966-003
 CHECKED BY: IDG
 ORIGINAL SHEET SIZE: 22 x 34

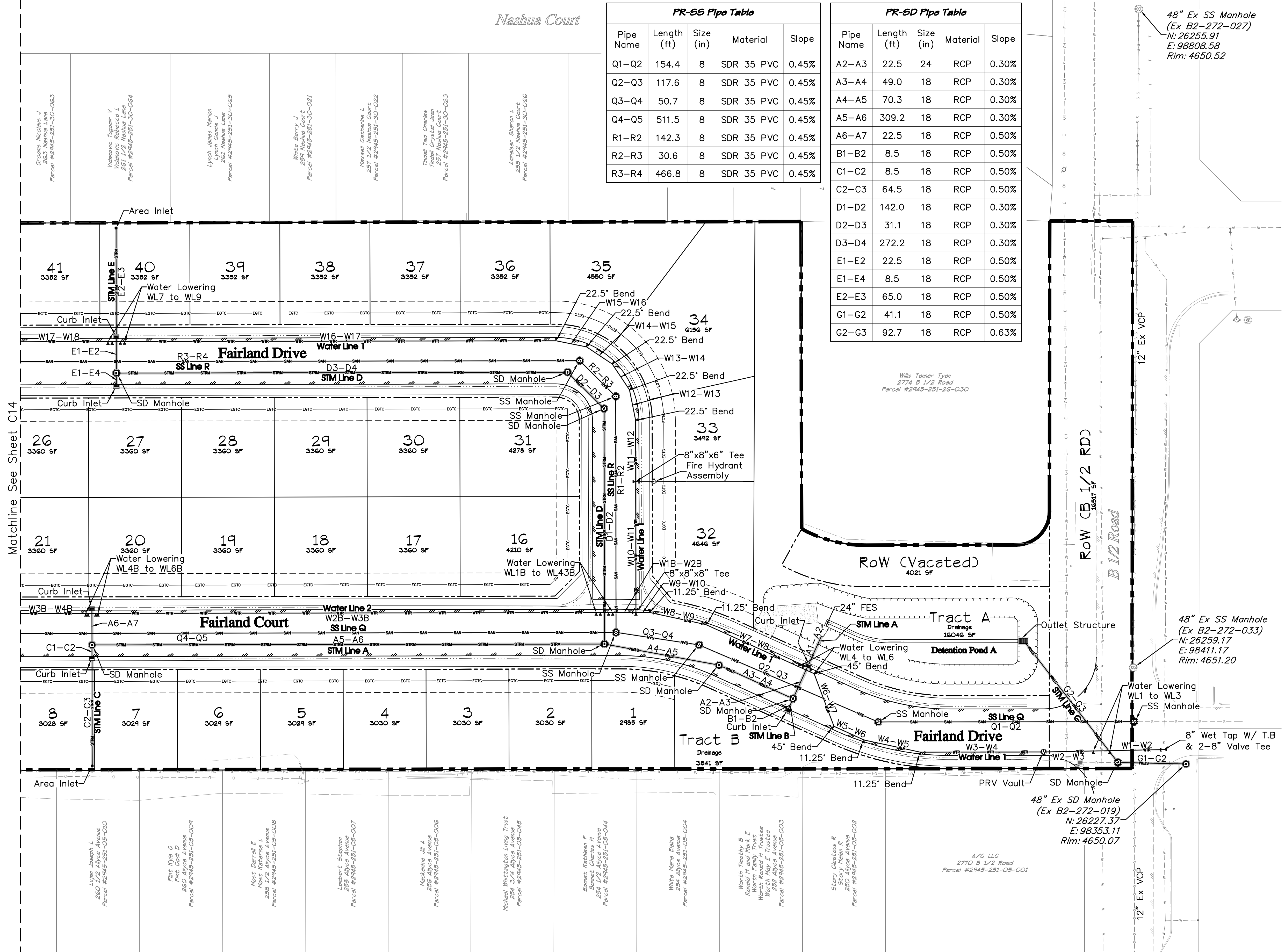
FIVE STAR HOMES & DEVELOPMENT INC.
 Fairview Glen Phase 1
 Utility Composite
 Phase 1 - North
 C14

Nashua Court

PR-SS Pipe Table				
Pipe Name	Length (ft)	Size (in)	Material	Slope
Q1-Q2	154.4	8	SDR 35 PVC	0.45%
Q2-Q3	117.6	8	SDR 35 PVC	0.45%
Q3-Q4	50.7	8	SDR 35 PVC	0.45%
Q4-Q5	511.5	8	SDR 35 PVC	0.45%
R1-R2	142.3	8	SDR 35 PVC	0.45%
R2-R3	30.6	8	SDR 35 PVC	0.45%
R3-R4	466.8	8	SDR 35 PVC	0.45%

PR-SD Pipe Table				
Pipe Name	Length (ft)	Size (in)	Material	Slope
A2-A3	22.5	24	RCP	0.30%
A3-A4	49.0	18	RCP	0.30%
A4-A5	70.3	18	RCP	0.30%
A5-A6	309.2	18	RCP	0.30%
A6-A7	22.5	18	RCP	0.50%
B1-B2	8.5	18	RCP	0.50%
C1-C2	8.5	18	RCP	0.50%
C2-C3	64.5	18	RCP	0.50%
D1-D2	142.0	18	RCP	0.30%
D2-D3	31.1	18	RCP	0.30%
D3-D4	272.2	18	RCP	0.30%
E1-E2	22.5	18	RCP	0.50%
E1-E4	8.5	18	RCP	0.50%
E2-E3	65.0	18	RCP	0.50%
G1-G2	41.1	18	RCP	0.50%
G2-G3	92.7	18	RCP	0.63%

PR-WTR Pipe Table			
Pipe Name	Length (ft)	Size (in)	Material
W1-W2	32.7	8	C900 PVC
W1B-W2B	14.0	8	C900 PVC
W2-W3	30.0	8	C900 PVC
W2B-W3B	300.5	8	C900 PVC
W3-W4	74.3	8	C900 PVC
W3B-W4B	54.1	8	C900 PVC
W4-W5	34.7	8	C900 PVC
W5-W6	20.0	8	C900 PVC
W6-W7	33.9	8	C900 PVC
W7-W8	61.4	8	C900 PVC
W8-W9	34.8	8	C900 PVC
W9-W10	8.2	8	C900 PVC
W10-W11	78.9	8	C900 PVC
W11-W12	37.1	8	C900 PVC
W12-W13	18.7	8	C900 PVC
W13-W14	18.7	8	C900 PVC
W14-W15	18.7	8	C900 PVC
W15-W16	18.7	8	C900 PVC
W16-W17	260.2	8	C900 PVC
W17-W18	59.2	8	C900 PVC
WL1-WL2	3.5	8	C900 PVC
WL1B-WL2B	2.5	8	C900 PVC
WL2-WL3	3.6	8	C900 PVC
WL2B-WL3B	5.0	8	C900 PVC
WL3-WL4	2.8	8	C900 PVC
WL3B-WL4B	2.5	8	C900 PVC
WL4-WL5	2.8	8	C900 PVC
WL4B-WL5B	1.4	8	C900 PVC
WL5-WL6	5.0	8	C900 PVC
WL5B-WL6B	4.6	8	C900 PVC
WL6-WL7	2.5	8	C900 PVC
WL6B-WL7B	1.4	8	C900 PVC
WL7-WL8	2.5	8	C900 PVC
WL8-WL9	5.0	8	C900 PVC
WL9-WL10	2.5	8	C900 PVC



48" Ex SS Manhole
(Ex B2-272-027)
N: 26255.91
E: 98808.58
Rim: 4650.52

48" Ex SS Manhole
(Ex B2-272-033)
N: 26259.17
E: 98411.17
Rim: 4651.20

48" Ex SD Manhole
(Ex B2-272-019)
N: 26227.37
E: 98353.11
Rim: 4650.07

UTILITY SHEETS

SD Line A.....	Sheet C31
SD Line B.....	Sheet C32
SD Line C.....	Sheet C32
SD Line D.....	Sheet C33-C34
SD Line E.....	Sheet C35
SD Line G.....	Sheet C35
SS Line Q.....	Sheet C25-C26
SS Line R.....	Sheet C27-C29
WTR Line 1.....	Sheet C37-C39
WTR Line 2.....	Sheet C40-C42

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City Planner _____ Date _____

City Development Engineer _____ Date _____

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Project Benchmark
MCSM 528-2 3" BRASS CAP EAST 1/16 SEC 25, T1S, R1E, UTE MERIDAIN UNAWEEP AVENUE
NORTHING: 28899.82
EASTING: 98677.88
ELEVATION: 4650.42
DATUM SOURCE: MCLCS Zone "GVA" (NAVD 88)

SCALE
(FEET)
0 30 60
HORIZONTAL
VERTICAL:
CONTOUR INTERVAL: 1 FT

PROJECT PHASE: Preliminary/Review		DATE ISSUED: 5.13.2022	
NO.	DATE	REVISION	BY

RIVER CITY CONSULTANTS
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rcwest.com

DRAWN BY: CTR
CHECKED BY: IDG
PROJECT: 1966-003
ORIGINAL SHEET SIZE: 22 x 34

FIVE STAR HOMES & DEVELOPMENT INC.
Fairview Glen Phase 1
Utility Composite
Phase 1 - South
C15



**Parcel Nos. 2945-251-26-031 & 032, Located just north and west of 2774 B ½ Road -
SUBDIVISION**

**SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING
THURSDAY, JUNE 16, 2022 @ 5:30 PM
VIA ZOOM**

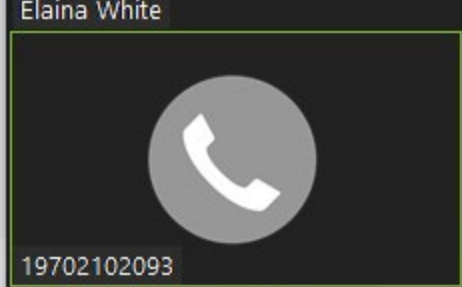
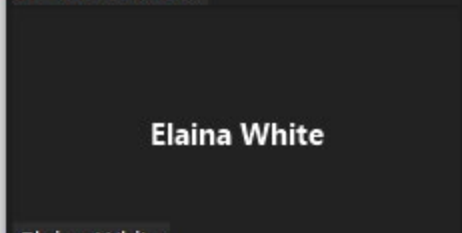
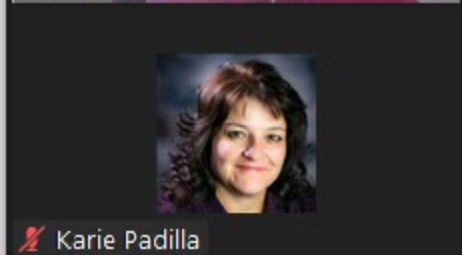
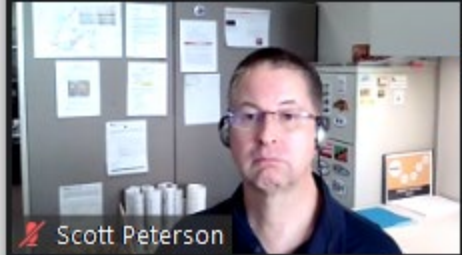
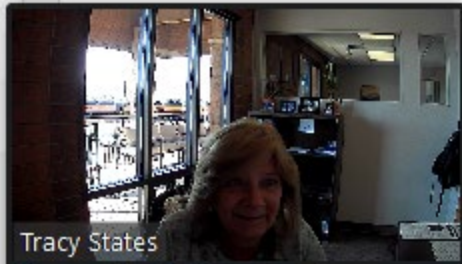
A virtual neighborhood meeting for the above-referenced subdivision, was held Thursday, June 16, 2022, via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on June 1, 2022, per the mailing list received from the City of Grand Junction. There were six attendees including Tracy States, Project Coordinator, with River City Consultants, Karie Padilla, President of Five Star Homes, and Scott Peterson, Senior Planner with the City of Grand Junction. There were three neighbors in attendance.

The meeting included a brief presentation and a question/answer session. Information about the proposed subdivision was presented, and it was explained that 65 single family residential lots were planned at R-8 density (zoned PUD) and that previously platted right-of-way and easements would be vacated through a public hearing process. A Site Plan, as well as the previously recorded Birks Blue Estates (1978) plat were presented and are included with this summary. Location, zoning and utility maps were also presented.

The neighbors had no concerns with the proposed subdivision and agreed that it was very similar to existing, surrounding development. The only question they had was when construction would commence. Tracy States explained that the approval process would take several months but the goal was to begin infrastructure construction as soon as approval was received, anticipated in the fall. Karie Padilla confirmed that Five Star Homes would be building all of the homes and that a plat hold would be given as the construction guarantee. Home construction is anticipated upon completion of the infrastructure.

Scott Peterson with the City reiterated the process and confirmed that due to the process, the project would be approved sometime in the fall.

The meeting adjourned at approximately 6:00 PM.



Mike Gadeken

Kim Willis

Send PDFs for signing. Recipients sign online without Acrobat.

Location Map



City of Grand Junction



Printed: 6/16/2022
1 inch equals 188 feet
Scale: 1:2,257



City Zoning Map



Printed: 6/16/2022
1 inch equals 188 feet
Scale: 1:2,257

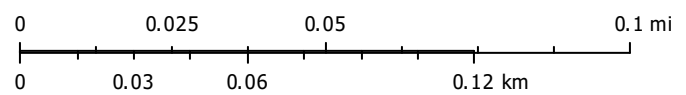




City of Grand Junction Zoning
(go to www.gjcity.org
for GJ zoning info)

County Zoning Map

Print Date: June 16, 2022
Packet Page 31

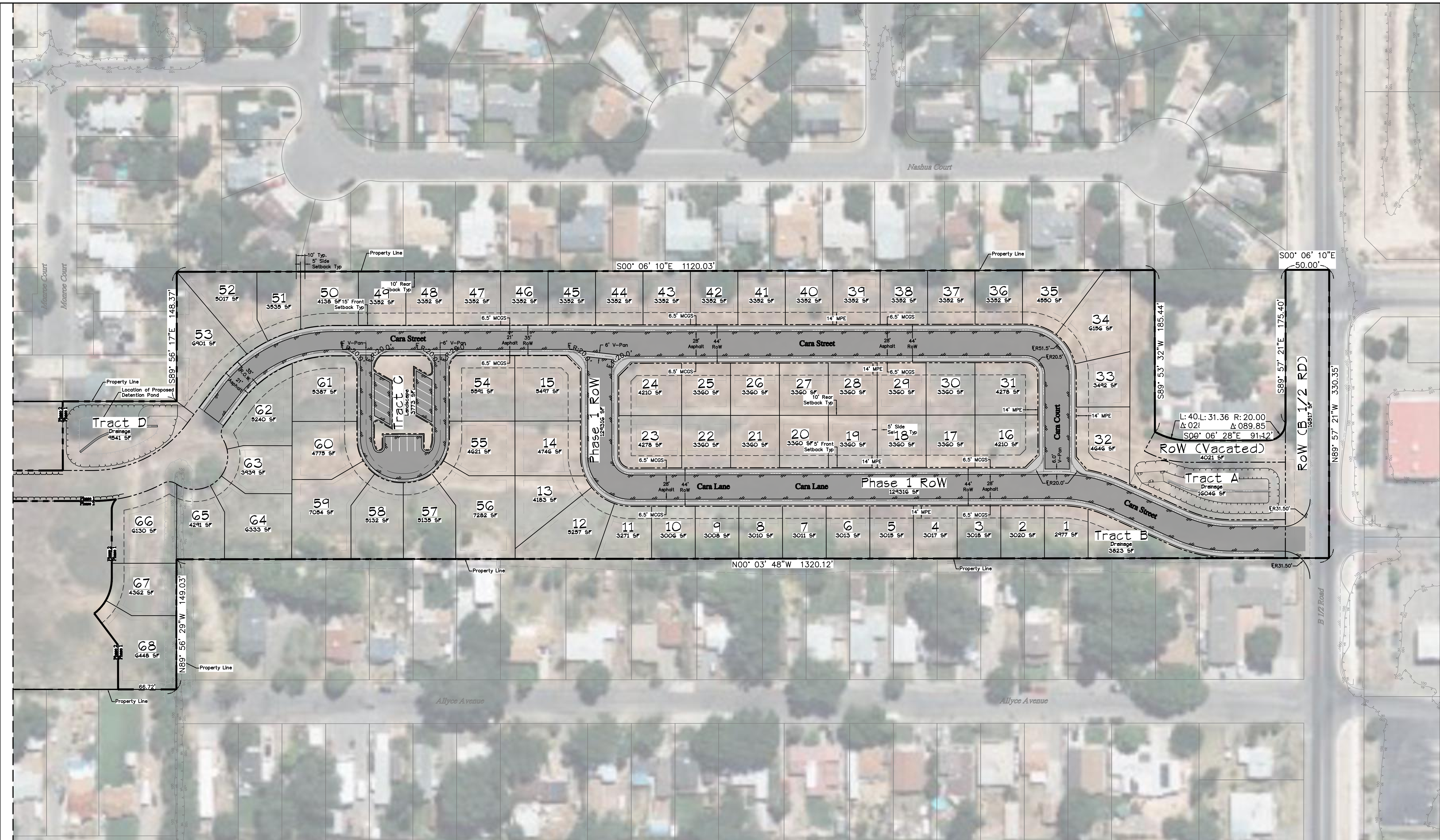


The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Recorder's office or the courts. In addition, the representations of location in this GIS cannot be substituted for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.

2020 Comprehensive Plan Map



Printed: 6/16/2022
1 inch equals 188 feet
Scale: 1:2,257



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CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

Project Benchmark
TBD

NORTHING: --
EASTING: --
ELEVATION: --
DATUM SOURCE: MCLCS Zone "GVA" (NAVD 88)

SCALE
(FEET)
0 50 100
HORIZONTAL
VERTICAL: N/A

PROJECT PHASE: Preliminary/Review DATE ISSUED: 5.13.2022

NO.	DATE	REVISION	BY

S:\PROJECTS\1966 Five Star Homes and Development\003 Fairview Glen\Design\DWG\05-Sheet\1966-003 Site Plan - Public Hearing.dwg [CS Phase 1 - North] 6/16/2022 3:49:40 PM

PRELIMINARY

RIVER CITY CONSULTANTS
215 Pitkin Avenue, Unit 201 Phone: 970.241.4722
Grand Junction, CO 81501 Fax: 970.241.8841
www.rcwest.com

DRAWN BY: CTR PROJECT: 1966-003
CHECKED BY: IDG

ORIGINAL SHEET SIZE: 22 x 34

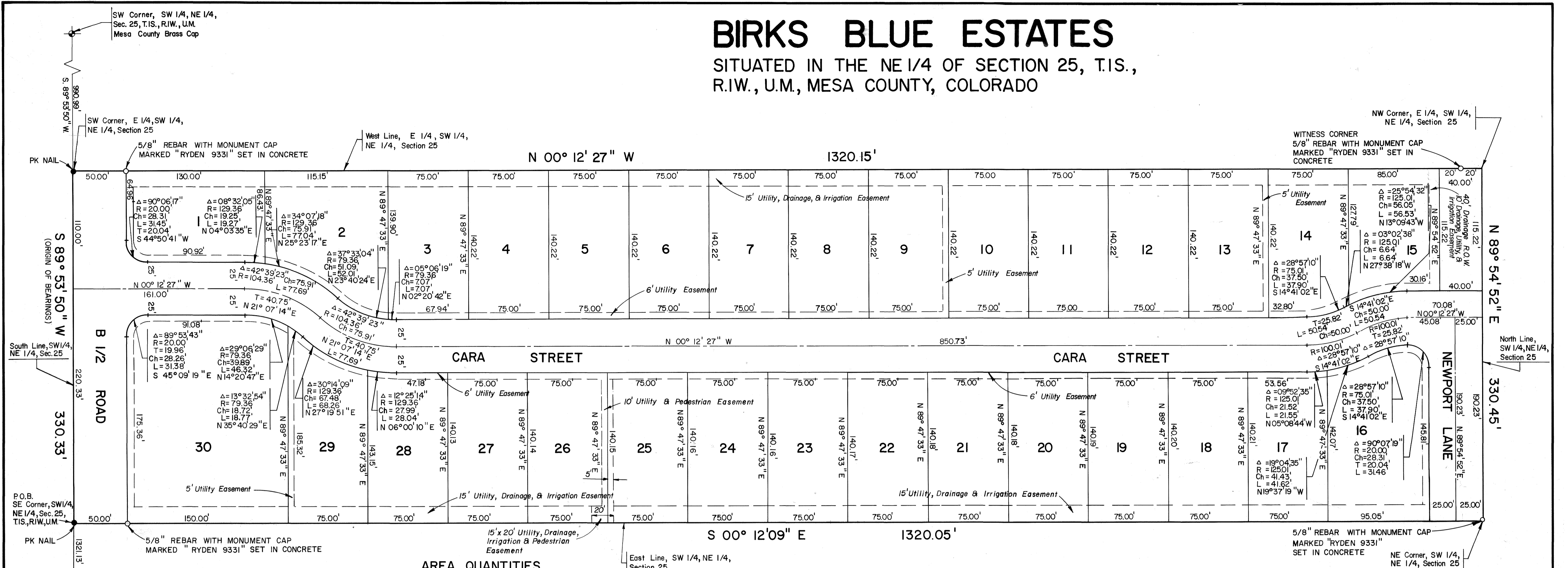
Five Star Homes & Development Inc.

Fairview Glen
Site Plan

C5

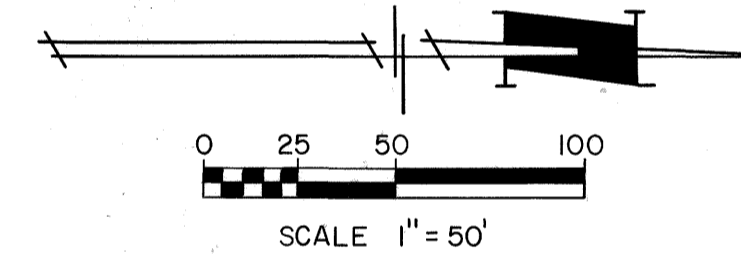
BIRKS BLUE ESTATES

SITUATED IN THE NE 1/4 OF SECTION 25, T.1S., R.1W., U.M., MESA COUNTY, COLORADO



AREA QUANTITIES

TOTAL NO LOTS	= 30
TOTAL AREA IN LOTS	= 7.841 Ac.
TOTAL AREA IN DRAINAGE DITCH R.O.W.	= 0.106 Ac.
TOTAL AREA IN STREETS	= 2.066 Ac.
TOTAL AREA	= 10.013 Ac.



DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Rodney C. Birks and Patsy G. Birks, are the owners of that real property situated in the County of Mesa, State of Colorado, and being the East Quarter (E $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 25, Township 1 South, Range 1 West of the Ute Meridian, as shown on the accompanying plat, said tract being more particularly described as follows:

Beginning at the Southeast corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25; thence S 89° 53' 50" W along the South line of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25 with all bearings contained herein relative thereto: a distance of 330.33 feet to the Southwest corner of the said E $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25; thence N 00° 12' 27" W along the West line of the said E $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25 a distance of 1320.15 feet to the Northwest corner of the said E $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25; thence N 89° 54' 52" E along the North line of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25 a distance of 330.45 feet to the Northeast corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25; thence S 00° 12' 09" E along the East line of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25 a distance of 1320.05 feet to the Point of Beginning containing 10.013 acres more or less.

That the said owners have caused the said real property to be laid out and surveyed as Birks Blue Estates, a subdivision of a part of Mesa County, Colorado.

That said owners do hereby dedicate and set apart all streets and roads as shown on the accompanying plat to the use of the public and public utilities forever and hereby grant those portions of said real property which are labeled as utility, drainage, and irrigation easements on the accompanying plat to the public utilities companies as perpetual easements for the installation and maintenance of utilities and drainage facilities, including but not limited to: transmission lines, electric lines, gas lines, telephone lines, together with the right to trim interfering trees and brush. With perpetual right of ingress and egress for installation, maintenance and replacement of such lines. Said easements and rights shall be utilized in a reasonable and prudent manner.

That all expense for street paving or improvements shall be financed by the seller or purchaser, not by the County of Mesa.

In witness where said owners, Rodney C. Birks and Patsy G. Birks, have caused their names to be hereunto subscribed this 13th Day of November, A.D., 1978.

Rodney C. Birks
Rodney C. Birks

Patsy G. Birks
Patsy G. Birks

STATE OF COLORADO }
COUNTY OF MESA } SS

The foregoing instrument was acknowledged before me this 13th Day of November, A.D., 1978 by Rodney C. Birks and Patsy G. Birks.

My commission expires 8-10-82

Witness my hand and seal.

Elizabeth Phillips
Notary Public

COUNTY PLANNING COMMISSION CERTIFICATE

Approved this 29th Day of December, A.D., 1978, County Planning Commission of Mesa, Colorado.

Mary A. Buss
Chairman

Ronald P. Piel
City Engineer

Date: 1-12-79

BOARD OF COUNTY COMMISSIONERS CERTIFICATE

Approved this 9th Day of January, A.D., 1979, Board of County Commissioners of the County of Mesa, Colorado.

Earl Swinder
Chairman

Bill Berman
Mesa County Road Department

Date: 1-9-79

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF MESA } SS

I hereby certify that this instrument was filed in my office at 10:30 o'clock A.M., this 22 Day of July, A.D., 1978, and is duly recorded in Plat Book No. 12, Page 399, Reception No. 1263633 1981

Earl Swinder
Clerk and Recorder
Fees: \$ 10.00

Mary Baker
Deputy

CITY PLANNING COMMISSION

Approved this 19th Day of December, A.D., 1978, City Planning Commission of Grand Junction, Colorado.

Jeanine Rider
Chairman

CITY COUNCIL

Approved this 20th Day of December, A.D., 1978, City Council of Grand Junction, Colorado.

Karl Johnson
Chairman

SURVEYOR'S CERTIFICATE

I, Richard L. Atkins, do hereby certify that the accompanying plat of Birks Blue Estates, a subdivision of a part of the County of Mesa, has been prepared under my direction and accurately represents a survey of the same.



Richard L. Atkins
Richard L. Atkins, P.E. & L.S. No. 12291

<p>Atkins & Associates CONSULTING ENGINEERS</p>	NO. DATE REVISION BY			
	<p>BIRKS BLUE ESTATES FILING PLAT</p>			
<p>835 COLORADO AVE. GRAND JUNCTION, COLORADO 81501 (303) 243-7169</p>	<p>DATE 11/78 DES. P.J.S.</p>	<p>DR. D.H.N.</p>	<p>SCALE 1" = 50'</p>	<p>SHEET OF</p>



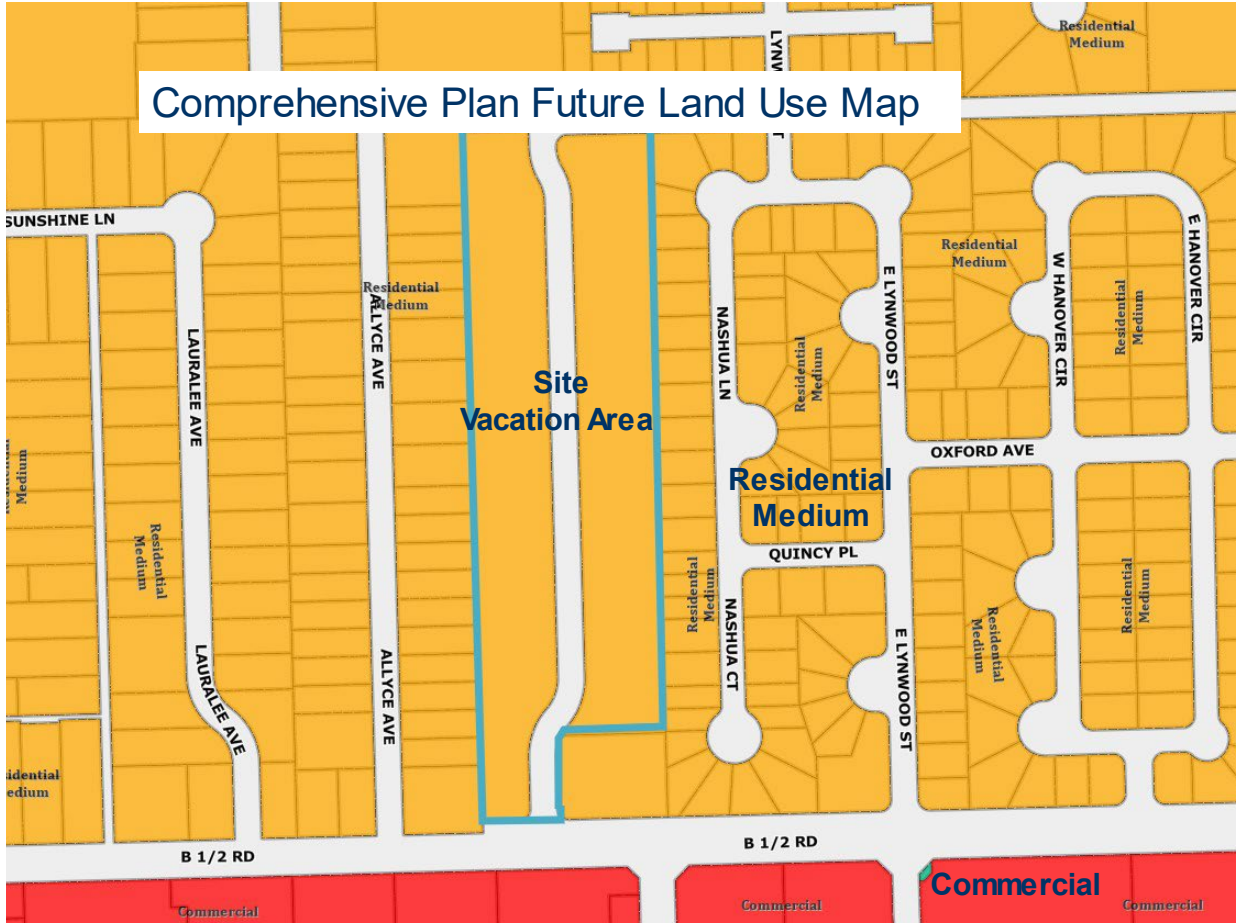


Aerial Photo Map

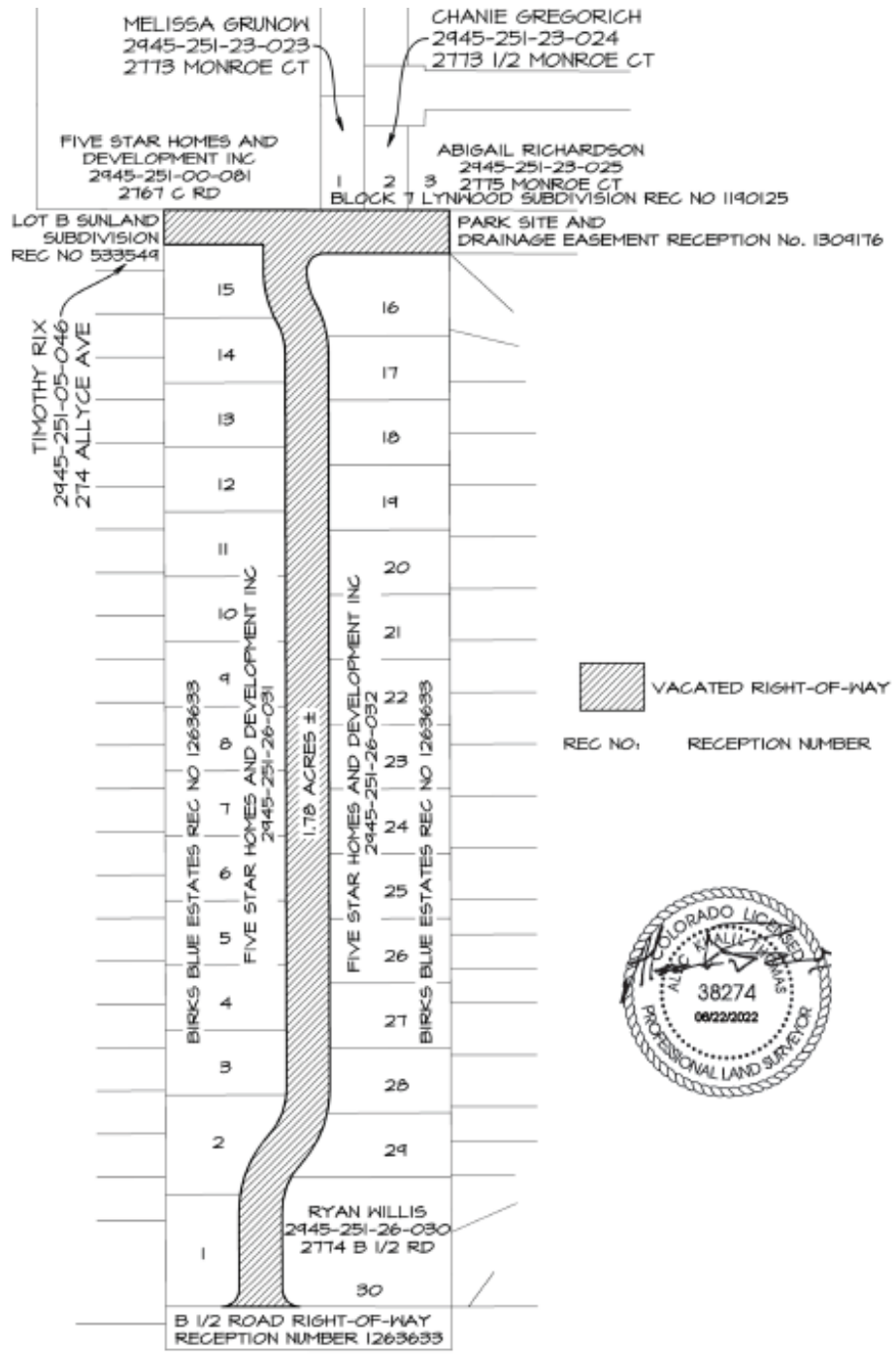
Site Vacation Area

Proposed Fairview Glen Subd.

Comprehensive Plan Future Land Use Map



Right-of-Way Vacation Areas:





Pictometry view of property looking north – April 2020

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING ALL RIGHTS-OF-WAY AS IDENTIFIED ON THE BIRKS BLUE ESTATES SUBDIVISION PLAT AS GRANTED TO THE PUBLIC BY RECEPTION NUMBER 1263633 WITH THE EXCEPTION OF THE 50' RIGHT-OF-WAY AREA DEDICATED AND PLATTED AS B ½ ROAD
LOCATED NORTH OF B ½ ROAD AND WEST OF 27 ¾ ROAD**

Recitals:

A vacation of all public rights-of-way as granted and identified on the Birks Blue Estates subdivision plat as recorded in 1978 within Reception # 1263633 with the exception of the 50' right-of-way area dedicated and platted as B ½ Road, has been requested by the property owner, Five Star Homes & Development Inc., in anticipation of future residential subdivision development for the proposed Fairview Glen subdivision. The existing platted rights-of-way for Cara Street and Newport Lane were conveyed in 1978 to the public within the Dedication language on the subdivision plat for Birks Blue Estates. The applicants are requesting to vacate all rights-of-way within the existing platted subdivision with the exception of the 50' right-of-way area dedicated and platted as B ½ Road. The rights-of-way requested for vacation does contain stormwater pipes within the Newport Lane portion of the right-of-way along the north property line of the subdivision, however the rights-of-way of Cara Street and Newport Lane have never been developed.

The benefit for the applicant with this proposed right-of-way vacation request would be to remove the existing right-of-way encumbrances from the existing platted Lots 1 through 29 and replat the area and provide and grant new rights-of-way and easements as necessary that would correspond and align with the proposed new lot and street layout.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate rights-of-way that were granted to the public on the Birks Blue Estates subdivision plat with conditions is consistent with the 2020 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 DEDICATED RIGHT-OF-WAY IS HEREBY VACATED SUBJECT TO THE LISTED CONDITIONS:

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.

2. Prior to recording of an Ordinance vacating the requested rights-of-way, the granting of new and approved public rights-of-way and/or private streets/easements shall be conveyed or as otherwise approved by the City, consistent with City standards, either by separate instrument or on a subdivision plat which will cover existing and proposed utility infrastructure.

All Right-of-Way as dedicated and platted on Birks Blue Estates, a subdivision plat recorded at the Mesa County Clerk and Recorder at Reception Number 1263633, situated in the northeast quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado

Excepting therefrom the fifty (50') foot Right-of-Way area dedicated and platted as B ½ Road thereon,

Containing 1.78 acres more or less.

Introduced on first reading this _____ day of _____, 2024 and ordered published in pamphlet form.

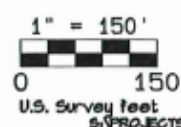
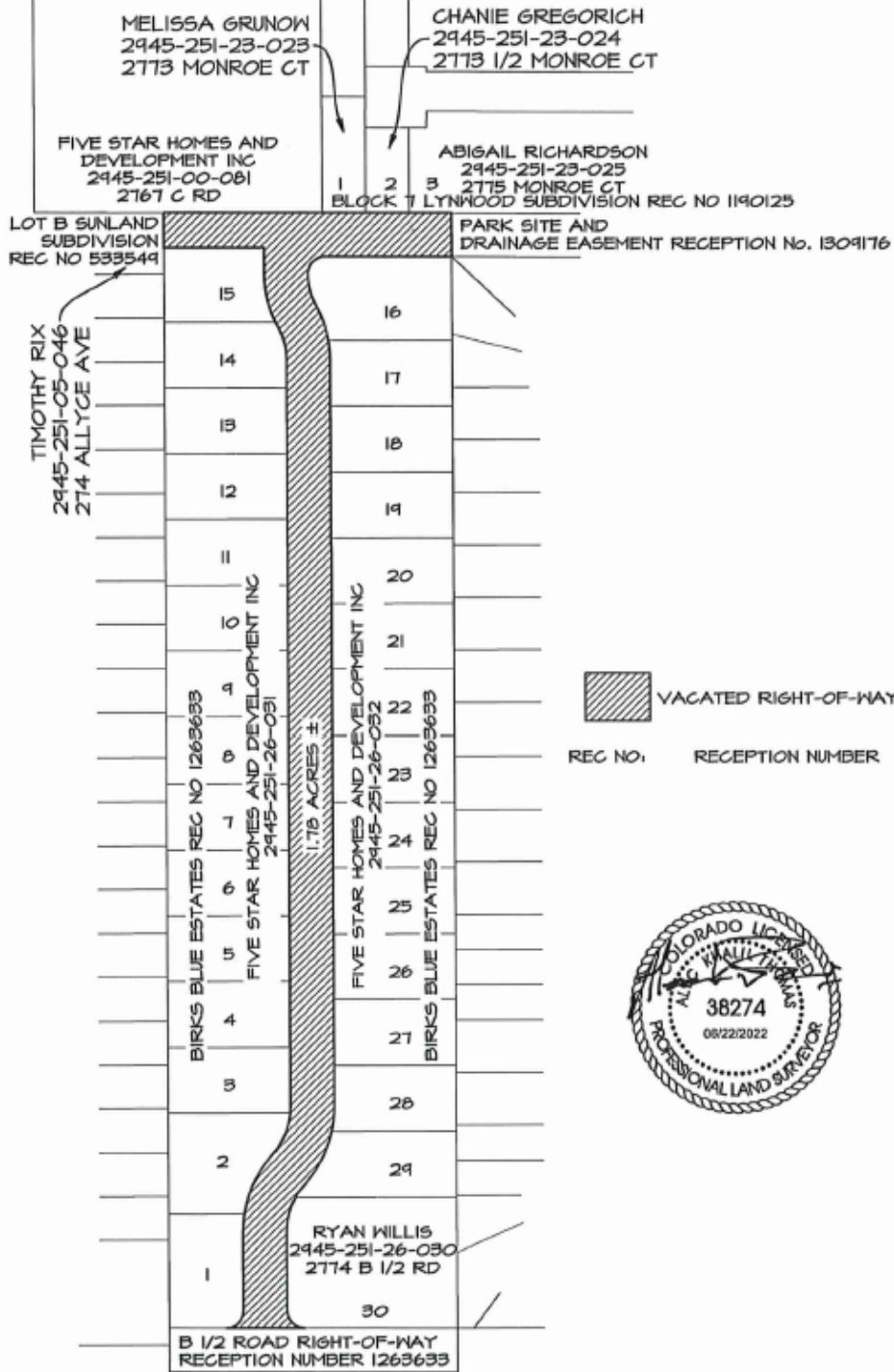
Adopted on second reading this _____ day of _____, 2024 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

EXHIBIT



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

RIVER CITY
CONSULTANTS

215 Pikes Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

Drawn: AKT	Checked: NA	6/22/22	Job No. 1966-003
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