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**PLANNING COMMISSION AGENDA  
IN-PERSON/VIRTUAL HYBRID MEETING  
CITY HALL AUDITORIUM, 250 N 5<sup>th</sup> STREET  
TUESDAY, JANUARY 14, 2025 - 5:30 PM  
*Attend virtually: [bit.ly/GJ-PC-01-14-25](https://bit.ly/GJ-PC-01-14-25)***

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**Call to Order - 5:30 PM**

**Consent Agenda**

1. Minutes of Previous Meeting(s)
2. Consider a request by Amaretto Creek Communities LLC to vacate a 15-foot public utility easement on 1.89 acres in a MU-2 (Mixed Use - Corridor) zone district at 1530 North Avenue.
3. Consider a request by River City Consultants on behalf of Terry DeHerrera (owner) – to extend for 1 year, the plat recording deadline for the first phase of Goose Downs Subdivision, 14 of 53 lots on 14.7 acres in an R-4 (Residential -4) zone district.

**Regular Agenda**

**Other Business**

**Adjournment**

**GRAND JUNCTION PLANNING COMMISSION**  
**December 10, 2024, 5:30 PM**  
**MINUTES**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Commissioner Weckerly.

Those present were Planning Commissioners; Shanon Secrest, Kim Herek, Orin Zyvan, Ian Moore, Robert Quintero, and Ian Thomas.

Also present were Jamie Beard (Assistant City Attorney), Niki Galehouse (Planning Manager), and Jacob Kaplan (Planning Technician).

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

*As Chair Teske and Vice Chair Scissors were absent, a motion was held to select a member of the Commission to act as Chair for this hearing.*

Commissioner Secrest made a motion to appoint Commissioner Weckerly as the temporary Chair.

*Commissioner Zyvan seconded; motion passed 6-0.*

**CONSENT AGENDA**

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**1. Approval of Minutes**

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Minutes of Previous Meeting(s) from November 12, 2024.

Commissioner Secrest moved to approve the consent agenda.

*Commissioner Quintero seconded; motion passed 6-0.*

**REGULAR AGENDA**

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**1. Zoning & Development Code Amendment – Natural Medicine** **ZCA-2024-702**

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Consider Amendments to Title 21 Zoning and Development Code to Create Provisions To Regulate Natural Medicine.

**Staff Presentation**

Niki Galehouse, Planning Manager, introduced exhibits into the record and provided a presentation regarding the request.

**Questions for staff**

Commissioner Secrest asked why there were additional buffering distances and zoning restrictions for natural medicine beyond what was typically allowed in the Medical and Dental

Clinic use category. He noted that the Department of Regulatory Agencies (DORA) would also be reviewing any applications for the natural medicine use. He commented that this use could include overnight stays and asked how that would be regulated.

Commissioner Zyvan asked if size and occupancy were considerations when the City evaluates which uses are allowed in a given zone district.

### **Public Hearing**

*The public comment period was opened at 5:00 p.m. on Tuesday, December 3, 2024, via [www.GJSpeaks.org](http://www.GJSpeaks.org).*

There were no public comments.

*The public comment period was closed at 5:50 p.m. on December 10, 2024.*

Commissioner Weckerly clarified the DORA regulations regarding patients leaving the facility while still under the influence. She noted for the record that the State of Colorado allows licensed facilitators to provide at-home care for patients and indicated that it could require additional regulation at a City level in the future.

Commissioner Secrest noted that the State already regulates patient holding while under the effects of anesthesia and that the natural medicine facilities would likely mirror those regulations.

*The public hearing was closed at 5:53 p.m. on December 10, 2024.*

### **Discussion**

There was no further discussion amongst the Commissioners.

### **Motion and Vote**

Commissioner Herek made the following motion "Mrs. Chairman, on the request to amend Title 21 Zoning and Development Code of the Grand Junction Municipal Code, City file number ZCA-2024-702, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

*Commissioner Secrest seconded; motion passed 6-0.*

### **OTHER BUSINESS**

Niki Galehouse welcomed Ian Thomas to the Planning Commission. She noted that there was no hearing planned for December 24 and the workshop on December 19 was tentatively cancelled.

### **ADJOURNMENT**

Commissioner Zyvan moved to adjourn the meeting.

*The vote to adjourn was 6-0.*

The meeting adjourned at 5:55 p.m.



## Grand Junction Planning Commission

### Regular Session

Item #2.

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**Meeting Date:** January 14, 2025  
**Presented By:** Thomas Lloyd, Senior Planner  
**Department:** Community Development  
**Submitted By:** Thomas Lloyd, Senior Planner

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### **Information**

#### **SUBJECT:**

Consider a request by Amaretto Creek Communities LLC to vacate a 15-foot public utility easement on 1.89 acres in a MU-2 (Mixed Use - Corridor) zone district at 1530 North Avenue.

#### **RECOMMENDATION:**

Staff recommends conditional approval of this request.

#### **EXECUTIVE SUMMARY:**

The Applicant, Amaretto Creek Communities LLC, is requesting the vacation of a 15-foot utility easement. The existing 15-foot utility easement consists of 2 sections. "Pod A" consists of a 139.07 feet long easement and "Pod B" consists of a 195.84 feet long easement. The applicant is requesting the full vacation of both of these. The applicant is requesting the vacation to consolidate five (5) existing parcels into one lot in anticipation of developing multi-family residential units in the MU-2 zone district.

#### **BACKGROUND OR DETAILED INFORMATION:**

##### **BACKGROUND**

The subject vacation area of "Pod A" of the utility easement bisects Lots 1, 2, and 3 of Block 3 of the ParkPlace Heights subdivision. The subject vacation area of "Pod B" of the utility easement is on the western portion of Lot 3 of Block 3 of the ParkPlace Heights subdivision. The easement was dedicated in 1951 as part of the ParkPlace Heights subdivision.

The applicant is requesting the vacation to consolidate five (5) existing parcels into one lot in anticipation of developing multi-family residential units in the MU-2 zone district.



The applicant would like to vacate the utility easement so they don't have to build around the easement in their multi-family site design. The Simple Subdivision for this project was approved in August of 2023.

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting is required for a vacation of easement request pursuant to Section 21.02.050(o) of the Zoning and Development Code. A Neighborhood Meeting was held virtually on Microsoft Teams on December 5th at 5:30 pm. City staff and the applicant's representatives were in attendance. No members of the public attended.

Notice was completed consistent with the provisions in Section 21.02.30(g) of the Zoning and Development Code. The subject property has been posted with an application sign. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards were sent to surrounding property owners within 500 feet of the subject property on January 3, 2025. The notice of this public hearing was published January 4, 2025, in the Grand Junction Daily Sentinel.

### **ANALYSIS**

The criteria for review are set forth in Section 21.02.050(o). The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

#### **A. The vacation is in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans and policies of the City;**

The request to vacate the existing 15-foot utility easement does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. Vacation of these portions of the easement will have no impact on public facilities or services provided to the general public, demonstrated by no objection to the request by the public utility beneficiaries of the easement.

Further, the applicant is requesting the vacation to facilitate future mixed-use and multifamily redevelopment of the site. Since the easements run through the middle of the property, removing the easement maximizes the amount of land that can be used for the infill development. The vacation request is consistent with the following goals and policies of the Comprehensive Plan:

- Plan Principle 2.2.c – Urban Reinvestment: Continue efforts to revitalize Downtown and other mixed-use areas to create vibrant urban areas attractive to young professionals and other workers.
- Plan Principle 3.2 – Underutilized Properties: Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings including, but not limited to: i) adaptive reuse of existing buildings, ii) infill of existing surface parking lots.

Therefore, staff has found the request consistent with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore, this criterion has been met.

**B. No parcel shall be landlocked as a result of the vacation;**

The existing 15-foot utility easement is not needed to provide access to the subject or any property. Utility easements are generally established to provide space for underground utilities and for the maintenance of utilities. Therefore, staff has found that this criterion has been met.

**C. Access to any parcel shall not be restricted to the point that access is unreasonable, economically prohibitive, and/or reduces or devalues any property affected by the proposed vacation;**

This vacation request does not impact access to any parcel and as such, staff finds this criterion has been met.

**D. 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); and**

This 15' utility easement was granted to the public on the ParkPlace Heights subdivision plat. The easement has had a sanitary sewer line in the north-south portion along the west edge of Lot 3 Block 3 and in the east-west portion on the south side of Lot 3 Block 3. The applicant has relocated the sewer line to Glenwood Avenue and 16th Street. The Xcel Energy lines and pole that remains are in the multipurpose easement that will be granted with the new subdivision plat. There will be no impact on any known public facilities and services. City Engineering, Xcel Energy, Grand Valley Irrigation, and Grand Valley Drainage all had no objection to this vacation.

**E. The provision of adequate public facilities and services to any property as required in GJMC 21.05.020 shall not be inhibited by the proposed vacation.**

The proposed public utility easement vacation will have no impact on public facilities or services because there are no public facilities or services located in the utility easement, except in the area where a new multipurpose easement shall be granted on the new plat. With the new plat creating one large lot of all the lots owned by the applicant there is no need for the public utility easement. Staff finds that this criterion has been met.

**STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Amaretto Creek Public Utility Easement Vacation, VAC-2024-148, located on a 1.89-acre parcel located at 1530 North Avenue, the following findings of fact have been made with the recommended conditions of approval:

The request with the following conditions conforms with Section 21.020.050(o) of the Zoning and Development Code.

Therefore, Staff recommends approval of the requested vacation with the following conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents, and/or dedication documents
2. The vacation shall not be effective until the Simple Subdivision, File #SSU-2022-821, is recorded.
3. The vacation resolution shall be void if the above conditions have not been met within two years of the City Council's approval of the vacation.

**SUGGESTED MOTION:**

Mr. Chairman, on the Amaretto Creek Easement Vacation request, located on a 1.89-acre parcel located at 1530 North Avenue, City File number VAC-2024-148, 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. Attachment 1 - Development Application
2. Attachment 2 - Site Map
3. Attachment 3 - Legal Description and Exhibit
4. Attachment 4 - 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

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Amaretto Creek Communities, LLC ("Entity") is the owner of the following property:

(b) 1530 & 1520 North Avenue, Grand Junction, CO 81501

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

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

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

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

☒ The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Simple Subdivision Application

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

(e) N/A

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

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

Signature of Entity representative: Robert W. Jones II

Printed name of person signing: Robert W. Jones II

State of Colorado )

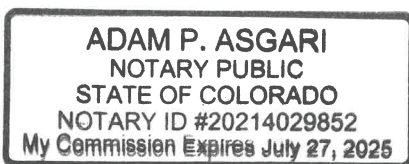
County of Mesa ) ss.

Subscribed and sworn to before me on this 1st day of November, 20 22

by Robert W. Jones II

Witness my hand and seal.

My Notary Commission expires on 07/27/2025



Adam Asgari  
Notary Public Signature

**STATEMENT OF AUTHORITY  
(C.R.S. § 38-30-172)**

1. This Statement of Authority relates to an entity named Amaretto Creek Communities, LLC.
2. The type of entity is a limited liability company.
3. The entity is formed under the laws of Colorado.
4. The mailing address of the entity is: P.O. Box 3802, Grand Junction, CO 81502.
5. The name of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is Robert Jones II, a Manager of the entity (referred to as "Manager").
6. The authority of the foregoing person to bind the entity is limited as follows:
  - 6.1. Limited authority is granted to Manager to execute any and all documents for the development of real property owned by the entity, or any real property under contract to be purchased by the entity. This includes development applications; City, County, and State forms; and any and all development improvement agreements, exhibits, easement documents, and forms.
  - 6.2. The authority does not permit Manager to execute any deeds to sell or otherwise transfer any real property.
  - 6.3. The authority of Manager is valid until March 31, 2025, unless terminated sooner.
  - 6.4. Except as described in paragraph 6.1, above, Manager does not possess any other authority with regard to the entity.
7. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of C.R.S. § 38-30-172.
8. This Statement of Authority amends and supersedes in all respects any prior statement(s) of authority executed on behalf of the entity.

EXECUTED the 30 day of August, 2024.

AMARETTO CREEK COMMUNITIES, LLC

  
Robert Jones II, Manager

STATE OF Colorado )  
COUNTY OF Mesa ) ss.

The foregoing instrument was acknowledged before me the 30 day of August, 2024, by Robert Jones II, Manager of Amaretto Creek Communities, LLC.

Witness my hand and official seal.

My commission expires: 07/27/2025

ADAM P. ASGARI  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20214029852  
My Commission Expires July 27, 2025

  
Notary Public

**Amaretto Creek Communities  
Easement Vacation  
Project Report**

Date: August 27, 2024

Prepared by: Robert W. Jones II, P.E.  
Vortex Engineering and Architecture, Inc.  
861 Rood Avenue  
Grand Junction, CO 81501  
(970) 245-9051  
VEAI# F22-076

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

Type of Design: Easement Vacation

Property Owner: AMARETTO CREEK COMMUNITIES, LLC  
P.O. BOX 3802  
GRAND JUNCTION, CO 81502

Property Address: 1530 & 1520 North Avenue & 3 parcels with no assigned addresses  
Grand Junction, CO 81501

Tax Parcel No: 2945-123-23-005  
2945-123-23-012  
2945-123-23-008  
2945-123-23-009  
2945-123-23-002

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## Project Intent

The applicant is requesting the vacation of a City Easement. This site is the old Far East Restaurant which has been vacated and closed for quite some time.



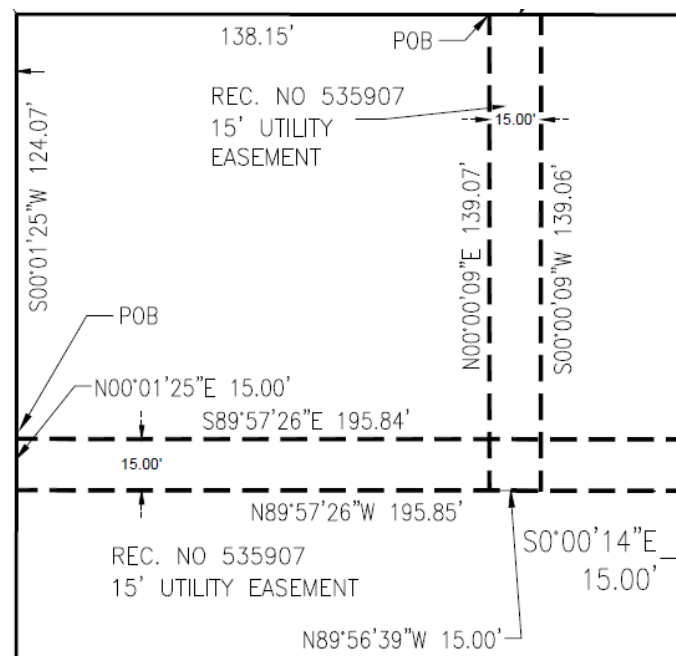


**Figure 1: Site Map**

## Project Description

The Far East Restaurant site is scheduled to be redeveloped and as a first step, the applicant is requesting a vacation of a 15' Utility Easement that was recorded under Rec. No. 535907.

The subject property includes 5 individual lots (1530 & 1520 North Avenue & 3 parcels with no assigned addresses) located on the east side of intersection of North Ave and North 15<sup>th</sup> street. The purpose of a concurrent simple-subdivision application is to consolidate five (5) existing parcels into one (1) lot in anticipation of developing multi-family residential units on a total of 1.15 +/- acres in an existing C-1 (Light Commercial) zone district and the North Avenue Overlay Zone District.



**Figure 2 Easement Vacation Exhibit**

## Legal Descriptions

### Parcel #1

1530 North Avenue, Grand Junction, CO 81501, Tax Parcel # 2945-123-23-005  
LOT 8 + E 32.3FT OF LOT 9 BLK 3 PARKPLACE HEIGHTS

### Parcel #2

1520 North Avenue, Grand Junction, CO 81501, Tax Parcel # 2945-123-23-012  
W 31.3FT OF LOT 9 + ALL OF LOT 10 BLK 3 PARKPLACE HTS SEC 12 1S 1W

### Parcel #3

No assigned address, Tax Parcel # 2945-123-23-009  
S 39.07FT OF W 100FT OF LOT 2 BLK 3 PARKPLACE HEIGHTS

### Parcel # 4

No assigned address, Tax parcel # 2945-123-23-002  
E 38.16FT OF LOTS 1 + 2 + ALL LOT 3 BLK 3 PARKPLACE HEIGHTS

### Parcel #5

No assigned address, Tax Parcel # 2945-123-23-008  
BEG NW COR LOT 1 BLK 3 PARK PLACE HEIGHTS S 100FT E 100FT N 100FT W  
TO BEG

## Public Notice

Public notice for this application will be provided in accordance with Sec. 21.02.030 of the Grand Junction Municipal Code.

## Approval Criteria

General Approval Criteria in Section 21.02.050(o)(2)(iii)(B) of the City of Grand Junction Municipal Code states that Planning Commission shall recommend to and the City Council shall decide on all other request in light of the following criteria:

(a) The vacation is in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans and policies of the City.

**Response:** The future land use designation of the proposed development is designated as Light Commercial. The commercial land use designation provides for concentrated areas of retail, services, and employment that supports both City residents and those in the surrounding region. The proposed development is consistent with the type of growth

envisioned by the Future Land Use Map in the Comprehensive Plan and is supported by multiple goals and policies in the Comprehensive Plan, as described earlier in this report.

**This criterion has been met.**

(b) No parcel shall be landlocked as a result of the requested vacation

**Response:** No parcel boundaries are adjusted or created with this vacation request.

**This criterion is not applicable.**

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

**Response:** No parcel access shall be restricted as a result of the requested vacation.

**This criterion is not applicable.**

(d) 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, including, but not limited to, police and fire protection and utility services.

**Response:** The public utility contained in the easement has already been relocated, so there shall be no adverse impacts as a result of the requested vacation.

**This criterion has been met.**

(e) The provision of adequate public facilities and services to any property as required in GJMC 21.05.020 shall not be inhibited by the proposed vacation.

**Response:** The public utility contained in the easement has already been relocated, so there shall be no adverse impacts as a result of the requested vacation.

**This criterion has been met.**

(e) The proposal shall not hinder public and City functions.

**Response:** The public utility contained in the easement has already been relocated, so there shall be no adverse impacts as a result of the requested vacation.

**This criterion has been met.**

## Conclusion

After demonstrating how the easement vacation requests meets the goals, policies and Guiding Principles of the Grand Junction Comprehensive Plan, the Zoning and Development Code and other development regulations of the City of Grand Junction, the applicant respectfully requests easement vacation.

## **Limitations/Restrictions**

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

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

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



# Site Map



0 0.03 0.07  
mi

Printed: 12/20/2024  
1 inch equals 94 feet  
Scale: 1:1,128  
Packet Page 18

**EASEMENT VACATION DESCRIPTION**  
**EXHIBIT A**

A parcel of land situated in the W1/2 SE1/4 SW1/4 of Section 12, Township 1 South, Range 1 West of the UTE Meridian, City of Grand Junction, Mesa County, Colorado, all located within Parkplace Heights recorded at reception number 535907, being described as follows:

Commencing at said Parkplace Heights Block Monument Corner located at the intersection of North Fifteenth Street and Glenwood Avenue, being a 2 " Aluminum Cap in monument well, whence said Parkplace Heights Block Monument Corner located at the intersection of North Sixteenth Street and Glenwood Avenue, being a 3.25" Aluminum Cap in monument well, bears South 89°57'05" East a distance of 341.27 feet; Thence South 31°58'29" East 47.18 feet to the Northwest Corner of Block 3 of said Parkplace Heights also being Southerly Right of Way Line of said Glenwood Avenue; Thence South 89°57'05" East a distance of 138.15 feet along said Southerly Right of Way Line to the point of beginning "A".

Thence South 89°57'05" East a distance of 15.00 feet;

Thence South 00°00'09" West a distance of 139.06 feet;

Thence North 89°56'39" West a distance of 15.00' feet;

Thence North 00°00'09" East a distance of 139.07 feet to the point of beginning.

Containing 2086 square feet, more or less.

ALSO INCLUDING:



A parcel of land situated in the W1/2 SE1/4 SW1/4 of Section 12, Township 1 South, Range 1 West of the UTE Meridian, City of Grand Junction, Mesa County, Colorado, all located within Parkplace Heights recorded at reception number 535907, being described as follows:

Commencing at said Parkplace Heights Block Monument Corner located at the intersection of North Fifteenth Street and Glenwood Avenue, being a 2 " Aluminum Cap in monument well, whence said Parkplace Heights Block Monument Corner located at the intersection of North Sixteenth Street and Glenwood Avenue, being a 3.25" Aluminum Cap in monument well, bears South 89°57'05" East a distance of 341.27 feet; Thence South 31°58'29" East 47.18 feet to the Northwest Corner of Block 3 of said Parkplace Heights also being Easterly Right of Way Line of said North Fifteenth Street; Thence South 00°01'25" West a distance of 124.07 feet along said Easterly Right of Way Line to the point of beginning "B".

Thence South 89°57'26" East a distance of 195.84 feet;

Thence South 00°00'14" East a distance of 15.00 feet;

Thence North 89°57'26" West a distance of 195.85' feet;

Thence North 00°01'25" East a distance of 15.00 feet to the point of beginning.

Containing 2938 square feet, more or less.

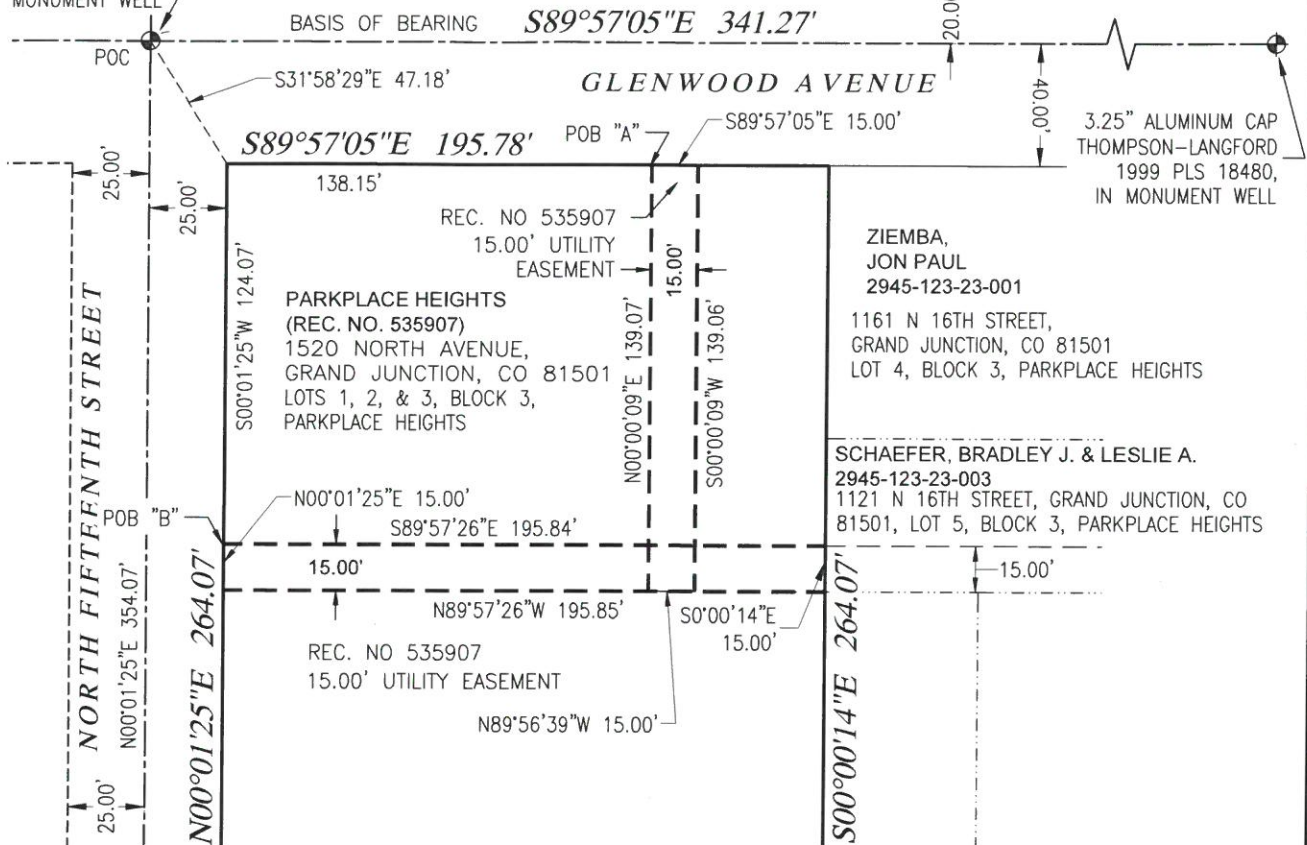
See EXHIBIT for graphical representation.

This description was written by:  
Kurt R. Shepherd, PLS  
861 Rood Avenue  
Grand Junction, CO. 81501





2" ALUMINUM CAP  
ILLEGIBLE, IN  
MONUMENT WELL



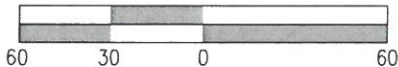
### LEGEND

- PROPERTY LINE
- - - EXISTING EASEMENT
- - - RIGHT OF WAY
- - - CENTERLINE

- POC - POINT OF COMMENCEMENT
- POB - POINT OF BEGINNING
- REC. NO. - RECEPTION NUMBER
- PLS - PROFESSIONAL LAND SURVEYOR

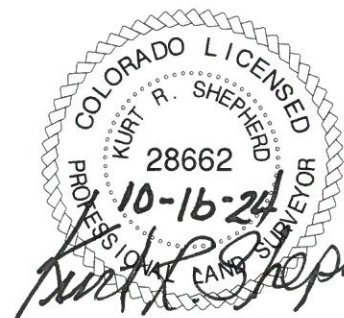


SCALE IN FEET



1" = 60'

LINEAL UNITS = U.S. SURVEY FEET



KURT R. SHEPHERD 28662

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

3 OF 3

## EXHIBIT B UTILITY EASEMENT VACATION

A PART OF PARKPLACE HEIGHTS

W1/2 SE1/4 SW1/4 SEC 12, T1S, R1W, UTE MERIDIAN

PROJECT NO:  
F22-076

DATE:  
10/16/2024

DRAWN BY:  
RAS

CHECKED BY:  
KRS

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

Prepared By

**VORTEX**  
ENGINEERING, INC.

861 Rood Avenue  
Grand Junction, CO 81501  
(970) 245-9051

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO.**

**A RESOLUTION VACATING A 15-FOOT PUBLIC UTILITY EASEMENT ON A 1.89-  
ACRE PARCEL LOCATED AT 1530 NORTH AVENUE**

**RECITALS:**

Amaretto Creek Communities, LLC has applied for the vacation of a 15-foot public utility easement burdening its property at 1530 North Avenue. If approved, the vacation will accommodate redevelopment of the property.

The utility easement was originally intended for the placement of public utilities. The easement originally had a sanitary sewer line, but the applicant has relocated the sewer line to Glenwood Avenue and 16th street. The Xcel Energy lines and pole that remain are in the multipurpose easement that will be granted with the new subdivision plat. There will be no impact on any known public facilities and services.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate the 15-foot public utility easement is consistent with the Comprehensive Plan and Section 21.02.050(o) 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 15 FOOT PUBLIC UTILITY EASEMENT IS HEREBY VACATED SUBJECT TO THE LISTED CONDITIONS:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents, and/or dedication documents.
2. The vacation shall not be effective until the Simple Subdivision, File #SSU-2022-821, is recorded.
3. The vacation resolution shall be void if the above conditions have not been met within two years of the City Council's approval of the vacation.

A parcel of land situated in the W1/2 SE1/4 SW1/4 of Section 12, Township 1 South, Range 1 West of the UTE Meridian, City of Grand Junction, Mesa County, Colorado, all located within Parkplace Heights recorded at reception number 535907, being described as follows:

Commencing at said Parkplace Heights Block Monument Corner located at the intersection of North Fifteenth Street and Glenwood Avenue, being a 2 "Aluminum Cap in monument well, whence said Parkplace Heights Block Monument Corner located at

the intersection of North Sixteenth Street and Glenwood Avenue, being a 3.25" Aluminum Cap in monument well, bears South 89°57'05" East a distance of 341.27 feet; Thence South 31 °58'29" East 47.18 feet to the Northwest Corner of Block 3 of said Parkplace Heights also being Southerly Right of Way Line of said Glenwood Avenue; Thence South 89°57'05" East a distance of 138.15 feet along said Southerly Right of Way Line to the point of beginning "A".

Thence South 89°57'05" East a distance of 15.00 feet;

Thence South 00°00'09" West a distance of 139.06 feet;

Thence North 89°56'39" West a distance of 15.00' feet;

Thence North 00°00'09" East a distance of 139.07 feet to the point of beginning.

Containing 2086 square feet, more or less.

**ALSO INCLUDING:**

A parcel of land situated in the WI /2 SE 1 /4 SW 1 /4 of Section 12, Township 1 South, Range 1 West of the UTE Meridian, City of Grand Junction, Mesa County, Colorado, all located within Parkplace Heights recorded at reception number 535907, being described as follows:

Commencing at said Parkplace Heights Block Monument Corner located at the intersection of North Fifteenth Street and Glenwood Avenue, being a 2" Aluminum Cap in monument well, whence said Parkplace Heights Block Monument Corner located at the intersection of North Sixteenth Street and Glenwood Avenue, being a 3.25" Aluminum Cap in monument well, bears South 89°57'05" East a distance of 341.27 feet; Thence South 31 °58'29" East 47.18 feet to the Northwest Corner of Block 3 of said Parkplace Heights also being Easterly Right of Way Line of said North Fifteenth Street; Thence South 00°01 '25" West a distance of 124.07 feet along said Easterly Right of Way Line to the point of beginning "B".

Thence South 89°57'26" East a distance of 195.84 feet;

Thence South 00°00' 14" East a distance of 15.00 feet;

Thence North 89°57'26" West a distance of 195.85' feet;

Thence North 00°01 '25" East a distance of 15.00 feet to the point of beginning.

Containing 2938 square feet, more or less.

See Exhibit B.

The Conditions stated above shall be completed on or before the date two years from the date of adoption.

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:

\_\_\_\_\_  
Selestina Sandoval, City Clerk

\_\_\_\_\_  
Abram Herman, Mayor

**EASEMENT VACATION DESCRIPTION**  
**EXHIBIT A**

A parcel of land situated in the W1/2 SE1/4 SW1/4 of Section 12, Township 1 South, Range 1 West of the UTE Meridian, City of Grand Junction, Mesa County, Colorado, all located within Parkplace Heights recorded at reception number 535907, being described as follows:

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Thence South 89°57'05" East a distance of 15.00 feet;

Thence South 00°00'09" West a distance of 139.06 feet;

Thence North 89°56'39" West a distance of 15.00' feet;

Thence North 00°00'09" East a distance of 139.07 feet to the point of beginning.

Containing 2086 square feet, more or less.

ALSO INCLUDING:



1 of 3

A parcel of land situated in the W1/2 SE1/4 SW1/4 of Section 12, Township 1 South, Range 1 West of the UTE Meridian, City of Grand Junction, Mesa County, Colorado, all located within Parkplace Heights recorded at reception number 535907, being described as follows:

Commencing at said Parkplace Heights Block Monument Corner located at the intersection of North Fifteenth Street and Glenwood Avenue, being a 2 " Aluminum Cap in monument well, whence said Parkplace Heights Block Monument Corner located at the intersection of North Sixteenth Street and Glenwood Avenue, being a 3.25" Aluminum Cap in monument well, bears South 89°57'05" East a distance of 341.27 feet; Thence South 31°58'29" East 47.18 feet to the Northwest Corner of Block 3 of said Parkplace Heights also being Easterly Right of Way Line of said North Fifteenth Street; Thence South 00°01'25" West a distance of 124.07 feet along said Easterly Right of Way Line to the point of beginning "B".

Thence South 89°57'26" East a distance of 195.84 feet;

Thence South 00°00'14" East a distance of 15.00 feet;

Thence North 89°57'26" West a distance of 195.85' feet;

Thence North 00°01'25" East a distance of 15.00 feet to the point of beginning.

Containing 2938 square feet, more or less.

See EXHIBIT for graphical representation.

This description was written by:  
Kurt R. Shepherd, PLS  
861 Rood Avenue  
Grand Junction, CO. 81501









## Grand Junction Planning Commission

### Regular Session

Item #3.

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**Meeting Date:** January 14, 2025  
**Presented By:** Jenna Gorney, Senior Planner  
**Department:** Community Development  
**Submitted By:** Jenna Gorney, Senior Planner

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### Information

#### **SUBJECT:**

Consider a request by River City Consultants on behalf of Terry DeHerrera (owner) – to extend for 1 year, the plat recording deadline for the first phase of Goose Downs Subdivision, 14 of 53 lots on 14.7 acres in an R-4 (Residential -4) zone district.

#### **RECOMMENDATION:**

Staff recommends approval of this request.

#### **EXECUTIVE SUMMARY:**

The Applicant, River City Consultants (on behalf of the property owner Terry DeHerrera) has requested an additional one-year extension to record a final plat of the Goose Downs Subdivision, located at 359 29 5/8 Rd.

On April 8, 2022, the Applicant received conditional administrative approval for the Goose Downs Preliminary/Final Subdivision Plat that remained valid for two years, requiring the applicant to record a final plat by April 8, 2024.

On January 16, 2024, in accordance with Zoning and Development Code (ZDC) section 21.02.040(l)(4)(ii)(D), the applicant requested and received administrative approval for a one-year extension to the existing two-year deadline to record a final plat. Such extension set the new recording deadline as April 8, 2025.

The applicant is requesting an additional one-year extension from Planning Commission. The request, if approved, would grant a new deadline of April 8, 2026, to record the first phase of the Goose Downs Subdivision (Filing One).

A Final Plat shall be recorded subject to the extensions granted per the extension process detailed in section 21.02.040(l)(4)(ii) – Lapsing and Extension of Approvals.



Per Zoning and Development Code section 21.02.040(I)(5)(iii), Final Plats not recorded within the appropriate timeframe shall be considered expired.

**BACKGROUND OR DETAILED INFORMATION:**

The Goose Downs Subdivision is proposed at 359 29 5/8 Rd. and consists of fifty-three (53) single family detached lots and five (5) homeowner's association tracts configured around a loop road design with an access point from C 3/4 Rd. onto 29 1/2 Rd. The total site encompasses 14.7-acres and was zoned R-4 at the time of application consideration. The legacy zone district of R-4 permitted a maximum density of 4 units per acre and a minimum of 2 units per acre. As proposed, the development is 3.60 dwelling units per acre. The development included a phasing schedule consisting of four phases/filings.

The Preliminary/Final Subdivision Plat application was considered in accordance with the 2010 Grand Junction Zoning and Development Code (ZDC) Sections 21.02.070(r) & (s) – Preliminary Subdivision Plans, and Final Plat. Following the requisite review process, the Goose Downs Subdivision Preliminary/Final Plat, which included the first phase: Filing One (14 lots), was granted conditional administrative approval on April 8, 2022.

The conditions of approval included that various documents be returned with edits based on the final review of the project. Those needed edits have been reviewed as a part of this request and confirmed as revised.

The Zoning and Development Code provides that a subdivision plat approval by the Director remains valid for two-years, with an allowed one-year administrative extension by the Director which permits a total three-year approval period, after which a developer may seek an extension(s) from Planning Commission.

On January 16, 2024, the applicant was granted the one-year administrative extension permitted by the Director, which extended the platting deadline to April 8, 2025.

The Community Development Department has received a written request from the applicant's representative, River City Consultants, seeking a longer period of time to record the first phase of the Goose Downs Subdivision plat. The applicant is requesting an additional one-year extension, citing financial burdens and poor market conditions due to COVID as the rationale for the request.

Under Section 21.02.040(I)(4)(ii)(D) of the Zoning and Development Code, Planning Commission can approve extension(s) for recording a plat beyond what the Code allows the Director to permit.

If the extension request is approved, a Final Plat shall be recorded subject to the extension granted and the extension process detailed in section 21.02.040(I)(4)(ii) – Lapsing and Extension of Approvals.

Per Zoning and Development Code section 21.02.040(I)(5)(iii), Final Plats not recorded

within the appropriate timeframe shall be considered expired.

### **ANALYSIS**

The following is language from the Zoning and Development Code that defines the timeline for recording deadlines and provides for allowances for extensions. Such provisions are found in Section 21.02.040 Administrative Applications.

21.02.040(l)(5) Final Plat.

(iii) A Final Plat shall be recorded within two years of action by the Director or as directed in the approved development phasing schedule, subject to the extensions set forth in GJMC 21.02.040(l)(4)(ii). Final Plats that are not recorded within the appropriate timeframe shall be considered expired.

21.02.040(l)(4) Lapsing and Extension of Approvals.

(ii)(D) One extension of 12 months may be granted by the Director so long as the Preliminary Subdivision Plan is consistent with the approved plan set, unless the Director determines that any currently adopted requirements of current codes, laws or regulations are necessary for public health, safety, and welfare. ... Additional extensions may be granted by the Planning Commission so long as the plan is consistent with the approved plan set and the plan set has been amended as determined necessary by the Director for public health, safety, and welfare purposes.

On January 16, 2024, the applicant was granted the administrative one-year extension by the Director, which extended the platting deadline to April 8, 2025.

In accordance with the ZDC, a request to extend the time for recordation of an approved plat beyond the 3-years the Director has granted, may be permitted pursuant to Section 21.02.040(l)(4)(ii)(D) with an approval by Planning Commission. The proposed additional timeframe would require the plat to be recorded by April 8, 2026

The language of this subsection also permits the applicant to request and receive an extension of time multiple times from the Planning Commission in order to complete the recordation of the plat.

Staff finds that the applicant has been diligently aware of upcoming deadlines and has submitted requests for extensions in a timely manner but has been delayed on this project due to an ongoing and unexpected rise of inflation and related construction costs as well as a downturn in the housing market since the initial Preliminary/Final Subdivision approval.

Staff also finds that the applicant has met the conditions of the original approval by providing the required edits.

While not part of the conditions of approval, the applicant will be required to pay various fees and update several documents that have expired since project approval. Those include items such as providing an updated Development Improvements Agreement

based on current costs, providing an updated Stormwater permit, and obtaining Ute Water's signature on the Construction Plans. Additionally, correction of dates within several documents from 2022 to 2025 will need to occur. These items are standard administrative items that must be completed before any plat is recorded or construction commenced.

Mesa County has provided information regarding the Stormwater permit which recently expired (January 10th, 2025) stating that because the applicant has not yet begun construction, obtaining the required updated documents and permits is a task of providing paperwork and paying nominal fees. The property owner has been made aware of these requirements and assures that all items will be made current prior to breaking ground or recording a plat.

Ute water has also provided information regarding the need for their signature on a construction plan set that was reviewed and approved in 2022. Ute water has indicated that since the subdivision was conditionally approved in 2022, there have been no substantial changes to the District's technical specifications or existing distribution system that could affect the design presented. However, prior to providing their signature, Ute will be rereviewing the plans per their request.

Additionally, the Community Development Director reviewed the plans together with staff recommendations and in accordance with ZDC section 21.02.040(l)(4)(ii)(D) has found that no updates need to be applied to the plans for health, safety, or welfare purposes.

As such, staff is supportive of the applicant's requested to extend the time for one additional year to record the final plat by April 8, 2026.

### **NOTIFICATION REQUIREMENTS**

Notice was completed consistent with the provisions in Section 21.02.030 (g) of the Zoning and Development Code. The subject property was posted with an application sign on December 23, 2024. Mailed notice of the public hearing before Planning Commission 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 January 3, 2025. The notice of this public hearing was published on January 4, 2025, in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between January 7, 2025, and January 13, 2025, through the GJSpeaks platform.

### **RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the request to extend the recording deadline of the Goose Downs Subdivision plat, located at 359 29 5/8 Road for one year, the following findings of fact have been made:

1. The applicant has satisfied the conditions of the original approval.

2. The proposed one-year extension is in compliance with Section 21.02.040(I)(4)(ii)(D) of the Zoning and Development Code, and

3. The proposed extension is acceptable due to the unforeseen market changes since the project received initial approval.

Therefore, Staff recommends approval of the requested one-year extension.

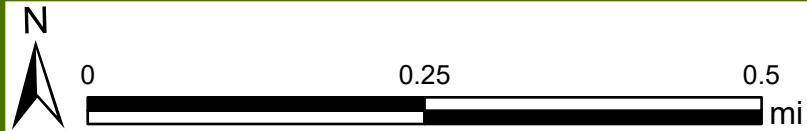
**SUGGESTED MOTION:**

Chairman, on the request to extend for one-year until April 8, 2026, the approval to allow for recordation of the first final plat for the Goose Downs Subdivision located at 359 29 5/8 Road, City file number SUB-2020-662, I move that the Planning Commission approve the request with the findings of fact as provided within the staff report.

**Attachments**

1. Attachment 1\_Vicinity Map
2. Attachment 2\_Zoning Map
3. Attachment 3\_Goose Downs Subdivision Site Plan
4. Attachment 4\_Goose Downs Phasing Plan
5. Attachment 5\_4.8.2022 Decision Letter
6. Attachment 6\_Goose Downs Filing One
7. Attachment 7\_Admin extension request\_approval
8. Attachment 8\_Formal Req for Extension\_PC

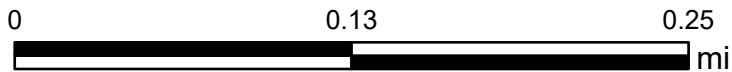
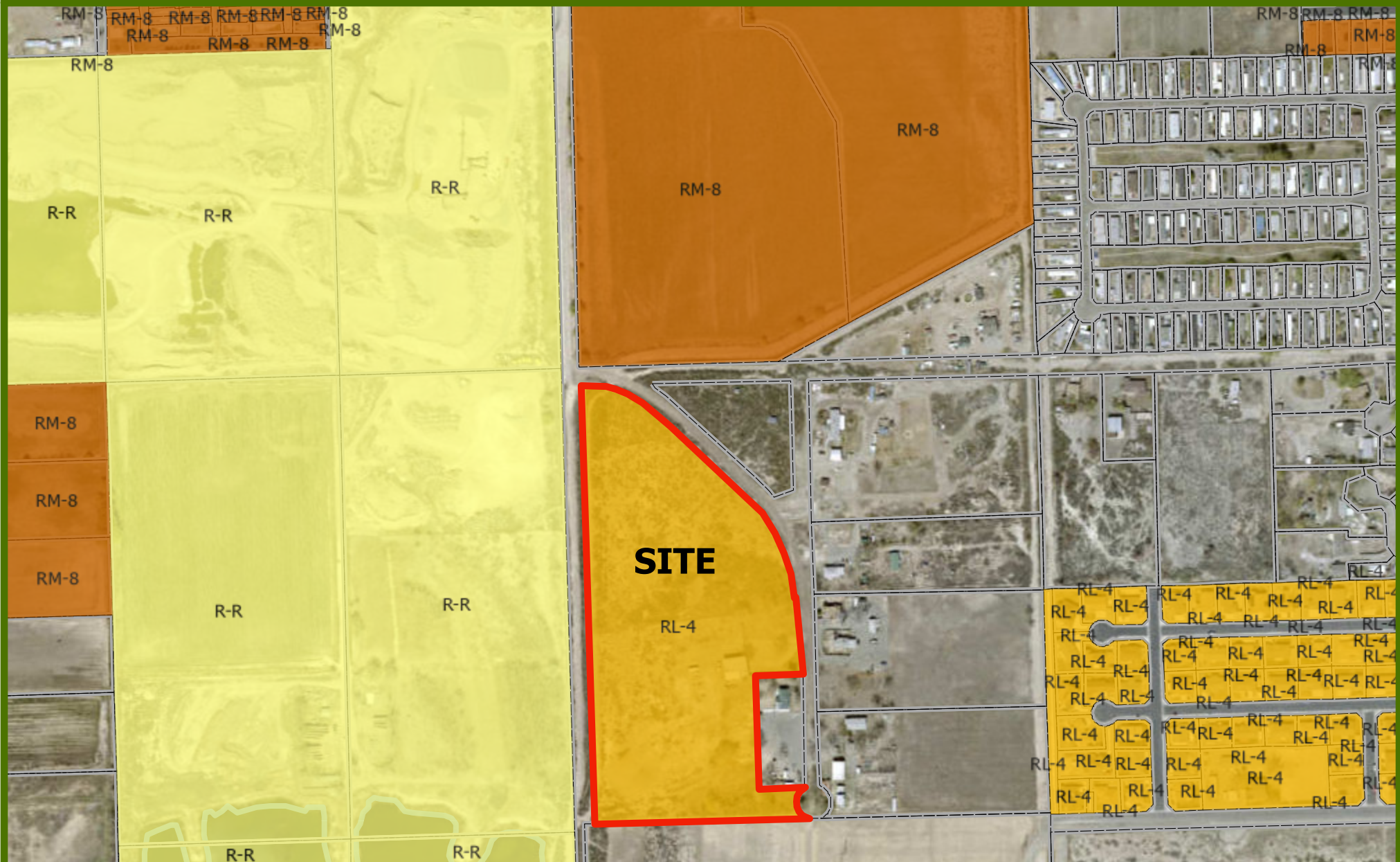
# City of Grand Junction



Printed: 12/16/2024  
1 inch equals 752 feet  
Scale: 1:9,028  
Packet Page 33



# City of Grand Junction



Printed: 12/16/2024  
1 inch equals 376 feet  
Scale: 1:4,514  
Packet Page 34



2943-203-00-098  
Zone:R-R  
EPHEMERAL RESOURCES LLC

Acreage: 8.524  
940 S 10TH ST  
AND JUNCTION CO 81501-3834

### UTILITY PROVIDERS

Water	Ute Water
Sewer	City of Grand Junction
Electric	Grand Valley Power
Gas	Xcel Energy
Telephone	CenturyLink
Cable	Charter Spectrum
Irrigation	Grand Valley Irrigation Co
Drainage	Grand Valley Drainage District
Fire	City of Grand Junction

### SITE BREAKDOWN

Lots (53)	10.211 ac	69.47%
Tract A (Utility/Drainage/Pedestrian)	0.217 ac	1.48%
Tract B (Drainage/Irrigation)	0.147 ac	1.00%
Tract C (Drainage)	1.385 ac	9.42%
Tract D (Drainage/Landscape)	0.081 ac	0.55%
Tract E (Landscape)	0.063 ac	0.43%
Right of Way	2.594 ac	17.65%
Total	14.698 ac	100.00%

### NOTES:

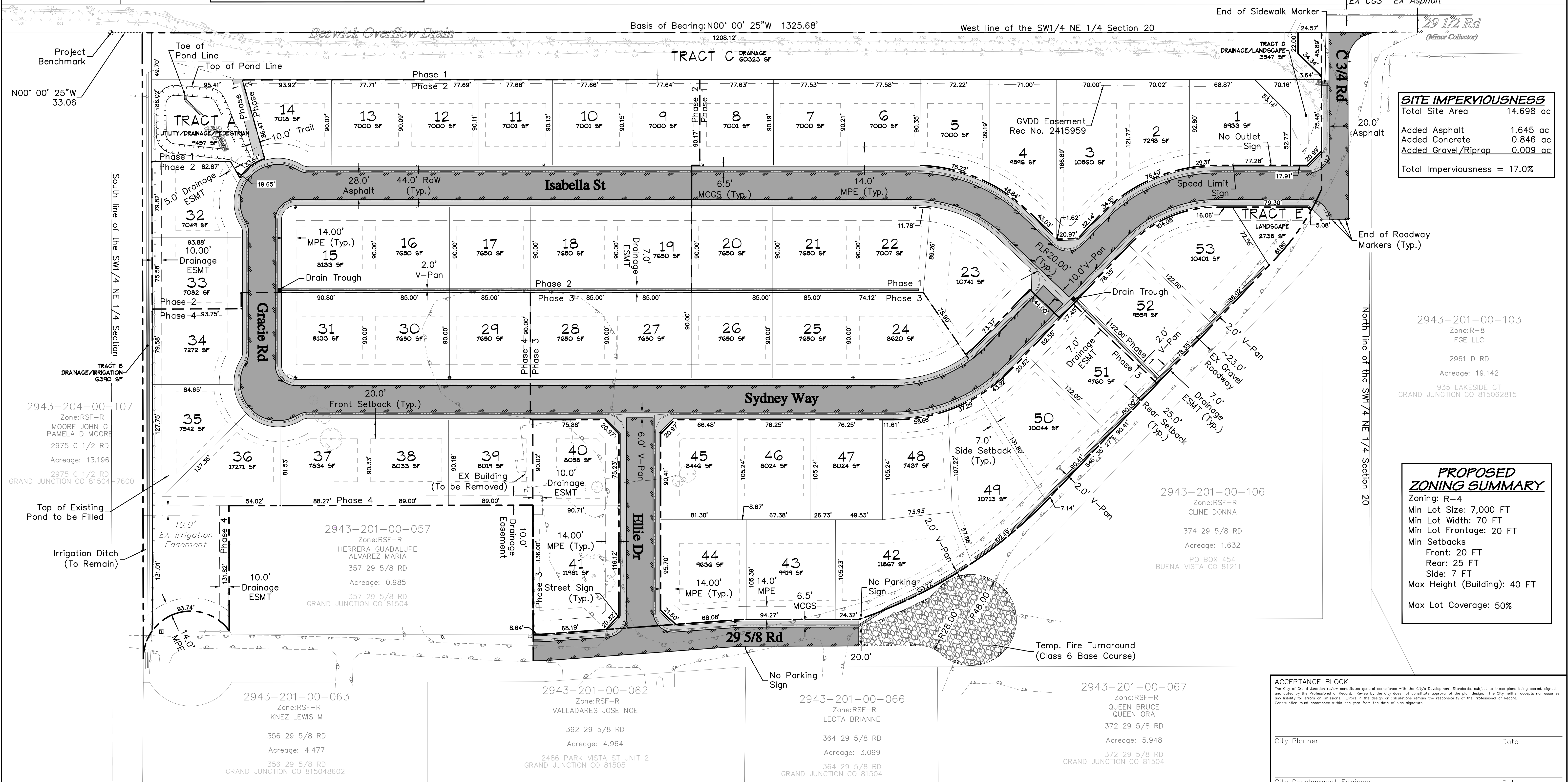
1. Adjacent parcel lines are taken from the Mesa County GIS Website and are shown for reference only.
2. This project is not affected by any previously mapped floodplain as shown on FEMA FIRM Panel 08077C0817F.
3. Contractor must contact City of Grand Junction Traffic Operations Supervisor prior to construction or placement of traffic control devices/features (striping, signals, medians, etc.) for construction in the right of way only.
4. The legend and a list of abbreviations can be found on sheet C2.
5. Drain troughs are to be double 12 inch openings at each location shown. See Sheet C48 for details.

2943-202-00-039  
Zone:R-R  
EPHEMERAL RESOURCES LLC

2937 1/2 D RD  
Acreage: 19.053  
940 S 10TH ST  
GRAND JUNCTION CO 81501-3834

2943-202-00-006  
Zone:R-R  
EPHEMERAL RESOURCES LLC

2937 D RD  
Acreage: 18.400  
940 S 10TH ST  
GRAND JUNCTION CO 81501-3834



### SITE IMPERVIOUSNESS

Total Site Area	14.698 ac
Added Asphalt	1.645 ac
Added Concrete	0.846 ac
Added Gravel/Riprap	0.009 ac
Total Imperviousness =	17.0%

2943-201-00-103  
Zone:R-8  
FGE LLC

2961 D RD  
Acreage: 19.142  
935 LAKESIDE CT  
GRAND JUNCTION CO 815062815

### PROPOSED ZONING SUMMARY

Zoning: R-4  
Min Lot Size: 7,000 FT  
Min Lot Width: 70 FT  
Min Lot Frontage: 20 FT  
Min Setbacks  
Front: 20 FT  
Rear: 25 FT  
Side: 7 FT  
Max Height (Building): 40 FT  
Max Lot Coverage: 50%

### 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

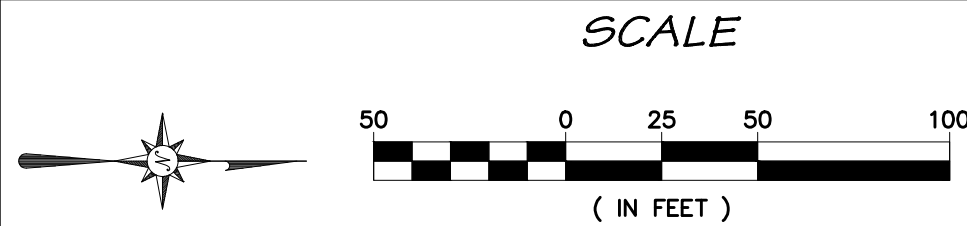
TERRY DeHERRERA

Goose Downs Subdivision

Site Plan

C6

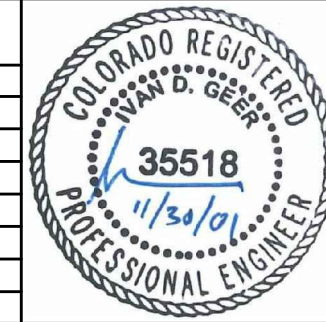
**811**  
UNCC  
Know what's below.  
Call before you dig.  
www.uncc.org  
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.  
Datum Source: MGLCS Zone "GVA" (NAVD 88)



ORIGINAL SHEET SIZE: 22 x 34

NO.	DATE	DESCRIPTION	BY
0	30.Nov.2021	Issued for Construction	djf

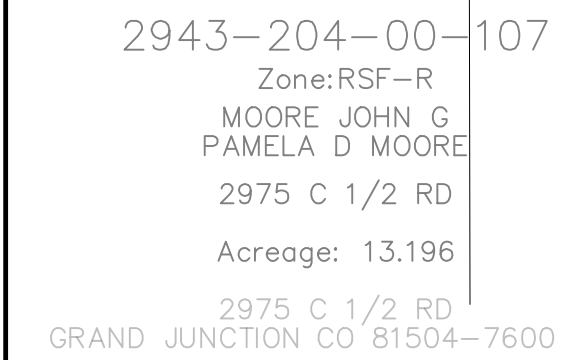
S:\PROJECTS\1858 Terry DeHerrera\001 Goose Downs Subdivision\Design\DWG\05-Sheet\1858-001 Site Plan.dwg [C6 Site Plan] 11/30/2021 3:39:41 PM



**RIVER CITY**  
CONSULTANTS  
215 Pitkin Avenue, Unit 201  
Grand Junction, CO 81501  
Phone: 970.241.4722  
Fax: 970.241.8841  
PROJECT #: 1858-001  
DATE ISSUED: 30.Nov.2021  
DRAWN BY: jmm  
CHECKED BY: idg  
HORIZ: 1' = 50'  
VERT: N/A



2943-202-00-006  
Zone: R-R  
EPHEMERAL RESOURCES LLC  
2937 D RD  
Acreage: 18.400  
940 S 10TH ST  
GRAND JUNCTION CO 81501-3834



<b><i>LOT BREAKDOWN</i></b>	
Phase 1	14 Lots
Phase 2	13 Lots
Phase 3	17 Lots
Phase 4	9 Lots
<b>Total</b>	<b>53 Lots</b>

2943-201-00-066  
Zone: RSF-R  
LEOTA BRIANNE  
  
364 29 5/8 RD  
  
Acreage: 3.099  
  
364 29 5/8 RD  
GRAND JUNCTION CO 81504

**NOTES:**

1. This sheet contains color and may not be accurately reflected if reproduced in greyscale.

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

Packet Page 36





## ADMINISTRATIVE DEVELOPMENT PERMIT PRELIMINARY/FINAL SUBDIVISION PLAN

### FOR:

Terry DeHerrera  
2693 Continental Drive  
Grand Junction, CO 81506

### DECISION:

**CONDITIONAL APPROVAL**

File: SUB-2020-662

An application for a Preliminary/Final Subdivision Plan for Goose Downs has been submitted by Terry DeHerrera for the proposed development of 53 single-family detached lots and five (5) homeowner's association tracts of land to be constructed within four (4) phase/filings all on a total of 14.70-acres located at 359 29 5/8 Road in an existing R-4 (Residential – 4 du/ac) zone district. Proposed residential density for the subdivision would be 3.60 dwelling units/acre. Comprehensive Plan Future Land Use Map identifies this area as Residential Low.

The Preliminary/Final Subdivision Plan application was considered administratively by the City of Grand Junction Community Development Department in accordance with Sections 21.02.070 (r) & (s) of the Grand Junction Zoning & Development Code. After considering all pertinent data and submittal information, it has been found that the proposal complies with the Comprehensive Plan and, so long as all the conditions set forth in this decision letter are timely met, all applicable sections of the Grand Junction Zoning & Development Code.

Hereby, the Community Development Director **CONDITIONALLY APPROVES** the Preliminary/Final Subdivision Plan application as outlined within City file # SUB-2020-662. The fees and the remaining items to complete in order to record the Final Plat are listed on Pages 3 & 4.



Page 2/Goose Downs

Pursuant to Section 21.02.070 (a) (9) (i) of the Zoning & Development Code, the Final Subdivision Plat must be recorded within two (2) years from the date of this Decision. Failure to timely record the plat or to construct the project shall constitute sufficient basis to revoke this approval. Once constructed, the use shall be allowed in perpetuity so long as it remains compliant with all City Codes.

If you should have any further questions, please feel free to contact me at (970) 244-1447.

A handwritten signature in dark ink, appearing to read "Scott D. Peterson", written over a horizontal line.

Scott D. Peterson  
Senior Planner

April 8, 2022

**The following items must be completed prior to infrastructure construction:**

1. Submit Development Improvements Agreement (DIA) document and Exhibits A, B & D for City signatures, etc. Financial security could be a "Plat Hold."  
Recording fee for Exhibit D (Recording Memorandum) will be \$26.00 (check made payable to the City of Grand Junction).
2. Prior to on-site construction, submit final signed/stamped construction plan set drawings for City signatures. Please have Ute Water Conservancy District sign plans prior to City signatures. Once drawings are signed by all parties, submit one paper copy, 24" x 36" for City Inspector's use and one PDF copy to City Project Manager.

**The following items must be completed before the plat may be recorded:**

1. Submit an original mylar of the final plat with owner's signatures (signed in black ink only - Sharpie), Surveyor's Final Mylar Checklist and current Title Commitment Report (which covers the entire filing) dated no older than five (5) days from the anticipated date of recording. Please note that all property corner pins must be set in concrete and inspected by the City Property Agent before the plat may be recorded. The electronic version of the plat (.dwg file) must be emailed to [chrisd@gjcity.org](mailto:chrisd@gjcity.org) and [reneep@gjcity.org](mailto:reneep@gjcity.org)
2. Submit financial security and DIA (Development Improvements Agreement) Exhibit B for remaining infrastructure items to be completed, if applicable.
3. Pay applicable fees as follows:
  - a. Recording fee for Final Plat will be \$23.00.
  - b. Recording fee for CCR's will be \$158.00 (Submit original document for recording).
  - c. Recording fee for Warranty Deed for Tracts and Easements to the HOA will be \$13.00 (Submit original document for recording).
  - d. Recording fee for Grant of Easement to GVDD will be \$18.00 (Submit original document for recording).
  - e. Recording fee for Temporary Turn-Around Easement will be: TBD (City Attorney's will prepare document for property owner's signature).
  - f. City 10% Open Space Fee: \$52,500.00 (10% of the value of the raw land – appraised at \$525,000.00. This fee will cover all filings).
  - g. City Planning Inspection Fee: \$55.00.
  - h. City Engineering Inspection Fee: \$6,095.00 (53 residential lots x \$115/Lot).

- i. Storm Drainage Fee: \$5,741.65 per applicant's consultant computation.

For all fees, make check payable to the "City of Grand Junction."

**FEES PAID AT TIME OF PLANNING CLEARANCE FOR EACH LOT (payable to City of Grand Junction)**

1. Park Fee: \$ in effect at time of issuance.
2. School Impact Fee: \$920 per dwelling unit.
3. Transportation Capacity Payment: \$ in effect at time of issuance.
4. Plant Investment Fees: \$ in effect at time of issuance.
5. City Police Department Development Fee: \$305.00 per dwelling unit.
6. City Fire Department Development Fee: \$710.00 per dwelling unit.

**The Preliminary/Final Subdivision Plan approval is subject to the following conditions:**

1. See Review Comments Round 5 dated April 8, 2022, and revise documents as applicable.
2. As part of the Preliminary Plan review, for proposed lots located at the end of cul-de-sacs or bulbs, specifically Lots 14, 35 & 36, City Community Development Director has reviewed and approved the proposed lot widths that are specifically less than the zone district minimum requirement of 70', since they are considered to be irregularly shaped lots (Section 21.03.030 (b) (2) of the Zoning and Development Code).
3. Once required HOA subdivision tract landscaping has been installed, applicant's Licensed Landscape Architect shall provide a letter to the City Project Manager stating that all landscaping was installed per the approved Landscaping Plan.



GOOSE DOWNS FILING ONE

Southwest Quarter of the Northeast Quarter, Section 20, T.1S., R.1E., Ute Meridian.

City of Grand Junction, Mesa County, Colorado

Know All Persons By These Presents:

The undersigned, Terry D. Deherrera, is the owner of record of that real property situated in the southwest quarter of the northeast quarter of Section 20, Township 1 South, Range 2 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, the ownership of which is demonstrated at Reception Number 2068362 and Reception Number 2926185 of the records in the office of the Mesa County Clerk and Recorder. Said property being more particularly described as follows:

Commencing at the Center–north sixteenth of Section 20, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, whence the Center quarter of said Section bears South 0°0'25" East a distance of 1325.68 feet with all bearings herein relative thereto, thence bearing South 00°00'25" East a distance of 50.00 feet to the Point of Beginning;

thence North 89°52'16" East, a distance of 164.92 feet to the beginning of a curve concave to the southwest having a radius of 250.00 feet and being subtended by a chord which bears South 56°33'42" East 86.58 feet;

Thence southeasterly along said curve, a distance of 87.02 feet; thence South 46°35'26" East, a distance of 345.91 feet to the beginning of a curve tangent to said line;

Thence southeasterly a distance of 242.85 feet along the curve concave to the southwest, having a radius of 500.00 feet and being subtended by a chord which bears South 32°40'35" East 240.47 feet; thence South 00°06'01" East, a distance of 125.04 feet; thence South 04°12'41" East, a distance of 210.13 feet; thence South 00°19'37" West, a distance of 8.64 feet; thence South 89°53'59" West, a distance of 136.00 feet; thence South 00°06'01" East, a distance of 320.29 feet; thence North 89°53'59" East, a distance of 131.82 feet to a point of cusp on a curve concave to the east having a radius of 50.00 feet and a central angle of 144°16'36" and being subtended by a chord which bears South 17°57'15" East 95.18 feet;

Thence southeasterly along said curve, a distance of 125.91 feet to a point of cusp;

Thence South 89°54'02" West, a distance of 659.46 feet; thence North 00°00'25" West, a distance of 1242.69 feet to the Point of Beginning, said parcel containing 640,233 square feet or 14.70 acres more or less..

Said owners have by these presents laid out, platted and subdivided the above described real property into Lots, Tracts and streets as shown hereon, and designates the same as GOOSE DOWNS FILING ONE, in the City of Grand Junction, County of Mesa, State of Colorado,

All streets, roads and Rights–of–Way are dedicated to the City of Grand Junction for the use of the public forever.

All Multipurpose Easements are dedicated to the City of Grand Junction as perpetual easements for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

All Utility Easements are dedicated to the City of Grand Junction as perpetual easements for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

The City of Grand Junction is hereby granted a perpetual easement over Tract A for the inspection, installation, operation, maintenance and repair of detention and drainage facilities and appurtenants thereto. The City of Grand Junction is also dedicated reasonable ingress/egress access to Tract A. The owner(s) and/or the property owners' association, if one exists, is not relieved of its responsibility to inspect, install, operate, maintain, and repair the detention and drainage facilities within Tract A.

All Tracts/Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush, and in Drainage and Detention/Retention easements or tracts, the right to dredge; provided however, that the beneficiaries/owner shall utilize the same in a reasonable and prudent manner. Furthermore, the owner of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may impede the use of the easement and/or prevent the reasonable ingress and egress to and from the easement.

All Pedestrian Easements are dedicated to the City of Grand Junction as perpetual easements for ingress and egress access use by the public forever for constructing, installing, maintaining and repairing a trail and for purposes of walking, running, wheelchairs (motorized and non–motorized), bicycling, and other non–motorized forms of transportation for commuting and recreational purposes with or without pets accompanying them.

Tracts A, B, C, D & E are to be conveyed by separate instrument to the Goose Downs Homeowners Association, Inc.

An easement to Grand Valley Drainage District over the entirety of Tract C granted by separate instrument.

Temporary Ingress/Egress and Drainage easement to be granted to Goose Downs Homeowners Association, Inc., by separate instrument.

Said owner does hereby acknowledge that all lienholders or emcumbrancers, if any, associated with the interests of this plat have been represented hereon.

Said owner does subscribe hereunder this \_\_\_\_\_day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Terry D. Deherrera

STATE OF COLORADO )  
COUNTY OF MESA ) ss

This plat was acknowledged before me by \_\_\_\_\_  
on this \_\_\_\_\_day of \_\_\_\_\_, \_\_\_\_\_.

Witness my hand and seal \_\_\_\_\_  
My commission expires \_\_\_\_\_ Notary Public

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



VICINITY MAP 1:1000

Lineal Units of Measurement are U.S. Survey Foot.

MCLCS ZONE "GVA"  
TRANSVERSE MERCATOR PROJECTION  
POINT OF ORIGIN (SNO1)AND CENTRAL MERIDIAN:  
LATITUDE: 39°06'22.72746N  
LONGITUDE: 108°32'01.43552W  
NORTHING: 50,000FT  
EASTING: 100,000FT  
SCALE FACTOR: 1.000218181798  
PROJECT/SCALE FACTOR HEIGHT: 4644FT(NAVD88)

BASIS OF BEARINGS

The bearings hereon are grid bearings of the Mesa County Local Coordinate System, GVA, as defined at [http://emap.mesacounty.us/gps\\_survey/GVAZONE.htm](http://emap.mesacounty.us/gps_survey/GVAZONE.htm), determined by GPS observation of the west line of the Southwest Quarter of the Northeast Quarter of Section 20, T.1S., R.1E., Ute Meridian. The center–north sixteenth corner being a 3.25" brass cap marked MCSM 1220–1, PLS 24953 on a #6 rebar and the center–quarter corner being a 3.25" aluminum cap marked BUREAU OF LAND MANAGEMENT, 1989, bearing South 00°00'25" East, as shown hereon.

NOTES:

The 30 foot strip of land on the west side of the parcel platted hereon was reserved for road purposes by instrument recorded at Reception Number 134218. The deed noted in the ownership statement hereon, Reception Number 2068362, contains a metes and bounds description that omits this 30 foot strip of land. The first conveyance where this strip of land was omitted was not discovered by this survey however the land is included within the boundary of this subdivision plat.

Fence lines on or near the boundary lines of the subject property do not coincide with the exact courses of said boundary lines. This is demonstrated on an improvement survey plat at deposit number 5991–20.

SYMBOLS AND ABBREVIATIONS USED ON THIS PLAT

BLM: BUREAU OF LAND MANAGEMENT  
C: CENTER  
CCR: COVENANTS, CONDITIONS AND RESTRICTIONS  
E: EAST  
N: NORTH  
NO: NUMBER  
NR: NON–RADIAL  
PLS: PROFESSIONAL LAND SURVEYOR  
PLSS: PUBLIC LAND SURVEY SYSTEM  
MCSM: MESA COUNTY SURVEY MARKER  
MPE: MULTI–PURPOSE EASEMENT  
NR: NON–RADIAL  
CH: CHORD LENGTH  
L: ARC LENGTH  
RAD: RADIUS  
Δ: CENTRAL ANGLE DELTA  
T: TOWNSHIP  
R: RANGE IN DEFINING LOCATION IN PLSS  
REC: RECEPTION  
ROW: RIGHT OF WAY  
S: SOUTH  
UM: UTE MERIDIAN  
W: WEST  
ø: DIAMETER  
AC: ACRES  
SF: SQUARE FEET  
GVDD: GRAND VALLEY DRAINAGE DISTRICT

CLERK AND RECORDER'S CERTIFICATE  
STATE OF COLORADO )

COUNTY OF MESA ) ss

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF MESA COUNTY, COLORADO,  
AT \_\_\_\_\_O'CLOCK\_\_\_\_\_M., ON THIS\_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ AND WAS  
RECORDED AT RECEPTION NO. \_\_\_\_\_ DRAWER NO. \_\_\_\_\_  
AND FEES. \_\_\_\_\_

\_\_\_\_\_  
CLERK AND RECORDER DEPUTY CLERK

CITY APPROVAL  
THIS PLAT OF GOOSE DOWNS FILING ONE, A SUBDIVISION OF THE CITY OF GRAND JUNCTION. COUNTY OF MESA, STATE OF COLORADO, IS HEREBY APPROVED AND DEDICATIONS ACCEPTED

THIS \_\_\_\_\_DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

\_\_\_\_\_  
CITY MANAGER CITY MAYOR

LIENHOLDERS RATIFICATION OF PLAT

The undersigned, hereby certifies that it is a holder of a security interest upon the property described as Goose Downs Filing One being property described in security interest(s) according to the public records of mesa county, colorado and does hereby join in and consent to the dedication of the land described in said dedication by the owner thereof and agrees that its security interest and any amendments thereto in the public records of mesa county, colorado shall be subordinated to the dedications shown hereon.

In witness whereof, the said corporation has caused these presents to be signed by its \_\_\_\_\_,  
with the authority of its board of directors,

This \_\_\_\_\_ day of \_\_\_\_\_

BY: \_\_\_\_\_ FOR: \_\_\_\_\_  
(TITLE) (CORPORATE NAME)

STATE OF COLORADO )

COUNTY OF MESA ) ss

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL: \_\_\_\_\_  
NOTARY PUBLIC

ADDRESS: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

TITLE CERTIFICATION

We \_\_\_\_\_, a title insurance company, as duly licensed in the State of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property known as GOOSE DOWNS FILING ONE is vested to Terry D. Deherrera; That the current taxes have been paid; That all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; That all easements, reservations and rights of way of record are shown hereon.

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
NAME AND TITLE

CITY USE BLOCK	
TRACTS A,B,C,D & E	RECEPTION NO. _____
CCR's	RECEPTION NO. _____
DRAINAGE EASEMENT	RECEPTION NO. _____
GVDD EASEMENT	RECEPTION NO. _____
TEMPORARY INGRESS/EGRESS EASEMENT	RECEPTION NO. _____
TEMPORARY DRAINAGE EASEMENT	RECEPTION NO. _____
TEMPORARY TURNAROUND EASEMENT	RECEPTION NO. _____
_____	RECEPTION NO. _____
_____	RECEPTION NO. _____

AREA SUMMARY

Lots	2.70	ac	19.47 %
Lot 99	9.23	ac	66.69 %
Tracts	1.89	ac	7.61 %
Right of Way (Dedicated)	0.88	ac	6.23 %
Total	14.70	ac	100.00 %

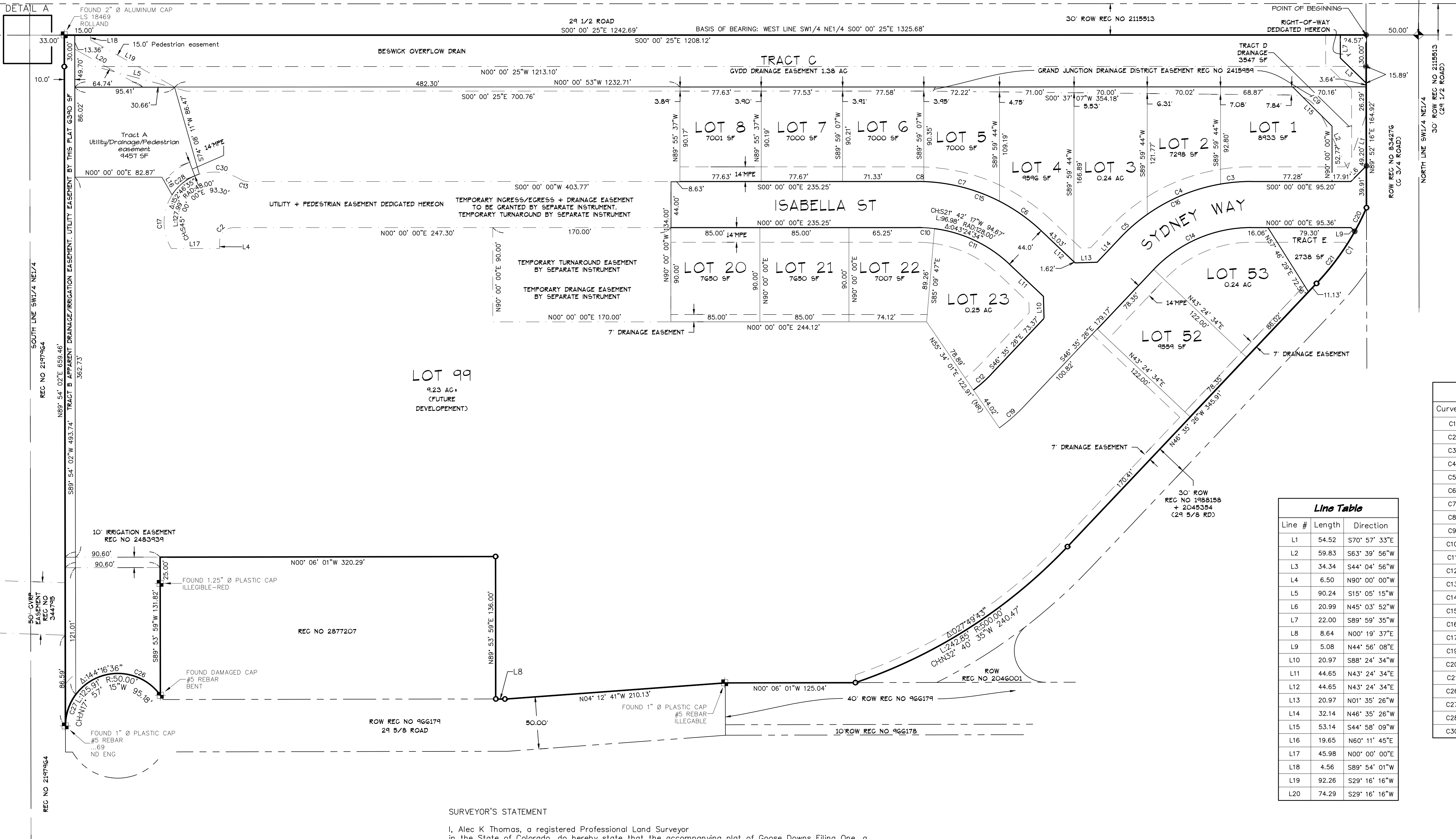
GOOSE DOWNS FILING ONE

Southwest Quarter of the Northeast Quarter, Section 20,  
T.1S., R.1E., Ute Meridian.  
City of Grand Junction, Mesa County, Colorado

Sheet 1 of 2	Date: 4/13/2022	Job No. 1858-001
Surveyed: TPJ	Drawn: AKT	Checked: TPJ
Drawing name: S:\PROJECTS\1858 Terry Deherrera\001 Goose Downs Subdivision\Drawings\001 GOOSE DOWNS SURVEY.DWG		



Southwest Quarter of the Northeast Quarter, Section 20, T.1S., R.1E., Ute Meridian.  
City of Grand Junction, Mesa County, Colorado



Sheet 2 of 2 Date: 4/13/2022		Job No. 1858-001	
Surveyed: TPJ	Drawn: AKT	Checked: TPJ	
Drawing name: S:\PROJECTS\1858 Terry Dellemora\G01 Goose Downs Subdivision\Survey\Draw1858-001 GOOSE DOWNS SUBDIVISION.dwg			

**From:** [Scott Peterson](#)  
**To:** [Tracy States](#); [Senta Costello](#)  
**Cc:** [Tamra Allen](#)  
**Subject:** RE: Goose Downs SUB-2020-662  
**Date:** Tuesday, January 16, 2024 11:11:00 AM  
**Attachments:** [image001.png](#)

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Tracy,

The Community Development Director can grant you one extension of an additional 12-months for an unrecorded final subdivision plat in accordance with Section 21.02.070 (u) (4) of the Zoning & Development Code. Therefore, your new deadline to record the subdivision plat would be April 8, 2025.

I will update the file as necessary to indicate the new recording date.

Let me know if you have any questions.

Thank you.

Scott Peterson  
Community Development Department  
City of Grand Junction  
[scottp@gjcity.org](mailto:scottp@gjcity.org)  
970-244-1447

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**From:** Tracy States <tstates@rccwest.com>  
**Sent:** Thursday, January 11, 2024 4:21 PM  
**To:** Scott Peterson <scottp@gjcity.org>; Senta Costello <sentac@gjcity.org>  
**Subject:** Goose Downs SUB-2020-662

**\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\***

Hi Scott,

It looks like there may be a deal in the works to enable the construction and plat recording of Goose Downs as approved. Our two-year time period for plat recording is approaching. The decision letter was issued April 8, 2022. How do we go about requesting a one-year extension to record the plat? If the deal goes through, construction would be anticipated this spring.

Thank you,



*Tracy States*  
*Project Coordinator*



215 Pitkin Avenue, Unit 201  
Grand Junction, CO 81501  
O 970-241-4722  
[tstates@rccwest.com](mailto:tstates@rccwest.com)



November 19, 2024

Ms. Senta Costello  
Development Coordinator  
City of Grand Junction  
Community Development Department  
250 N. 5<sup>th</sup> Street  
Grand Junction, Colorado 81501

RE: Goose Downs SUB-2020-662

Ms. Costello,

Goose Downs was approved April 8, 2022. A one year extension was approved on January 16, 2024, by the Community Development Director, extending the plat recording deadline to April 8, 2025. The previous planner was Scott Peterson, who has since retired from the City of Grand Junction.

The applicant would formally like to request another year extension, until April 8, 2026. Their reasons for not being able to meet the current deadline are as follows:

- COVID had just become the way of the world a little after the approval process for Goose Downs began and it took approximately two years to get that approval.
- COVID made infrastructure cost too high to begin the development.
- The lingering effect of COVID hurt the housing market for affordable housing, with the effects still being felt present day.
- The timing of approval occurred during poor market conditions related to the spikes in inflation in 2022.

The applicant is confident that by April 8, 2026, construction of the development will have begun, or the project will be sold to a developer that can begin construction. The developer has been actively pursuing partnerships and opportunities to break ground over the past two years. The above referenced inflation has been the hindrance to these opportunities. The developer believes that with market conditions settling that this project should break ground in 2025.

Sincerely,

Ivan D. Geer, P.E.

Attachments