



**PLANNING COMMISSION AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET**

**TUESDAY, APRIL 28, 2009, 6:00 P.M.**

**Call to Order**

*Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.*

*In an effort to give everyone who would like to speak an opportunity to provide their testimony, we ask that you try to limit your comments to 3-5 minutes. If someone else has already stated your comments, you may simply state that you agree with the previous statements made. Please do not repeat testimony that has already been provided. Inappropriate behavior, such as booing, cheering, personal attacks, applause, verbal outbursts or other inappropriate behavior, will not be permitted.*

*Copies of the agenda and staff reports are available on the table located at the back of the Auditorium.*

**Announcements, Presentations, and/or Prescheduled Visitors**

**Consent Agenda**

*Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and /or the applicant has acknowledged complete agreement with the recommended conditions.*

*The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.*

**1. Minutes of Previous Meetings**

**[Attach 1](#)**

Minutes not available at this time.

2. **Summer Hill, Filing 7 & 8 – Preliminary Development Plan** [Attach 2](#)

Request approval of a revision of a Preliminary Development Plan and Final Subdivision Plan approval for Filing 7 to develop 28 lots on 9.189 acres in a PD (Planned Development) zone district and Final Subdivision Plan approval for Filing 8 to develop 43 lots on 20.017 acres in a PD (Planned Development) zone district.

**FILE #:** FP-2008-183  
**PETITIONER:** Kevin Bray – Paradise Hills Partnership  
**LOCATION:** East End of Spring Crossing  
**STAFF:** Dave Thornton

3. **Indian Road Drainage Easement Vacation – Vacation of Easement** [Attach 3](#)

Request approval to vacate a portion of a drainage easement within Indian Road Industrial Park.

**FILE #:** VE-2008-313  
**PETITIONERS:** Trent Spendrup – 372 Indian Road, LLC and Darren Davidson – Indian Road Industrial Park LLC  
**LOCATION:** No address (Indian Road Industrial Park)  
**STAFF:** Michelle Hoshide

4. **Siena View, Filing No. 2 – Preliminary Subdivision Plan** [Attach 4](#)

Request approval of the Preliminary Subdivision Plan to develop 10 single family lots on 1.803 acres in an R-8 (Residential 8 du/ac) zone district.

**FILE #:** PFP-2008-208  
**PETITIONER:** Gerry Dalton – Siena View LLC  
**LOCATION:** D 1/2 Road & San Juan Street  
**STAFF:** Brian Rusche

5. **7<sup>th</sup> Street Right-of-Way Vacations – Vacation of Right-of-Way** [Attach 5](#)

Request a recommendation of approval to City Council to vacate two surplus right-of-way areas totaling 0.22 acres: (1) that portion of South 7th Street south of the Riverside Parkway and north of Struthers and (2) that portion of Kimball Avenue west of the Riverside Parkway.

**FILE #:** VR-2009-053  
**PETITIONER:** Mike Grizenko – City of Grand Junction  
**LOCATION:** Vicinity of 7<sup>th</sup> Street, Struthers Avenue and Kimball Avenue  
**STAFF:** Judith Rice

**\*\*\* END OF CONSENT CALENDAR \*\*\***

**\* \* \* ITEMS NEEDING INDIVIDUAL CONSIDERATION \* \* \***

**Public Hearing Items**

*On the following items the Grand Junction Planning Commission will make the final decision or a recommendation to City Council. If you have an interest in one of these items or wish to appeal an action taken by the Planning Commission, please call the Public Works and Planning Department (244-1430) after this hearing to inquire about City Council scheduling.*

**NONE**

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 1**  
**Minutes of Previous Meetings**

**Not available at this time.**



**Attach 2  
Summer Hill, Filing 7 & 8**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION  
FP-2008-183**

MEETING DATE: April 28, 2009  
AUTHOR OF STAFF RPT: David Thornton  
STAFF PRESENTATION: Greg Moberg

AGENDA TOPIC: Consideration of a revised preliminary plan and final plat and plan for Filings 7 & 8 for the Summer Hill Subdivision.

ACTION REQUESTED: Request to revise the Summer Hill Preliminary Plan and final approval for Filing #7 to develop 28 lots on 9.189 acres in a PD (Planned Development) zone district and for Filing 8 to develop 43 lots on 20.017 acres in a PD (Planned Development) zone district.

BACKGROUND INFORMATION				
Location:		North end of Summer Hill Way		
Applicants: Prop owner, developer, representative		Paradise Hills Partnership Kevin Bray		
Existing Land Use:		Vacant		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Vacant		
	South	Residential		
	East	Residential and Airport		
	West	Residential		
Existing Zoning:		PD (Residential at 2.5 units per acre)		
Proposed Zoning:		No Change		
Surrounding Zoning:	North	PAD		
	South	RSF-4		
	East	PAD & RMF-5		
	West	RSF-4		
Growth Plan Designation:		Residential Medium Low		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Summer Hill Subdivision, consideration to:

- I. Amend the Preliminary Plan;
- II. Approve the Final Plat/Plan of Summer Hill Filing 7 consisting of 28 single-family lots; and
- III. Approve the Final Plat/Plan of Summer Hill Filing 8 consisting of 43 single-family lots.

RECOMMENDATION: Approval of the revised Summer Hill Subdivision Preliminary Plan and approval of the Final Plat/Plan for filings 7 & 8 with conditions.

## ANALYSIS

### Background

The Preliminary Plan and all existing Filings were approved under the 1997 Zoning and Development Code. The entire 8 phase Summer Hill Subdivision was approved for up to 201 dwelling units on 86.71 acres for a maximum density of 2.5 units per acre. With the revised preliminary plan for phases 7 & 8 there will be a total of 198 dwelling units, one additional dwelling unit from the previously approved preliminary plan dated March 27, 2007, but still under the maximum of 201 dwelling units. Because this project was initiated under the previous Zoning and Development Code (1997 Code), it will continue to be reviewed under the 1997 Code.

The developer has an approved development schedule (last approved April 24, 2007, see below) and is seeking approval for the remaining 2 phases (filings) under the Old Code and to keep the development active with previous City approval. Since this development is being reviewed under the 1997 Code, Final Plat/Plan must go to public hearing for Planning Commission consideration.

- Summer Hill was rezoned to PD (2.5 units per acre) and the Summer Hill Preliminary Plan was approved April 21, 1999. The subdivision was approved for 201 dwelling units on 80.5 acres in 8 phases (filings).
- The applicant received approval of the first two phase's filings 1 and 2 on September 21, 1999 by Planning Commission and both final plats were approved by the City for recording February 15, 2000.
- Approval for the next two phases, Filings 3 and 4 was given by Planning Commission on October 9, 2001 and filing 3 was approved by the City and recorded on May 28, 2002. Filing 4 received a 3 month extension by Planning Commission on October 22, 2002 and was recorded on January 8, 2003.
- Filing 5 received Planning Commission approval on June 8, 2004 and was recorded on November 29, 2004. As part of Filing 5, additional land obtained from the Grand Vista Subdivision was set aside for open space in the Summer Hill Development.
- A request to approve extending the approved Summer Hill subdivision phasing schedule to beyond 2005 to allow for future filings under the old code was approved by City Council on July 7, 2004 as per Section 1.18.B.4 of the Zoning and Development Code.

#### Approved 2004 Schedule:

Phase 6	December 31, 2005
Phase 7	December 31, 2006
Phase 8	June 15, 2008

- A revised Preliminary Plan phasing schedule for the remaining 3 phases was approved by Planning Commission on December 13, 2005.

#### Approved 2005 Schedule:

Phase 6	June 15, 2006
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Phase 7      June 15, 2007

Phase 8      June 15, 2008

- The Revised Preliminary Plan and Filing 6 Final Plat/Plan received Planning Commission approval on March 27, 2007 and the plat was recorded on November 19, 2007.
- On April 24, 2007 a revised Preliminary Plan phasing schedule for Phases 7 & 8 was approved by Planning Commission. The phasing schedule was not extended beyond June 15, 2008 as approved by City Council in 2004, but allowed for combining phases 7 & 8 to be submitted at the same time using the June 15, 2008 deadline.

Approved 2007 Schedule:

Phase 7      June 15, 2008

Phase 8      June 15, 2008

Each phase was to be submitted to the City of Grand Junction and accepted by the date specified above. Filing 7 & 8 were submitted to the City on June 13, 2008.

Underlying zone district:

The underlying zone district prevails when circumstances occur that are not addressed by the approved standards in the PD 2.5 zone district. For zoning requirements in Filings 1, and 4 through 8, the RMF-8 zone district is the underlying zone district. For Filings 2 and 3 the RSF-4 zone district is the underlying zone district. This determination was based on minimum lot sizes established for Summer Hill as per the preliminary plan.

Approved Bulk Requirements For Summer Hill Subdivision Phases 7 & 8:

SINGLE FAMILY ATTACHED FILINGS

Minimum Lot Area: 4,500 SF

Minimum Street Frontage: 20 FT

Minimum Building Height: 32 FT

Minimum Lot Width: 30 FT

Minimum Side Yard (Principal Structure): 7 FT

Minimum Side Yard (Accessory Structure): 3 FT

Minimum Rear Yard (Principal Structure): 15 FT

Minimum Rear Yard (Accessory Structure): 10 FT

Minimum Front Yard: 20 FT

Maximum Building Coverage: 50%

Minimum Rear Yard (Deck):

In the rear yard beginning twenty feet back from the front of the house:

- Open and uncovered decks and concrete slab patio areas located on the ground level of the home shall have a rear and side yard (including common wall property line) setback of zero feet.
- Open and covered (including overhang) decks and concrete slab patio areas located on the ground level of the home shall have a rear and side yard (including common wall property line) setbacks

of zero feet for the deck or concrete slab, three feet for all support columns and one foot for the overhang.

NOTE: All 28 lots in the proposed Filing 7 will consist of single family attached dwellings and will meet the above setbacks except two lots will not have a second dwelling attached, but will be required to meet the same "Attached" setback requirements. Filing 8 will have 42 lots that are attached single family lots with 1 lot a detached single family lot. All 43 lots in filing 8 will meet the same "Attached" setback requirements.

#### Consistency with the Growth Plan

The approved Summer Hill preliminary plan and zoning is consistent with the Growth Plan. It conforms to the Residential Medium Low (2-4 units per acre) land use designation on the Future Land Use Map.

#### Zoning and Development Code

Because this project was initiated under the previous Zoning and Development Code (1997 Code), it will continue to be reviewed under the 1997 Code. The Preliminary Plan is subject to section 6-7 and 7-5-4 of the Code. Section 6-7-3 states Preliminary Plans shall:

- A. *Conform to adopted plans and policies;*
- B. *Be compatible with the future development of adjacent properties under the "then existing" zoning;*
- C. *Provide for functional arrangement of lot sizes for compliance with zoning;*
- D. *Provide correct naming of streets;*
- E. *Conform to the design standards in the SSID Manual and other applicable development standards; and*
- F. *Provide basic engineering solutions of all major physical site problems, i.e. drainage.*

Section 7-5-4 state: "A Preliminary Plan constitutes a major step in the review process. The submittal shall be detailed enough to answer the question, 'Should this use, designed in this particular manner, be constructed on this site?'"

The review of the Preliminary Plan includes traffic circulation, trails and open space, drainage, utility provision and lot configuration and design.

The proposed amended Summer Hill Subdivision Preliminary Plan conforms to all relevant sections of the 1997 Zoning and Development Code. The original approval of the 1999 Preliminary Plan and revised 2007 Preliminary Plan met all conditions of the 1997 Code and the current request proposing changes to the approved preliminary plan including a different street layout, but not changing the overall traffic circulation does not affect those conditions (see details of request below).

## I. Amend the Preliminary Plan;

### REQUEST FOR REVISED PRELIMINARY PLAN – FINAL DECISION

Revisions to the Preliminary Plan are only proposed for Filings 7 & 8. The revised Preliminary Plan shows 28 lots for filing 7 previously approved for 33 lots and for Filing 8 the Preliminary Plan show 43 lots instead of the 37 lots previously approved. The total number of lots approved with the 2007 Revised Preliminary Plan is 70 lots, this revised plan will bring the number to 71. The additional 1 lot proposed, however, only brings the entire development to 198 lots, 3 less than allowed under the Planned Development Zone District originally approved in 1999.

The street section for Summer Hill Court within Filing 8 have been modified and are the same as those street sections approved in previous filings. General lot layout in Filing 6 has been modified with the increase of 1 lot and the open space improvements have been identified.

The petitioner is requesting a small reduction in overall open space in the subdivision to create slightly larger lots than previously shown and add the additional lot. The open Space has fluctuated back and forth throughout the approvals of Summer Hill with overall changes in acreage not being significant. With this revision, the amount of open space is decreasing by 0.72 acres but the overall open space acreage is not significantly different than the original 1999 Preliminary Plan showed.

The total number of filings for the Preliminary Plan will remain at eight. Filings 1 through 6 have already been recorded and built.

All applicable conditions of approval of the original preliminary plan as required by City Council on April 21, 1999 and subsequent approved changes and modifications to those conditions will remain and are being or will be complied with by the developer of Summer Hill.

## II. Approve the Final Plat/Plan of Summer Hill Filing 7 consisting of 28 single family attached lots.

### REQUEST FOR FINAL PLAN/PLAT FOR FILING 7 – FINAL DECISION

Proposed Filing 7 is in compliance with the proposed revised Summer Hill Preliminary Plan. There are 28 lots on 9.189 acres as proposed for Filing 7 with a Tract A identified on the plat consisting of 20.017 acres for future development of Filing 8.

Please refer to the Filing 7 Final Plat.

*Access:*

There is no change in overall access and circulation from the approved Preliminary Plan. Access will occur from Spring Crossing and Amber Spring Way. The proposed street layout conforms with the approved and proposed Preliminary Plan.

*Open Space:*

No major changes have occurred in the proposed design of the open space areas for Filing 7 except that the pond area along Leach Creek is now proposed to be a part of Filing 8.

The open space area will be informal with landscaping planted with native grasses. In Filing 7 there is a 10' wide concrete path that will tie Amber Springs Way to the existing concrete pedestrian path stubbed from the Grand Vista Subdivision.

*Lot Layout:*

No changes have occurred in the proposed lot layout for Filing 7 except that 5 lots were removed and added to Filing 8. All lots are still single family attached lots and will meet the approved bulk standards for those lots.

*Bulk Requirements:*

Filing 8 bulk standards comply with those standards previously approved as part of the Preliminary Plan.

*Fencing:*

No changes in fencing regulations.

*Soil Issues:*

Soils in this area have been an issue for the City relating to street infrastructure and construction. The applicant has included more extensive geotechnical investigations and new geotechnical and earthwork specifications for handling expansive and collapsible soil structures which have been problematic in past filings. Staff is comfortable with the solutions that have been presented.

*Streetlights:*

The petitioner is proposing a streetlight plan that reduces the number of streetlights along residential streets from one light every 250 feet to one light at intersections only. City standards require streetlights every 250 feet and at intersections. The applicant's desire is to reduce the light pollution at night for this neighborhood. This request is the same request as was made with Filings 1 through 6. Planning Commission granted the variance for Filings 1 through 6 and the petitioner is seeking the same street light standard for Filing 7.

*Response to Review Agency Comments:*

The petitioner has adequately responded to review agency comments. There are a few corrections and additions that will need to be made by the petitioner on final drawings, etc. prior to final sign off.

### III. Approve the Final Plat/Plan of Summer Hill Filing 8 consisting of 43 single family lots.

#### REQUEST FOR FINAL PLAN/PLAT FOR FILING 8 – FINAL DECISION

Proposed Filing 8 is in compliance with the proposed revised Summer Hill Preliminary Plan. There are 43 lots on 20.017 acres as proposed for Filing 8.

Please refer to the Filing 8 Final Plat.

#### *Access:*

There is no change in overall access and circulation from the approved preliminary plan. Access will occur from Spring Crossing and Amber Spring Way. The proposed street layout conforms with the approved and proposed preliminary plan.

#### *Open Space:*

Changes have occurred in the proposed amount of the open space areas for Filing 8 with the addition of the pond area along Leach Creek previously in Filing 7.

The open space area will be informal with landscaping planted with native grasses. In Filing 8 there are 6' wide soft trails that will continue the pedestrian system as envisioned for the Summer Hill development.

#### *Lot Layout:*

No changes have occurred in the proposed lot layout for Filing 8 except that 6 lots were added with 5 of them previously in Filing 7. All lots are still single family attached lots and will meet the approved bulk standards for those lots.

#### *Bulk Requirements:*

Filing 8 bulk standards comply with those standards previously approved as part of the Preliminary Plan.

#### *Fencing:*

No changes in fencing regulations.

#### *Soil Issues:*

Soils in this area have been an issue for the City relating to street infrastructure and construction. The applicant has included more extensive geotechnical investigations and new geotechnical and earthwork specifications for handling

expansive and collapsible soil structures which have been problematic in past filings. Staff is comfortable with the solutions that have been presented.

*Streetlights:*

The petitioner is proposing a streetlight plan that reduces the number of streetlights along residential streets from one light every 250 feet to one light at intersections only. City standards require streetlights every 250 feet and at intersections. The applicant's desire is to reduce the light pollution at night for this neighborhood. This request is the same request as was made with Filings 1 through 6. Planning Commission granted the variance for Filings 1 through 6 and the petitioner is seeking the same street light standard for Filing 8.

*Response to Review Agency Comments:*

The petitioner has adequately responded to review agency comments. There are a few corrections and additions that will need to be made by the petitioner on final drawings, etc. prior to final sign off.

See attached information supplied by the applicant for further information regarding this subdivision.

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Summer Hill Amended Preliminary Plan application, FP-2008-183, for a revised Preliminary Plan; and Final Plat/Plan for Filing 7 and Filing 8, staff makes the following findings of fact and conclusions:

1. The requested amended Preliminary Plan is consistent with the Growth Plan.
2. The amended Preliminary Plan for Summer Hill is consistent with the design density and previous Preliminary Plan approval.
3. The review criteria for Preliminary Plan and Final Plats in Section 4-4-4, 6-7 and 7-5 of the 1997 Zoning and Development Code have all been met.

**STAFF RECOMMENDATION:** Approval with the following conditions.

1. All Preliminary Plan requirements established by the City of Grand Junction shall remain in full effect upon Filing 7 and 8, as well as all Agreements executed between the Developer and the City of Grand Junction;
2. All review comments shall be adequately addressed by the petitioner prior to recordation of final plat.
3. The final CC & R's shall be reviewed and approved by the City and recorded with the Final Plats.
4. Modify Streetlight requirement from one light every 250 feet to one light at intersections only.



**RECOMMENDED PLANNING COMMISSION MOTION:**

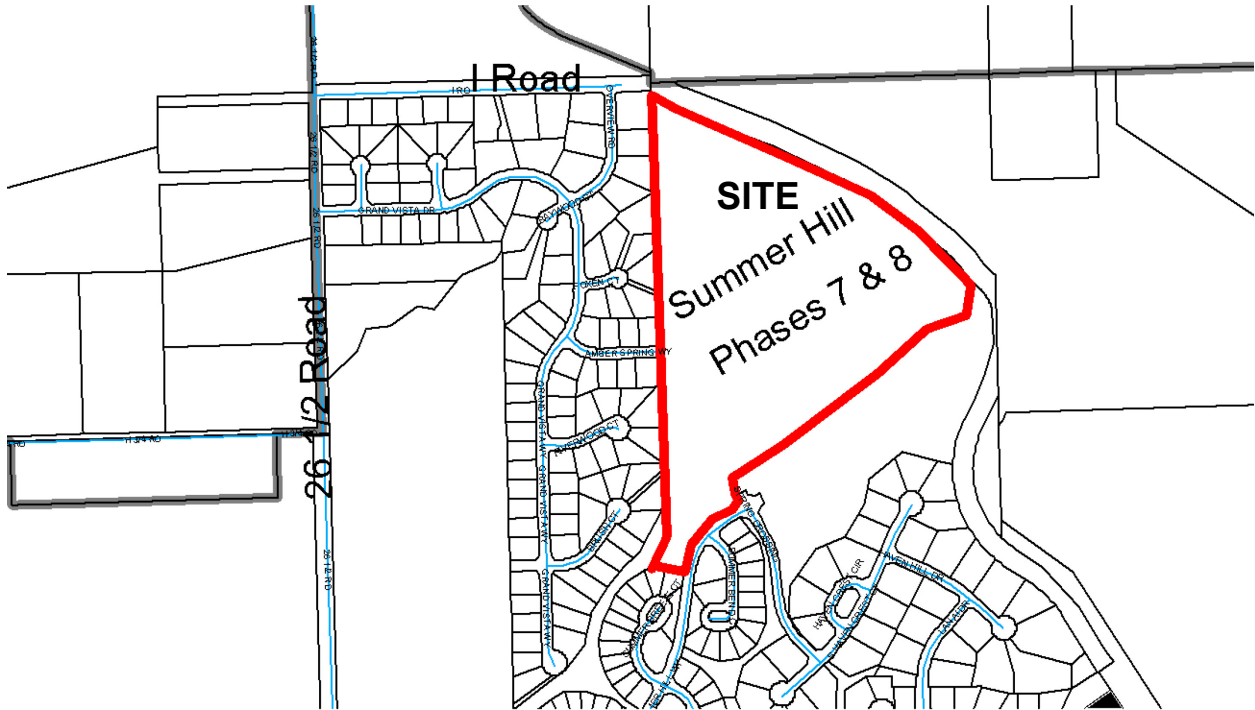
Mr. Chairman, on item FP-2008-183, I move that we approve final approval of the revised preliminary plan and the Final Plat/Plan for Filing 7 & 8 Summer Hill Subdivision as proposed with conditions as recommended by Staff.

**Attachments:**

- Site Location Map
- Aerial Photo Map
- Future land Use Map
- Existing City and County Zoning Map
- Project Narrative by petitioner (4 pages)
- Approved 2006 Preliminary Plan
- Proposed 2008 Preliminary Plan
- Filing 7 Plat (4 sheets)
- Filing 8 Plat (3 sheets)

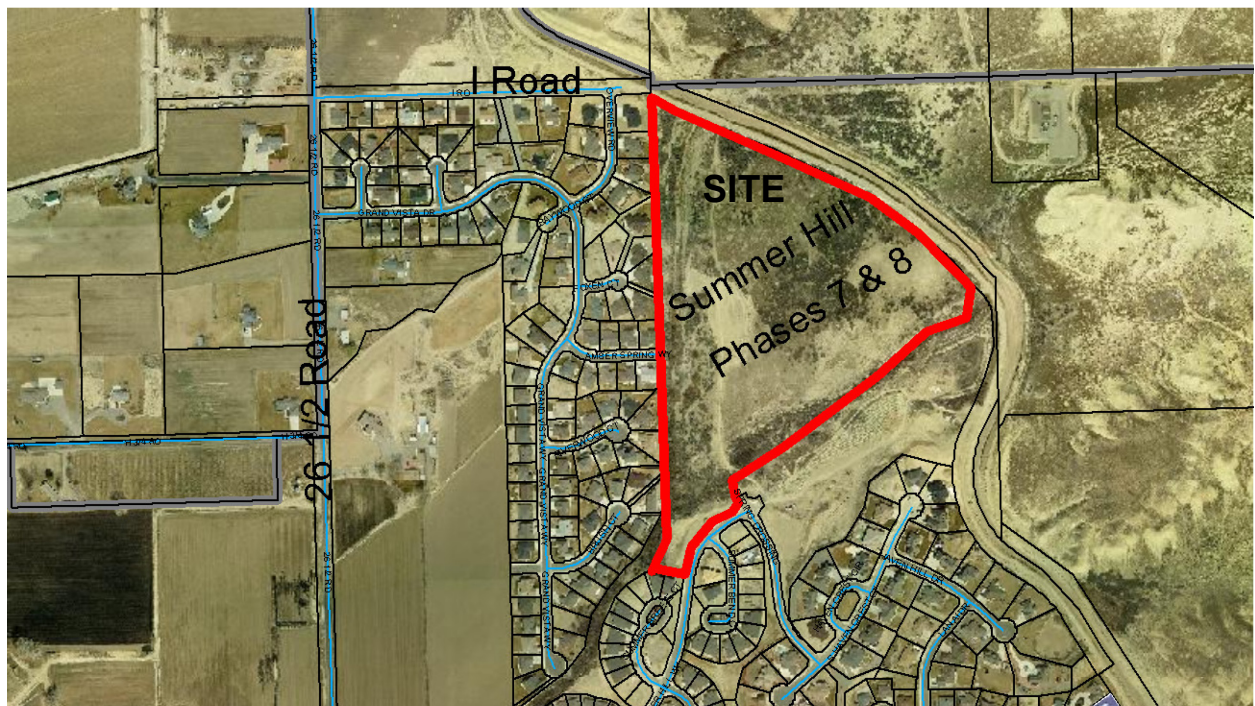
# Site Location Map

Figure 1



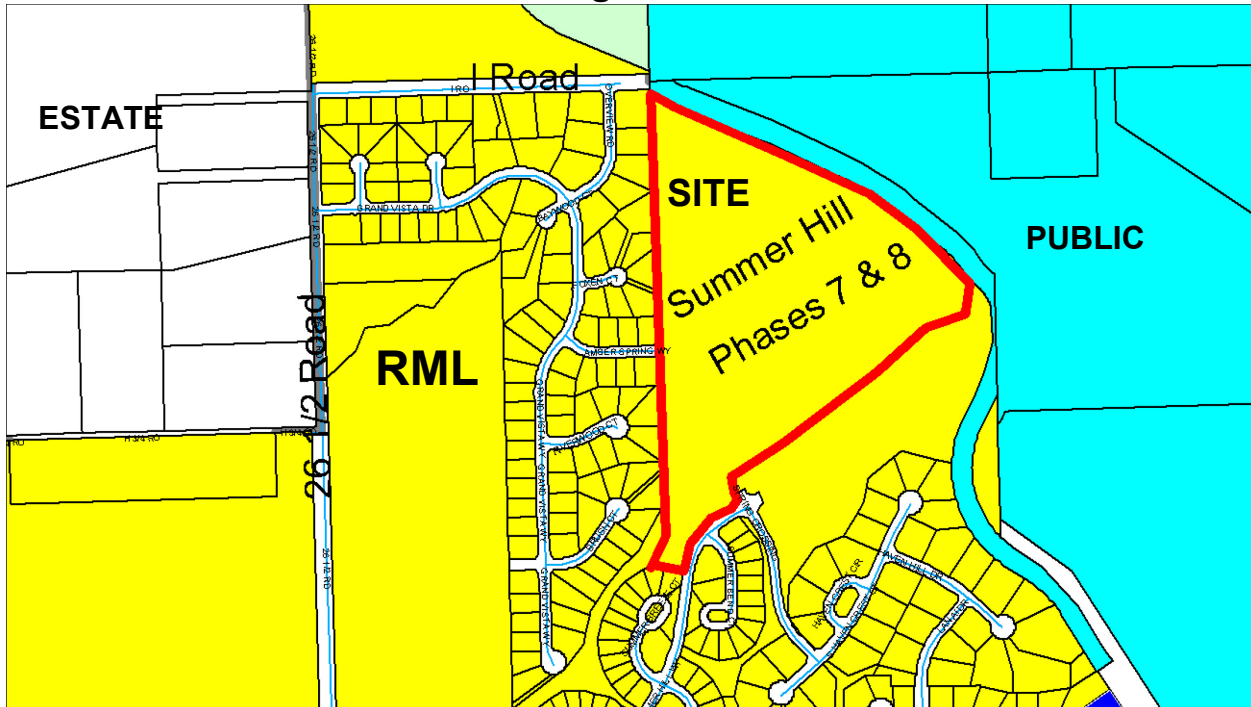
# Aerial Photo Map

Figure 2



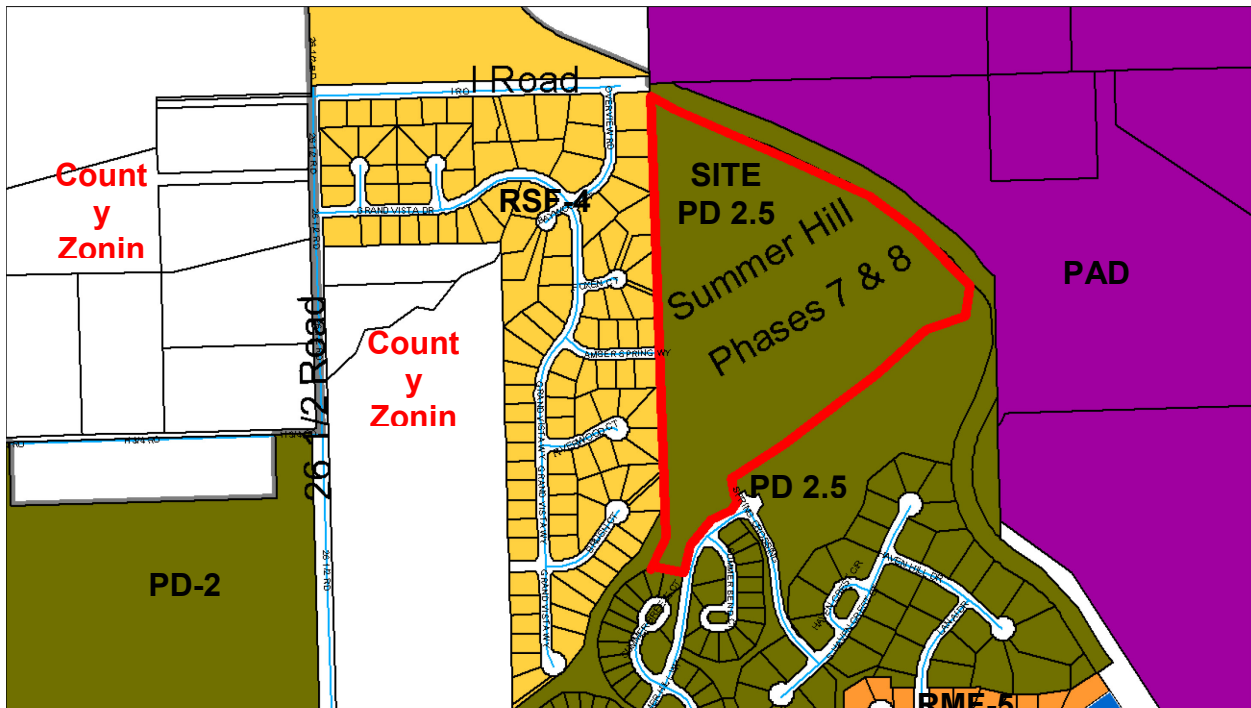
# Future Land Use Map

Figure 3



## Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof.

# Summer Hill Subdivision

## General Project Report – Filing 7 & 8

### **Revised Preliminary Plan for Phase 7 to include**

### **Final Plan and Plat for Filings 7 & 8**

#### A. Project Description

##### **1. Location**

Summer Hill Subdivision is located north of Paradise Hills Subdivision, east of Leach Creek and south of the Highline Canal. The applicant, Paradise Hills Partnership, LLC, is requesting approval of the Revised Preliminary Plan for Phase 7 to include Final Plan and Plat for Filing(s) 7 and 8. This request is in conformance with the 1999 Zoning and Development Code as the project was approved prior to the adoption of the existing code. The final plans generally conform to the previously approved preliminary plan, with the number of lots remaining the same. The Preliminary Plan is being revised to increase the size of the lots and adjust for changes in the road section.

##### **2. Acreage**

The preliminary plan for this 80.5 acre residential Planned Development was initially approved in April, 1999. Filing(s) 7 and 8 consist of 71 lots on approximately 29.048 acres and the primary access will be from Spring Crossing. Filing(s) 7 and 8 are the final filings of this approximate 200 planned unit development.

##### **3. Proposed Use**

The entire parcel (80.5 acres) has been zoned and platted as PR-2.5. The infrastructure for Filing(s) 1 through 6 is complete, has been accepted by the City of Grand Junction and build out of homes is occurring. The remainder of the property consists of varied topography with rolling hills and sparse vegetation. Existing vegetation consists of native shrubbery and grasses including sage, salt brush, rabbit brush, ryegrass, and weeds. It is proposed to develop Filing(s) 7 and 8 with a total of 71 single family residential lots and identified open space.

The 1999 Preliminary Plan identified portions of the project as being the within the Airport Critical Zone. Only the open space north of the proposed lots in Filing 8 is within the Critical Zone. The requirement for soundproofing has been eliminated as the Ldn line has moved north of Summer Hill since the original approval in 1999. Lots have been created in accordance with the City of Grand Junction PR-2.5 zone district and applicable standards of the 1999 Zoning and Development Code.

Lot numbers and configurations are consistent with the approved preliminary Summer Hill Subdivision plans. Filing(s) 7 and 8, as in previous filings, have a zero rear lot setback which will allow for the construction of decks, however, it will not allow for extension of the primary structure.

These Filing(s) will include the completion of Spring Crossing Drive, Amber Spring Court, Autumn Court and Meadowcrest Court. The construction of Amber Spring Court will complete the connection to Grand Vista Subdivision. It will also complete the extension and looping of utilities.

There are no flood plain related issues with this Phase of the project. The Flood Insurance Rate Maps (FIRM) considers this area to be outside of the flood limits. The Army Corp of Engineers has been contacted in reference to any required permitting and the appropriate permit has been applied for. A copy of the request is included with this submittal and when the permit is received, copies will be provided to the City Planner and Engineer. Storm drainage requirements and fees have been addressed with previous filings so there will be no detention, retention or fees associated with this project.

An avigation easement for the entire project has been recorded in cooperation with the Walker Field Airport Authority. It is recorded at Book 4556, Page 855 in the Mesa County Public Records. A copy is included with this submittal.

#### B. Public Benefit

The Summer Hill project allows for development of land generally found undesirable for agricultural activities. The project lies within the “north” area of Grand Junction with reasonable proximity to schools, churches and the business center. The necessary services and amenities are available in this area. This plan is compatible with the present and future development of adjacent properties under the existing zoning.

#### C. Neighborhood Meeting

A neighborhood meeting was not required as part of this submittal and none was held.

#### 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 proposed density meets the intent of this zone district. The project complies with the Urban Trails Master Plan and the Redlands Area Plan. The project provides for interconnectivity with adjacent properties/subdivisions.
- 2. Land use in the surrounding area** – Paradise Hills Subdivision is adjacent to the north and Grand Vista Subdivision is adjacent to the west. Summer Hill Subdivision is compatible with the development of the surrounding area. There is no commercial development or multifamily associated with this plan.

3. **Site access and traffic patterns** – Access for Filing(s) 7 and 8 is proposed via the extension of Spring Crossing. The connection to Grand Vista Subdivision will be completed with Filing 7. With the existing connection to Paradise Hills Subdivision there will now be three points of entry/exit for Summer Hill Subdivision.
4. **Availability of utilities, including proximity of fire hydrants** – Sanitary sewer and potable water (Ute) will connect to existing infrastructure. Irrigation water will be provided in cooperation with the Grand Valley Water User's Association. All other utilities are extended into the subdivision as well, i.e. electricity, telephone, etc. Fire Flow was tested at the hydrant located at 2664 Summer Crest Court, Hydrant #1839. Pressure tested was sufficient for fire flow for structures 3,500 square feet or less. Fire hydrants within Filing(s) 7 and 8 will be located per Ute Water and Grand Junction Fire requirements. Please refer to the fire flow information included with this submittal.
5. **Special or unusual demands on utilities** – There will be no unusual demands on utilities as a result of the project.
6. **Effects on public facilities** – The effects on public facilities will be minimal and in line with existing and occurring development in the immediate and surrounding area.
7. **Site Soils Geology (such as per SCS soils mapping)** – A Geologic Review and Soils report was prepared by Grand Junction Lincoln-Devore and it was concluded that the property was a suitable site for the planned subdivision. Recommendations per the report will be observed during construction.
8. **Impact of project on site geology and geological hazards** – There were no geological features found that would constitute a geological hazard. Leach Creek traverses the project and wetlands have been identified and delineated on the project plans. The Army Corp of Engineers has been contacted in reference to any required permitting and the appropriate permit has been applied for.
9. **Hours of operation** – The hours of access to the site are typical of residential development and are consistent with surrounding properties.
10. **Number of employees** – N/A
11. **Signage Plans** – Signage was addressed in previous filings. Signage is not planned for Filing(s) 7 and 8.

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

2.8 Subdivisions – C. Final Plat Compliance with:

The final plat shall demonstrate compliance with all of the following:

- a) The same criteria as the preliminary subdivision plan in Section 2.8.B; and

The Final Plat/Plan is in compliance with the criteria in Section 2.8.

- b) The preliminary subdivision plan approval and any conditions attached thereto. A portion of the land area within the preliminary subdivision plan may be approved for platting.

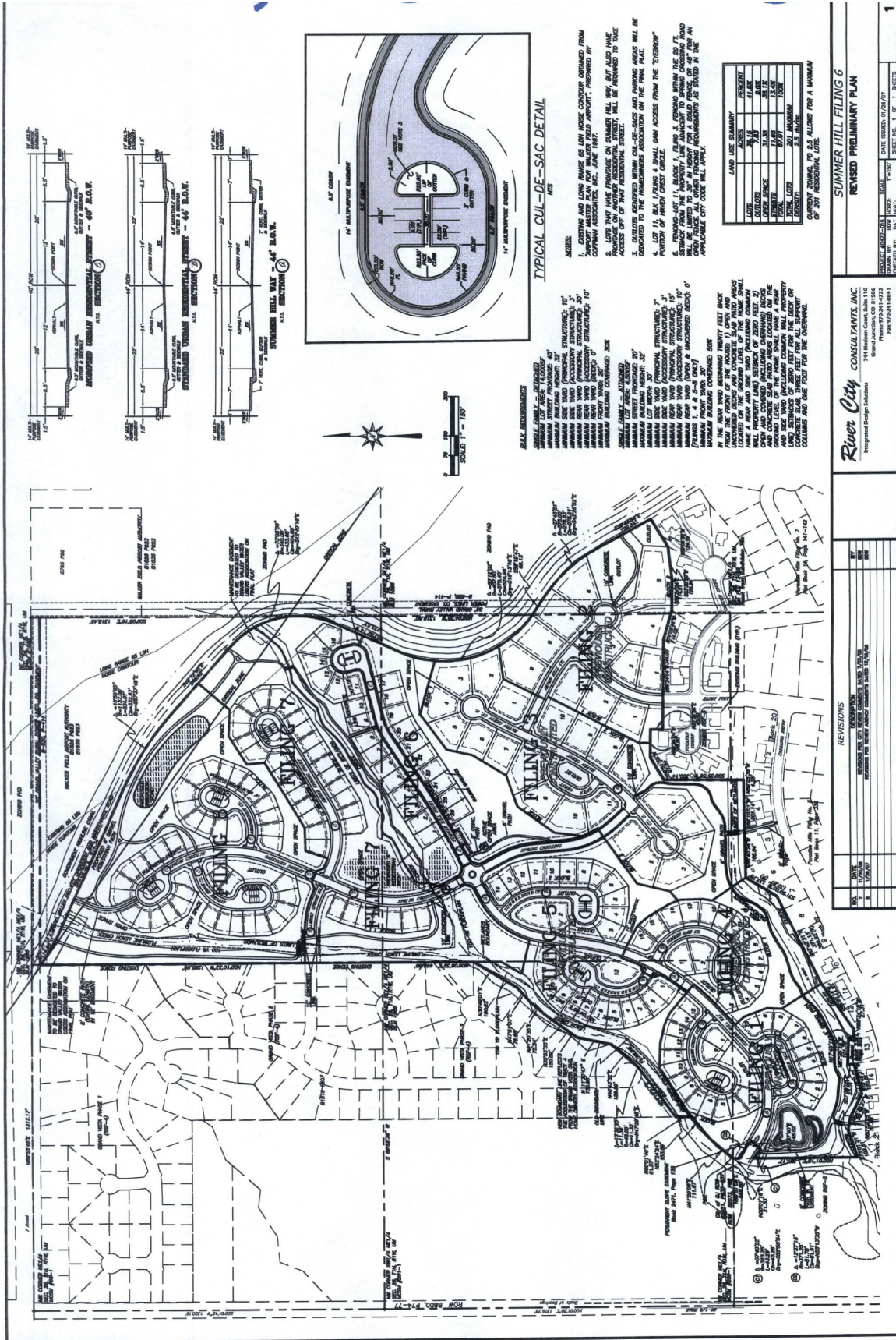
The Final Plat/Plan and revised Preliminary Plan address any prior identified conditions of approval for the overall project. It is understood that any issues identified with the review of Filing(s) 7 and 8 must be addressed prior to obtaining Final Plat/Plan approval.

E. Development Schedule and Phasing

Development of Filing 7 will commence upon approval of the final plans by the City of Grand Junction which is anticipated to be late summer/early fall 2008. Although the applicant is asking for approval of Filing 8 at this time as well, which was a condition of previous approval, it is anticipated that construction of Filing 8 will not begin until mid year 2010. The applicant is asking at this time that a two year time frame to begin construction be allowed with Filing 8 rather than the standard one year time frame.



# Approved 2006 Preliminary Plan



**River City CONSULTANTS, INC.**  
 Integrated Design Solutions  
 744 Hillcrest Court, Suite 110  
 Grand Prairie, Texas 75042  
 Phone: 972-241-4722  
 Fax: 972-241-0841

**REVISIONS**

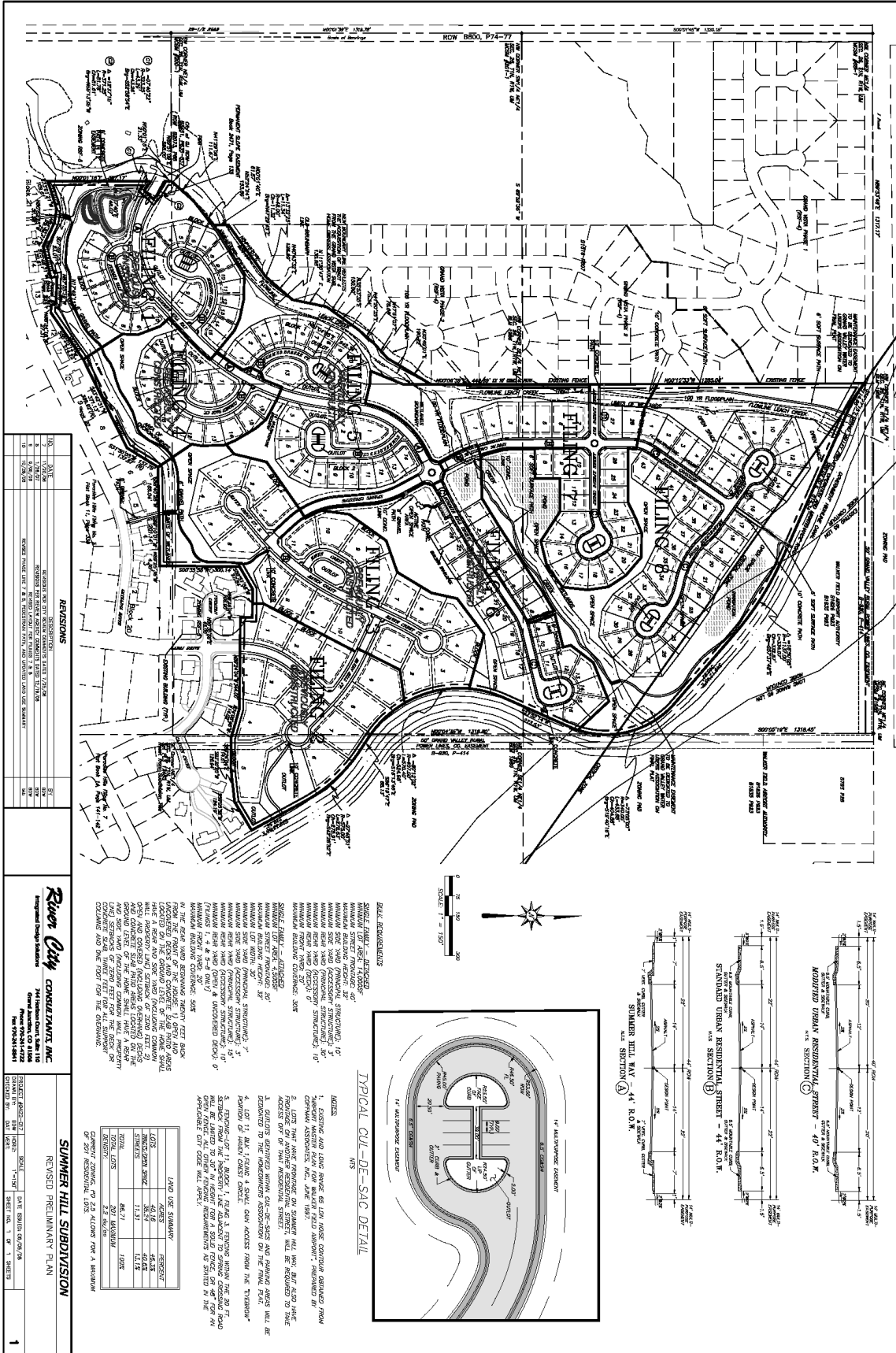
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20	11/14/06	ISSUED FOR PERMITTING
21	11/14/06	ISSUED FOR PERMITTING
22	11/14/06	ISSUED FOR PERMITTING
23	11/14/06	ISSUED FOR PERMITTING
24	11/14/06	ISSUED FOR PERMITTING
25	11/14/06	ISSUED FOR PERMITTING
26	11/14/06	ISSUED FOR PERMITTING
27	11/14/06	ISSUED FOR PERMITTING
28	11/14/06	ISSUED FOR PERMITTING
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46	11/14/06	ISSUED FOR PERMITTING
47	11/14/06	ISSUED FOR PERMITTING
48	11/14/06	ISSUED FOR PERMITTING
49	11/14/06	ISSUED FOR PERMITTING
50	11/14/06	ISSUED FOR PERMITTING

**SUMMER HILL FILING 6**  
 REVISED PRELIMINARY PLAN

PROJECT NO. 0432-201  
 DATE ISSUED: 07/26/07  
 SHEET NO. 1 OF 1 SHEETS



# Proposed 2008 Preliminary Plan

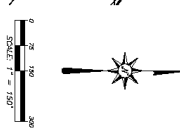


**REVISIONS**

NO.	DATE	DESCRIPTION
1	01/15/08	ISSUED FOR PERMITTING
2	02/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
3	03/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
4	04/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
5	05/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
6	06/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
7	07/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
8	08/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
9	09/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
10	10/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
11	11/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER
12	12/15/08	REVISIONS TO THE PLAN TO REFLECT COMMENTS FROM THE CITY ENGINEER

**River City CONSULTANTS INC.**  
 Registered Design Professionals  
 244 Madison Drive, Suite 110  
 Grand Rapids, MI 49503  
 Phone: (616) 941-1000  
 Fax: (616) 941-1001

**SUMMER HILL SUBDIVISION**  
 REVISED PRELIMINARY PLAN  
 SHEET NO. 1 OF 3 SHEETS



**BULK REQUIREMENTS**

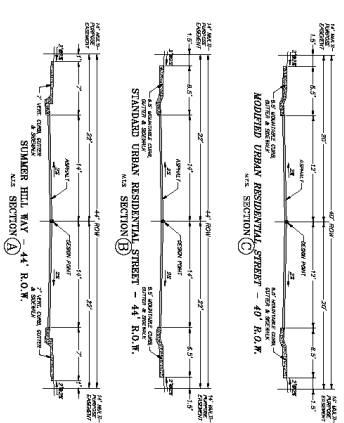
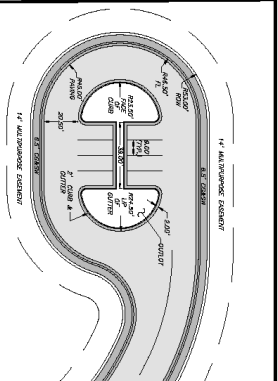
**SINGLE FAMILY - DETACHED**  
 MINIMUM STREET FRONTAGE: 30'  
 MINIMUM STREET FRONTAGE: 30'  
 MINIMUM SIDE YARD (FRONT/REAR) SETBACKS: 10'  
 MINIMUM REAR YARD (ACCESSORY STRUCTURES): 10'  
 MINIMUM FRONT YARD: 20'  
 MINIMUM REAR YARD: 20'  
 MINIMUM SIDE YARD: 5'  
 MINIMUM STREET FRONTAGE: 30'  
 MINIMUM STREET FRONTAGE: 30'  
 MINIMUM SIDE YARD (FRONT/REAR) SETBACKS: 10'  
 MINIMUM REAR YARD (ACCESSORY STRUCTURES): 10'  
 MINIMUM FRONT YARD: 20'  
 MINIMUM REAR YARD: 20'  
 MINIMUM SIDE YARD: 5'

**MINIMUM STREET FRONTAGE: 30'**  
 MINIMUM STREET FRONTAGE: 30'  
 MINIMUM SIDE YARD (FRONT/REAR) SETBACKS: 10'  
 MINIMUM REAR YARD (ACCESSORY STRUCTURES): 10'  
 MINIMUM FRONT YARD: 20'  
 MINIMUM REAR YARD: 20'  
 MINIMUM SIDE YARD: 5'

**MINIMUM STREET FRONTAGE: 30'**  
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 MINIMUM SIDE YARD (FRONT/REAR) SETBACKS: 10'  
 MINIMUM REAR YARD (ACCESSORY STRUCTURES): 10'  
 MINIMUM FRONT YARD: 20'  
 MINIMUM REAR YARD: 20'  
 MINIMUM SIDE YARD: 5'

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 MINIMUM REAR YARD (ACCESSORY STRUCTURES): 10'  
 MINIMUM FRONT YARD: 20'  
 MINIMUM REAR YARD: 20'  
 MINIMUM SIDE YARD: 5'

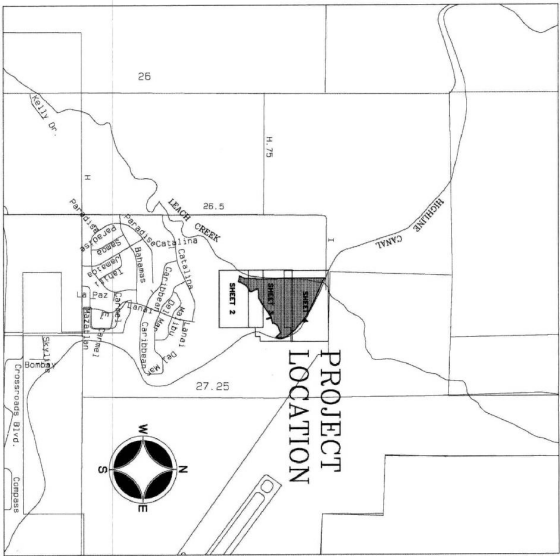
**TYPICAL CUL-DE-SAC DETAIL**



# Summer Hill Filing No. 7

## E/2, NE/4 Section 26, Township 1 North, Range 1 West, Ute Meridian A Report of Tract B of Summer Hill Filing No. 6, Reception Number 2412800

VICINITY MAP



**DECLARATION OF COVENANTS**

I, Kenneth Scott Thompson, a qualified Professional Land Surveyor in the State of Colorado, do hereby certify that the accompanying plat of Summer Hill Filing No. 7, a subdivision in the City of Grand Junction, Colorado, has been prepared by me and/or under my direct supervision and that I am a duly licensed and duly qualified Professional Land Surveyor in the State of Colorado. This instrument is not a warranty, representation, or opinion of any kind on the part of the undersigned, its agents, successors, or assigns, and shall have no effect in the event of any such warranty, representation, or opinion.

**TITLE CERTIFICATION**

We, Land Title Guaranties Company, a title insurance company, as duly licensed in the State of Colorado, hereby certify that we have examined the Title to the above described property and the same is shown to be in accordance with the plat of Summer Hill Filing No. 7, a subdivision in the City of Grand Junction, Colorado, as shown thereon and that there are no other encumbrances of record hereon that affect the same, except as shown on the plat of Summer Hill Filing No. 7, a subdivision in the City of Grand Junction, Colorado, as shown thereon, and the "Eighth Amendment" recorded in Book 110 of Page 506, and the "Tenth Amendment" recorded in Book 110 of Page 506.

**CITY APPROVAL**

The plat of SUMMER HILL, FILING NO. 7, a subdivision in the City of Grand Junction, Colorado, was filed for record in the Office of the City Clerk on this \_\_\_\_\_ day of \_\_\_\_\_, 2001, and was duly received by the City of Grand Junction, Colorado.

**SURVEYOR'S STATEMENT**

I, Kenneth Scott Thompson, a qualified Professional Land Surveyor in the State of Colorado, do hereby certify that the accompanying plat of Summer Hill Filing No. 7, a subdivision in the City of Grand Junction, Colorado, has been prepared by me and/or under my direct supervision and that I am a duly licensed and duly qualified Professional Land Surveyor in the State of Colorado. This instrument is not a warranty, representation, or opinion of any kind on the part of the undersigned, its agents, successors, or assigns, and shall have no effect in the event of any such warranty, representation, or opinion.

**COUNTY CLERK AND RECORDER'S CERTIFICATE**

This plat was filed for record in the Office of the Mesa County Clerk and Recorder on this \_\_\_\_\_ day of \_\_\_\_\_, 2001, and was duly received by the Office of the Mesa County Clerk and Recorder in the Office of the Mesa County Clerk and Recorder on this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

**PLANNING DEPARTMENT REQUIRED NOTES**

For adequate foundation performance properly engineered foundation systems based upon the design provided on this plat, the following minimum requirements shall be approved by the Grand Junction City Department before a building permit is issued. The date of filing of this plat is 05/20/01.

- Minimum lot area - 4,500 S.F.
  - Minimum lot frontage - 30'
  - Minimum building coverage - 32%
  - Minimum building height - 32'
  - Minimum rear yard (finished structure) - 15'
  - Minimum rear yard (unfinished structure) - 10'
  - Minimum side yard (finished structure) - 3'
  - Minimum side yard (unfinished structure) - 3'
- Open and uncovered decks and porches shall provide a rear and side yard (including common wall) equivalent to the minimum rear and side yard (including common wall) required for the structure. Open and uncovered decks and porches shall provide a rear and side yard (including common wall) equivalent to the minimum rear and side yard (including common wall) required for the structure.

**DATA SUMMARY**

Lots	4,986 Ac.	17,079%
Streets	1,300 Ac.	4,596%
Tracts	2,813 Ac.	9,548%
Tract A (Future Filings)	20,017 Ac.	68,546%
Total	29,596 Ac.	100.00%

**DIPLICATION**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Paradise Hills Properties, LLC, a Colorado Limited Liability Company in the state of Utah and property located in the City and County of Mesa, State of Colorado, do hereby certify that the accompanying plat of Summer Hill Filing No. 7, a subdivision in the City of Grand Junction, Colorado, as shown thereon and that there are no other encumbrances of record hereon that affect the same, except as shown on the plat of Summer Hill Filing No. 7, a subdivision in the City of Grand Junction, Colorado, as shown thereon, and the "Eighth Amendment" recorded in Book 110 of Page 506, and the "Tenth Amendment" recorded in Book 110 of Page 506.

**TITLE CERTIFICATION**

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**CITY APPROVAL**

The plat of SUMMER HILL, FILING NO. 7, a subdivision in the City of Grand Junction, Colorado, was filed for record in the Office of the City Clerk on this \_\_\_\_\_ day of \_\_\_\_\_, 2001, and was duly received by the City of Grand Junction, Colorado.

**SURVEYOR'S STATEMENT**

I, Kenneth Scott Thompson, a qualified Professional Land Surveyor in the State of Colorado, do hereby certify that the accompanying plat of Summer Hill Filing No. 7, a subdivision in the City of Grand Junction, Colorado, has been prepared by me and/or under my direct supervision and that I am a duly licensed and duly qualified Professional Land Surveyor in the State of Colorado. This instrument is not a warranty, representation, or opinion of any kind on the part of the undersigned, its agents, successors, or assigns, and shall have no effect in the event of any such warranty, representation, or opinion.

**COUNTY CLERK AND RECORDER'S CERTIFICATE**

This plat was filed for record in the Office of the Mesa County Clerk and Recorder on this \_\_\_\_\_ day of \_\_\_\_\_, 2001, and was duly received by the Office of the Mesa County Clerk and Recorder in the Office of the Mesa County Clerk and Recorder on this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

**PLANNING DEPARTMENT REQUIRED NOTES**

For adequate foundation performance properly engineered foundation systems based upon the design provided on this plat, the following minimum requirements shall be approved by the Grand Junction City Department before a building permit is issued. The date of filing of this plat is 05/20/01.

- Minimum lot area - 4,500 S.F.
  - Minimum lot frontage - 30'
  - Minimum building coverage - 32%
  - Minimum building height - 32'
  - Minimum rear yard (finished structure) - 15'
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**DATA SUMMARY**

Lots	4,986 Ac.	17,079%
Streets	1,300 Ac.	4,596%
Tracts	2,813 Ac.	9,548%
Tract A (Future Filings)	20,017 Ac.	68,546%
Total	29,596 Ac.	100.00%

**PTM RIVERCITY CONSULTANTS**

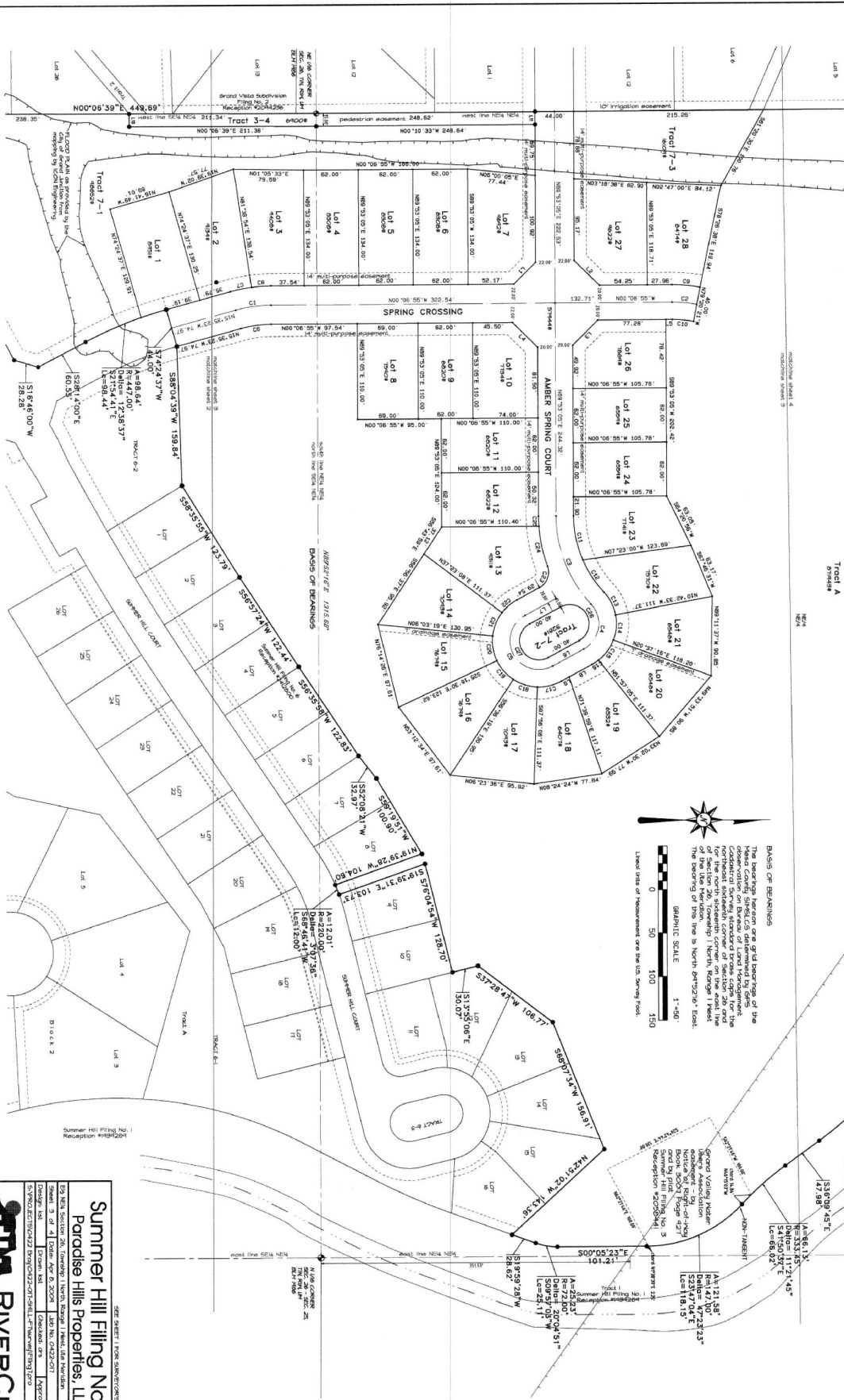
The Harper Court #110 • Grand Junction, CO 81501 • Phone: 970-241-4723



# Summer Hill Filing No. 7

E/4 NE 1/4 Section 26, Township 1 North, Range 1 West, Ute Meridian  
 A Replat of Tract B of Summer Hill Filing No. 6, Reception Number 2412800

Tract A  
 676648



Summer Hill Filing No. 7  
 Replat of Tract B of Summer Hill Filing No. 6

**Summer Hill Filing No. 7**  
**Paradise Hills Properties, LLC**

DATE PREPARED FROM SURVEYOR'S STATEMENT

OWNER: Paradise Hills Properties, LLC  
 PROJECT: Summer Hill Filing No. 7  
 DATE: 04/06/2009  
 SHEET: 3 OF 4  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

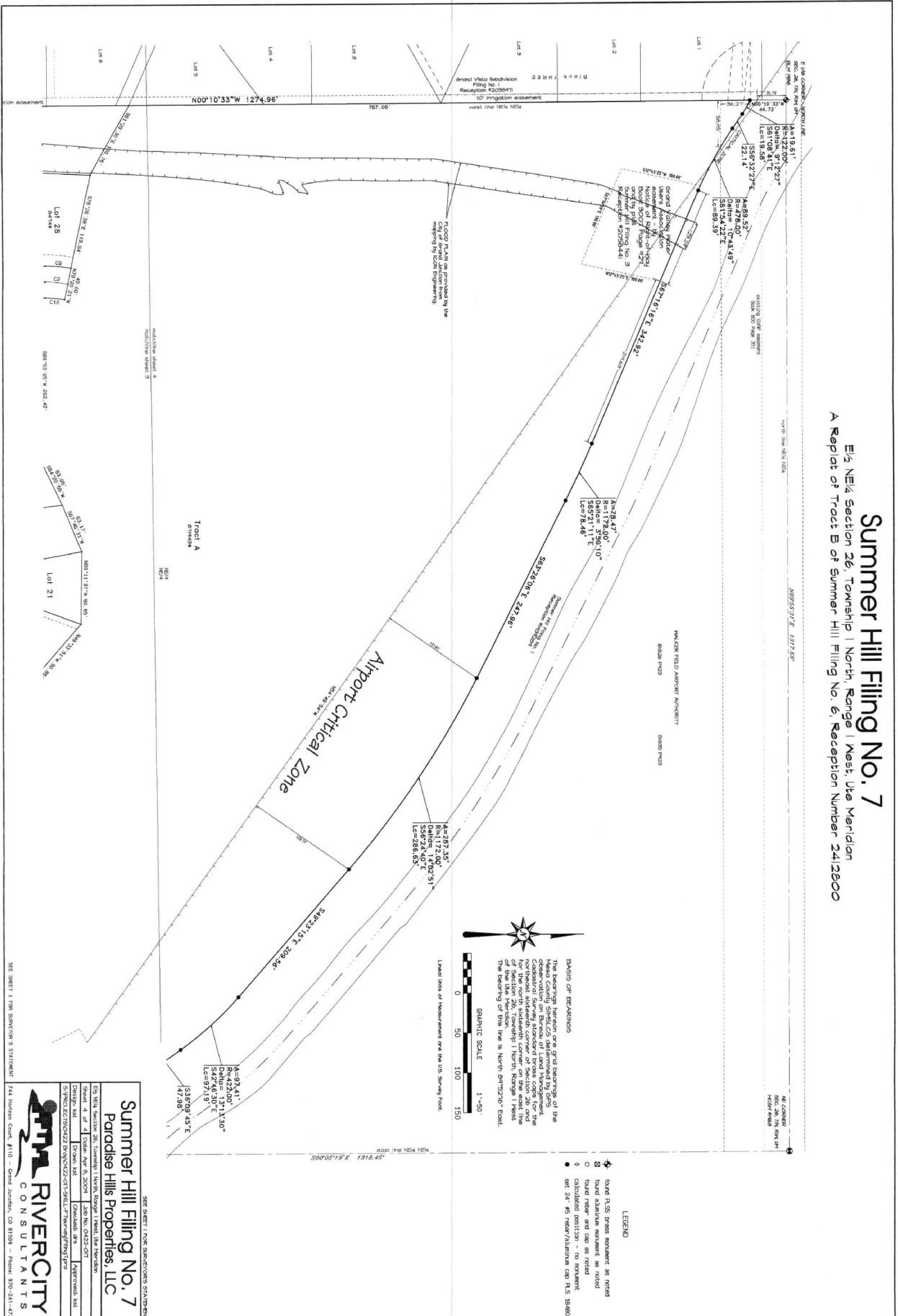
**STPA RIVERCITY CONSULTANTS**

714 Western Court, #110 - Grand Junction, CO 81505 - Phone: 970-241-4722

# Summer Hill Filing No. 7

## E 1/4 NE 1/4 Section 26, Township 1 North, Range 1 West, Ute Meridian

### A Replat of Tract B of Summer Hill Filing No. 6, Reception Number 2412800



SEE SHEET 1 FOR SURVEYOR'S STATEMENT

**Summer Hill Filing No. 7**  
Paradise Hills Properties, LLC

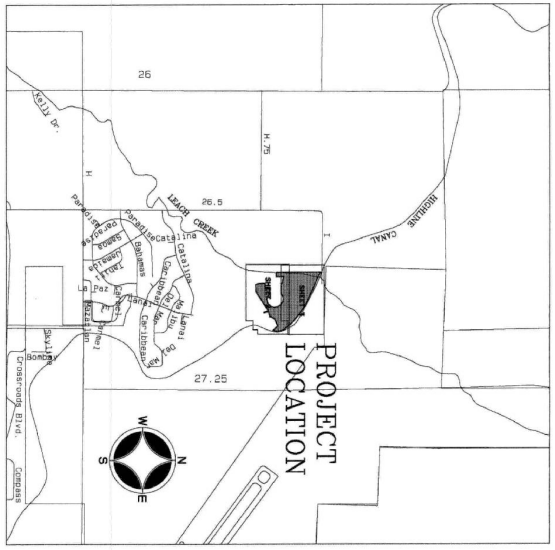
1/24 NE 1/4 Section 26, Township 1 North, Range 1 West, Ute Meridian  
 Sheet 4 of 4  
 Date: Apr 10, 2024  
 Survey No.: 2412800  
 Surveyor: Dale S. Johnson, L.S. 14573  
 State: CO  
 License No.: 14573

**SPMA RIVERCITY CONSULTANTS**  
744 Hudson Court, #110 - Grand Junction, CO 81508 - Phone: 970-241-4722

# Summer Hill Filing No. 8

E1/2 NE1/4 Section 26, Township 1 North, Range 1 West, Meridian  
A Replat of Tract A of Summer Hill Filing No. 7, Reception Number \_\_\_\_\_

VICINITY MAP



**RECIPIENT OF CONVEYANCE**  
This property is subject to the terms of the Declaration of Covenants, Conditions, and Restrictions of Summer Hill Subdivision (the "Original Declaration") recorded in Book No. 3007 of Page 3011.

**TITLE CERTIFICATION**  
We, Lead Title Guarantees Company, a Title Insurance Company, an Equal Opportunity Lender, have conducted a title search of the records of the County of Grand Junction, Colorado, and have determined that the title to the property is vested in Paradise Hills LLC. That all mortgages and other liens or encumbrances have been duly paid or otherwise terminated by law and that all necessary governmental approvals have been obtained. The title is clear of all liens and encumbrances except as noted herein.

**CITY APPROVAL**  
This plat of SUMMER HILL FILING No. 8, a subdivision in the City of Grand Junction, Colorado, is hereby approved and dedications accepted by \_\_\_\_\_ day of \_\_\_\_\_, 2008.

City Manager \_\_\_\_\_ Mayor \_\_\_\_\_

**SURVEYOR'S STATEMENT**  
I, Kenneth Scott Thompson, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the accompanying plat of SUMMER HILL FILING No. 8, a subdivision in the City of Grand Junction, Colorado, has been prepared by me and/or under my direct supervision and that the same is in accordance with the laws of the State of Colorado. This statement is not applicable only to the survey data represented herein, and does not represent a warranty or opinion as to ownership, indebtedness, or other matters. This statement is not a guaranty, either expressed or implied.

Kenneth Scott Thompson,  
Colorado PLS 18493

**COUNTY CLERK AND RECORDER'S CERTIFICATE**  
This plat was filed for record in the Office of the Mesa County Clerk and Recorder on \_\_\_\_\_ day of \_\_\_\_\_, 2008, and is duly recorded in Reception No. \_\_\_\_\_ of \_\_\_\_\_, 2008.

Clerk and Recorder of Mesa County \_\_\_\_\_

**PLANNING DEPARTMENT REQUIRED NOTES**  
For adequate foundation performance properties engineered foundation systems based upon site-specific geotechnical investigations will be necessary. The available fire flow recorded on 1/26/2004 is 1482 gallons per minute. Any proposed fire flow exceeding 1000 gallons per minute will require a fire flow study. The flow is defined on page 337 of the IFC, 2000 edition.

**MINI REQUIREMENTS**  
Minimum lot area - 4,500 sq. ft.  
Minimum lot width - 30' - 31'  
Minimum building coverage - 50%  
Minimum front yard (Accessory structure) - 15'  
Minimum rear yard (Accessory structure) - 15'  
Minimum side yard (Accessory structure) - 5'  
Minimum side yard (Accessory structure) - 5'  
Minimum side yard (Accessory structure) - 5'

**OPEN AND UNIMPROVED LOTS AND QUARTER LOTS**  
Open and unimproved lots and quarter lots shall have a new and adequate front, side and rear yard. Open and unimproved lots and quarter lots shall have a new and adequate front, side and rear yard. Open and unimproved lots and quarter lots shall have a new and adequate front, side and rear yard. Open and unimproved lots and quarter lots shall have a new and adequate front, side and rear yard.

TRACT SUMMARY	Area	Area	Area
Lots	7,689 Ac.	38,476	
Streets	1,399 Ac.	6,836	
Tracts	10,843 Ac.	54,776	
Total	20,017 Ac.	100,000	

**UNDERLIES MATTER OF FACT**  
The undersigned hereby certifies that it is a holder of a security interest in the property described herein, and that the same is subject to the lien of the said security interest. The undersigned hereby certifies that it is a holder of a security interest in the property described herein, and that the same is subject to the lien of the said security interest. The undersigned hereby certifies that it is a holder of a security interest in the property described herein, and that the same is subject to the lien of the said security interest.

By: \_\_\_\_\_  
State of Colorado }  
County of Mesa }  
The foregoing instrument was acknowledged before me by \_\_\_\_\_ day of \_\_\_\_\_, 2008, and is duly recorded in Reception No. \_\_\_\_\_ of \_\_\_\_\_, 2008.

**NOTICE** Accepting 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. This limitation period shall not be extended by the discovery of such defect more than two years from the date of the certification shown herein. Tracts B-1 and B-2 are to be conveyed to the Summer Hill Subdivision Homeowner's Association for the use of utilities, landscaping and grading as provided for in the Declaration of Covenants, Conditions, and Restrictions attached hereto in the City of Grand Junction.

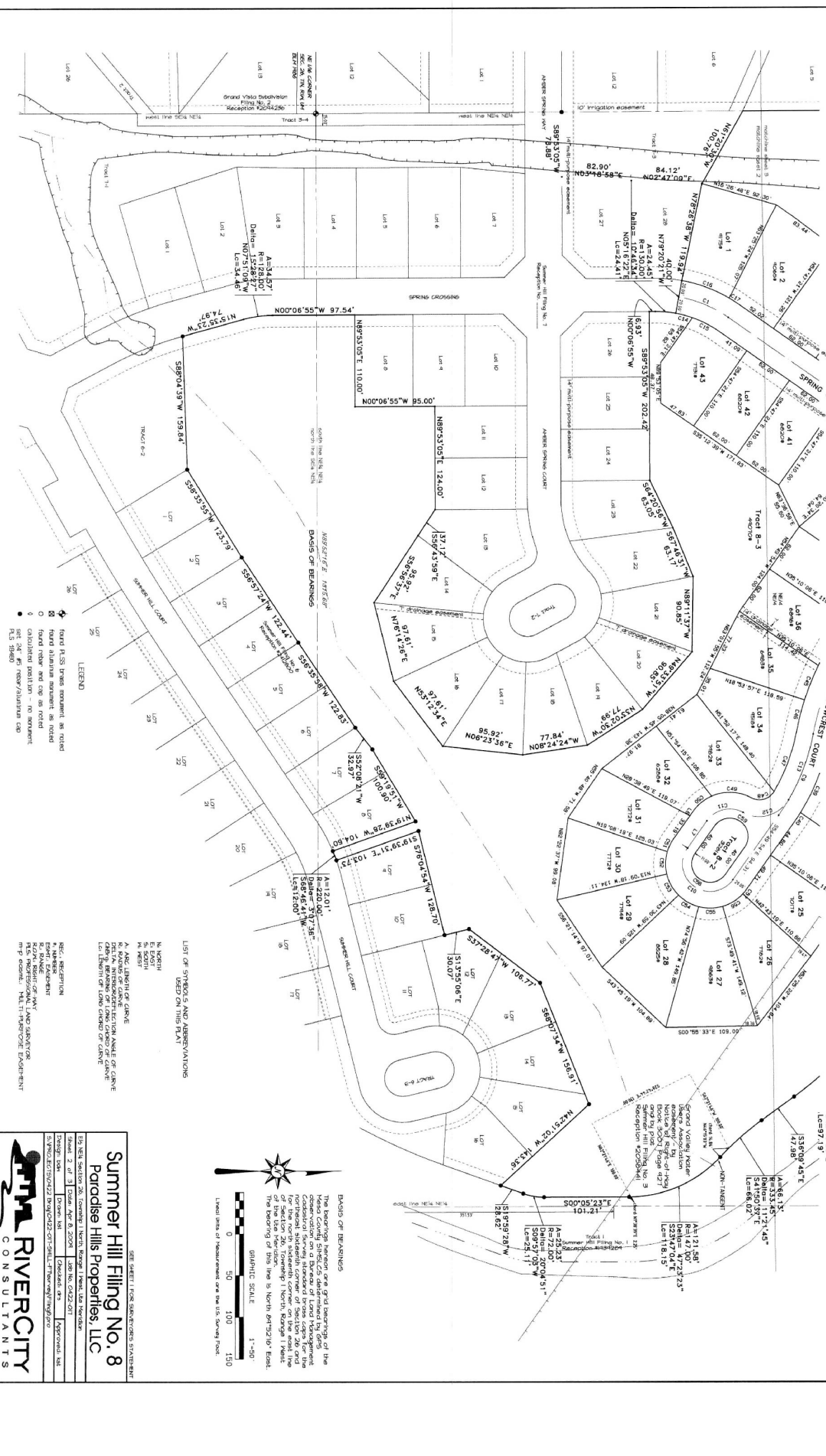
Tracts B-3 is to be conveyed to the Summer Hill Subdivision Homeowner's Association for use as open area as defined in the covenants subject to the Declaration of Covenants, Conditions, and Restrictions attached hereto in the City of Grand Junction. The Summer Hill Subdivision Homeowner's Association shall have the right to use the same for any purpose consistent with its ability as defined herein in the City of Grand Junction. This property is subject to an Easement granted or to be granted to Paradise Hills, Colorado, which appears hereon.

**STATE OF COLORADO**  
County of Mesa }  
My Commission expires: \_\_\_\_\_ day of \_\_\_\_\_, 2008.  
Notary Public \_\_\_\_\_

Paradise Hills Properties, LLC  
444 North Court #115 - Grand Junction, CO 81505 - Phone: 970-241-4222

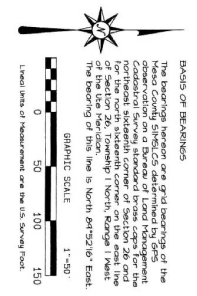
# Summer Hill Filing No. 8

E1/2 NE1/4 Section 26, Township 1 North Range 1 West, 10th Meridian  
A Replot of Tract A of Summer Hill Filing No. 7, Reception Number \_\_\_\_\_



- LEGEND**
- ⊕ FOUND PLSS POINTS ARE NOTED
  - ⊙ FOUND ALIQUOTA POINTS ARE NOTED
  - FOUND REBAR AND CAP ARE NOTED
  - ◊ CALCULATED POSITION - NO POINT
  - SEE 2d FILING/JULIEN CAP
  - SEE 2d FILING/JULIEN CAP
  - SEE 2d FILING/JULIEN CAP

- LIST OF SYMBOLS AND ABBREVIATIONS USED ON THIS PLAT**
- A: A&C LENGTH OF CURVE
  - B: NORTH
  - E: EAST
  - M: MIST
  - N: NORTH
- BASES OF BEARINGS**
- The bearings herein are given bearings of the meridian lines as shown on the plat. The meridian lines are shown on the plat as being derived from a survey of the land shown on the plat. The meridian lines are shown on the plat as being derived from a survey of the land shown on the plat. The meridian lines are shown on the plat as being derived from a survey of the land shown on the plat.



**Summer Hill Filing No. 8**  
**Paradise Hills Properties, LLC**

SEE SHEET 1 FOR CONTINUOUS STATEMENT

10th Meridian, 26th Township, 1st Range, 1st West, 10th Meridian  
 Summer Hill Filing No. 8, Reception Number \_\_\_\_\_  
 Summer Hill Filing No. 8, Reception Number \_\_\_\_\_  
 Summer Hill Filing No. 8, Reception Number \_\_\_\_\_

**PRM RIVERCITY CONSULTANTS**

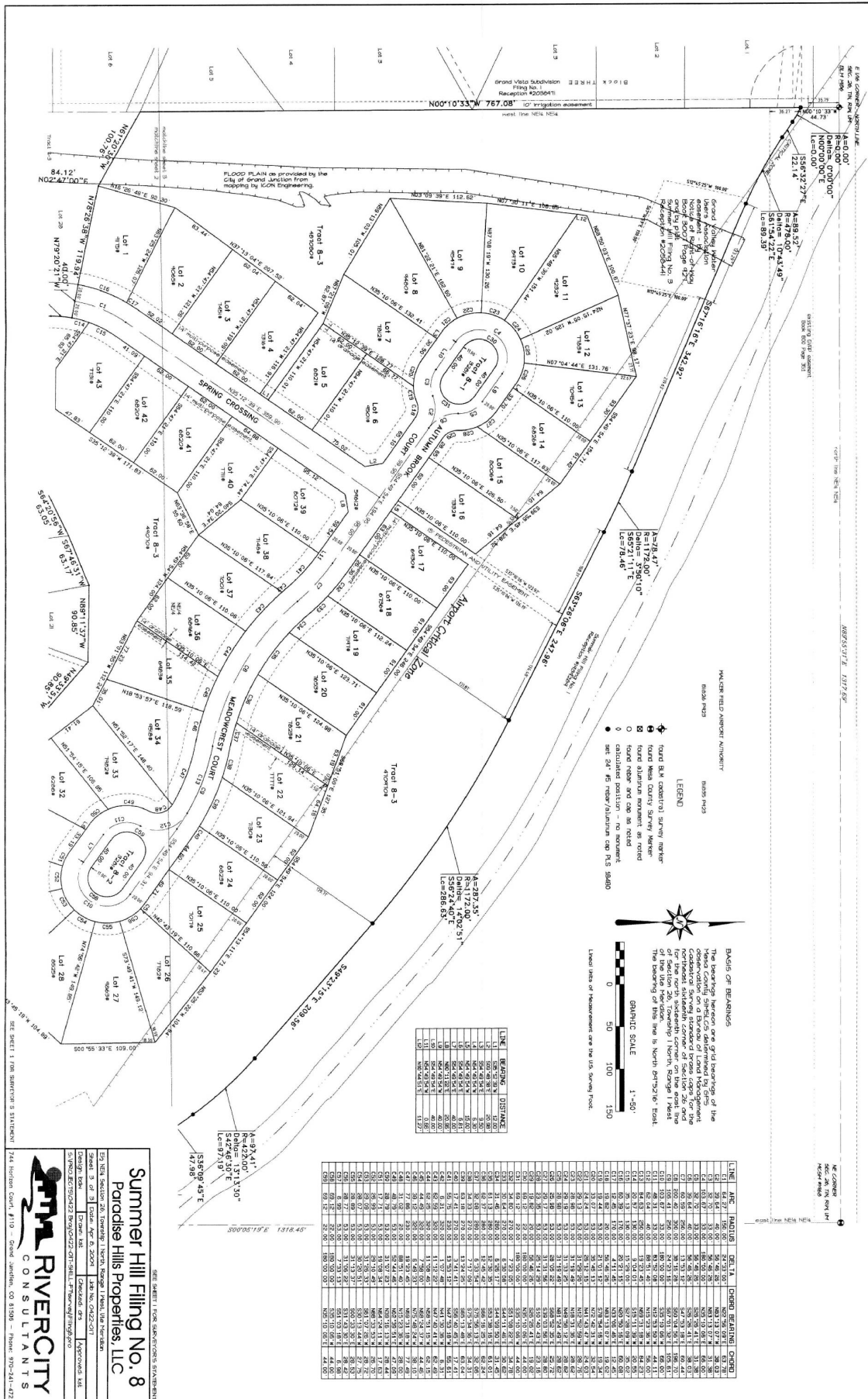
744 Horizon Court, #110 - Grand Junction, CO 81505 - Phone: 970-241-4722



# Summer Hill Filing No. 8

## E/1/4 Section 26, Township 1 North, Range 1 West, 10th Meridian

### A Report of Tract A of Summer Hill Filing No. 7, Reception Number



- LEGEND**
- Road 8 1/2" centerline survey marker
  - ⊕ Found aluminum monument, as noted
  - ⊙ Found rebar and cap, as noted
  - Calculated position - no monument
  - ⦿ Set 24" rebar/aluminum cap PLS 38400

**BAZIS OF BEARINGS**

The bearings herein are grid bearings of the Mead County State-CGS determined by GPS. The bearings herein are not true bearings. The Coordinated Universal Time (UTC) for the reference epoch of the State-CGS is 1989.0. The bearing of this line is North 89°52'16" East.

**LINE BEARING DISTANCE**

LINE	BEARING	DISTANCE
1	N 89°52'16" E	12.00
2	N 89°52'16" E	12.00
3	N 89°52'16" E	12.00
4	N 89°52'16" E	12.00
5	N 89°52'16" E	12.00
6	N 89°52'16" E	12.00
7	N 89°52'16" E	12.00
8	N 89°52'16" E	12.00
9	N 89°52'16" E	12.00
10	N 89°52'16" E	12.00
11	N 89°52'16" E	12.00
12	N 89°52'16" E	12.00
13	N 89°52'16" E	12.00
14	N 89°52'16" E	12.00
15	N 89°52'16" E	12.00
16	N 89°52'16" E	12.00
17	N 89°52'16" E	12.00
18	N 89°52'16" E	12.00
19	N 89°52'16" E	12.00
20	N 89°52'16" E	12.00
21	N 89°52'16" E	12.00
22	N 89°52'16" E	12.00
23	N 89°52'16" E	12.00
24	N 89°52'16" E	12.00
25	N 89°52'16" E	12.00
26	N 89°52'16" E	12.00
27	N 89°52'16" E	12.00
28	N 89°52'16" E	12.00
29	N 89°52'16" E	12.00
30	N 89°52'16" E	12.00
31	N 89°52'16" E	12.00
32	N 89°52'16" E	12.00
33	N 89°52'16" E	12.00
34	N 89°52'16" E	12.00
35	N 89°52'16" E	12.00
36	N 89°52'16" E	12.00
37	N 89°52'16" E	12.00
38	N 89°52'16" E	12.00
39	N 89°52'16" E	12.00
40	N 89°52'16" E	12.00
41	N 89°52'16" E	12.00
42	N 89°52'16" E	12.00
43	N 89°52'16" E	12.00

LINE	ARC	ADIUS	DELTA	CHORD BEARING	CHORD
1	89.870000	12.0000	0.0000	N 89.870000 E	12.0000
2	89.870000	12.0000	0.0000	N 89.870000 E	12.0000
3	89.870000	12.0000	0.0000	N 89.870000 E	12.0000
4	89.870000	12.0000	0.0000	N 89.870000 E	12.0000
5	89.870000	12.0000	0.0000	N 89.870000 E	12.0000
6	89.870000	12.0000	0.0000	N 89.870000 E	12.0000
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SEE SHEET 1 FOR SURVEY STATEMENT

SEE SHEET 1 FOR SURVEY STATEMENT

Summer Hill Filing No. 8  
Paradise Hills Properties, LLC

575 N.W. Section 26, Township 1 North, Range 1 West, 10th Meridian  
Mead County, Nebraska

Surveyed by: [Name]  
Checked by: [Name]  
Date: [Date]

**SPM RIVERCITY CONSULTANTS**  
724 Hudson Court, #110 - Grand Junction, CO 81505 - Phone: 970-241-4722



**Attach 3  
Indian Road Drainage Easement**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: April 28, 2009  
STAFF PRESENTATION: Michelle Hoshide

AGENDA TOPIC: Indian Road Drainage Easement Vacation (VE-2008-313)

ACTION REQUESTED: Approval of a vacation of a portion of drainage easements.

BACKGROUND INFORMATION					
Location:		A portion of the drainage easement adjacent to the eastern properties along Indian Road			
Applicant:		Indian Road Industrial Park LLC.			
Existing Land Use:		Industrial			
Proposed Land Use:		Industrial			
Surrounding Land Use:	North	Union Pacific Railroad Company			
	South	Detention Pond and Industrial Uses			
	East	Vacant Land			
	West	Industrial			
Existing Zoning:		I-1 (Light Industrial)			
Proposed Zoning:		I-1 (Light Industrial)			
Surrounding Zoning:	North	I-1 (Light Industrial)			
	South	I-1 (Light Industrial)			
	East	RSF-R (County Residential Single Family Rural)			
	West	I-1 (Light Industrial)			
Growth Plan Designation:		n.a.			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request to vacate 15 feet of the northernmost drainage easement and 10 feet of the southernmost drainage easement located adjacent to the eastern properties along Indian Road.

RECOMMENDATION: Recommendation of approval to City Council

## ANALYSIS

### 1. Background

The applicant, 372 Indian Road LLC, made a request to vacate a portion of an existing drainage easement that runs the length of the eastern property line of the Indian Road Industrial Park Subdivision. The request to vacate 15 feet of the northernmost drainage easement and 10 feet of the southernmost drainage easement will create a universal 15 foot wide drainage easement along the entire eastern length of the Indian Road Subdivision.

This will allow more buildable area on already small industrial lots.

### 2. Section 2.11.C of the Zoning and Development Code

Requests to vacate any public right-of-way or easement must conform to all of the following:

- a. *The Growth Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City.*

The vacation of this portion of the drainage easement will not impact the Grand Valley Circulation Plan, Growth Plan or policies adopted by the City of Grand Junction.

- b. *No parcel shall be landlocked as a result of the vacation.*

No parcel will be landlocked as a result of the vacation.

- 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.*

Access will not be restricted to any parcel as a result of this vacation.

- 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).*

The vacation will not cause any adverse impacts on the health, safety or welfare of the general community and the quality of public facilities. Services provided to any parcel of land will not be reduced if this part of the easement is vacated. The drainage will be provided by existing swales located in the remaining 15 foot portion of the existing easement. Engineering staff critically examined drainage requirements for the area and concluded that the existing swale would provide adequate drainage.

- e. *The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.*

Adequate public facilities and services will not be inhibited to any property. Appropriate utility easements will be reserved and retained.

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

The vacation will allow for more buildable land for the eastern properties along Indian Road. This will result in a more desirable use of space.

## FINDINGS OF FACTS/CONCLUSION

After reviewing the City of Grand Junction application, VE-2008-313 for the vacation of a portion of drainage easement, the following finding of facts and conclusion has been determined:

- 1.) The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

## STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested portion of drainage easement, VE-2008-313, to the City Council with the findings and conclusion listed above.

## RECOMMENDED PLANNING COMMISSION MOTION:

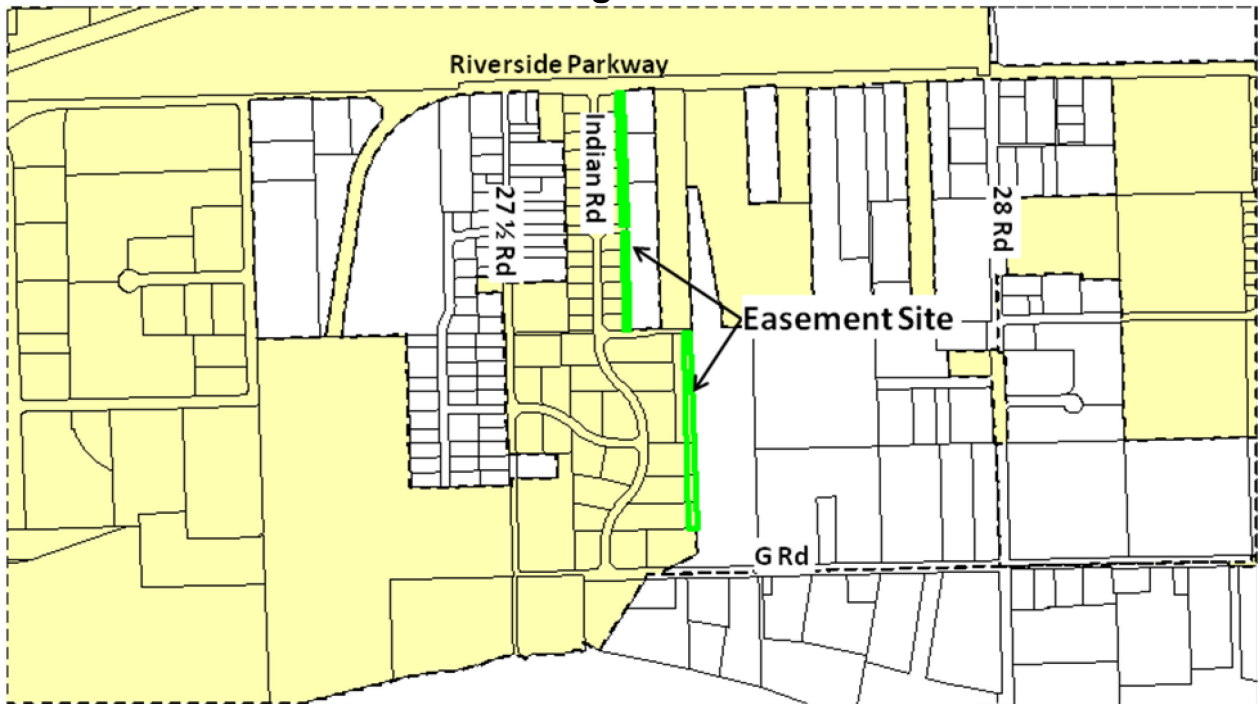
Mr. Chairman, on the vacation of a portion of drainage easement adjacent to the eastern properties along Indian Road, VE-2008-313, I move that the Planning Commission forward a recommendation of approval to City Council with the facts and conclusions listed in the staff report.

Attachments:

- Figure 1: Site Location Map
  - Figure 2: Aerial Photo
  - Figure 3: Future Land Use
  - Figure 4: Existing City and County Zoning
  - Figure 5: Existing 30' Easement
  - Figure 6: Proposed 15' Easement
  - Figure 7: Existing 30' Easement
  - Figure 8: Proposed 15' Easement
  - Figure 9: Existing 25' Easement
  - Figure 10: Proposed 15' Easement
  - Figure 11: Existing 25' Easement
  - Figure 12: Proposed 15' Easement
- Ordinance

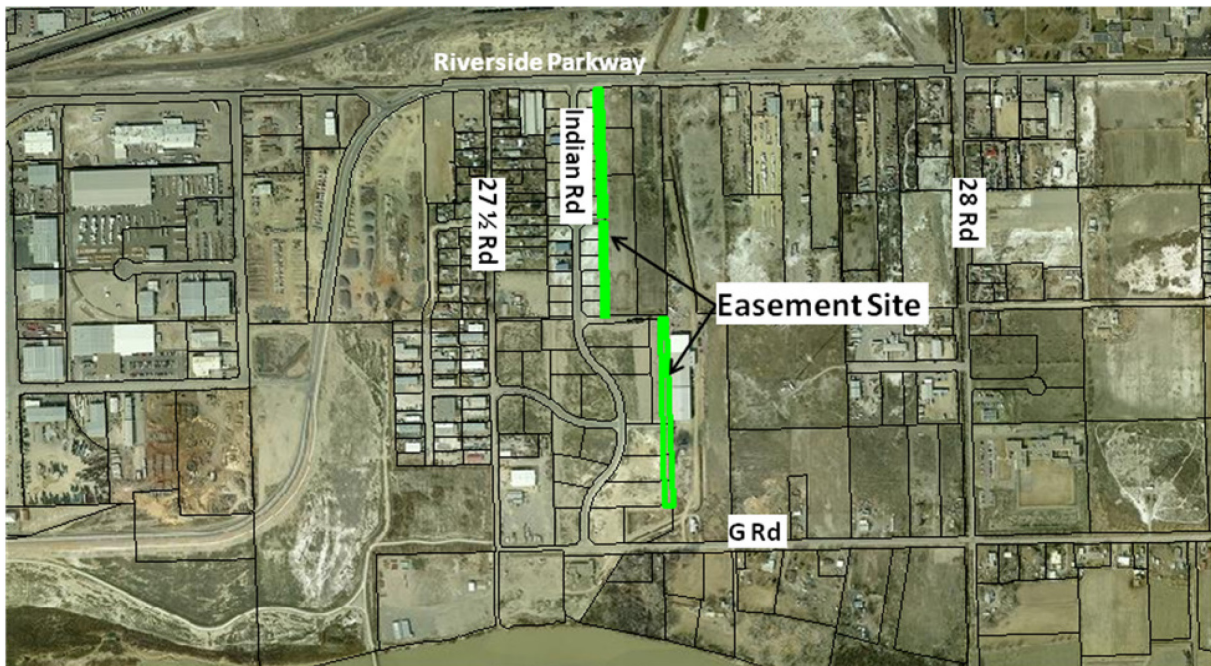
# Site Location Map

Figure 1



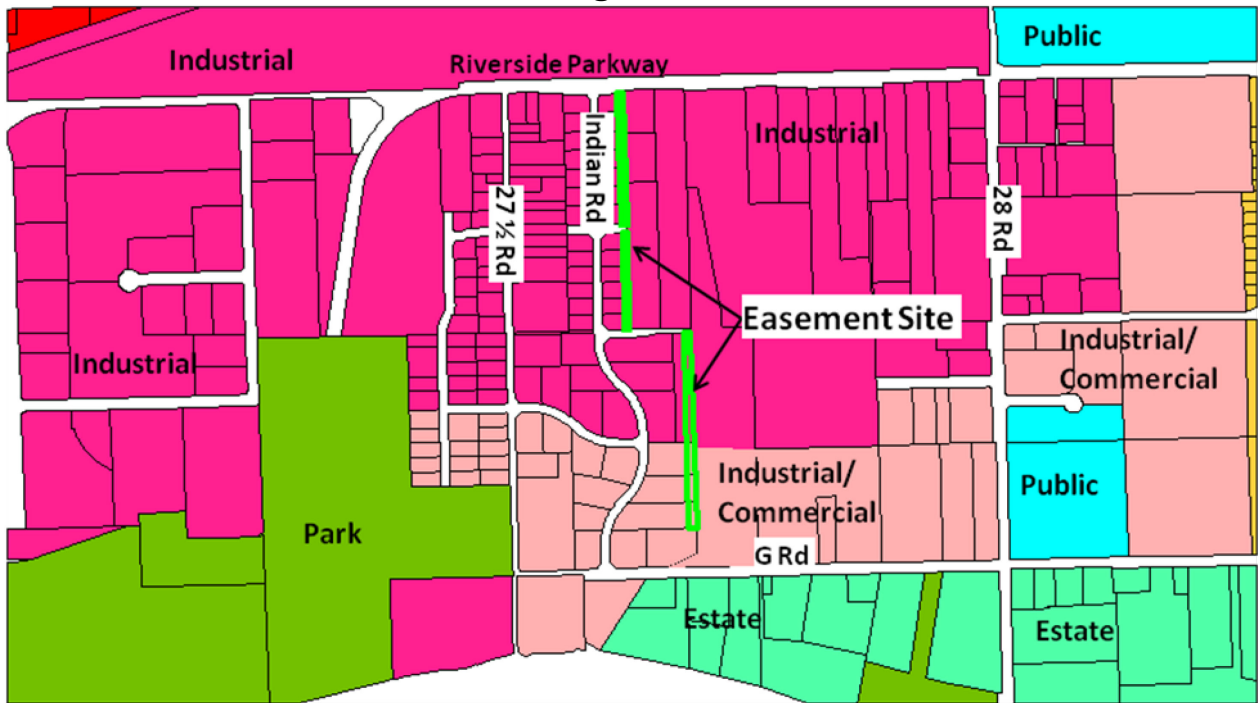
# Aerial Photo Map

Figure 2



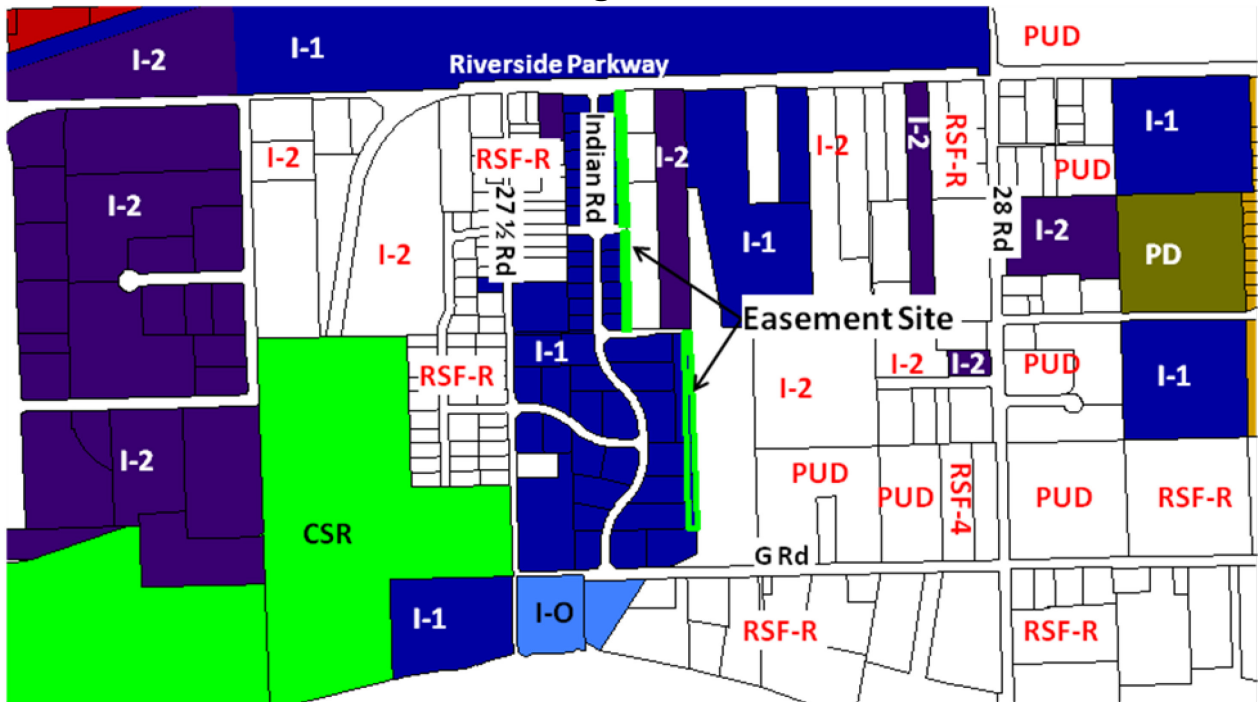
# Future Land Use Map

Figure 3



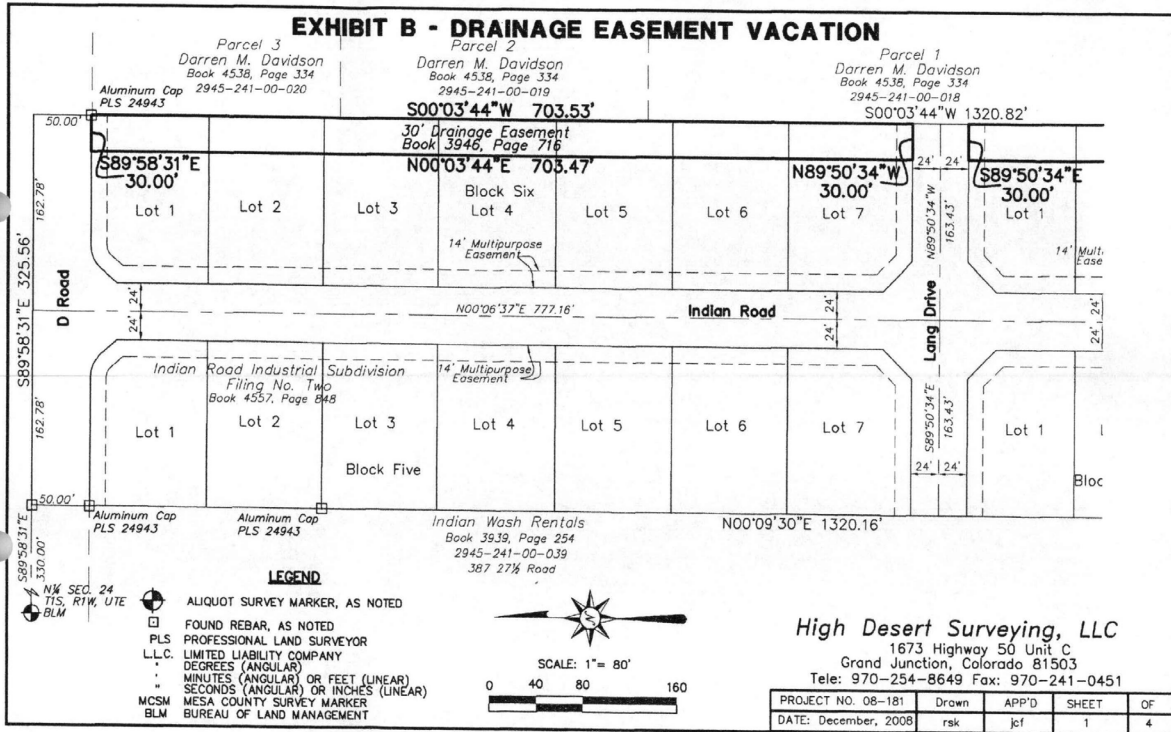
# Existing City and County Zoning

Figure 4



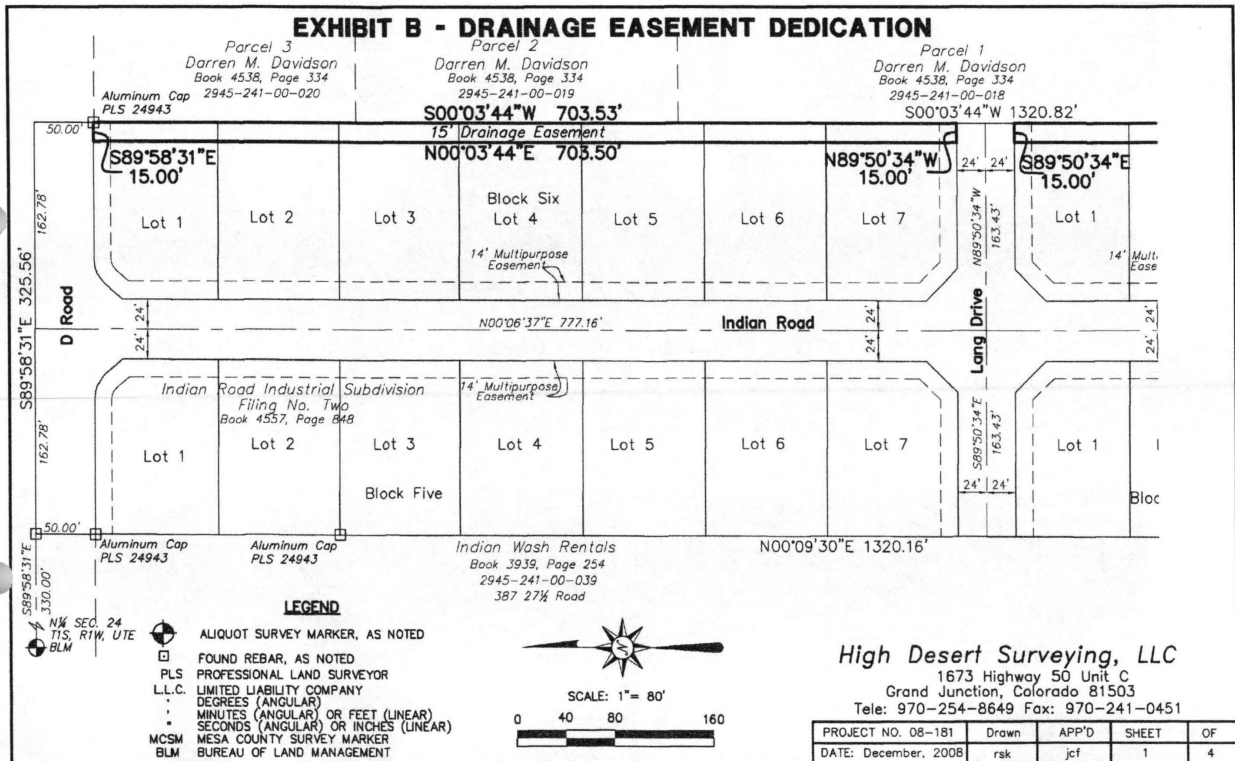
# Figure 5

## EXISTING 30' EASEMENT



# Figure 6

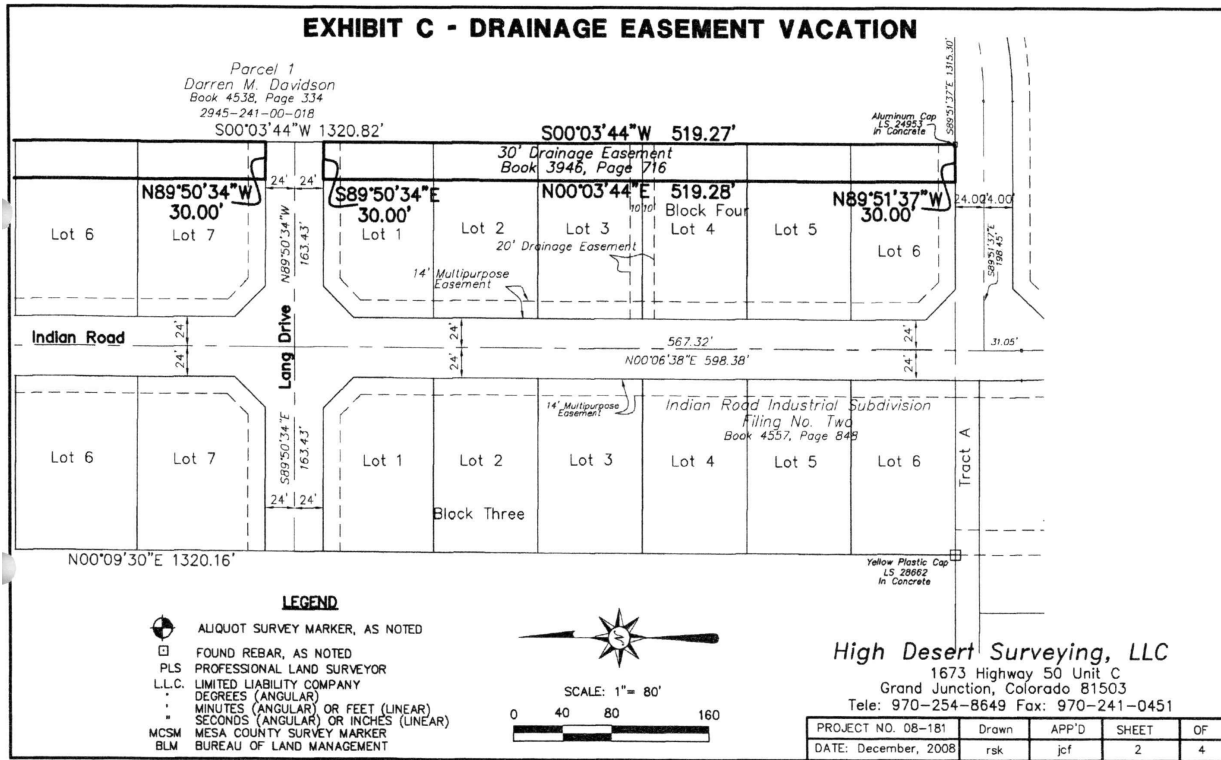
## PROPOSED 15' EASEMENT





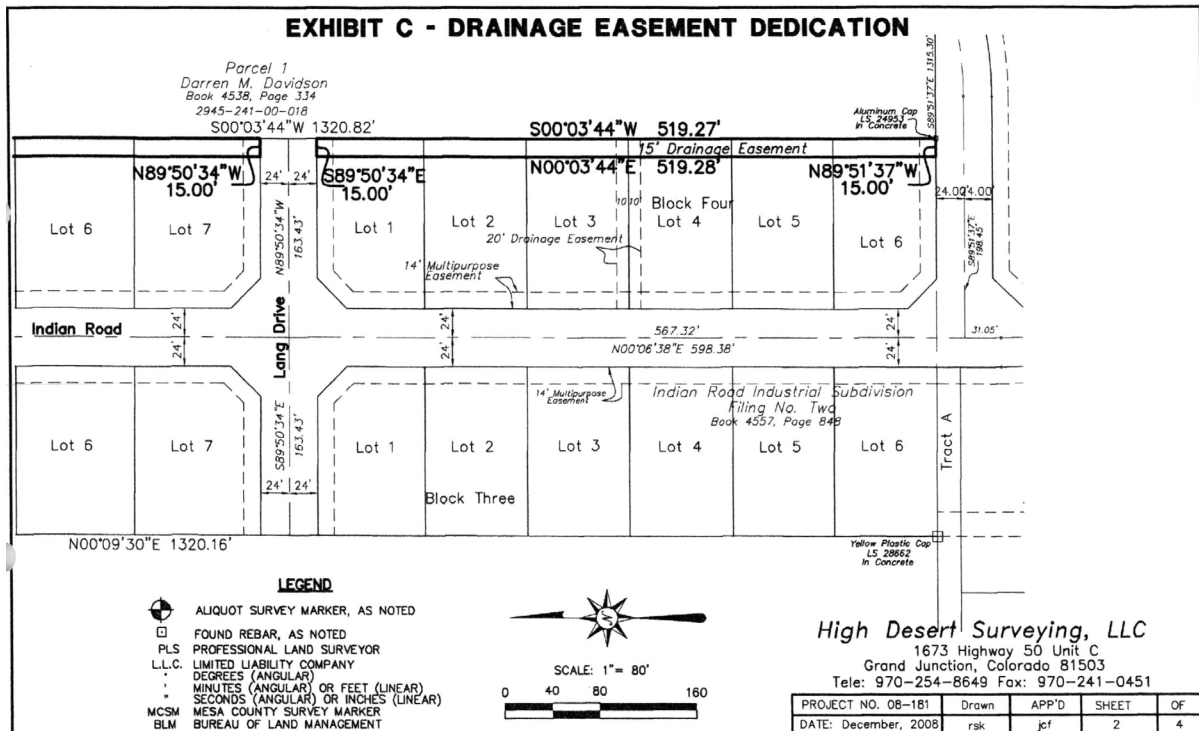
# Figure 7

## EXISTING 30' EASEMENT



# Figure 8

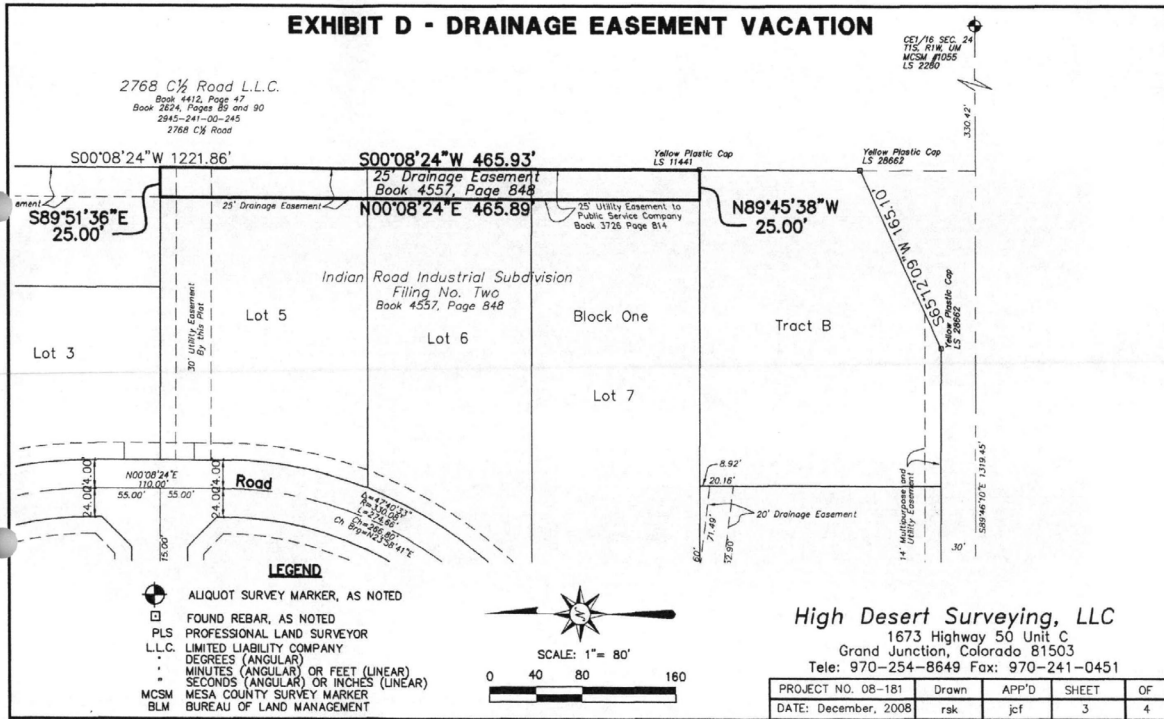
## PROPOSED 15' EASEMENT





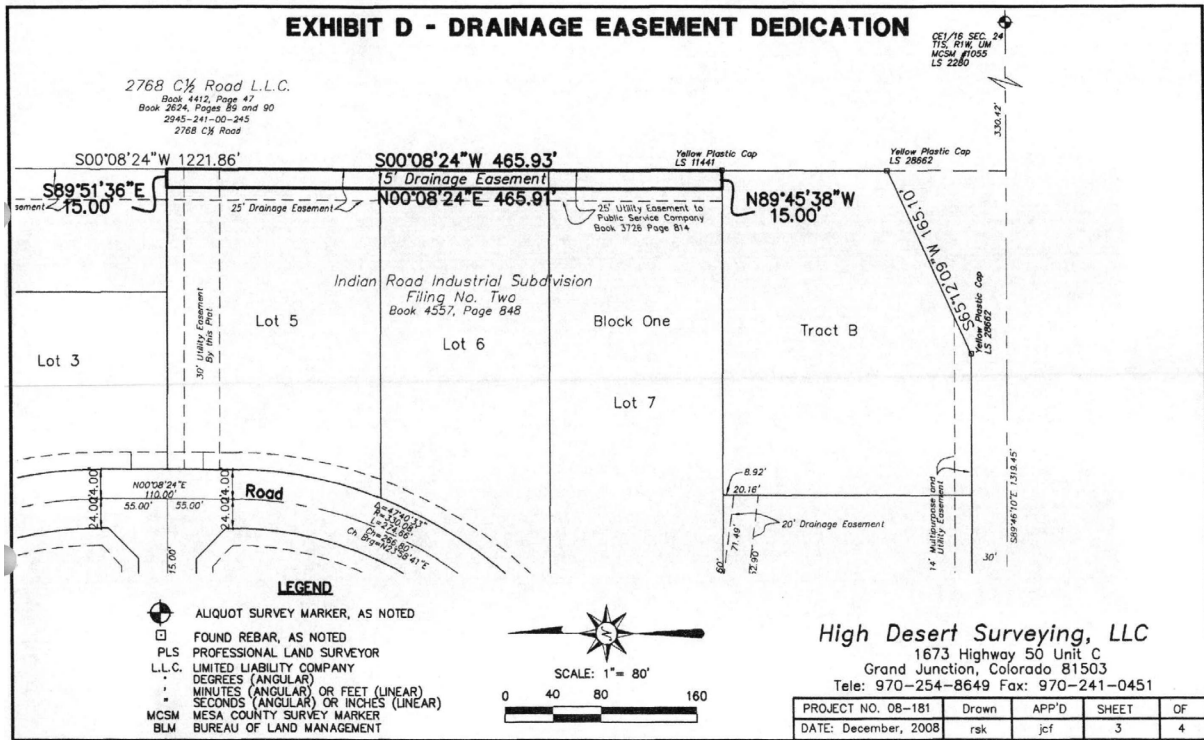
# Figure 9

## EXISTING 25' EASEMENT



# Figure 10

## PROPOSED 15' EASEMENT





**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING A PORTION OF DRAINAGE EASEMENT ADJACENT TO THE EASTERN PROPERTIES LOCATED ALONG INDIAN ROAD**

RECITALS:

A request to vacate 15 feet of the northernmost drainage easement and 10 feet of the southernmost drainage easement located adjacent to the eastern properties along Indian Road. This request has been made by Indian Road Industrial Park LLC. The City shall reserve and retain a perpetual 25 foot Utility Easement on, along, over, under, through and across 10 feet of the area of the easement to be vacated.

The City Council finds that the request to vacate the herein described portion of drainage easement with the reservation to retain an easement is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request on April 28, 2009, found the criteria of the Zoning and Development Code to have been met, and recommends that the vacation be approved as requested subject to the condition that the City shall reserve and retain a perpetual Utility Easement on, along, over, under, through and across 10 feet of the area of the hereinafter described drainage easement.

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

**A DRAINAGE EASEMENT VACATION**

A Drainage Easement across that real property located in part of the Southwest Quarter Northeast Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 24, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, known as Indian Road Industrial Subdivision, Filing No. Two, as recorded in recorded in Book 4557, Page 848, Mesa County Records and being more particularly described as follows:

That Drainage Easement being the East 25.00 feet of Lots 4 through 7, Block One, Inclusive, and being the East 30.00 feet Lots 1 through 6, Block Four, Inclusive, and Lots 1 through 7, Block Six, Inclusive, all being located in said Indian Road Industrial Subdivision, Filing No. Two.

**A 15.00 FOOT WIDE DRAINAGE EASEMENT**

A 15.00 foot wide Drainage Easement across that real property located in part of the Southwest Quarter Northeast Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 24, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, known as Indian Road

Industrial Subdivision, Filing No. Two, as recorded in recorded in Book 4557, Page 848, Mesa County Records and being more particularly described as follows:

The East 15.00 feet of Lots 4 through 7, Block One, Inclusive, Lots 1 through 6, Block Four, Inclusive, and Lots 1 through 7, Block Six, Inclusive, all being located in said Indian Road Industrial Subdivision, Filing No. Two.

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2009

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk

**Attach 4**  
**Siena View, Filing No. 2**

CITY OF GRAND JUNCTION  
 PLANNING COMMISSION

MEETING DATE: April 28, 2009  
 STAFF PRESENTATION: Brian Rusche

AGENDA TOPIC: Siena View Subdivision, Filing No. 2, PFP-2008-208

ACTION REQUESTED: Preliminary Subdivision Plan Approval

BACKGROUND INFORMATION				
Location:		San Juan Street (south of D ½ Road)		
Applicants:		Siena View, LLC – Owner Austin Civil Group – Representative		
Existing Land Use:		Vacant		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Residential		
	South	Vacant (Future School and/or Park)		
	East	Future Residential (Wexford Subdivision)		
	West	Residential		
Existing Zoning:		R-8 (Residential 8 du/ac)		
Proposed Zoning:		same		
Surrounding Zoning:	North	R-8 (Residential 8 du/ac)		
	South	CSR (Community Services and Recreation)		
	East	R-8 (Residential 8 du/ac)		
	West	County RSF-E (Residential Single-Family Estate)		
Growth Plan Designation:		RM (Residential Medium 4-8 du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request for approval of a Preliminary Subdivision Plan for the Siena View Subdivision, Filing No. 2, to develop 10 residential lots on 1.803 acres in an R-8 (Residential 8 du/ac) zone district.

RECOMMENDATION: Approval of the Preliminary Subdivision Plan.

## ANALYSIS

### Background

The proposed Siena View Subdivision, Filing No. 2, is located south of D ½ Road, between 29 and 30 Road. The property is zoned R-8 (Residential 8 du/ac).

On June 13, 2006 a Preliminary Subdivision Plan (PFP-2005-286) was approved for the Siena View Subdivision. The 4.32 acre property was approved for up to 27 single-family lots in two (2) phases. Two of these lots were converted into a detention pond (Tract A), reducing the total to 25 lots. The approval included a condition that the applicant record Filing 2 within two (2) years of preliminary subdivision plan approval. Since Filing 2 was not recorded within the two year time limit, a new Preliminary Subdivision Plan approval is required.

Filing No. 1 was recorded on October 26, 2006 with 16 lots and 3 tracts. Filing No. 2 is a replat of Lot 8, Block 1. The Tracts in Filing No. 1 are not included in Filing No. 2.

The applicant requests approval of a Preliminary Subdivision Plan for Filing No. 2 with 10 single-family residential lots, for a total of 25 lots in the two (2) filings. The lots in Filing No. 2 range in size from 4,704 square feet to 6,011 square feet. The minimum lot area for the R-8 zone is 4,000 square feet.

### Density

The gross density of Filing No. 2 will be approximately 5.5 dwelling units per acre, which is within the density requirements of the Zoning and Development Code. The Growth Plan Future Land Use Map designates the parcel as Residential Medium (4-8 du/ac).

### Access and Road Design

Filing No. 2 will be accessed from San Juan Street, which is designated as a minor collector. At the end of San Juan Street, Ozark Avenue will extend east into the Wexford Subdivision, which is currently under construction. Ozark Avenue is also designated as a minor collector. Prescott Avenue, a local street, will be stubbed to the west for future development of the adjacent parcel.

### Lot Layout, Phasing, and Sanitary Sewer

All lots in Filing No. 2 have frontage on public streets and meet the minimum standards of the R-8 zone.

Filing No. 2 is the second and final phase of the Siena View Subdivision. Temporary easements that were platted as part of Filing No. 1 and recorded in Book 4279, Page 784 will be vacated by separate instrument upon completion of platting and construction

of Filing No. 2 (pursuant to the Quit Claim Deed). Therefore, these easements are shown on the plat.

In order for Filing No. 2 to be approved for construction, sanitary sewer must be available through the Wexford Subdivision, which is adjacent to the east. The Wexford Subdivision is currently under construction.

### Open Space

Tracts have been provided as part of Filing No. 1. Tract A is the detention pond, Tract B is a 20' wide pedestrian access, and Tract C incorporates the canal right-of-way and trail easement.

No additional open space is being proposed. The applicant has already paid the 10% open space fee (Section 6.3) for the entire subdivision. The parks impact fee for Filing No. 2 will be paid at the recording of the Final Plat.

### Landscaping and Irrigation

No frontage landscaping along D ½ Road was required with Filing No. 1. The detention pond will be seeded, per the approved construction plans for Filing No. 1. Irrigation water, from an existing lateral along D ½ Road, will be provided to the residential lots and easements will be established for these irrigation lines. A revocable permit is necessary for an irrigation line that crosses Prescott Avenue. This permit will be recorded with the final plat.

## APPROVAL CRITERIA

### Section 2.8.B.2 of the Zoning and Development Code

A preliminary subdivision plan can only be approved when it is in compliance with the purposes stated in Section 2.8 and with all of the following criteria:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

The Future Land Use Map of the Growth Plan designates the parcel as Residential Medium (4-8 du/ac). The proposed density of the Siena View, Filing No. 2 is 5.5 units per acre, consistent with a Residential Medium designation.

The public roads within the subdivision will be dedicated and constructed according to standards set forth in the Transportation Engineering Design Standards manual, or TEDS. The proposed subdivision will have access from D ½ Road via San Juan Street and will provide access (Prescott Avenue) to the adjacent property to the west. San Juan Street and its eastern

extension into the Wexford Subdivision (Ozark Avenue) are designated as Residential Collector streets, as identified in the Pear Park Plan.

The Urban Trails Master Plan designates a trail along the Mesa County Ditch Canal. The land has been conveyed to the City as Tract C of Filing No. 1.

b. The Subdivision standards of Chapter 6.

The proposed subdivision is in compliance with Sections 6.7.D - Lot Layout and Design and 6.7.E - Circulation. The detention basin, pedestrian access tract, and canal tract have been dedicated as part of Filing No. 1. An open space fee equal to 10% of the value of the property, pursuant to Section 6.3.B, has already been paid as part of Filing No. 1.

c. The Zoning standards contained in Chapter 3.

The property is zoned R-8 (Residential 8 du/ac). The density of Filing No. 2 will be approximately 5.5 dwelling units per acre, which conforms to the minimum and maximum density requirements of the R-8 zone district.

All lots within the proposed subdivision are in compliance with the residential zoning district standards of Section 3.3.G (R-8 Standards) and Table 3.2 of the Zoning and Development Code.

d. Other standards and requirements of this Code and all other City policies and regulations.

The proposed subdivision has been reviewed by the Development Engineer and will meet the requirements of TEDS and the Stormwater Management Manual (SWMM). All streets will be constructed in accordance with street standards set forth in TEDS. A 14 foot multi-purpose easement is provided along all street frontages. Tracts have been provided with Filing No. 1 to accommodate the detention pond and the pedestrian connection to the canal.

e. Adequate public facilities and services will be available concurrent with the subdivision.

Public and community facilities are adequate to serve the proposed development. Needed infrastructure can be reasonably extended to serve the proposed subdivision. In order for Filing No. 2 to be approved for construction, sanitary sewer must be available through the Wexford Subdivision, which is adjacent to the east. The Wexford Subdivision is currently under construction.

f. The project will have little or no adverse or negative impacts upon the natural or social environment.



The Colorado Geologic Survey conducted a review of the site and found the primary geological constraint is hydrocompactive soil. The developer has consulted with a geotechnical engineer regarding mitigation to minimize potential impacts of the development.

There are no identified impacts upon the social environment. The development of Filing No. 2 will add to the growing neighborhood that began with the development of Siena View Filing No. 1 and will integrate with the Wexford development to the east.

g. Compatibility with existing and proposed development on adjacent properties.

The neighborhood between 29 and 30 Roads south of D ½ Road, with the exception of the future school and/or park site, is designated as Residential Medium (4-8 du/ac) by the Growth Plan. The proposed subdivision is compatible with subdivisions that have been built on the south side of the canal, as well as a new residential subdivision (Wexford) under construction on the adjacent property to the east. The proposed street layout will serve this development and provide access to underdeveloped, yet similarly designated, property to the west.

Therefore, the proposed development is compatible with existing development on adjacent properties.

h. Adjacent agricultural property and land uses will not be harmed.

Compliance with the SWMM requirements will ensure runoff does not harm adjacent agricultural uses.

i. Is neither piecemeal development nor premature development of agricultural land or other unique areas.

The proposed subdivision is located within the Urban Growth Boundary and within the Future Land Use designation of Residential Medium (4-8 du/ac). This property is no longer in agricultural production.

Subdivisions have been built on the south side of the canal, as well as a new residential subdivision (Wexford) under construction on the adjacent property to the east. The street layout will serve this development and provide access to underdeveloped, yet similarly designated, property to the west.

The proposed subdivision is neither piecemeal development nor a premature development of agricultural land or unique areas.

j. There is adequate land to dedicate for provision of public services.

The proposed subdivision design provides appropriate residential density and the needed public infrastructure to serve the proposed density.

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

The project will not cause undue burden on the City for maintenance or improvements of land or facilities. The tracts and easements for drainage and irrigation will be maintained by the Homeowners' Association.

#### FINDINGS OF FACT/CONCLUSIONS/CONDITIONS

After reviewing the Siena View, Filing No. 2 Preliminary Subdivision application, PFP-2008-208 for consistency with the Growth Plan and Preliminary Subdivision Plan approval, I make the following findings of fact, conclusions and conditions:

1. The proposed Preliminary Subdivision Plan is consistent with the Growth Plan, and
2. The Preliminary Subdivision Plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8.B.2 of the Zoning and Development Code.

#### STAFF RECOMMENDATION:

I recommend the Planning Commission approve the proposed Siena View, Filing No. 2 Preliminary Subdivision, PFP-2008-208, with findings and conclusions listed above.

#### RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, I move we approve the Preliminary Subdivision Plan for Siena View, Filing No. 2 Preliminary Subdivision application, PFP-2008-208, with findings and conclusions listed in the staff report.

#### Attachments:

Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City and County Zoning Map  
Preliminary Subdivision Plan

# Site Location Map

Figure 1



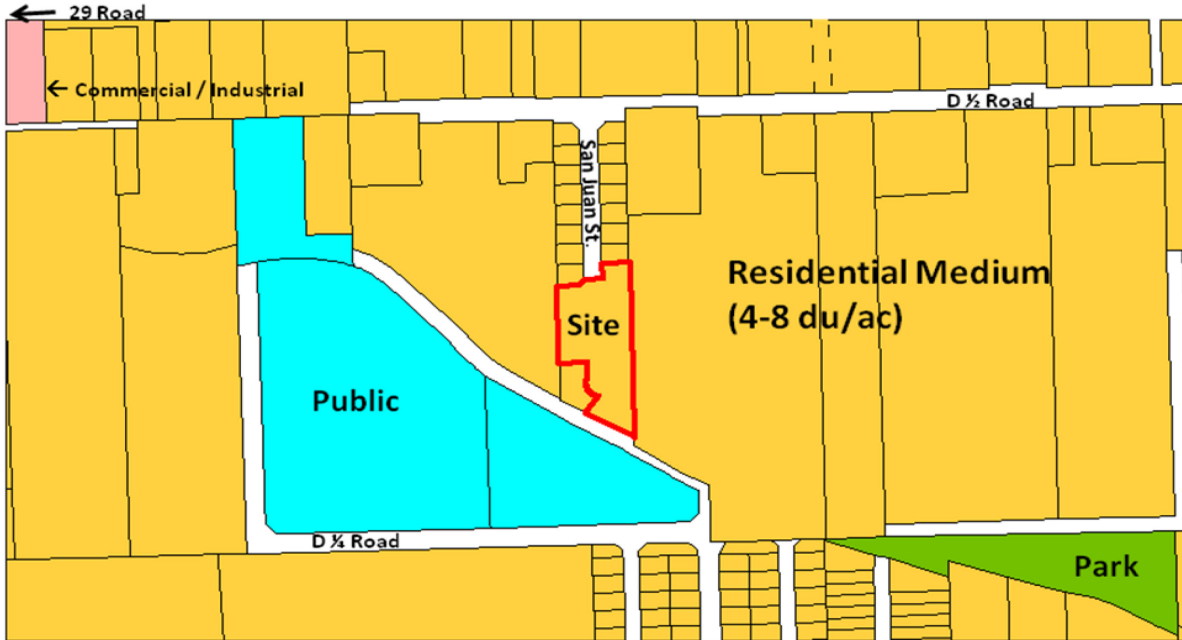
# Aerial Photo Map

Figure 2



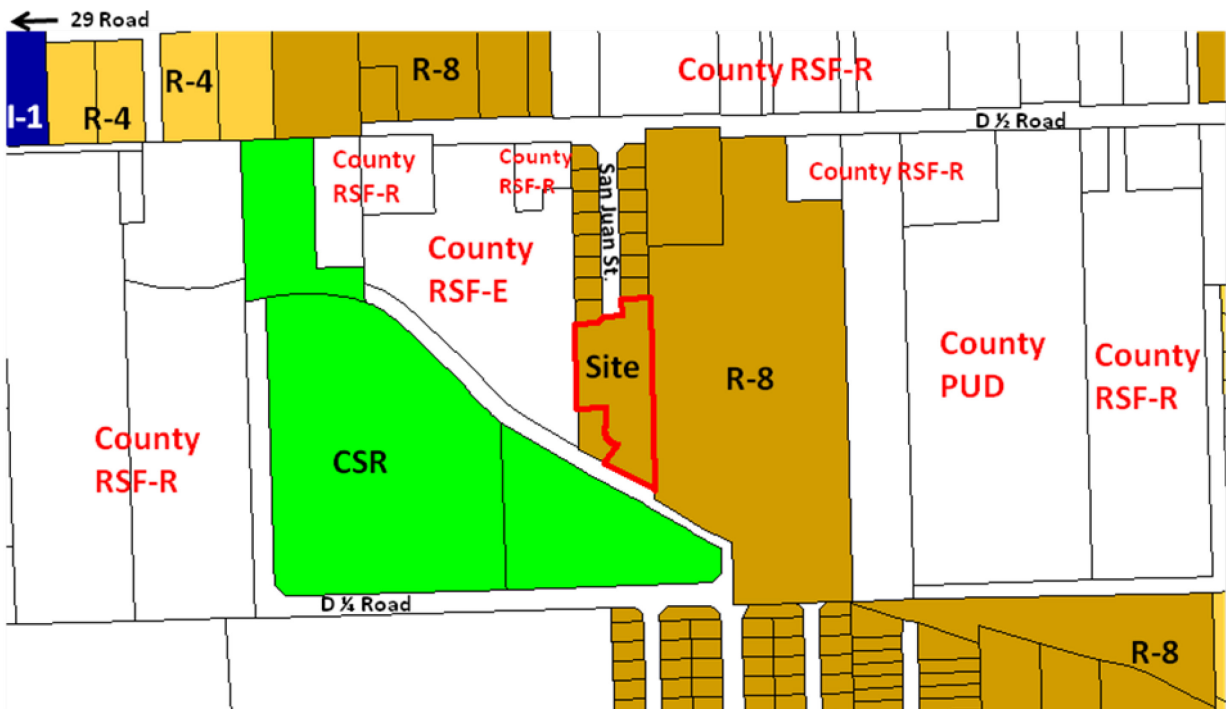
# Future Land Use Map

Figure 3

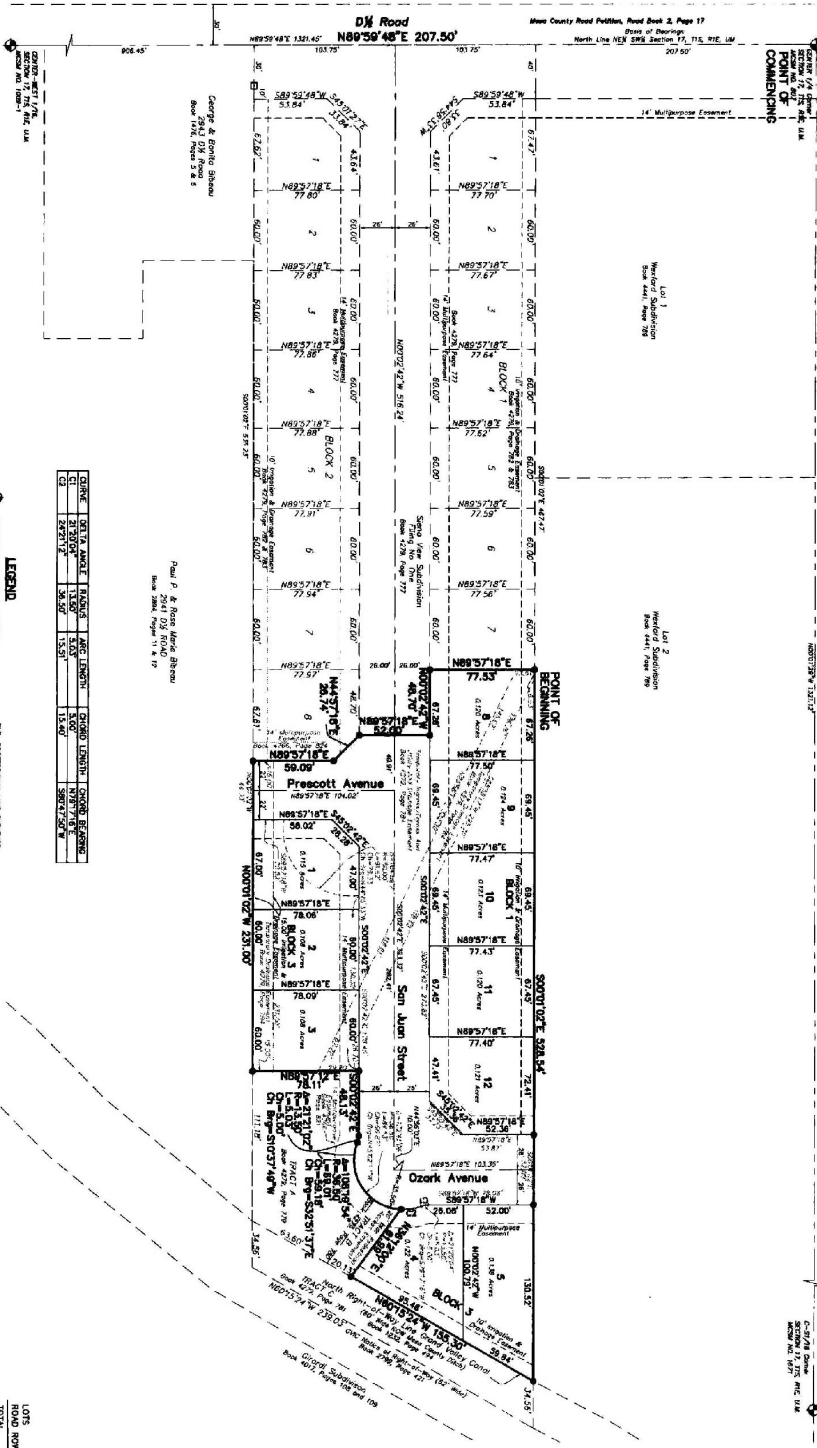


# Existing City and County Zoning

Figure 4



**SIENA VIEW SUBDIVISION, FILING NO. TWO**  
**A REPLAT OF LOT 8, BLOCK 1, SIENA VIEW SUBDIVISION, FILING NO. ONE**  
**AS SHOWN ON PLAT RECORDED AT BOOK 4279, PAGE 777**  
**PART OF THE NE1/4 SW1/4 SECTION 17,**  
**T1S, R1E, UTE MERIDIAN, MESA COUNTY, COLORADO**



SYMBOL	DESCRIPTION
1	EXISTING SURVEY
2	NEW SURVEY
3	EXISTING EASEMENT
4	NEW EASEMENT
5	EXISTING ENCUMBRANCE
6	NEW ENCUMBRANCE
7	EXISTING RIGHT-OF-WAY
8	NEW RIGHT-OF-WAY
9	EXISTING UTILITY
10	NEW UTILITY
11	EXISTING FENCE
12	NEW FENCE
13	EXISTING CURB
14	NEW CURB
15	EXISTING DRIVEWAY
16	NEW DRIVEWAY
17	EXISTING WALKWAY
18	NEW WALKWAY
19	EXISTING POLE
20	NEW POLE
21	EXISTING SIGN
22	NEW SIGN
23	EXISTING STRUCTURE
24	NEW STRUCTURE
25	EXISTING ROAD
26	NEW ROAD
27	EXISTING RAILROAD
28	NEW RAILROAD
29	EXISTING CANAL
30	NEW CANAL
31	EXISTING DITCH
32	NEW DITCH
33	EXISTING FLOODPLAIN
34	NEW FLOODPLAIN
35	EXISTING WETLAND
36	NEW WETLAND
37	EXISTING WOODLAND
38	NEW WOODLAND
39	EXISTING PRAIRIE
40	NEW PRAIRIE
41	EXISTING DESERT
42	NEW DESERT
43	EXISTING MOUNTAIN
44	NEW MOUNTAIN
45	EXISTING PLAIN
46	NEW PLAIN
47	EXISTING HILLS
48	NEW HILLS
49	EXISTING VALLEY
50	NEW VALLEY

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER THE DATE OF RECORDATION OF THIS SURVEY OR THE DATE WHEN TEN YEARS FROM THE DATE OF CERTIFICATION SHALL EXPIRE.

SCALE: 1" = 40'

**Preliminary Plat**

**SIENA VIEW SUBDIVISION**  
**FILING NO. TWO**  
**PART OF THE NE1/4 SW1/4 SECTION 17,**  
**T1S, R1E, UTE MERIDIAN, MESA COUNTY, COLORADO**

Prepared by:  
**Surveying, LLC**  
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 Grand Junction, CO 81505  
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 E-mail: info@surveying.com

DATE: 10/15/2024  
 SHEET: 1 OF 2

**AREA SUMMARY**

LOTS	68,445
TOTAL ACRES	1,188
TOTAL ACRES	23,208
TOTAL ACRES	100,000

**Attach 5**  
**7<sup>th</sup> Street Right-of-Way Vacation**

CITY OF GRAND JUNCTION  
 PLANNING COMMISSION

MEETING DATE: April 28, 2009  
 STAFF PRESENTATION: Judith Rice

AGENDA TOPIC: Vacation of Public Right-of-Way, VR-2009-053

ACTION REQUESTED: Vacation of Public Right-of-Way (ROW) Approval

BACKGROUND INFORMATION				
Location:		The Vicinity of Seventh Street, Struthers Avenue and Kimball Avenue		
Applicant:		City of Grand Junction		
Existing Land Use:		Surplus Right-of-Way		
Proposed Land Use:		Commercial or Light Industrial		
Surrounding Land Use:	North	Vacant Land and Retail/Trade Shop		
	South	Botanical Gardens		
	East	Vacant Land and Storage Yards		
	West	Elam Construction		
Existing Zoning:		n.a.		
Proposed Zoning:		C-2 (General Commercial) and I-1 (Light Industrial)		
Surrounding Zoning:	North	C-2 (General Commercial) and I-1 (Light Industrial)		
	South	CSR (Community Services and Recreation) and C-2 (General Commercial)		
	East	C-2 (General Commercial) and I-1 (Light Industrial)		
	West	I-1 (Light Industrial)		
Growth Plan Designation:		n.a.		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request to vacate two surplus right-of-way areas totaling 0.22 acres: (1) a portion of South 7th Street south of the Riverside Parkway and north of Struthers Avenue and (2) a portion of Kimball Avenue west of the Riverside Parkway.

RECOMMENDATION: Recommendation of approval to City Council.

## ANALYSIS

### 1. Background

The alignment of the Riverside Parkway through the area of South 7<sup>th</sup> Street, Struthers Avenue and Kimball Avenue rendered the two subject areas impractical as right-of-way. If vacated, these right-of-way remnants will be combined with adjacent Parkway remnants and sold or leased by the City.

If vacated, the remnants will acquire the existing use and zone of the properties they are combined with under a separate subdivision process.

There have been no previous applications for vacation of these right-of-way remnants.

### 2. Section 2.11.C of the Zoning and Development Code

Requests to vacate any public right-of-way or easement must conform to all of the following:

- a. *The Growth Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City.*

The Vacation of the two remnants of right-of-way does not impact the Grand Valley Circulation Plan or policies adopted by the City of Grand Junction. Current traffic and street patterns in this area provide adequate circulation and connectivity. The Urban Trail Plan will not be affected by this vacation. Vacating the ROW will facilitate reduction of street maintenance and generate revenue from the sale or lease.

- b. *No parcel shall be landlocked as a result of the vacation.*

No parcel will be landlocked as a result of the vacation. All parcels abutting these right-of-way remnants have other access to public streets.

- 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.*

Access will not be restricted to any parcel nor will any property affected by the proposed vacation be devalued.

- 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).*

The vacation will not cause any adverse impacts on the health, safety or welfare of the general community and the quality of public facilities. Services provided to any parcel of land will not be reduced if these right-of-way remnants are vacated.

- e. *The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.*

Adequate public facilities and services will not be inhibited to any property. Appropriate multipurpose easements will be reserved and retained over the entire area of both right-of-way remnants for access to utilities which includes traffic signal conduits, telephone lines, and water, sewer and stormwater lines.

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

The City will benefit by the reduction in street maintenance and from the revenue generated from the sale or lease of these lands.

#### **FINDINGS OF FACTS/CONCLUSION:**

After reviewing the City of Grand Junction application, VR-2009-053 for the vacation of two portions of public right-of-way, the following finding of facts and conclusion has been determined:

1. The requested Vacation is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the two vacated rights-of-way.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested right-of-way vacation, VR-2009-053, to the City Council with the findings and conclusion listed above.



**RECOMMENDED PLANNING COMMISSION MOTION:**

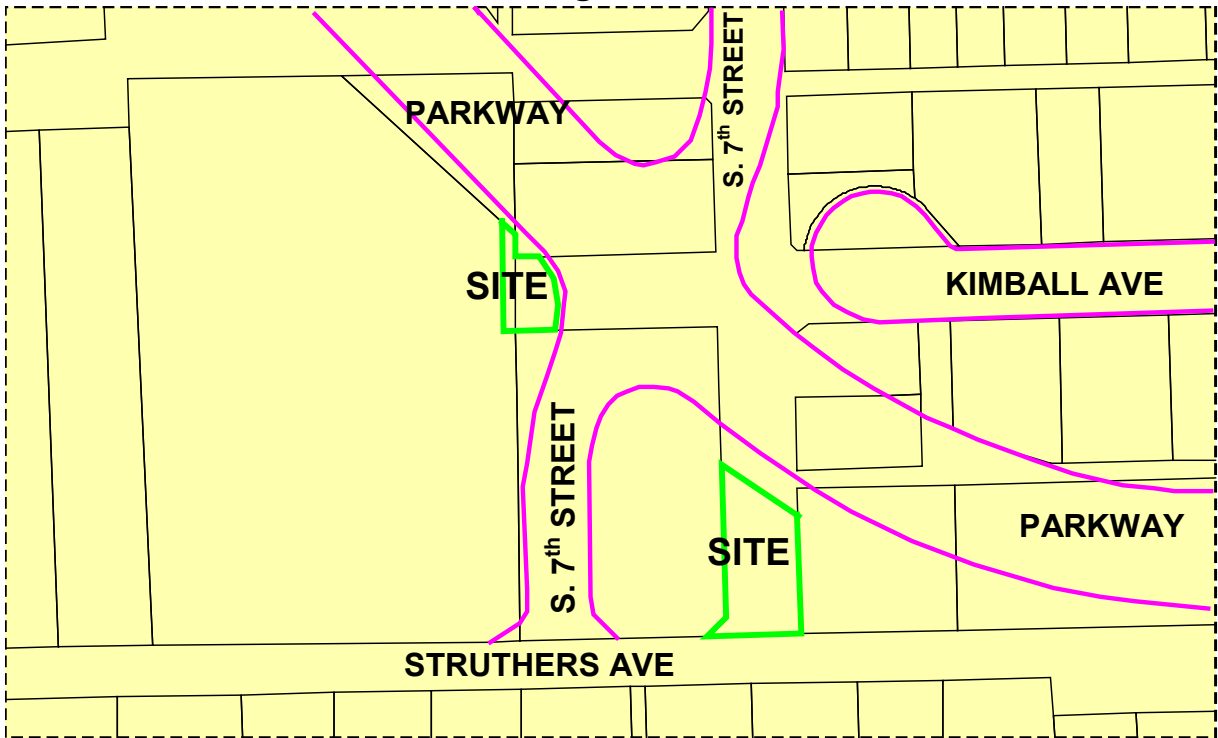
Mr. Chairman, on the vacation of a portion of the South 7th Street right-of-way located south of the Riverside Parkway and north of Struthers Avenue and a portion of the Kimball Avenue right-of-way located west of the Riverside Parkway, VR-2009-053, I move that the Planning Commission forward a recommendation of approval to City Council with the facts and conclusions listed in the staff report.

**Attachments:**

- Figure 1: Site Location Map
- Figure 2: Aerial Photo
- Figure 3: Future Land Use
- Figure 4: Existing City Zoning Ordinance

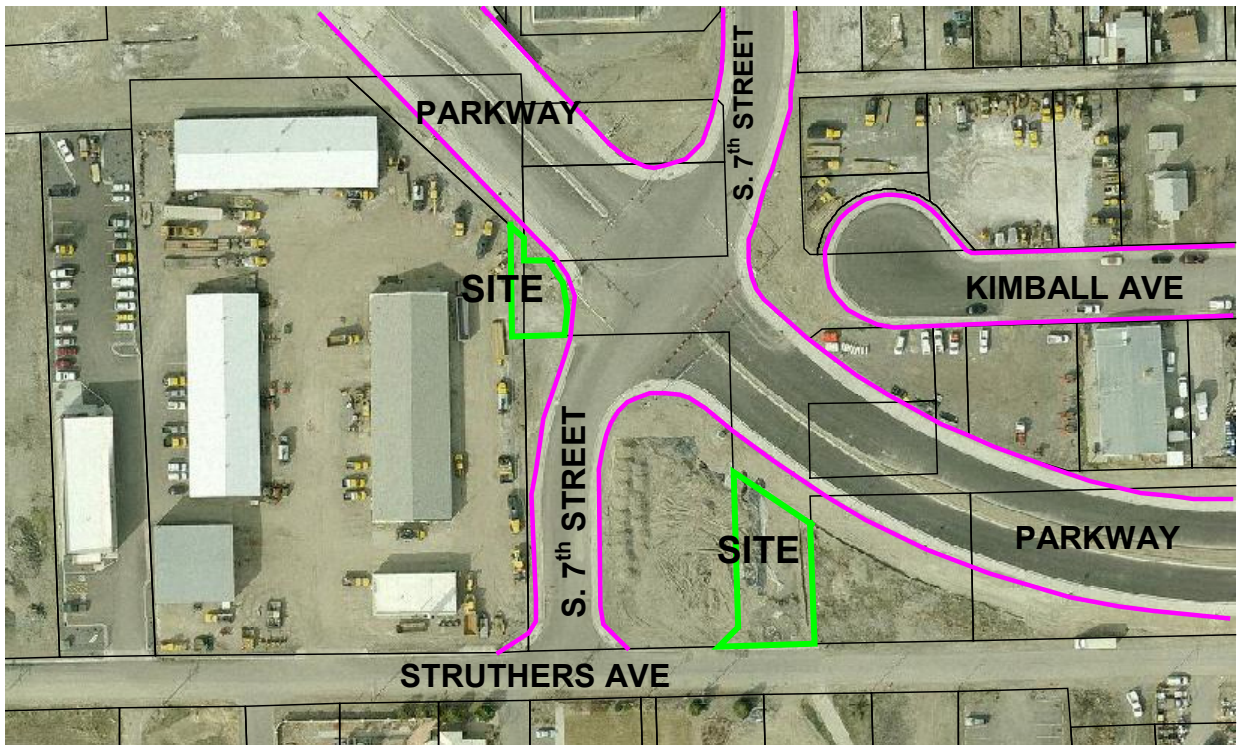
# Site Location Map

Figure 1



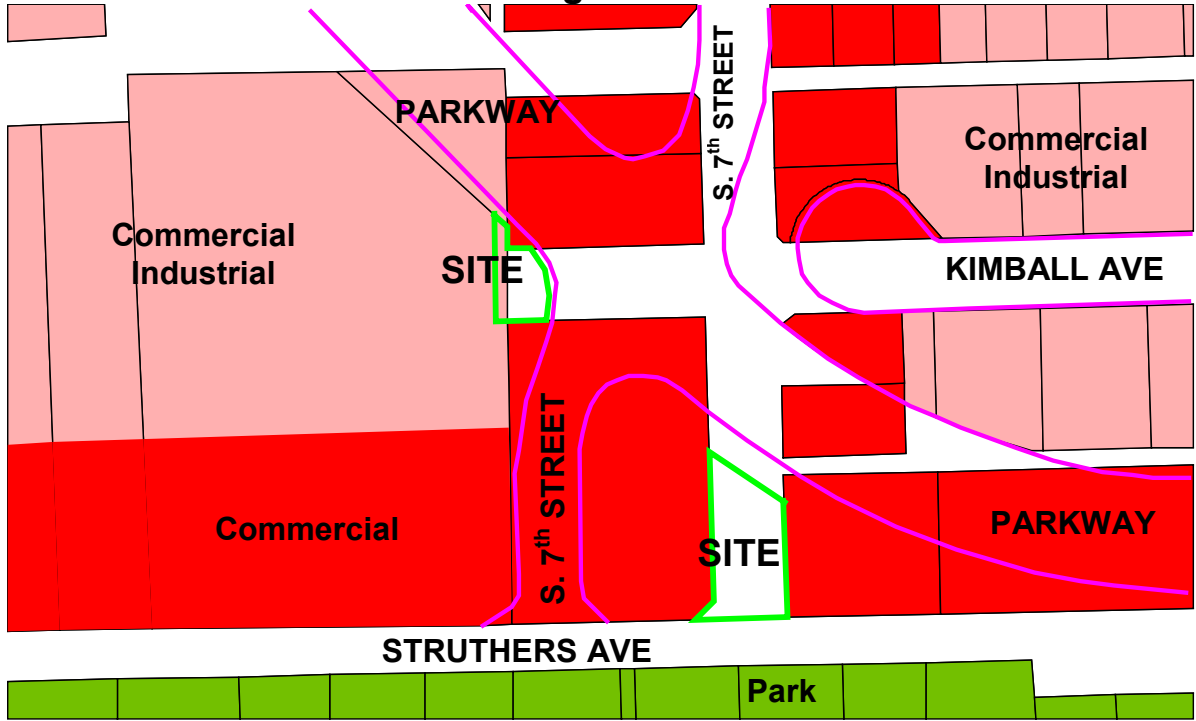
# Aerial Photo Map

Figure 2



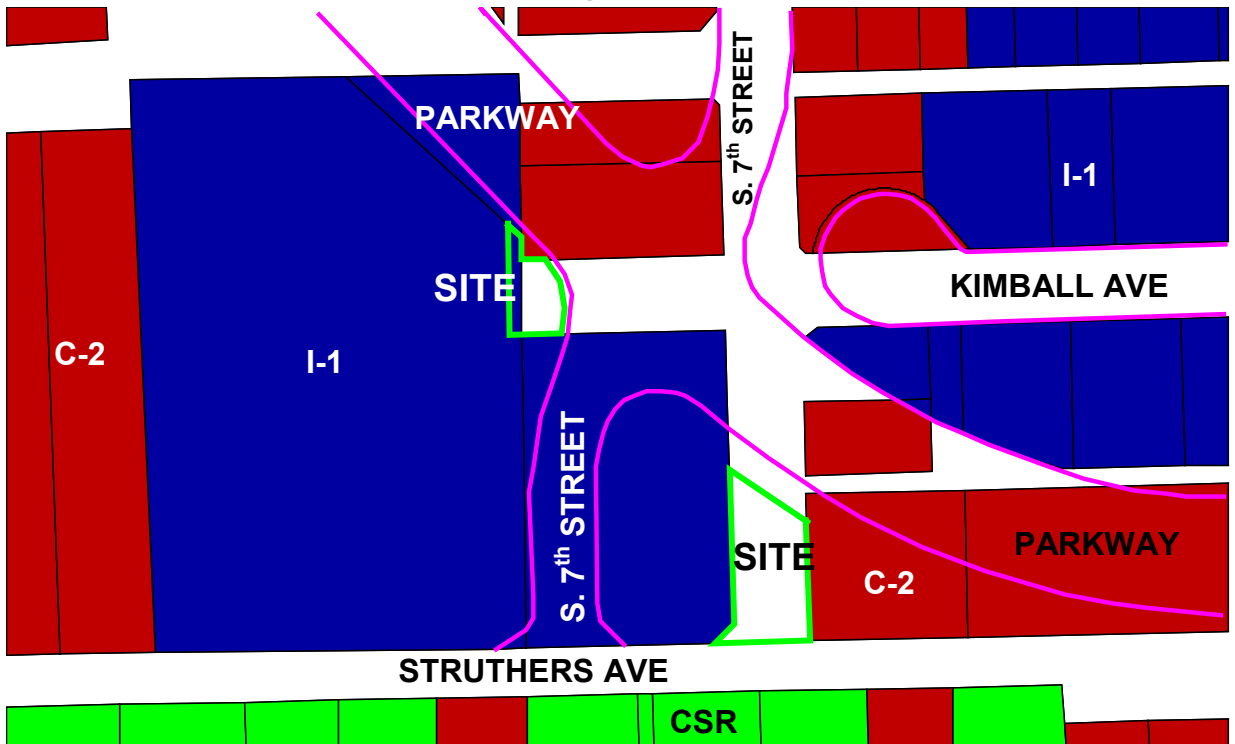
# Future Land Use Map

Figure 3



# Existing City Zoning

Figure 4



**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING A PORTION OF THE SOUTH 7TH STREET RIGHT-OF-WAY LOCATED SOUTH OF THE RIVERSIDE PARKWAY AND NORTH OF STRUTHERS AVENUE AND A PORTION OF THE KIMBALL AVENUE RIGHT-OF-WAY LOCATED WEST OF THE RIVERSIDE PARKWAY**

RECITALS:

A request to vacate a portion of the South 7th Street right-of-way located south of the Riverside Parkway and north of Struthers Avenue and a portion of the Kimball Avenue right-of-way located west of the Riverside Parkway, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

The City Council finds that the request to vacate the herein described right-of-way portions with the reservation to reserve and retain the easement is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request on April 28, 2009, found the criteria of the Zoning and Development Code to have been met, and recommends that the vacation be approved as requested subject to the condition that the City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the hereinafter described right-of-ways.

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

The described right-of-way portions in the attached Exhibit A which are incorporated herein as if fully rewritten are hereby vacated and perpetual Multipurpose Easements are hereby reserved and retained on, along, over, under, through and across the entire area of the described portions of right-of-way 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, waterlines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2009

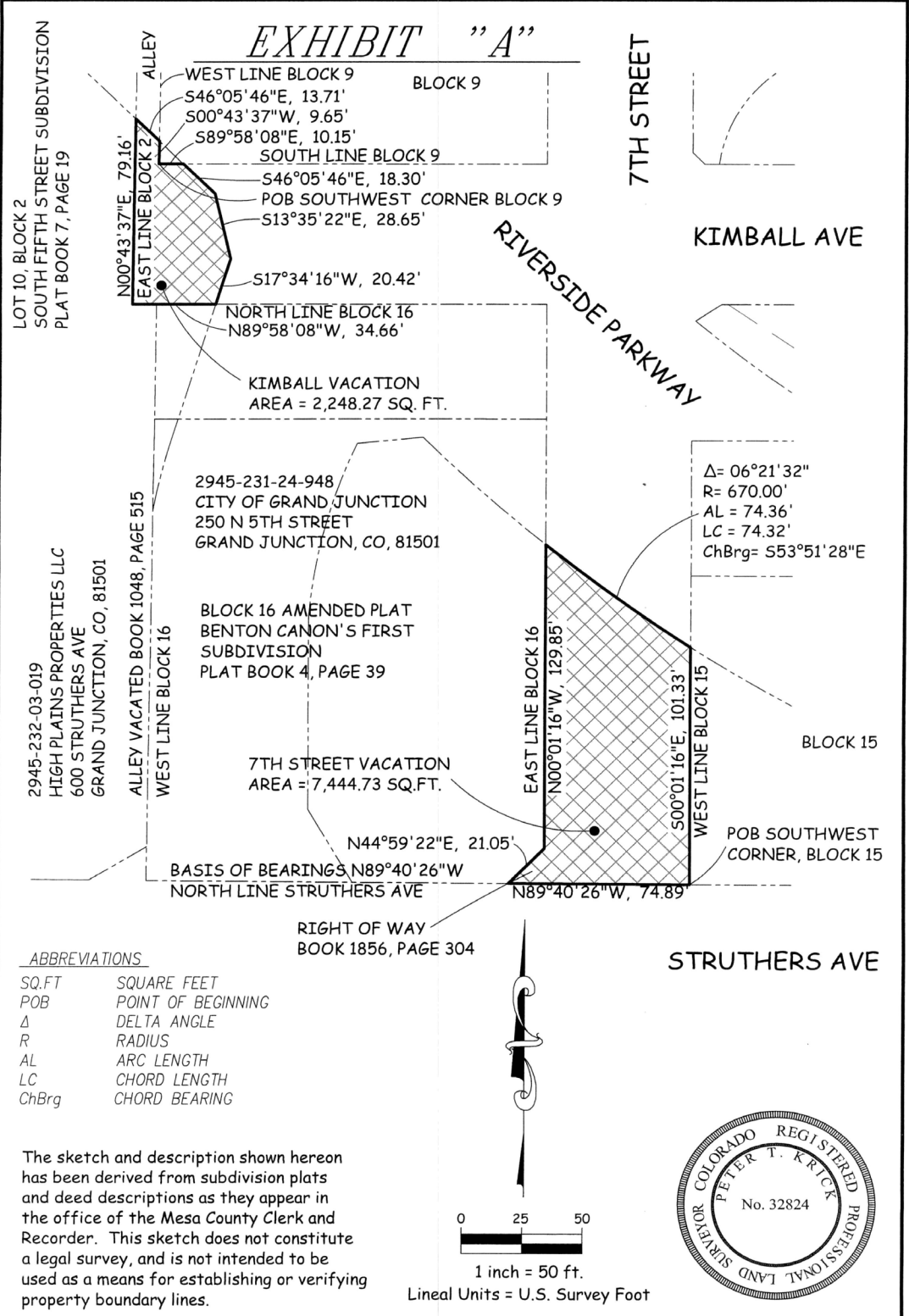
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009

ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk

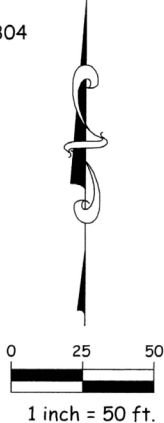
# EXHIBIT "A"



ABBREVIATIONS

SQ.FT	SQUARE FEET
POB	POINT OF BEGINNING
Δ	DELTA ANGLE
R	RADIUS
AL	ARC LENGTH
LC	CHORD LENGTH
ChBrg	CHORD BEARING

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



Lineal Units = U.S. Survey Foot



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DRAWN BY: MG  
DATE: 2/18/2009  
SCALE: 1" = 50'  
APPR. BY: PTK

7TH STREET & KIMBALL AVE  
RIGHT OF WAY VACATION

