

# Table of Contents

File 1992-0039

Name: Yo Minor Subdivision - 1308 Wellington Avenue

<b>P r e s e n t</b>	<b>S c a n n e d</b>	<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the ISYS retrieval system. In some instances, items are found on the list but are not present in the scanned electronic development file because they are already scanned elsewhere on the system. These scanned documents are denoted with (**) and will be found on the ISYS query system in their designated categories.</p> <p>Documents specific to certain files, not found in the standard checklist materials, are listed at the bottom of the page. Remaining items, (not selected for scanning), will be listed and marked present. This index can serve as a quick guide for the contents of each file.</p>
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X	X	<b>*General project report</b>
		Reduced copy of final plans or drawings
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		<b>*City Council staff report and exhibits</b>
		<b>*Summary sheet of final conditions</b>

**DOCUMENT DESCRIPTION:**

X	X	Action Sheet	X	X	Utility Coordinating Committee Approval - 8/12/92
X	X	Staff Report	X	X	Correspondence
X	X	Subdivision Summary Form	X	X	Planning Commission Minutes - 8/4/92
X		Chicago Title Insurance Company - Owner's Policy	X		Public Notice of Posting
X		Co Dept. of Health Hazardous Materials and Waster Mgmt Radon Report - meets EPA Standards - 7/1/71	X	X	Subdivision Plat not signed - find in GIS historical maps
X	X	Impact Statement / Narrative	X	X	Soils Report
X	X	Subsurface Soils Investigation	X	X	Subdivision Plat - GIS Historical Maps - **
X	X	Development Schedule			
X	X	Structural Information			
X	X	Traffic Circulation Patterns			
X	X	Landscaping, Screening, Buffering			
X	X	Utility Composite			
X	X	Improvements Agreement and Guarantee			
X	X	Tax Charges Distribution for Taxing Year 1991			
X		Legal Ad - 7/28/92			



**DEVELOPMENT APPLICATION**  
 Community Development Department  
 250 North 5th Street Grand Junction, CO 81501  
 (303) 244-1430

**A** Receipt 5122  
 Date 6/30/92  
 Rec'd By KGM  
 File No. #39 92

We, the undersigned, being the owners of property situated in Mesa County, State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input checked="" type="checkbox"/> Subdivision Plat/Plan	<input checked="" type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub	<u>.5 Acres</u>	<u>1308 Wellington</u>	<u>RSF-B</u>	<u>Single Family Residential</u>
<input type="checkbox"/> Rezone				From: To:	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input type="checkbox"/> Conditional Use					
<input type="checkbox"/> Zone of Annex					
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use					
<input type="checkbox"/> Vacation					<input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement

<input checked="" type="checkbox"/> PROPERTY OWNER	<input checked="" type="checkbox"/> DEVELOPER	<input checked="" type="checkbox"/> REPRESENTATIVE
<u>YO INVESTMENTS</u>	<u>YO INVESTMENTS</u>	<u>Lee McClutchen-Daggett</u>
Name	Name	Name <u>BILL WAGNER</u>
<u>300 CEDAR CT.</u>	<u>300 CEDAR CT.</u>	<u>300 CEDAR CT.</u>
Address	Address	Address
<u>GJ CO 81501</u>	<u>GJ CO 81501</u>	<u>GJ CO 81501</u>
City/State/Zip	City/State/Zip	City/State/Zip
<u>242-3647</u>	<u>242-3647</u>	<u>242-3647</u>
Business Phone No.	Business Phone No.	Business Phone No.

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 hearings. In the event that the petitioner is not represented, the item will be dropped from the agenda, and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

[Signature] 6/29/92  
 Signature of Person Completing Application Date

[Signature] General Partner 6/29/92  
 Signature of Property Owner(s) - Attach Additional Sheets if Necessary

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# SUBMITTAL LEGEND

## GENERAL REQUIREMENTS

- \*A Application Form
- B Impact Statement or Project Narrative
- \*C Summary Form
- \*D Appraisal of Application for Open Space
- E Evidence of Title/Title Commitment
- \*F Draft of Covenants/Restrictions
- \*G Legal Description
- \*H Names and Addresses of Adjacent Property Owners Within 200 feet
- I Floodplain Analysis *include in narrative*
- J Geology Report/Soils Report
- K Gamma Radiation Report *DUE FOR Bldg Report*
- L Subsurface Soils Investigation
- \*M Improvements Agreement
- \*N Improvements Guarantee *SEC City Attorney's office*
- O Development Schedule *-include in narrative*

## OTHER REQUIREMENTS

- DA Location and Vicinity Map
- BB Assessor's Map with Subject Property Outlined in Red
- CC Reduction of Assessor's Map (not larger than ~~11 1/2" x 14"~~ *8 1/2" x 11"*)
- DD Reduction of Plan (not larger than ~~11 1/2" x 14"~~ *11" x 17"*)
- EE Reduction of Plat (not larger than ~~11 1/2" x 14"~~ *11" x 17"*)
- FF Action Sheet
- GG County Treasurer Tax Certification

## SITE PLAN REQUIREMENTS

- P Plat (including easements at 24" x 32")
- Q Site Plan (~~24" x 32"~~ *11" x 17"*)
- R Adjacent Land Use and Zoning *on site plan*
- \*S Drainage/Grading Plan *SHOW existing*
- T Utilities Composite *SHOW Existing locations*
- U Landscaping/Screening/Buffering
  - a) Types of Open Space (existing/proposed)
  - b) Percent and Open Space
  - c) Maintenance, Irrigation Rights *in narrative*
- \*V Parking
  - a) Total Number Proposed/Required
  - b) Dimensions, Striped, Handicapped
- \*W Roadway Plan/Profile
- X Traffic Circulation Patterns
  - a) Pedestrian/Bikeways/Crosswalks
  - b) Dimensions of Curb Cuts, Driveways
  - c) Internal Circulation Detail
- \*Y Traffic Analysis
- Z Structural Information
  - a) Heights, Elevations, Sq. Footage
  - b) Percent Building Coverage
  - c) Setbacks (centerline/property line)
  - d) Lighting and Signage Detail *ON SITE PLAN*

# PREAPPLICATION CONFERENCE

DATE Feb. 10, 1992 CONFERENCE ATTENDANCE Bill Wagner  
DAVE THORNTON

R.O.W. REQUIRED ABUTTING PROPERTY N/A

	EXISTING	PROPOSED	
CURB CUTS	<input type="checkbox"/>	<input type="checkbox"/>	?
PARKING	<input type="checkbox"/>	<input type="checkbox"/>	N/A
LANDSCAPING	<input type="checkbox"/>	<input type="checkbox"/>	N/A
IRRIGATION	<input type="checkbox"/>	<input type="checkbox"/>	1 SHARE AVAILABLE
PEDESTRIAN ACCESS	<input type="checkbox"/>	<input type="checkbox"/>	
	YES	NO	
OPEN SPACE FEES REQUIRED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$225 <sup>00</sup> per lot / dwelling unit
NEIGHBORHOOD MEETINGS/CONTACT	<input type="checkbox"/>	<input type="checkbox"/>	always encouraged
RECORDING FEES REQUIRED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

While all factors in a development proposal require careful thought, preparation and design, the following "checked" items are brought to the petitioner's attention as needing special attention or considerations. Other items of special concern may be identified during the review process.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> ACCESS/PARKING                | <input type="checkbox"/> SCREENING/BUFFERING       | <input type="checkbox"/> COMPATIBILITY WITH SURROUNDING USES |
| <input type="checkbox"/> DRAINAGE                      | <input type="checkbox"/> LANDSCAPING               | <input type="checkbox"/> TRAFFIC GENERATION                  |
| <input type="checkbox"/> FLOODPLAIN/WETLAND MITIGATION | <input type="checkbox"/> AVAILABILITY OF UTILITIES | <input type="checkbox"/> GEOLOGIC HAZARDS/SOILS              |
| <input type="checkbox"/> OTHER _____                   | APPLICABLE POLICIES/GUIDELINES/REQUIREMENTS        |  |
| RELATED FILES _____                                    | <input type="checkbox"/> CORRIDOR GUIDELINES _____ |  |
|  | <input type="checkbox"/> AIRPORT _____             |  |
|  | <input type="checkbox"/> OTHER _____               |  |

WE HEREBY ACKNOWLEDGE that we have familiarized ourselves with the rules and regulations as they apply 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 of monitoring the status of this application and review sheet summary comments.

WE RECOGNIZE that we, ourselves, or our representative(s) must be present at all hearings relative to this proposal.

In the event that the petitioner is not represented, the proposed item will be dropped from the agenda, and an additional fee shall be charged to cover rescheduling expenses. Such fee must be paid before the proposed item can again be placed on the agenda. Any changes to the approved plan will require a re-review and approval by the Planning Department prior to those changes being accepted.

SIGNATURE(S) OF PETITIONER(S) Yo Investments  
 SIGNATURE(S) OF REPRESENTATIVE(S) Bill Wagner, Gen. Partner



H

# Typing Guide (Matrix)

Use this aids for 600 Custer st.

DO NOT TYPE ABOVE THIS LINE

Carol Dinges  
P.O. Box 1199  
Denver, CO 80201-1199  
Tax ID 2945-122-17-005

Glen Cameron  
1305 Wellington Ct.  
Grand Junction, CO 81501  
Tax ID 2945-122-17-029

Mary Simpson  
2520 Snowmass Ct.  
Grand Junction, CO 81503  
Tax ID 2945-122-17-003

Louis Trujillo  
3525 Van Wig Avenue  
Baldwin Park, CA 91706  
Tax ID 2945-122-17-006

Ed Clements  
2528 N. 12th Street  
Grand Junction, CO 81501  
Tax ID 2945-122-022-4023

Robert Landes  
2791 E. 124th Cr.  
Thornton, CO 80241-3409  
Tax ID 2945-122-17-004

Tax ID 2945-122-17-028  
Leon Jensen  
1305 Wellington Ct. #113  
Grand Junction, CO 81501

W. Swisher  
1640 O Road  
Loma, CO 81524  
Tax ID 2945-122-00-034

Florence Shirk  
1314 Wellington  
Grand Junction, CO 81501  
Tax ID 2945-122-00-025

Esther Shepherd  
1305 Wellington Ct. #114  
Grand Junction, CO 81501  
Tax ID 2945-122-17-030

Donald Carns  
2424 N. 12th Street  
Grand Junction, CO 81501  
Tax ID 2945-122-00-035&036

Sharon Woodward  
1305 Wellington Ct. #111  
Grand Junction, CO 81501  
Tax ID 2945-122-17-026

Minnie Reeves  
1225 Wellington Avenue  
Grand Junction, CO 81501  
Tax ID 2945-122-00-038

Joseph Abell  
1212 Wellington Avenue  
Grand Junction, CO 81501  
Tax ID 2945-122-00-033

Virginia Sandfort  
c/o Minnie Reeves  
1225 Wellington Avenue  
Grand Junction, CO 81501  
Tax ID 2945-122-00-038

Christopher Anastacio  
1238 Wellington Avenue  
Grand Junction, CO 81501  
Tax ID 2945-122-00-032

Thomas Sawyer  
1313 Wellington Avenue  
Grand Junction, CO 81501  
Tax ID 2945-122-00-041

Dillon Real Estate  
P.O. Box 729  
Grand Junction, CO 81502  
Tax ID 2945-122-00-011 thru 019  
&021, 134,135,141&142

Bruce Verstraete  
1321 Wellington Avenue  
Grand Junction, CO 81501  
Tax ID 2945-122-00-042

#39 92

Ginger Sagrillo  
1314 Wellington Avenue  
Grand Junction, CO 81501  
Tax ID 2945-122-00-133

Michael & Lillian Pocius  
1305 Wellington Ct. #101  
Grand Junction, CO 81501  
Tax ID 2945-122-17-001

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Nora Peterson  
2540 N. 12th St.  
Grand Junction, CO 81501  
Tax ID 2945-122-00-020

Oscar & Glennyth Holtz  
1305 Wellington, #102  
Grand Junction, CO 81501  
Tax ID 2945-122-17-002

J

BILLINGS SILTY CLAY LOAM, 0 to 2 percent slopes, Class IIs Land (Bc)

This soil, locally called adobe, is one of the most important and extensive in the Grand Valley. It is derived from deep alluvial deposits that came mainly from Mancos shale but in a few places from fine-grained sandstone materials. The deposits ordinarily range from 4 to 40 feet deep but in places exceed 40 feet. The deposits have been built up from thin sediments brought in by the streams that have formed the coalescing alluvial fans or have been dropped by the broad washes that have no drainage channel. The thickest deposit, near Grand Junction, was built up by Indian Wash.

Although moderately fine textured, this Billings soil permits successful growth of deep-rooted crops such as alfalfa and tree fruits. Its permeability is normally not so favorable as that of the Mesa, Fruita, and Ravola soils. Its tilth and workability are fair, but it puddles so quickly when wet and bakes so hard when dry that good tilth can be maintained only by proper irrigation and special cultural practices. Runoff is slow and internal drainage is very slow.

Like all other soils in the area, this one has a low organic-matter content. Under natural conditions it contains a moderate concentration of salts derived from the parent rock (Mancos shale). In places, however, it contains so much salt that good yields cannot be obtained. Some large areas are so strongly saline they cannot be used for crops. Generally, this soil is without visible lime, but it is calcareous. In many places small white flecks or indistinct light-colored streaks or seams indicate that lime, gypsum, or salts are present.

Soil limitations are classified as severe for local roads and streets (poor traffic-supporting capacity, moderate to high water tables common), shallow excavations (high water tables common), and septic tank filter fields (slow permeability, poor internal drainage, seasonal high water table).

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IMPACT STATEMENT/PROJECT NARRATIVE  
YO MINOR SUBDIVISION

Yo Minor Subdivision is a proposal to split one existing lot one-half acre in size into two lots of equal size.

Yo Minor Subdivision is located east of 12th Street, on the north side of Wellington Avenue, in Grand Junction.

There is presently a single family residence on what will be Lot 1. There are no definitive plans for Lot 2 at this time, but it is expected that a residential property will be built on Lot 2 within 18 months.

The makeup of the area presently is all single family, with several condominiums and townhouses within a relatively close proximity.

Considerations to be addressed are that this project will fit nicely into the adjacent surroundings, and will not negatively impact the existing residential flavor of the neighborhood.

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YO MINOR SUBDIVISION

SUBSURFACE SOILS INVESTIGATION

A subsurface soils investigation will be completed if required by building department prior to issuance of a building permit for the construction of improvements on Lot 2.

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YO MINOR SUBDIVISION  
Development Schedule

Lot 1 is currently developed and improved. Lot 2 is expected to be improved within eighteen months of this date.

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YO MINOR SUBDIVISION

Structural Information

The land area is presently 21,780 square feet. Two equal lots are contemplated by the split.

A single family residential structure presently is located on what will be Lot 1, with an elevation of approximately 16 feet from grade to peak of the roof. The house is approximately 1100 square feet on the ground floor. It is located approximately 19 feet from the West property line, 50 feet from the east line, and 81 feet from the center of Wellington Avenue. The building presently covers 5 % of the total land area.

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YO MINOR SUBDIVISION  
Traffic Circulation Patterns

There are no sidewalks, bikeways, or crosswalks on Wellington Avenue at the present time.

There are no curb cuts. The existing driveway which serves the contemplated Lot 1 is approximately 12 feet wide. The driveway for Lot 2 will be 25 feet wide.

The internal circulation for both lots will be straight driveways from the street.

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YO MINOR SUBDIVISION  
Landscaping, Screening, Buffering

There is presently no dedicated open space within Fairmount Subdivision. No dedicated open space is contemplated for YO Minor Subdivision.

Irrigation water delivered by Grand Valley Water Users Association is attached to the land. No certificates are issued, but annual dues to the association are imposed. Dues have been paid for 1992 by the owner/developer. Since they cannot be separated from the land, the inherent shares will always be available for the property. Maintenance of the laterals is by property owners, whereas the GVWU maintains the canals.

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YO MINOR SUBDIVISION

The property is not located within a floodplain.

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YO MINOR SUBDIVISION

Utility Composite

All existing utilities are presently located in Wellington Avenue adjacent to the property, except that irrigation water flows the entire north and west property lines.

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YO MINOR SUBDIVISION

Improvements Agreement and Guarante

Please consider the attached letter in lieu of the formal Agreement/Guarantee which would typically be used in the development of larger properties within the city.

I defer to the City Attorney to provide a guarantee form that will address the needs of both myself and the city.

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**COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT  
39-92 YO MINOR SUBDIVISION**

**COMMENTS 6/30/92 SUBMITTAL**

**FINAL PLAT**

1. A number of deficiencies have been discussed with the petitioner's surveying representative. These primarily involve deletion of survey notes and addition/correction of signature blocks and dedication statement. A revised Final Plat is to be submitted by 22 July 1992 or the application will have to be postponed until the September Planning Commission hearing.

**SITE PLAN**

1. What are the setbacks of the existing structure from proposed lot lines?

**IMPROVEMENTS AGREEMENT**

1. No comments have been received from the City attorney's office regarding the proposal in lieu of the standard improvements agreement. How will/has the petitioner address(ed) the requirement for participation in street improvements?
2. An improvements (or other approved) agreement will be required prior to recordation of the Final Plat.

**OPEN SPACE FEE**

1. Payment of the open space fee in the amount of \$450.00 will be required prior to recordation of the Final Plat.



**FILE #39-92**

**Page 2 of 3**

**CITY ENGINEER** 07/16/92  
**Gerald Williams** 244-1577

1. An irrigation and drainage easement is provided on Lot 2. What is the drainage for, and where will runoff go? The easement is only shown on Lot 2? Also, is an irrigation and/or drainage easement required on Lot 1?
2. The improvement agreement/guarantee was not submitted. Requirement, therefore, must be decided by others.

**CITY UTILITIES ENGINEER** 07/20/92  
**Bill Cheney** 244-1590

GENERAL - Clarify water and sewer requirements on "Subdivision Summary Form".

WATER- Domestic water is available through a 6" or 8" line located in Wellington.

SEWER - connection to the public sewer in Wellington is required. A separate tap is required.

**COMMUNITY DEVELOPMENT** 07/20/92  
**Kristen Ashbeck** 244-1446

See attached.

**GRAND JUNCTION DRAINAGE** 07/20/92  
**John L. Ballagh** 242-4343

This tract of land is not within the boundaries of the Grand Junction Drainage District. The petitioner should meet all of the requirements of the City engineering department concerning drainage.

**CITY POLICE DEPARTMENT** 07/20/92  
**Martie Currie** 244-3563

No problems noted.

**CITY PROPERTY AGENT** 07/27/92  
**Tim Woodmansee** 244-1565

As a suggestion, but not a requirement, the owners might consider setting "witness" corners for those pins located in the concrete ditch.

RECEIVED GRAND JUNCTION  
PLANNING DEPARTMENT

JUL 31 1992

REVIEW COMMENTS RESPONSES

YO MINOR SUBDIVISION

FILE NO. #39-92

City Parks and Recreation.

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Open space fee acknowledged. Will pay at time of recording of final plat.

City Engineer.

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1. Irrigation/drainage easement runs the entire length of the west boundaries of both lots 1&2. See plat. This is actually an irrigation ditch only, but probably has some drainage in very heavy rains. The property is virtually flat, and I don't believe there could ever be a situation where there is actual runoff from the property at any point. However, there is what appears to be an overflow drainage ditch along Wellington Ave. adjacent to the south boundaries of both parcels.
2. Improvement guarantee hopefully will come from city council, which, according to a memo from City Manager Mark Achen dated July 27, 1992, addressed the issue of guarantees required by planning for this type of situation. It is the plan of the petitioner to follow up on the sentiment of the council so that the issue of the guarantee is addressed to the satisfaction of Planning.

City Utilities Engineer.

---

Standard 3/4" water tap for single family residential and a residential sewer tap will be required for Lot 2. Acknowledge the fees (presently \$1500 for water, \$1000 for sewer and a \$750 plant investment fee). Tap fees paid and taps in use on Lot 1.

Grand Junction Drainage.

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Comments acknowledged.

Final Plat.

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Comments acknowledged and addressed.

Site Plan.

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Existing structure setbacks from proposed lot lines are 30.6 ft. on the east (sideyard) and 42.4 ft. on the north (rear).

Improvements guarantee.

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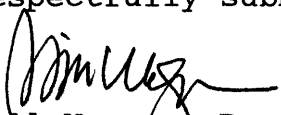
See letter addressing issue in packet submitted. Also note response in City Engineer comments this document. Request approval of this subdivision subject to the agreement of petitioner and Planning on the resolution of the improvements guarantee issue.

Open space fee.

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Comments acknowledged.

Respectfully submitted,

  
Bill Wagner, Representative  
YO INVESTMENTS, Petitioner



May 21, 1992

Mr. Paul Nelson  
City of Grand Junction  
5th and White Ave.  
Grand Junction, CO 81501

Dear Paul,

Regarding our telephone conversation yesterday, I'd like to take this opportunity to memorialize the content of that discussion.

As I stated, I purchased a property located at 1308 Wellington Ave. in Grand Junction. The property is 1/2 acre in size, with about half of it landscaped and the other half a weed patch. It lends itself well to a split into two residential lots of approximately 1/4 acre each, which would fit nicely with the neighboring properties.

In pursuing a minor subdivision split of the lots, however, planning department informed me that in order to get the split approved, I'd have to pay a fee of approximately \$4500 prior to approval. This fee is purportedly my share of street improvements that, according to the city engineering department, are not contemplated now or in the near future, that will not be forced on the property owners when and if the city decides to install improvements, and that are not advocated by the property owners in the neighborhood at this time.

Paul, I have no problem paying my fair share of improvements that I enjoy the benefits of, but is it fair that I alone be assessed

for improvements that may or may not come to pass, simply because I have the desire to make the best use of my property? Is it in the best interests of the city, which is supposedly encouraging infill and sustained growth, to, in effect, discourage that growth through discriminatory and regressive policies?

I am completely willing to give a guarantee or a power of attorney to the city that if an improvements district is formed in the future, the then owner of my property will become a part of that district, but I am unwilling to pay now and by myself for improvements that may never be done.

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#39 92

If this is the kind of policy that the city will continue to try to enforce, I can assure you that I, among others, will cease doing business within the city limits. I will, in fact, become a vocal opponent of outlying areas being annexed into the city if such annexation means giving the city the ammunition to wage economic war on those of us who are trying to do what we believe is what the city wants and needs.

I intend to continue my request for a minor subdivision in spite of my unwillingness to pay this "development tax", with hopes that in the meantime, you'll take a hard look at this situation and help me find an alternative method of making my plans work.

Regards,



Bill Wagner

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#39 92

To: David Thornton  
Cc: Kristen Ashbeck,don newton,danw,jims,claudiah  
From: Mark Achen  
Subject: Yo minor subdivision  
Date: 7/27/92 Time: 5:59p

Bill Wagner called me to find out whether the City was holding firm on the requirement that he contribute \$4,500 toward possible Wellington Avenue improvements. I told him Council and staff had considered the issue at a recent workshop. My understanding was that we agreed Wellington was a street and neighborhood whose "character" we ought to preserve; that there are now no traffic or drainage issues necessitating street improvement nor does public works anticipate any in the future; therefore no improvements or contribution for such needs to be required.

Wagner is hoping to get this issue "wrapped up" so it is no longer a consideration. He indicates you may have mentioned this solution to him but that this case has been transferred to Kristen.

To assure this situation is clear as a precedent we ought to do a couple things. However, our completion of them need not delay Wagner further. First, policy should be prepared to make it clear City Engineer can make a determination of neighborhood character that allows waiver of normally required street improvement.

Parameters should be established to help objectively assess such character so the City Engineer is subjected to unnecessary lobbying for a completely subjective opinion in favor of applicants. For example, parameters might include that the project is proposed in a neighborhood of single family (or up to duplex) residential character and zoning, with low traffic volume; project will be consistent with this character; there are no existing traffic or drainage problems that require the full street, curb and gutter improvements; this character is not expected to change in the future; maybe even require administrative hearing, petition or something demonstrating that the neighbors support or consent to these conclusions.

This written policy ought to be submitted to Council's growth committee just to be sure the specifics have some CC review.

Second, (perhaps first in terms of expediting Wagner's case) the City Engineer ought to submit a "character" finding on the Yo subdivision case (or some blocks thereof) that documents justification for waiving normally required improvements to Wellington Avenue.

30 July 1992



City of Grand Junction, Colorado  
81501-2668  
250 North Fifth Street

Mr. Bill Wagner  
300 Cedar Court  
Grand Junction, Colorado 81501

Dear Mr. Wagner,

Regarding your letter to Councilman Paul Nelson of May 21, 1992 which you submitted in lieu of the formal Improvements Guarantee for the Yo Minor Subdivision application, the City of Grand Junction has the following response. City Council and Staff discussed the issue of street improvement requirements for certain types of development at their June 9, 1992 workshop. Consensus was that if the City found a development to be of a character not conducive to improvements such as curb, gutter, sidewalk and street pavement, then the requirement for improvements could be waived.

Consequently, the Public Works and Utilities Department made the determination that the Yo Minor Subdivision is such a development. Wellington Avenue from 12th Street to 15th Street is a stable, developed residential area served by a street without curbs, gutters and sidewalks. The existing street and adjacent drainage swales are in good operating condition and serve this type of development well. The character of this neighborhood will not change dramatically in the future, and the proposed Yo Minor Subdivision is consistent with the surrounding development. The City has no plans to widen Wellington Avenue or install curbs, gutters or sidewalks along this street. Thus, Yo Investments need not install, escrow funds for, or grant Power of Attorney for, curb, gutter, sidewalk and street improvements for the Yo Minor Subdivision.

This should answer the intent of your letter to Councilman Nelson. Should you have further questions regarding this issue, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristen", with a long horizontal flourish extending to the right.

Kristen Ashbeck  
Planner

xc: Paul Nelson  
Mark Achen  
Jim Shanks

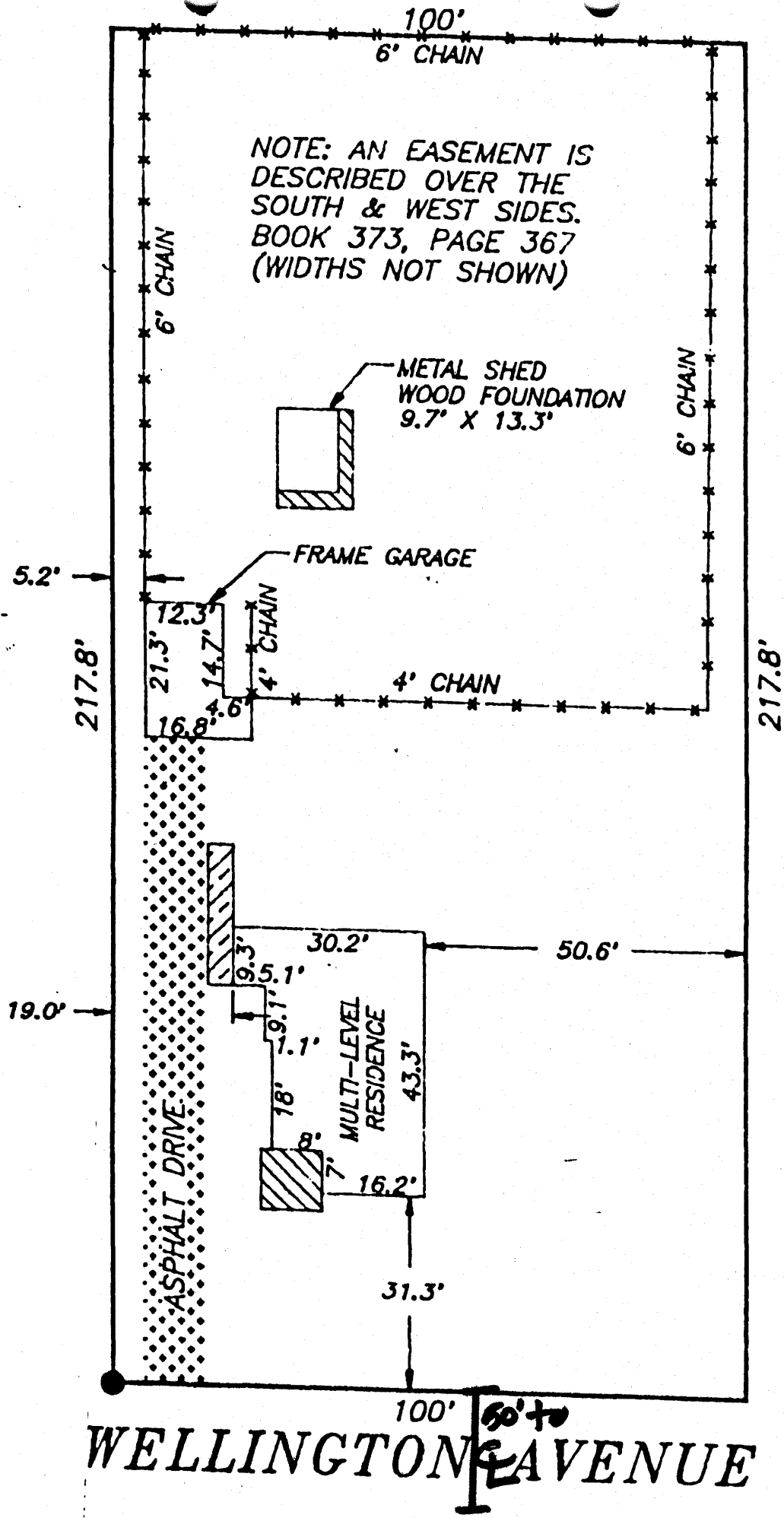
**G**

TYPE LEGAL DESCRIPTION (S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE SINGLE SPACING WITH A ONE INCH MARGIN ON EACH SIDE.

\*\*\*\*\*

Beginning at the Southwest corner of Lot 40 in Block 11 of Fairmount Subdivision  
thence East 100 Feet, thence North 217.8 feet, thence West 100 Feet, thence South  
217.8 Feet to the point of beginning.  
Mesa County, Colorado

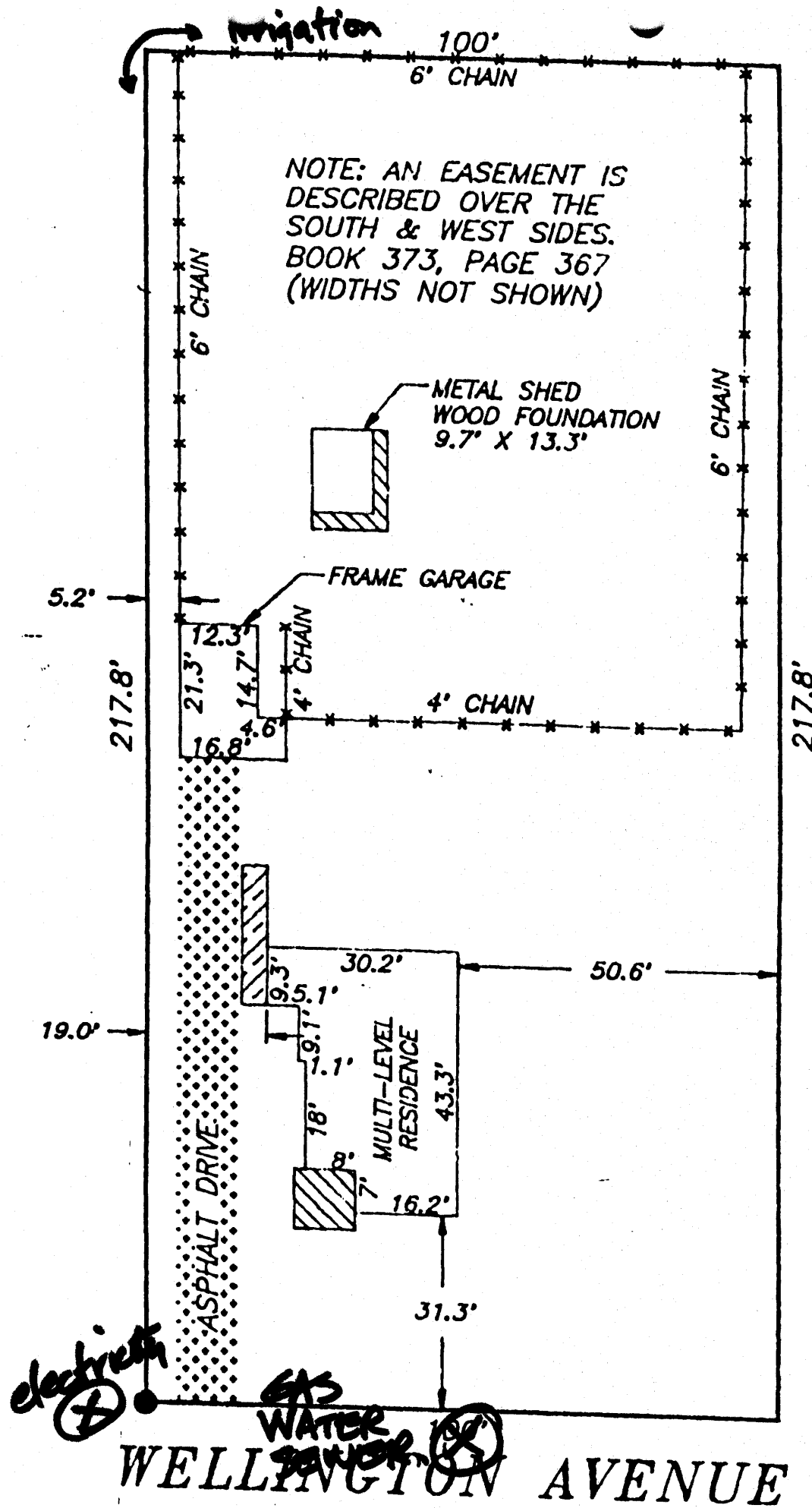
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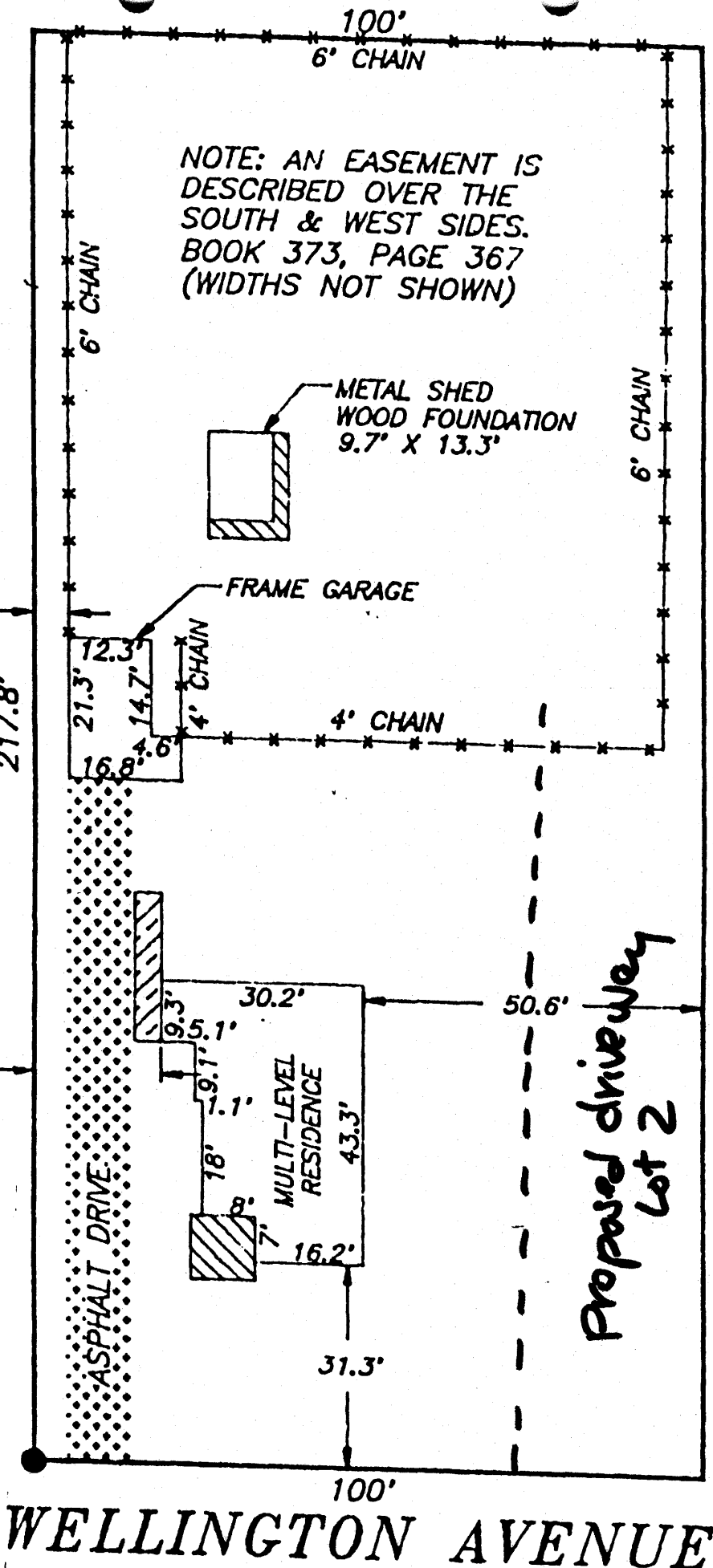
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WELLINGTON AVENUE

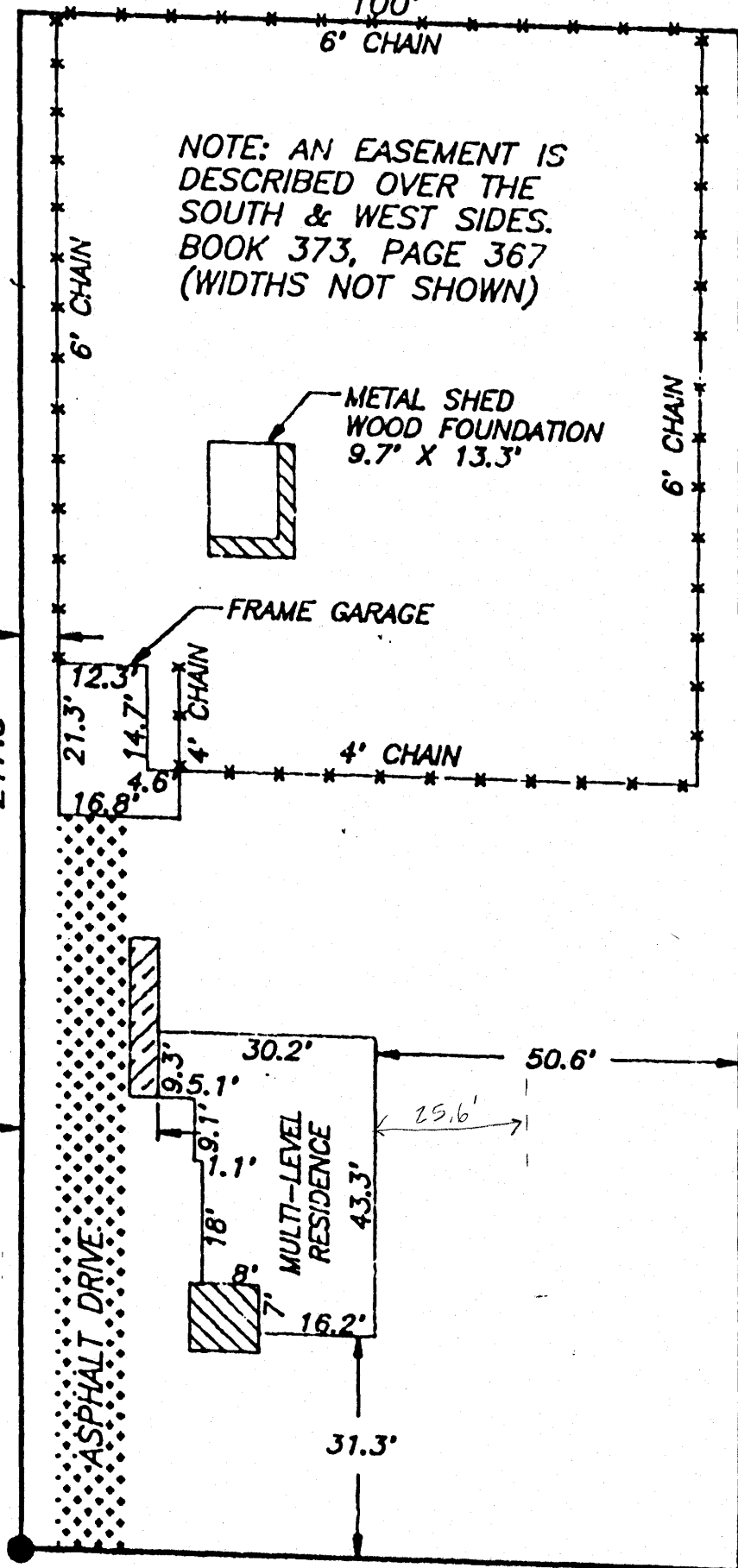
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City of Wellington  
 Planning Department  
 Draft Office



R

RSF8 adjoining



NOTE: AN EASEMENT IS DESCRIBED OVER THE SOUTH & WEST SIDES. BOOK 373, PAGE 367 (WIDTHS NOT SHOWN)

100'  
6' CHAIN

6' CHAIN

6' CHAIN

4' CHAIN

217.8'

RSF8 adjoining

RSFB adjoining

217.8'

5.2'

19.0'

ASPHALT DRIVE

30.2'

50.6'

MULTI-LEVEL RESIDENCE

25.6'

31.3'

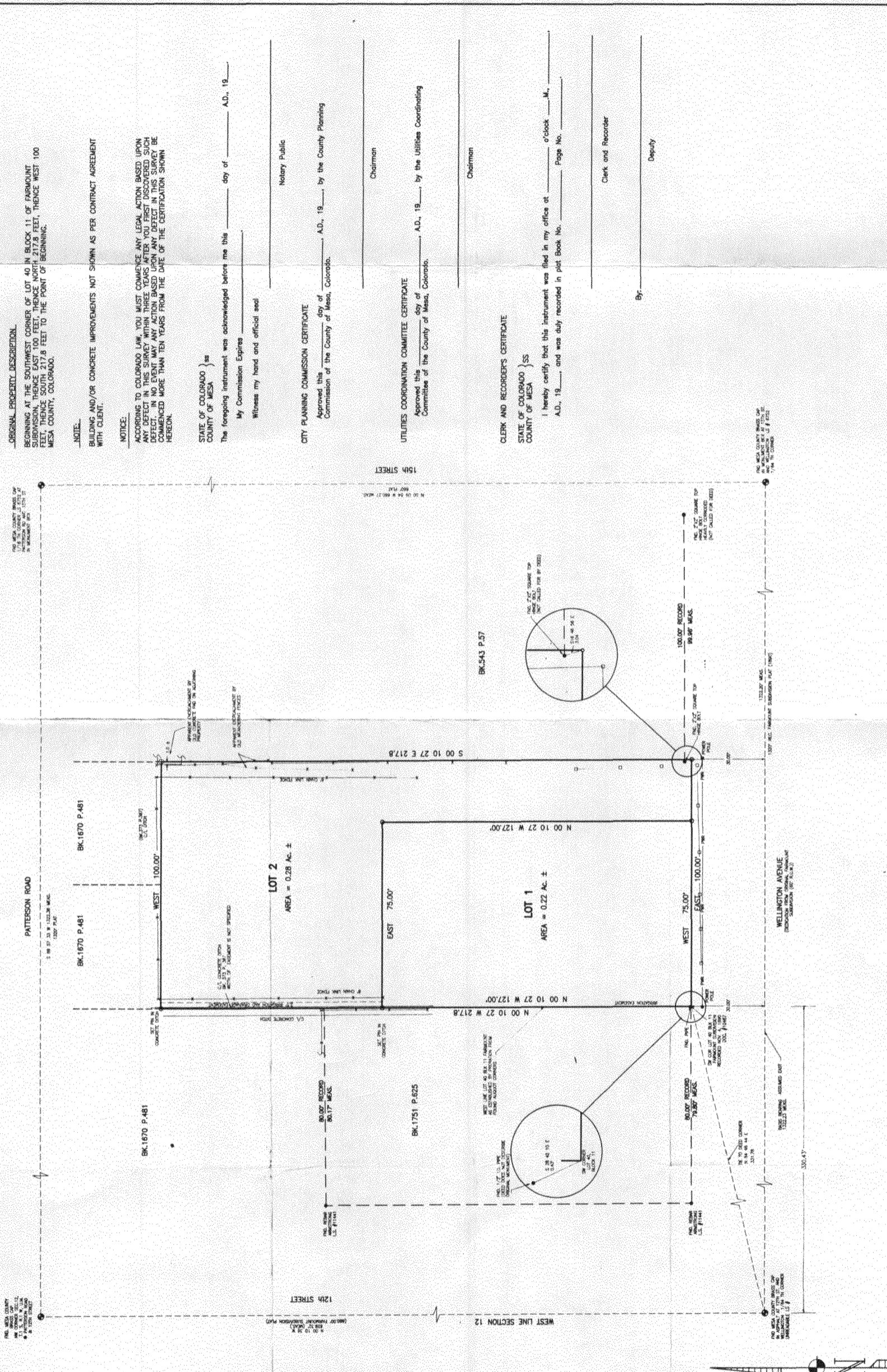
100'

WELLINGTON AVENUE  
PR 16.3 adjoining

#39 92

Remove From Office

# YO SUBDIVISION



**ORIGINAL PROPERTY DESCRIPTION**  
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 40 IN BLOCK 11 OF FAIRMOUNT SUBDIVISION, THENCE EAST 100 FEET, THENCE NORTH 217.8 FEET, THENCE WEST 100 FEET, THENCE SOUTH 217.8 FEET TO THE POINT OF BEGINNING, MESA COUNTY, COLORADO.

**NOTE:**  
 BUILDING AND/OR CONCRETE IMPROVEMENTS NOT SHOWN AS PER CONTRACT AGREEMENT WITH CLIENT.

**NOTICE:**  
 ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON DEFECTS IN THIS SURVEY WITHIN THREE YEARS OF THE DATE OF FIRST RECORD OF SUCH DEFECT. NO OTHER REMEDY SHALL BE AVAILABLE TO ANY PARTY WHOSE INTERESTS IN THIS SURVEY COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

STATE OF COLORADO )  
 COUNTY OF MESA ) ss  
 The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 19\_\_\_\_  
 by Commission Expires \_\_\_\_\_  
 Witness my hand and official seal

**CITY PLANNING COMMISSION CERTIFICATE**  
 Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_, by the County Planning Commission of the County of Mesa, Colorado.

**UTILITIES COORDINATION COMMITTEE CERTIFICATE**  
 Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_, by the Utilities Coordinating Committee of the County of Mesa, Colorado.

**CLERK AND RECORDERS CERTIFICATE**  
 STATE OF COLORADO )  
 COUNTY OF MESA ) ss  
 I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M., A.D., 19\_\_\_\_, and was duly recorded in plat Book No. \_\_\_\_\_ Page No. \_\_\_\_\_

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEE J. McCUTCHEEN, L.S. No. 24321  
 STATE OF COLORADO

**LEGEND**  
 FENCES: 1) BOARD/BLOCK  
 2) WIRE/CHAIN LINK  
 FOUND EXISTING MONUMENT  
 SET 3/4" REBAR W/ 1.5" ALUMINUM CAP COLO. L.S. 24321  
 FOUND SECTION CORNER  
 CHISELED 1" IN CONCRETE

15th STREET  
 12th STREET  
 PATTERSON ROAD  
 WELLINGTON AVENUE  
 WEST LINE SECTION 12

15th STREET  
 12th STREET  
 PATTERSON ROAD  
 WELLINGTON AVENUE  
 WEST LINE SECTION 12

15th STREET  
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 WELLINGTON AVENUE  
 WEST LINE SECTION 12

15th STREET  
 12th STREET  
 PATTERSON ROAD  
 WELLINGTON AVENUE  
 WEST LINE SECTION 12

**YO SUBDIVISION**  
 A SUBDIVISION IN NW 1/4 NW 1/4 SEC. 12, T.15, R.1W OF A LOT PREVIOUSLY DESCRIBED BY BK. 1736 AT P. 767 (A PORTION OF THE ORIGINAL FAIRMOUNT SUBDIVISION OF 1890)  
 MESA COUNTY, COLORADO

DAGGETT SURVEYING, INC.  
 GRAND JUNCTION, COLORADO  
 (303) 242-0201

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