

Table of Contents

File MS-1995-077

Date 8/6/99

P r e s e n t	S c a n n e d	<p>A few items are denoted with a (*) are to be scanned for permanent record on the ISYS retrieval system. In some instances, not all entries designated to be scanned, are present in the file. There are also documents specific to certain files, not found on the standard list. For this reason, a checklist has been included.</p> <p>Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick guide for the contents of each file.</p> <p>Files denoted with (**) are to be located using the ISYS Query System. Planning Clearance will need to be typed in full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.</p>
X	X	*Summary Sheet – Table of Contents
X	X	Application form
X	X	Receipts for fees paid for anything
X	X	*Submittal checklist – Change of Use Review
X	X	*General project report
		Reduced copy of final plans or drawings
X		Reduction of assessor's map
		Evidence of title, deeds
X	X	*Mailing list
		Public notice cards
		Record of certified mail
		Legal description
		Appraisal of raw land
		Reduction of any maps – final copy
		*Final reports for drainage and soils (geotechnical reports)
		Other bound or nonbound reports
		Traffic studies
		Individual review comments from agencies
X	X	*Consolidated review comments list
		*Petitioner's response to comments
X	X	*Staff Reports – Board of Appeals
		*Planning Commission staff report and exhibits
		*City Council staff report and exhibits
		*Summary sheet of final conditions
		*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)

DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:

X	X	Release of Improvements Agreement – 12/31/96 - **		
X		Letter to John Giancanelli from Mike Pelletier re: approval of MS – 6/12/95		
X		Letter from Bill Nebeker to John Giancanelli re: street improvements- 11/27/95		
X		Memo to Tim Woodmansee and Peggy Holguin from Bill Nebeker-9/16/96		
X		Certification that Fair Minor Sub. has been reviewed – 10/31/95		
X		Memo to Stephanie Nye from Bill Nebeker re: Originals for Fair Minor Sub.- 12/18/95		
X	X	Memorandum of Imp. Agreement & Guarantee – 12/13/95 - **		
X	x	Memo from Bill Nebeker to Tim Woodmansee re: Disbursement Agrmt– 9/16/96		
X	X	Development Improvements Agreement – 12/13/95 - **		
X	X	Disbursement Agreement – 12/13/95 - **		
X	X	Planning Commission Minutes – 6/6/95 - **		
X	X	Post of Public Notice Signs – 5/26/95		
X	X	Development Review Schedule & Receipt for \$430.00 to City of Grand Junction – 5/1/95 – Certified Mail that was returned to the City		
X	X	Replat of Payton Subdivision - map		
X	X	Treasurer's Certificate of Taxes Due – 3/29/95		
X		Commitments for Title Insurance		
X		Quit Claim Deed between Payton Roberson & Barbara Roberson and John Fair & Linda Fair– 3/19/91		
X		Final Plat – (not signed or approved)		

SUBMITTAL CHECKLIST

MINOR SUBDIVISION

Location: 2 lot subdivision

Project Name: N.W. corner of 10 + 205

ITEMS		DISTRIBUTION																				TOTAL REQD.																	
DESCRIPTION	SSID REFERENCE	City Community Development	City Dev. Eng.	City Utility Eng.	City Property Agent	City Parks/Recreation	City Fire Department	City Attorney	City G.J.P.C. (B sets)	City Downtown Dev. Auth.	City Police	County Planning	County Bldg. Dept.	County Surveyor	Walker Field	School Dist. #51	Irrigation District	Drainage District	Water District	Sewer District	U.S. West		Public Service	GVRP	CDOT	Corps of Engineers	Colorado Geological Survey	U.S. Postal Service	Perisigo WWTF										
● Application Fee	VII-1	1																																					
● Submittal Checklist*	VII-3	1																																					
● Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1				
● Application Form*	VII-1	1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1			
● 11"x17" Reduction of Assessor's Map	VII-1	1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1			
● Evidence of Title	VII-2	1			1																																		
○ Appraisal of Raw Land	VII-1	1			1	1																																	
● Names and Addresses	VII-2	1																																					
● Legal Description	VII-2	1			1																																		
○ Deeds	VII-1	1			1																																		
○ Easements	VII-2	1	1	1	1			1													1	1	1																
○ Avigation Easement	VII-1	1			1			1							1																								
○ ROW	VII-3	1	1	1	1			1													1	1	1																
○ Covenants, Conditions, & Restrictions	VII-1	1	1					1																															
○ Common Space Agreements	VII-1	1	1					1																															
● County Treasurer's Tax Cert.	VII-1	1																																					
○ Improvements Agreement/Guarantee*	VII-2	1	1	1				1																															
○ CDOT, 404, or Floodplain Permit	VII-3,4	1	1																																				
● General Project Report	X-7	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
○ Location Map	IX-21	1																																					
○ Composite Plan	IX-10	1	2	1	1																																		
○ 11"x17" Reduction Composite Plan	IX-10	1			1	1	1	8	1	1	1	1				1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
● Final Plat	IX-15	1	2	1	1			1							1																								
● 11"x17" Reduction of Final Plat	IX-15	1						8	1	1	1				1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
○ Cover Sheet	IX-11	1	2																																				
○ Grading & Stormwater Mgmt Plan	IX-17	1	2																		1						1	1											
○ Storm Drainage Plan and Profile	IX-30	1	2																		1			1	1	1													
○ Water and Sewer Plan and Profile	IX-34	1	2	1																	1	1	1	1	1													1	
○ Roadway Plan and Profile	IX-28	1	2																		1																		
○ Road Cross-sections	IX-27	1	2																																				
○ Detail Sheet	IX-12	1	2																																				
○ Landscape Plan	IX-20	2	1	1																																			
○ Geotechnical Report	X-8	1	1										1																										
○ Phase I & II Environmental Report	X-10,11	1	1																																				
○ Final Drainage Report	X-5,6	1	2																		1																		
○ Stormwater Management Plan	X-14	1	2																		1							1											
○ Sewer System Design Report	X-13	1	2	1																		1																	
○ Water System Design Report	X-16	1	2	1																		1																	
○ Traffic Impact Study	X-15	1	2																																				
○ Site Plan	IX-29	1	2	1	1			1	8																														

NOTES: 1) An asterisk in the item description column indicates that a form is supplied by the City.
 2) Required submittal items and distribution are indicated by filled in circles, some of which may be filled in during the pre-application conference. Additional items or copies may be subsequently requested in the review process.
 3) Each submitted item must be labeled, named, or otherwise identified as described above in the description column.



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

Receipt 2309
 Date 5-2-95
 Rec'd By _____
 File No. 115-95-77

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	1.153 acres	"G" Road 24 3/4 Road	RS1 Z	Residential
<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

PROPERTY OWNER DEVELOPER REPRESENTATIVE

John Fair

Name

Name

John Giancanelli

Name

1826 Bass

Address

Address

482 1/2 East Valley St.

Address

Grand Jct., CO 81505

City/State/Zip

City/State/Zip

Grand Jct., CO 81504

City/State/Zip

245-0477

Business Phone No.

Business Phone No.

434-2116

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.

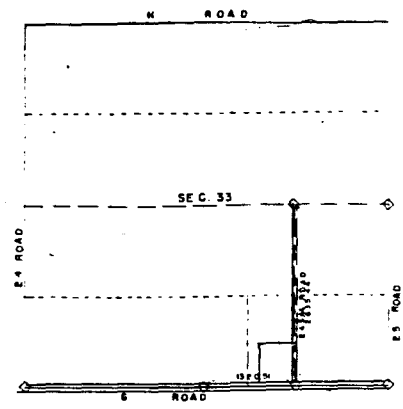
John Giancanelli
 Signature of Person Completing Application

Mar. 16, 1994

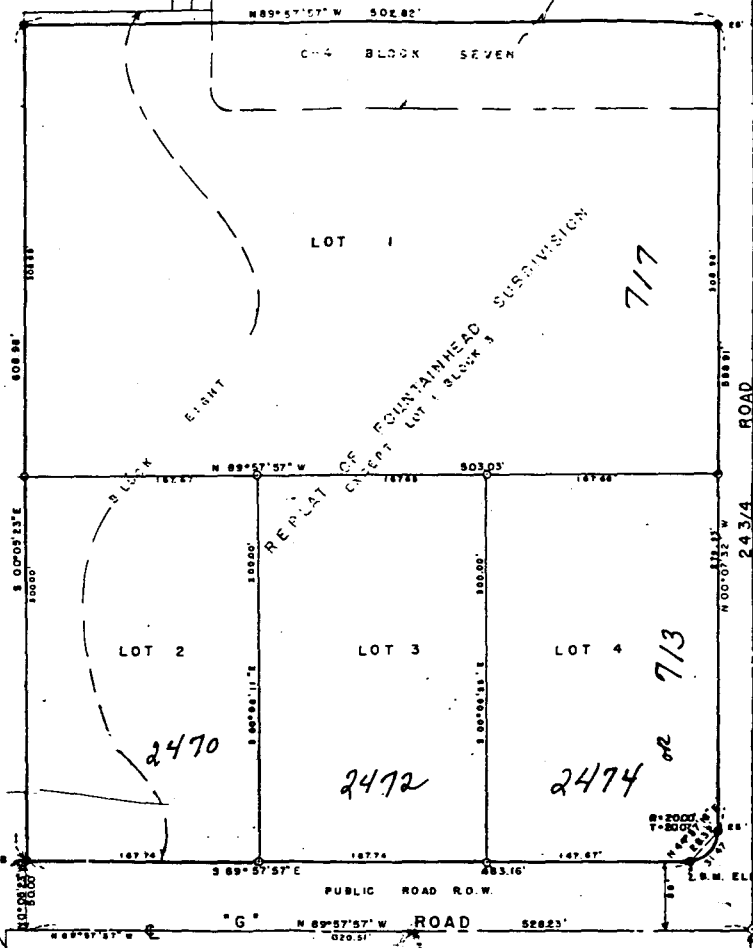
Date

John Fair
 Signature of Property Owner(s) - Attach Additional Sheets if Necessary

A REPLAT OF PART OF BLOCK EIGHT AND PART LOT C-4 BLOCK SEVEN OF THE REPLAT OF FOUNTAINHEAD SUBDIVISION EXCEPT LOT 1 BLOCK THREE



REPLAT OF FOUNTAINHEAD SUBDIVISION EXCEPT LOT 1 BLOCK 3



THE OWNERS WISH TO DELETE (NULL & VOID) THE FOLLOWING:

1. Terms, conditions and provisions of Subdivisions Improvements recorded July 6, 1983 in Book 1443 at Page 151 and Letter of Continuance recorded July 6, 1983 in Book 1443 at Page 183.
2. Restrictions, which do not contain recreational covenants, imposed upon the within described property by instrument recorded July 6, 1983 in Book 1443 at Page 183.
3. Terms, conditions and provisions of Fountain Homeowners Association, Inc. recorded July 6, 1983 in Book 1443 at Page 194.
4. Terms, conditions and provisions of resolution regarding open space fees and development impact fees as set forth in instrument No. MCN 84-126 recorded October 16, 1984 in Book 1512 at Page 939.
5. Note: 1.) All private roadways shown are ingress/egress and utility easements.
2.) All tracts are designated as common open space and utility easements.
3.) All dimensions to lot corners are at right angles to base lines unless otherwise noted.
6. Unrecorded lines for sewage water and sewer service and installation charges, if any, and any special assessments.
7. Taxes for the year 1987 a lien, but yet not yet due or payable.

ZONE: PR8
File: 220-88
Building permit GUAR
OK to build
Fire letter in file

DEDICATION
FROM ALL MEN BY THESE PRESENTS:
That the undersigned, PAYTON ROBERSON, is the owner of that real property situated in Lot 60 of FOUNTAINHEAD PARK, EXCEPT the West 132 feet thereof, now being a part of REPLAT OF FOUNTAINHEAD SUBDIVISION EXCEPT LOT 1, BLOCK THREE, Mesa County, Colorado as recorded in Book 1550, Pages 224-225 of the Mesa County Clerk's records and is more particularly described as follows:

Assuming the South line of 304 5/8" Section 33, T.1 N., R.1 W., Ute P.M. bears N 89°57' 57" W and all other bearings herein contained are relative thereto, commencing at the SE corner 304 5/8" Section 33, T.1 N., R.1 W., Ute P.M. in Mesa County Survey Monument, thence N 89°57' 57" W along the South line of said 304 5/8" Section 33 528.23 feet, thence N 00°05' 23" W, 502.82 feet to the True Point of Beginning, thence S 89°57' 57" E 483.16 feet to the P. C. of a curve to the left, thence along the arc of said curve to the left 31.47 feet, the chord of which bears N 44°57' 18" E 38.32 feet to the East R.O.W. line of Mesa County Road, thence N 0°07' 32" W along said East R.O.W. 588.91 feet, thence N 89°57' 57" W 502.82 feet, thence S 00°05' 23" E 508.98 feet to the True Point of Beginning.

That said owner has caused the said real property to be laid out and surveyed as PAYTON SUBDIVISION, a replat of part of Block 8 and part of Lot C-4 Block 7 of the Replat of Fountainhead Subdivision, except Lot 1 Block 3, a subdivision of a part of Mesa County, Colorado.

That said owner does hereby dedicate and set apart all of the streets and roads as shown on the accompanying plat to the use of the public forever, and hereby dedicate to County of Mesa, that portion of real property labeled as Public Road R.O.W.

IN WITNESS WHEREOF said owner has caused his name to be hereto subscribed this 5th day of July, A.D. 1987

John Robertson
Payton Robertson

STATE OF COLORADO)
COUNTY OF MESA)
The foregoing instrument was acknowledged before me this 5th day of July, A.D. 1987, by Payton Robertson.
My Commission Expires 11/06/89
Witness my hand and official seal. *Barbara J. Cape*
County Clerk

STATE OF COLORADO)
COUNTY OF MESA)
I hereby certify that this instrument was filed in my office on 3:00 p.m. this 5th day of APRIL 1987 A.D.
John
CLERK AND RECORDER

COUNTY PLANNING COMMISSION CERTIFICATE
Approved this 3rd day of April 1987 A.D. County Planning Commission of Mesa County Colorado.
Mary Kistler
CHAIRMAN

BOARD OF COUNTY COMMISSIONERS CERTIFICATE
Approved this 17th day of APRIL 1987 A.D. Board of County Commissioners of the County of Mesa Colorado.
Melvin Allen
CHAIRMAN

UTILITIES COORDINATING COMMITTEE
Approved this 13th day of APRIL 1987 A.D. Utilities Coordinating Committee of the County of Mesa, Colorado.
Rick A. Hill
U.C.C. CHAIRMAN

Letter from J. Kenwood on Fire Hydrant
6/15/87 in file re: permit before bldg. permit
(G.P.T.O.)

ACREAGE SUMMARY

LOT 1	= 3.567 ACRES
LOT 2	= 1.155 ACRES
LOT 3	= 1.155 ACRES
LOT 4	= 1.153 ACRES
TOTAL	= 7.030 ACRES

NOTICE
According to Colorado Law you must commence any legal action based upon any defect in this survey within six years after you discover such defect; in no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown herein.

NOTICE
M.C.S.M. SURVEY LAND MONUMENT BRASS CAP
5/8" X 20" REBAR WITH CAP "NO. L.S. #2E1
5/8" REBAR & CAP FOUND IN PLACE SET BY PARSONS ENG.
ALL BEARINGS HEREON BEING RELATIVE TO N 89°57'57" W
SURVEY MONUMENTS ON TWO CORNERS OF SW 1/4 SEC 14 SEC 33

SURVEYOR'S CERTIFICATE
I, BAROLD R. COPE, DO HEREBY CERTIFY THAT THE PROPERTY AS PLATTED AND DESCRIBED ABOVE WAS SURVEYED AS DESCRIBED AND IS TO MY KNOWLEDGE ACCURATE AND COMPLETE. ALL WORK WAS DONE BY ME OR UNDER MY DIRECT SUPERVISION. IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL ON THE 27TH DAY OF JUNE 1987 A.D.
Barold R. Cope
BAROLD R. COPE
REGISTERED LAND SURVEYOR, NO. 11221



ROBERSON, PETE
PAYTON SUBDIVISION
A REPLAT OF BLOCK EIGHT AND PART LOT C-4 BLOCK SEVEN OF THE REPLAT OF FOUNTAINHEAD SUBDIVISION EXCEPT LOT 1 BLOCK THREE
COPE SURVEYING COMPANY
11221
BOOK NO. 21 DATE OF SURVEY JUNE 3 1987
PLAT BY PETE ROBERSON JUNE 11 1987

#MS-95-77

Payton & Barbara Roberson
717 24 3/4 Road
Grand Junction, CO 81505

Clifton & Lori Mays
2470 G Road
Grand Junction, CO 81505

Garrett & Monica Crites
935 Northern Way #26
Grand Junction, CO 81506

Danny & Starlyn Gillespie
712 24 3/4 Road
Grand Junction, CO 81505

Phillip & Margie Hagen
714 24 3/4 Road
Grand Junction, CO 81505

John Usher
P.O. Box 3589
Saratoga, CA 95070

John Fair
1826 Bass
Grand Junction, CO 81501

John Giancanelli
482 1/2 E Valley St.
Grand Junction, CO 81504

City of Grand Junction
Community Development Dept.
250 N 5th St.
Grand Junction, CO 81505

GENERAL PROJECT REPORT

TWO LOT SUBDIVISION FOR PROPERTY LOCATED AT:

NM CORNER OF G & 24 3/4 RD.

The project is located on the NW corner of G and 24 3/4 Road. It is a parcel that is 1.153 acres, and the land use will be residential.

There are no known adopted plans or policies. Land use in the surrounding area appears to be residential. The site access will be from 24 3/4 Road. There will be no special or unusual demands on utilities, and the fire hydrants will be located on the street.

There is no development schedule because we are only building two houses.

REVIEW COMMENTS

Page 1 of 2

FILE #MS-95-77

TITLE HEADING: Fair Minor Subdivision

LOCATION: NW corner of G and 24 3/4 Roads

PETITIONER: John Fair

PETITIONER'S ADDRESS/TELEPHONE: 1826 Bass
Grand Junction, CO 81501
245-0477

PETITIONER'S REPRESENTATIVE: John Giancanelli

STAFF REPRESENTATIVE: Tom Dixon

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., MAY 24, 1995.

GRAND JUNCTION FIRE DEPARTMENT 5/5/95
Hank Masterson 244-1414

The Fire Department has no requirements. Existing fire hydrants are adequate.

CITY POLICE DEPARTMENT 5/8/95
Dave Stassen 244-3587

This proposal causes no problems for the Police Department.

UTE WATER 5/9/95
Gary R. Mathews 242-7491

1. Ute Water has a 3" main in G Road. A 10" line was extended from Fountainhead to 24 3/4 Road, north side of G Road.
2. The 10" main requires an assessment to anyone connecting to this line for fire protection or domestic use.
3. Policies and fees in effect at the time of application will apply.

CITY DEVELOPMENT ENGINEER 5/16/95
Jody Kliska 244-1591

1. Right-of-way dedication required on G Road - 10' along frontage.
2. Right-of-way dedication required on 24 3/4 Road - 2' along frontage.
3. No access allowed to G Road. Please note on plat.

CITY PROPERTY AGENT 5/15/95
Steve Pace 244-1452

The dedication addresses utility easements, but none are shown on the plat.

MESA COUNTY SCHOOL DISTRICT #51 5/15/95
Lou Grasso 242-8500

<u>SCHOOL</u>	<u>CURRENT CAPACITY/ENROLLMENT</u>	<u>IMPACT</u>
Appleton Elementary	250 / 260	1
West Middle School	500 / 530	0
Fruita Monument High School	1000 / 1312	0

CITY UTILITY ENGINEER 5/16/95
Trent Prall 244-1507

SEWER: City

1. Please contact Utility Billing (244-1580) to verify fees for connection to sewer.
2. 14' Multi-purpose easement required along 24 3/4 and "G" Road.

COMMUNITY DEVELOPMENT DEPARTMENT 5/17/95
Tom Dixon 244-1447

See attached comments.

LATE COMMENTS

MESA COUNTY PLANNING 5/19/95
Verna Cox 244-1637

The City may prefer an internal access road rather than allowing the lots access off of G Road.

TO DATE, COMMENTS HAVE NOT BEEN RECEIVED FROM:

Grand Valley Irrigation
City Attorney
Mesa County Surveyor

STAFF REVIEW

FILE: #MS-95-77

DATE: May 17, 1995

STAFF: Tom Dixon, AICP

REQUEST: 2-lot Minor Subdivision

LOCATION: Northwest corner of G and 24 3/4 Roads

APPLICANT: John Fair (owner), John Giancanelli (petitioner)

EXISTING LAND USE: Undeveloped

PROPOSED LAND USE: Single-family Residential

SURROUNDING LAND USE: Single-family Residential

EXISTING ZONING: RSF-2

SURROUNDING ZONING:

NORTH: RSF-2

SOUTH: RSF-R

EAST: RSF-2

WEST: RSF-2

RELATIONSHIP TO COMPREHENSIVE PLAN/POLICIES/GUIDELINES: No such plans have been adopted in this part of the City.

STAFF ANALYSIS: The proposal to subdivide an existing 1.16-acre undeveloped parcel into two equal sized lots of .58-acre each is consistent with the RSF-2 zoning which allows a density of up to two lots per acre. The main restriction on this subdivision is that both lots are to have access onto 24 3/4 Road and that no access onto G Road be permitted for proposed Lot 2.

STAFF RECOMMENDATION: Approval of the proposed two-lot Minor Subdivision with the following conditions:

- 1) Proposed Lot 2 shall not have access onto G Road. The final plat shall have a note which states: "Lot 2 shall have no access onto G Road".
- 2) Parks and Open Space fees are \$225 per lot and shall be payable prior to the recording of the final plat.
- 3) The petitioner shall dedicate to the City 10 feet of right-of-way along 24 3/4 Road and two (2) feet of right-of-way along G road in order that future improvements can be made. The dedication of this right-of-way may be credited against the Transportation Capacity Payment (TCP) which the City has adopted

for future right-of-way improvements.

4) The petitioner shall sufficiently satisfy all other comments from reviewing agencies.

SUGGESTED PLANNING COMMISSION MOTION: Mr. Chairman, on item #MS-95-77, I move that we approve the proposed two-lot Minor Subdivision subject to staff recommendation and conditions.

STAFF REVIEW (Final)

FILE: #MS-95-77

DATE: May 26, 1995

STAFF: Tom Dixon, AICP

REQUEST: 2-lot Minor Subdivision

LOCATION: Northwest corner of G and 24 3/4 Roads

APPLICANT: John Fair (owner), John Giancanelli (petitioner)

EXISTING LAND USE: Undeveloped

PROPOSED LAND USE: Single-family Residential

SURROUNDING LAND USE: Single-family Residential

EXISTING ZONING: RSF-2

SURROUNDING ZONING:

NORTH: RSF-2

SOUTH: RSF-R

EAST: RSF-2

WEST: RSF-2

RELATIONSHIP TO COMPREHENSIVE PLAN/POLICIES/GUIDELINES: No such plans have been adopted in this part of the City.

STAFF ANALYSIS: The proposal to subdivide an existing 1.16-acre undeveloped parcel into two equal sized lots of .58-acre each is consistent with the RSF-2 zoning. This zone allows a density of up to two lots per acre. The main restriction on this subdivision is that both proposed lots are to have access onto 24 3/4 Road and that no access onto G Road be permitted for proposed Lot 2.

Comments from the City Development Engineer of the Public Works Department requires a dedication to the City of 10 feet of right-of-way along 24 3/4 Road and two (2) feet of right-of-way along G road. These dedications are necessary in order that future improvements can be made to the roads. The dedication of these additional rights-of-way may be credited against the adopted Transportation Capacity Payment (TCP).

STAFF RECOMMENDATION: Approval of the proposed two-lot Minor Subdivision with the following conditions:

1) Proposed Lot 2 shall not have access onto G Road. The final plat shall have a note which states: "Lot 2 shall have no access onto G Road".

2) Parks and Open Space fees are \$225 per lot and shall be payable prior to the recording of the final plat.

3) The petitioner shall dedicate to the City 10 feet of right-of-way along 24 3/4 Road and two (2) feet of right-of-way along G road in order that future road improvements can be made. The dedication of these rights-of-way may be credited against the Transportation Capacity Payment (TCP).

4) The petitioner shall sufficiently satisfy all other comments from reviewing agencies.

SUGGESTED PLANNING COMMISSION MOTION: Mr. Chairman, on item #MS-95-77, I move that we approve the proposed two-lot Minor Subdivision subject to staff recommendation and conditions.

STAFF REVIEW (Final - amended)

FILE: #MS-95-77

DATE: June 2, 1995

STAFF: Tom Dixon, AICP

REQUEST: 2-lot Minor Subdivision

LOCATION: Northwest corner of G and 24 3/4 Roads

APPLICANT: John Fair (owner), John Giancanelli (petitioner)

EXISTING LAND USE: Undeveloped

PROPOSED LAND USE: Single-family Residential

SURROUNDING LAND USE: Single-family Residential

EXISTING ZONING: RSF-2

SURROUNDING ZONING:

NORTH: RSF-2

SOUTH: RSF-R

EAST: RSF-2

WEST: RSF-2

RELATIONSHIP TO COMPREHENSIVE PLAN/POLICIES/GUIDELINES: No such plans have been adopted in this part of the City.

STAFF ANALYSIS: The proposal to subdivide an existing 1.16-acre undeveloped parcel into two equal sized lots of .58-acre each is consistent with the RSF-2 zoning. This zone allows a density of up to two lots per acre. The main restriction on this subdivision is that both proposed lots are to have access onto 24 3/4 Road and that no access onto G Road be permitted for proposed Lot 2.

Comments from the City Development Engineer of the Public Works Department requires a dedication to the City of two (2) feet of right-of-way along 24 3/4 Road and 10 feet of right-of-way along G road. These dedications are necessary in order that improvements can be made to these roads. The dedication of these additional rights-of-way may be credited against the adopted Transportation Capacity Payment (TCP).

As was discussed Tuesday morning, May 30th, Public Works will require the installation of curb, gutter, and sidewalk along the property frontage of 24 3/4 Road. This requirement is made under the provisions of the Zoning and Development Code Section 5-4-1 (H-6), which states "If the development abuts an existing unimproved or underimproved street, the ... Director may require the developer to construct half-street improvements all or a

portion of the abutting street to current City street standards in lieu of payment of the TCP. The Director may require such construction if the Director determines that the construction is necessary for the safe ingress and/or egress of traffic to the development, or if the improvements are proximate to partially improved or under-improved rights-of-way."

This requirement is made because the character of 24 3/4 Road traffic is changing due to development to the north of this minor subdivision. The North Valley subdivision has completed half-street improvements along its frontage and will continue to construct improvements as phasing occurs. It is anticipated Fountainhead Subdivision will also increase traffic demands along 24 3/4 Road as it develops.

The curb, gutter and sidewalk, as well as any pavement work necessary to match to the curb, is required. The concrete must align with the concrete to the north. All work must be constructed in accordance with the standard drawings for concrete. An improvements agreement will need to be in place to guarantee the work prior to recording the plat.

STAFF RECOMMENDATION: Approval of the proposed two-lot Minor Subdivision with the following conditions:

- 1) Proposed Lot 2 shall not have access onto G Road. The final plat shall have a note which states: "Lot 2 shall have no access onto G Road".
- 2) Parks and Open Space fees are \$225 per lot and shall be payable prior to the recording of the final plat.
- 3) The petitioner shall dedicate to the City two (2) feet of right-of-way along 24 3/4 Road and 10 feet of right-of-way along G road in order that road improvements can be made. The dedication of these rights-of-way may be credited against the Transportation Capacity Payment (TCP).
- 4) The installation of curb, gutter, and sidewalk along the property frontage of 24 3/4 Road is required. A Development Improvements Agreement shall be submitted to the City for acceptance and recording with the final plat.
- 5) The petitioner shall sufficiently satisfy all other comments from reviewing agencies.

SUGGESTED PLANNING COMMISSION MOTION: Mr. Chairman, on item #MS-95-77, I move that we approve the proposed two-lot Minor Subdivision subject to staff recommendation and conditions.