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**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

MONDAY, AUGUST 2, 2010, 7:00 P.M.

Call to Order

Pledge of Allegiance
Moment of Silence

Appointments

To the Riverfront Commission

Certificates of Appointment

For the Urban Trails Committee

Council Comments

Citizen Comments

***** CONSENT CALENDAR *****

1. **Minutes of Previous Meeting**

[Attach 1](#)

Action: Approve the Minutes of the July 19, 2010 Regular Meeting

**** Indicates Changed Item**

***** Indicates New Item**

® Requires Roll Call Vote

2. **Setting a Hearing on the Heritage Villas Rezone, Located at 606 ½ 29 Road, from R-4 to R-8** [File #RZ-2010-062] [Attach 2](#)

A request to rezone 1.6 acres, located at 606 ½ 29 Road, from R-4 (Residential – 4 units per acre) zone district to R-8 (Residential – 8 units per acre) zone district. The proposed project is to provide a retirement village consisting of 10 units and a single family residence for the owner of the property.

Proposed Ordinance Rezoning Heritage Villas from R-4 (Residential 4 Units per Acre) to R-8 (Residential 8 Units per Acre) Located at 606 ½ 29 Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 16, 2010

Staff presentation: Lori V. Bowers, Senior Planner

3. **Setting a Hearing on the Lee/Bell Rezone, Located at 315 Ouray Avenue from R-O to B-2** [File #RZ-2010-066] [Attach 3](#)

A request to rezone 0.14 acres, located at 315 Ouray Avenue, from R-O (Residential Office) zone district to B-2 (Downtown Business) zone district to allow retail sales in a gallery in the home.

Proposed Ordinance Rezoning the Lee/Bell Property from R-O (Residential Office) to B-2 (Downtown Commercial), Located at 315 Ouray

Action: Introduction of Proposed Ordinance and Set a Hearing for August 16, 2010

Staff presentation: Lori V. Bowers, Senior Planner

4. **Emergency Services Fiber Optic Installation Contract** [Attach 4](#)

This contract consists of installing a new fiber optic ring linking the Police Department, City Hall and the Mesa County Sheriff's Office. This is a second link and will serve as back up to ensure the availability of public safety systems to E-911, police, fire, and sheriff as they deliver public safety services to the community. This is a part of the larger project to implement a public safety network that will provide integrated criminal justice records, corrections management, and computer aided dispatch across all law enforcement agencies in Mesa County.

Action: Authorize the City Purchasing Division to Sign a Construction Contract for the Emergency Services Fiber Optic Installation Project with Sturgeon Electric in the Amount of \$108,555

Staff presentation: Jim Finlayson, Information Technology Manager
Jay Valentine, Assistant Financial Operations Manager

5. **Construction Contract for Compressed Natural Gas Slow-Fill Station, Located at the Municipal Campus, 333 West Avenue** [Attach 5](#)

The project consists of installation of a new Compressed Natural Gas (CNG) Slow-Fill Station. This slow-fill station will provide a fueling point for the four new solid waste trash trucks that were purchased earlier this year, and expected to provide two fueling bays to be used for Grand Valley Transit buses.

Action: Authorize the City Purchasing Division to Sign a Construction Contract for the CNG Slow-Fill Station Project with Gas Energy Systems, Inc. in the Amount of \$555,086

Staff presentation: Jay Valentine, Assistant Financial Operations Manager
Greg Trainor, Director of Streets, Facilities, and Utilities
Terry Franklin, Deputy Dir. of Streets, Facilities and Utilities

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

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

6. **Public Hearing – Mesa State College Right-of-Way Vacations** [File # VR-2010-068] [Attach 6](#)

Mesa State College is requesting to vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys in anticipation of current and future building and parking lot expansions for the campus.

Ordinance No. 4431—An Ordinance Vacating Portions of Texas, Elm, Houston and Bunting Avenues and Associated Alley Rights-of-Way in the Mesa State College Area

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4431

Staff presentation: Greg Moberg, Planning Services Supervisor

7. **Appeal of the Planning Commission’s Decision Regarding the Schooley-Weaver Partnership Conditional Use Permit for a Gravel Extraction Facility, Located at 104 29 ¾ Road** [File #CUP-2010-008] [Attach 7](#)

An appeal has been filed regarding the Planning Commission’s decision to deny a conditional use permit for a Gravel Extraction Facility, located at 104 29 ¾ Road.

The Conditional Use Permit was considered under the provisions of the 2000 Zoning and Development Code; therefore, the appeal was filed in accordance with Section 2.18.E of the 2000 Zoning and Development Code, which specifies that the City Council is the appellate body of the Planning Commission.

According to Section 2.18.E.4.h, no new evidence or testimony may be presented, except City Staff may be asked to interpret materials contained in the record.

Action: Consider the Appeal

Staff presentation: Brian Rusche, Senior Planner

8. **Non-Scheduled Citizens & Visitors**
9. **Other Business**
10. **Adjournment**

**Attach 1
Minutes from Previous Meeting**

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

July 19, 2010

The City Council of the City of Grand Junction convened into regular session on the 19th day of July 2010 at 7:04 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Tom Kenyon, Gregg Palmer, Sam Susuras, and Council President Teresa Coons. Councilmembers Bruce Hill and Bill Pitts were absent. Also present were City Manager Laurie Kadrach, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Coons called the meeting to order. Councilmember Palmer led the Pledge of Allegiance followed by a moment of silence.

Proclamations/Recognitions

Proclaiming July 24, 2010 as “Celebrate the Americans with Disabilities Act Day” in the City of Grand Junction

Appointments

Councilmember Kenyon moved to ratify the re-appointment of Keith Dickerson and the appointment of Craig Richardson to the Urban Trails Committee for three year terms expiring June 2013. Councilmember Palmer seconded the motion. Motion carried.

Council Comments

There were no comments.

Citizen Comments

There were none.

City Manager’s Report

Laurie Kadrach, City Manager, gave a report on her Harvard experience. She thanked the City Council and Deputy City Manager for allowing her to participate in this experience. The group was immersed into many of the things from the John F. Kennedy Library. She described a clip from the library of John F. Kennedy that had not previously been catalogued showing President Kennedy giving a commencement

address calling those who were able to receive a higher education to give back to the community by means of civic duty.

The course was three weeks and included a large amount of reading material. There was a lot of interaction with the other 52 students. It was a requirement that they roomed and ate together and also had study groups. The professors were mostly Harvard and other university professors with different teaching styles. John Viola also was a presenter who was an expert on the Socratic teaching model; he also leads strategic public policy. Another professor and noted author was Marty Linski, who taught executive leadership for Police and Fire strategies. City Manager Kadrich's favorite instructor was Dan Finn, 86 or 87 years old, and the last surviving member of the Kennedy cabinet. He was in charge of putting together the Kennedy Library and Archives. Mr. Finn has been involved in other presidencies regarding structures. During Kennedy's time there were 25 cabinet members compared to 2,000 cabinet members today.

City Manager Kadrich's experience was sponsored by the Gates Foundation (Rubber and Tire Company). Harvard does two programs each summer and includes people from all over the world. City Manager Kadrich presented an outline of the course content which included case studies, negotiation exercises, strategy in the public sector, and a host of other methods and topics. The students had an outward bound experience where they went to an island where a number of educational activities took place.

The case study is the method of study used at Harvard. As a graduate of the course, City Manager Kadrich now has access to all the resources at the JFK School of Business. She also has the resource of networking with her classmates and the methodologies they presented.

Council President Coons expressed her appreciation for City Manager Kadrich's opportunity and complimented working with the Deputy City Manager and the City Attorney in her stead.

CONSENT CALENDAR

Councilmember Beckstein read the Consent Calendar and then moved that the Consent Calendar Items #1 through #6 be adopted. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

1. Minutes of Previous Meeting

Action: Approve the Minutes of the July 7, 2010 Regular Meeting

2. **Notification of the Mesa County Clerk of the City's Possible Participation in the November 2, 2010 Election**

In order for the City to have a question(s) on the November 2010 ballot that election would have to be coordinated. According to Article 7, *Conduct of Elections, Uniform Election Code*, one hundred days before the election the political subdivision shall notify the county clerk and recorder in writing. This Resolution serves to provide that notice.

Resolution No. 31-10—A Resolution Concerning the 2010 General Election and Notification of the Mesa County Clerk of the City's Possible Participation in that Election

Action: Adopt Resolution No. 31-10

3. **Federal Aviation Administration Airport Improvement Program Grant AIP-43 at the Grand Junction Regional Airport and Supplemental Co-sponsorship Agreement for Airport Improvements**

AIP-43 is a \$133,314.00 grant for the scoping for the Environmental Assessment Project associated with the construction of the new Runway 11/29 and the relocation of 27 ¼ Road due to the construction of the new runway at the Grand Junction Regional Airport. The Supplemental Co-sponsorship Agreements are required by the FAA as part of the grant acceptance by the City.

Action: Authorize the Mayor and City Attorney to Sign the Original FAA AIP-43 Grant Documents for Scoping of the Environmental Assessment for New Runway 11/29 and the Relocation of 27 ¼ Road at the Grand Junction Regional Airport and Authorize the City Manager to Sign the Supplemental Co-sponsorship Agreement for AIP-43

4. **Federal Aviation Administration Airport Improvement Program Grant AIP-44 at the Grand Junction Regional Airport and Supplemental Co-sponsorship Agreement for Airport Improvements**

AIP-44 is a \$497,361.00 grant for the design of the southern Perimeter Fence which will replace all fence from 27 ¼ Road to north of the Speedway on the end of the Grand Junction Regional Airport. The Supplemental Co-sponsorship Agreements are required by the FAA as part of the grant acceptance by the City.

Action: Authorize the Mayor and City Attorney to Sign the Original FAA AIP-44 Grant Documents for the Design of the Southern Portion of the Grand Junction Regional Airport and Authorize the City Manager to sign the Supplemental Co-sponsorship Agreement for AIP-44

5. **Amendment to Action Plan for 2009 Community Development Block Grant (CDBG) Program Year for Project within the 2009 CDBG Program Year** [File # CDBG-200905, 2009-09]

Amend the City's Action Plan for CDBG Program Year 2009 to reallocate a portion of funds not expended from the Riverside Task Force Property Acquisition project to be used towards the Dual Immersion Academy Slope Stabilization and Landscaping project.

Action: Approve the Amendment to the City's CDBG Consolidated Plan 2009 Action Plan to Reflect the Reallocation of Funds from Project 2009-05, Riverside Task Force Property Acquisition, to Project CDBG 2009-09, Dual Immersion Academy Slope Stabilization and Landscaping Project

6. **Setting a Hearing on the Mesa State College Right-of-Way Vacations** [File # VR-2010-068]

Mesa State College is requesting to vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys in anticipation of current and future building and parking lot expansions for the campus.

Proposed Ordinance Vacating Portions of Texas, Elm, Houston and Bunting Avenues and Associated Alley Rights-of-Way in the Mesa State College Area

Action: Introduce the Proposed Ordinance and Set a Hearing for August 2, 2010

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Vacation of Right-of-Way in the Goose Downs Subdivision, Located at 359 29 5/8 Road [File # PP-2008-245]

A request to vacate a portion of 29 5/8 Road for the benefit of Goose Downs Subdivision, located at 359 29 5/8 Road to facilitate development of an irregularly shaped parcel.

The public hearing was opened at 7:29 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the site, the location, and the request. The vacation will facilitate the development of the parcel. She asked that the Staff Report and attachments be entered into the record. The request meets the criteria for vacations in the Zoning and Development Code. The Planning Commission recommended approval on June 8, 2010 with a condition that the developer construct and dedicate new access prior to the recording of the vacation. The applicant was present but did not need to do a presentation.

There were no public comments.

The public hearing was closed at 7:30 p.m.

Ordinance No. 4429—An Ordinance Vacating Right-of-Way for a Portion of 29 5/8 Road, at Goose Downs Subdivision Located at 359 29 5/8 Road

Councilmember Kenyon moved to adopt Ordinance No. 4429 and ordered it published. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

Public Hearing—Proposed Amendment to the Sales and Use Tax Code Exempting Aircraft Parts from Sales Tax

This is an amendment to the Grand Junction Municipal Code concerning the exemption from sales tax of seller installed aircraft parts. This proposed amendment is recommended by the Council's Economic and Community Development Committee. The proposed ordinance amending the Code has a two year sunset clause at which time City Council will evaluate the effectiveness of the ordinance and may or may not extend the exemption.

The public hearing was opened at 7:31 p.m.

Laurie Kadrich, City Manager, presented this item. She advised that the item for consideration is a recommendation from the Economic and Community Development Committee to exempt sales tax on the sale of aircraft parts when installed as part of service. The airport is a fast growing industry in the City. Most airports are outside the corporate limits of cities. State and counties already exempt these parts from sales tax. The recommendation is to consider the exemption for two years then review its impact. Without further action, the provision would sunset in two years.

There were no public comments.

The public hearing was closed at 7:35 p.m.

Councilmember Palmer serves on the Airport Authority Board and is very familiar with the many issues that involve the airport and the operators at the airport. He reiterated that the State has already exempted such aircraft parts from sales tax. This is a matter of economic development. This action is to retain a very viable business in the community. It will allow the existing business to be on an even playing field with its competitors in other areas. He supports it and feels that the community will reap more benefits than it will lose in sales tax.

Councilmember Kenyon said the tax will help customers decide whether to use the local operator or to go to another community for their service. Councilmember Kenyon asked

the City Attorney if two years is enough time for this provision to be evaluated. City Attorney Shaver said the time frame can certainly be extended but two years probably will be sufficient time to judge its effectiveness.

Councilmember Kenyon said he would not like citizens to think this is temporary so he proposes a friendly amendment to a four year sunset.

Councilmember Beckstein said the action may encourage others to relocate to Grand Junction and it also provides competitiveness with other areas in the region.

Councilmember Susuras said it is good policy since the State has already exempted these items from sales tax and he thinks a two year sunset is sufficient.

Council President Coons also voiced her support and said it will be a benefit to the community. She does support the sunset with the option to extend in order to provide an opportunity to review the effectiveness.

Councilmember Beckstein clarified that it does not exempt over the counter sales or the tax on fuel.

Ordinance No. 4430—An Ordinance Amending Section 3.12.070 of Chapter 3 of the Grand Junction Municipal Code Concerning the Exemption from Sales Tax of Seller Installed Aircraft Parts

Councilmember Palmer moved to adopt Ordinance No. 4430 with a change in the sunset clause to three years and ordered it published. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:45 p.m.

Stephanie Tuin, MMC
City Clerk



Date: July 8, 2010
 Author: Lori V. Bowers
 Title/ Phone Ext: Senior Planner / 4033
 Proposed Schedule: 1st
Reading August 2, 2010
 2nd Reading: August 16, 2010

CITY COUNCIL AGENDA ITEM

Attach 2
Heritage Villas Rezone - Located at 606 1/2 29 Road, from R-4 to R-8

Subject: Heritage Villas Rezone - Located at 606 1/2 29 Road, from R-4 to R-8
File # RZ-2010-062
Presenters Name & Title: Lori V. Bowers, Senior Planner

Executive Summary:

A request to rezone 1.6 acres, located at 606 1/2 29 Road, from R-4 (Residential – 4 units per acre) zone district to R-8 (Residential – 8 units per acre) zone district. The proposed project is to provide a retirement village consisting of 10 units and a single family residence for the owner of the property.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

During the required neighborhood meeting the concept of the proposed project is to provide a retirement village, with a single family residential unit, for the owner of the property; two, two bedroom units; six one bedroom units; two studio units and a one bedroom caretaker’s unit located over the community/game room, which is for the use of the residents, thus providing a mix of housing types, family types and addressing the needs of elderly residents.

Action Requested/Recommendation:

Introduce a Proposed Zoning Ordinance and Set a Public Hearing for August 16, 2010.

Board or Committee Recommendation:

At the July 13, 2010 meeting, the Planning Commission forwarded a recommendation of approval to the City Council.

Background, Analysis and Options:

Please see the attached background information and staff report.

Financial Impact/Budget:

N/A

Legal issues:

There are none.

Other issues:

N/A

Previously presented or discussed:

This matter has not been previously presented or discussed.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City and County Zoning Map
Blended Residential Map
Concept Plan
Proposed Ordinance

BACKGROUND INFORMATION					
Location:		606 ½ 29 Road			
Applicants:		Donnie Yancey, owner; Donny Eilts, developer; Ken O'Bryan, representative			
Existing Land Use:		Vacant land			
Proposed Land Use:		Single-family residence with 10 retirement living units			
Surrounding Land Use:	North	Church			
	South	Car wash, vacant land and single-family residences along F Road			
	East	Single family residences			
	West	Mesa County Open Space			
Existing Zoning:		R-4 (Residential 4 du/c)			
Proposed Zoning:		R-8 (Residential 8 du/ac)			
Surrounding Zoning:	North	County RSF-4 (Residential Single Family 4 du/ac) and PD (Planned Development)			
	South	B-1 (Neighborhood Business) and County RSF-4 (Residential Single Family 4 du/ac)			
	East	County RSF-4 (Residential Single Family 4 du/ac)			
	West	CSR (Community Service and Recreation)			
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)			
Zoning within density range?		X	Yes		No

1. Background

The property was annexed into the City in 1994 as part of the Darla Jean Annexation which consisted of approximately 499 acres, including airport lands and land on both sides of F Road. Upon annexation the subject parcel was zoned R-4 (Residential – 4 dwelling units per acre).

A neighborhood meeting was held on Friday, April 16, 2010. Nine neighbors signed the attendance sheet. The preliminary site plan was shown and the developer's representative explained the concept of a retirement village for the 1.6 acre parcel. The developer's architect explained the concept of the plan and the various elements of the site. The project was explained to have a single-family residence, for the owner of the property; two, two bedroom units; six, one bedroom units; two studio units and a one bedroom care taker's unit located over the community/game room, which is for the use of the residents. Units would have garages, and additional visitor parking would be provided. There will be storage units available for the residents to rent if they so choose. All maintenance to the buildings and landscaping will be provided by the on-

site caretaker. Fencing is proposed for portions of the project and is required as a buffer where R-8 zoning is adjacent to B-1 zoning, as is the case on the southern most boundary of the property. Residential zones that abut other residential zones do not have to provide fencing, although the Grand Junction Municipal Code (GJMC) allows the decision-maker to require fencing in certain circumstances. The need for fencing was discussed during the neighborhood meeting.

In the past a Rezone of a property was based solely on certain criteria found in the Zoning and Development Code. With the adoption of the new Comprehensive Plan and the codification of the Zoning and Development Code, a concept plan is now required as part of a rezone application.

Based on the concept plan submitted, the request to rezone the property to R-8 (Residential – 8 dwelling units per acre) will accommodate the proposed site plan which has an overall density of 7.5 dwelling units per acre. The Comprehensive Plan shows this area to develop in the Residential Medium category, which is 4 to 8 dwelling units per acre. The Blended Residential Map shows this area to develop anywhere from 4 to 16 dwelling units per acre.

2. Section 02.140 of the Grand Junction Municipal Code

In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

(1) Subsequent events have invalidated the original premise and findings; and/or

Response: The property was originally zoned R-4, 16 years ago and has remained vacant. With the adoption of the new Comprehensive Plan, which provides a vision for a diversity of housing types for a spectrum of incomes, and be child and senior friendly, the proposed rezone will meet Goal 5. Goal 5 states: “To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.” As part of the “Six Guiding Principles” that will shape our growth through the Comprehensive Plan, we should allow and encourage more variety in housing types (besides just single family detached lots) that will better meet the needs of our diverse population.

Based on Goal 7 of the Comprehensive Plan, which states: “New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.” This Goal can be met with adequate fencing of the subdivision; fencing is required anywhere R-8 zoning abuts a business zone such as B-1.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: Several Plans have been adopted recently, all reflecting the encouragement of increased density or mixed use in this area. The Transportation Plan shows future improvements to 29 Road, which is classified

as a Principal Arterial, which will provide direct access to I-70 in the future. The Mixed Use Opportunity Corridor and the Future Land Use Map of the Comprehensive Plan along with the Blended Residential Map all indicate that increased density and a mix of housing types as shown by the applicant's rezone application is consistent with all the adopted Plans.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: There are adequate public utilities adjacent to the subject parcel that can be extended through the property to facilitate new construction at the requested density. Community facilities, such as a convenience store, a large grocery store, restaurant and other neighborhood facilities and uses are within walking distance of the subject parcel.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Response: Similar to Item 2 above, increased density for this site makes sense and is supported by the numerous Plans mentioned above. If you notice the Aerial Photo Map, you can see that the subject parcel is surrounded by development, therefore there is no vacant land in this area with a higher density zoning that would allow this development.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The applicants state in their General Project Report that by rezoning the property to allow for a higher density the major benefit will be another option for the aging population within the community. Keeping aging, retired citizens in the neighborhood is a benefit because they contribute so much to the volunteer sector of the community. Furthermore the proposed retirement community will further benefit the area due to its close proximity to many neighborhood commercial amenities discussed above in Item 3. Finally the proposed community is within walking distance of GVT's bus routes along F Road.

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS:

After reviewing the Heritage Villas Rezone, file number RZ-2010-062, a request to rezone the property from R-4 (Residential – 4 units per acre) to R-8 (Residential – 8 units per acre), the following findings of fact and conclusions have been determined:

1. The requested R-8 zone district is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 02.140 of the Grand Junction Municipal Code have all been met.

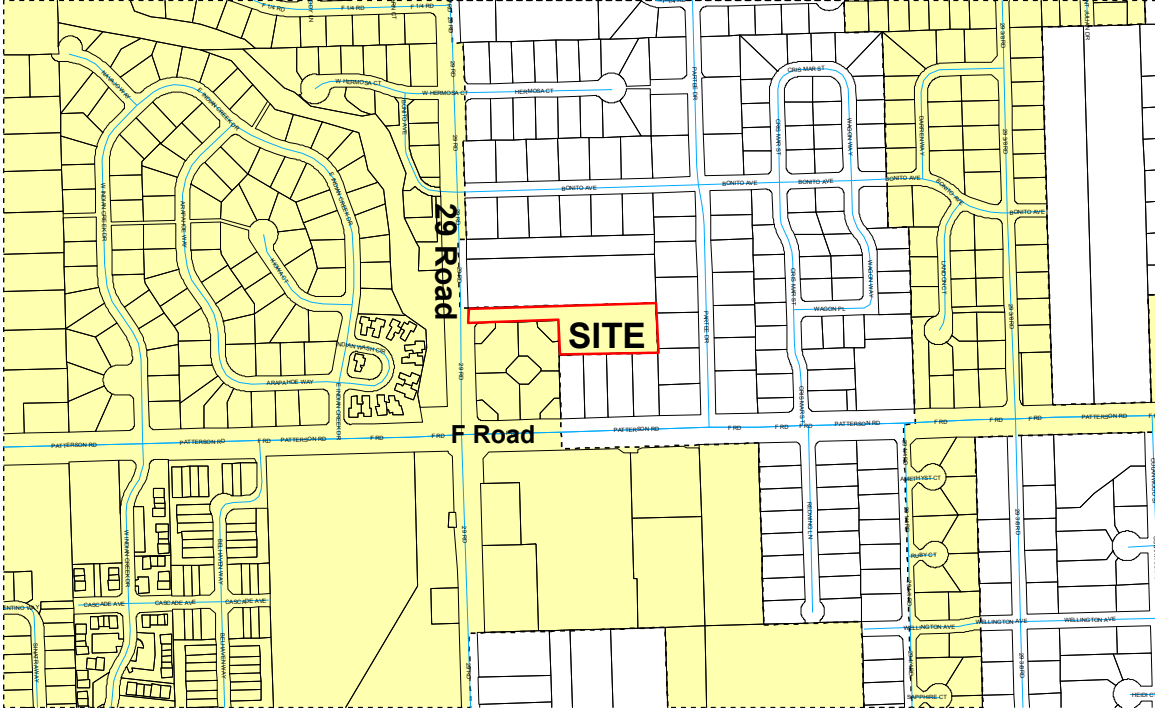
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission forwarded a recommendation of approval from their meeting of July 13, 2010.

Site Location Map

City Limits

606 1/2 29 Road



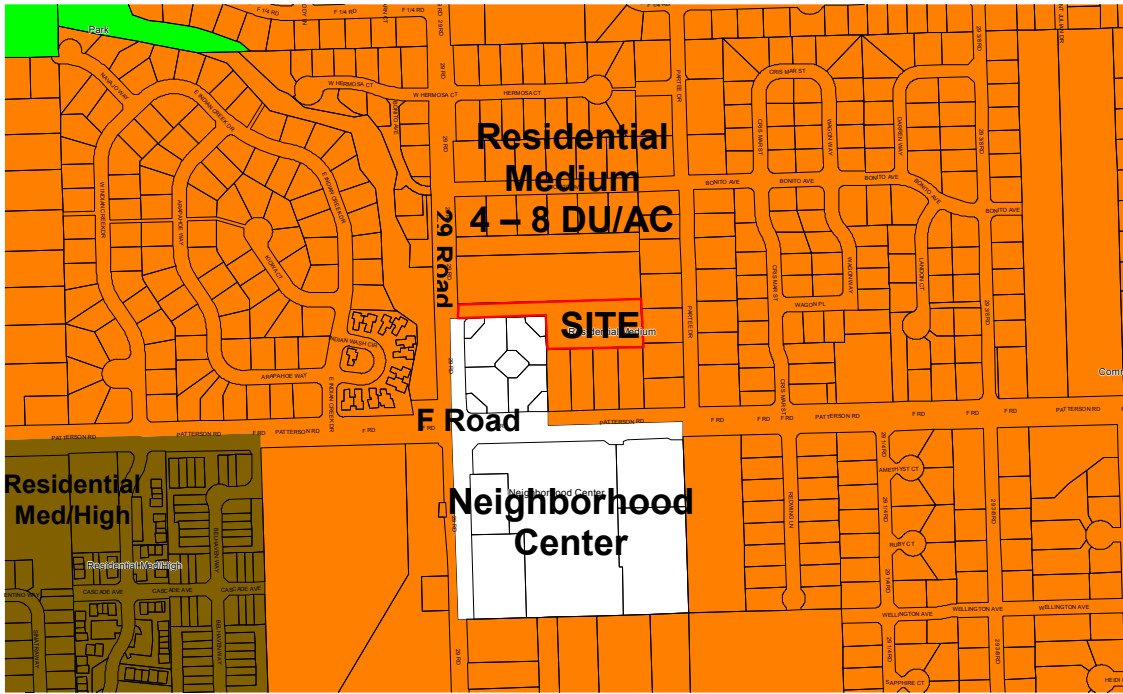
Aerial Photo Map

606 1/2 29 Road



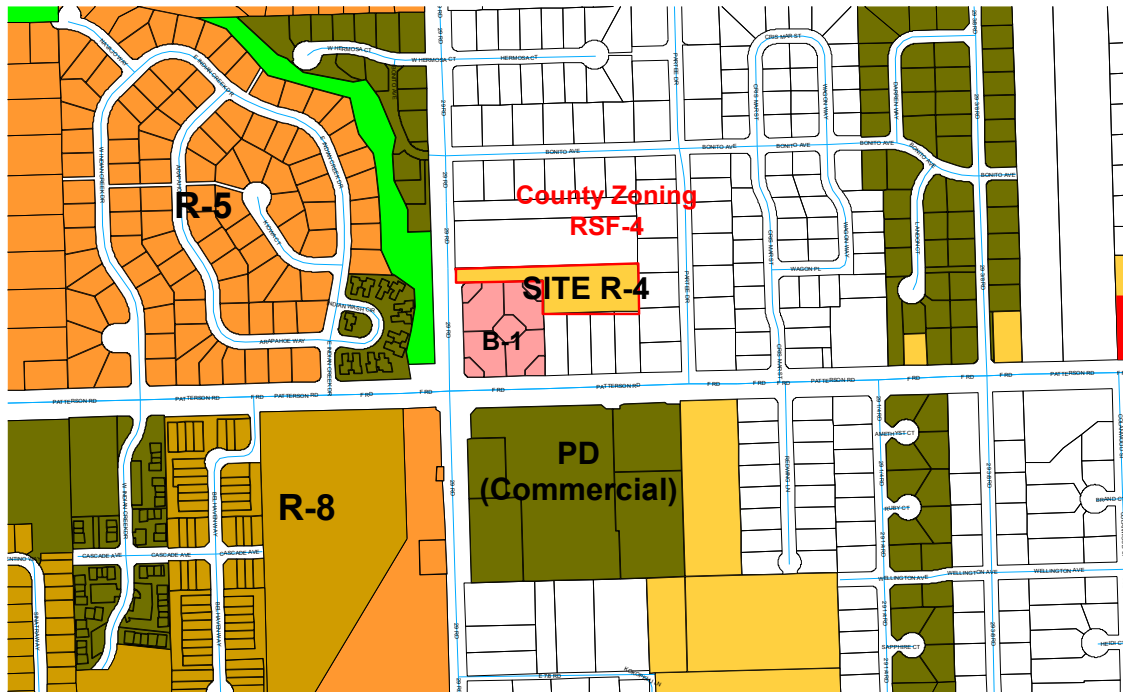
Comprehensive Plan Map

606 1/2 29 Road



Existing City and County Zoning Map

606 1/2 29 Road

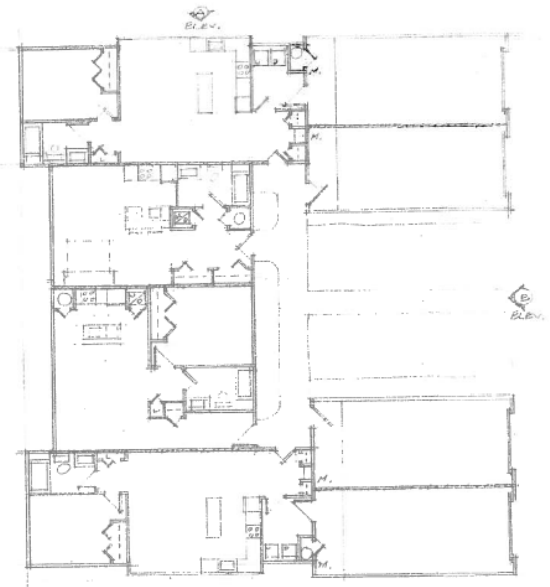


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Blended Residential Map

606 1/2 29 Road





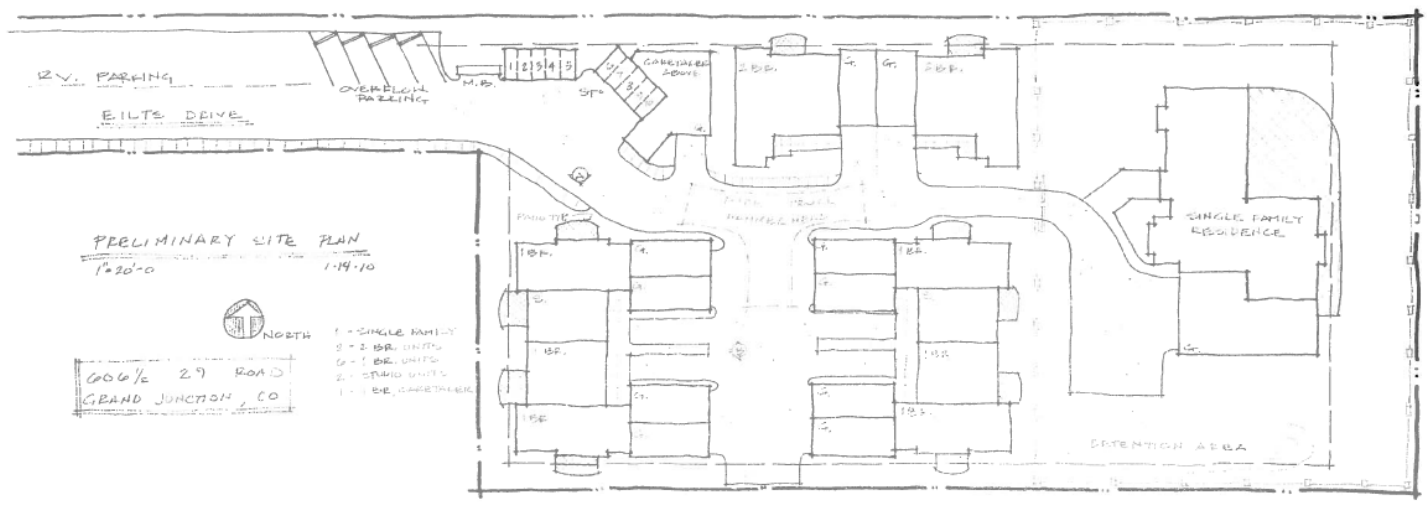
FLOOR PLAN
1/8" = 1'-0" 1/14/10



ELEVATION 'A'
1/8" = 1'-0" 1/14/10



ELEVATION 'B'
1/8" = 1'-0" 1/14/10



PRELIMINARY SITE PLAN
1" = 20'-0" 1/14/10

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING HERITAGE VILLAS
FROM R-4 (RESIDENTIAL – 4 UNITS PER ACRE) TO
R-8 (RESIDENTIAL – 8 UNITS PER ACRE)**

LOCATED AT 606 ½ 29 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of rezoning the Heritage Villas property from R-4 (Residential – 4 units per acre) to the R-8 (Residential – 8 units per acre) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Residential Medium, 4 to 8 units, and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8 zone district to be established.

The Planning Commission and City Council find that the R-8 zoning is in conformance with the stated criteria of Title 21, Section 02.140 of the Grand Junction Municipal Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property shall be rezoned R-8 (Residential – 8 units per acre).

BEG SW COR SEC 5 1S 1E N 429 FT E 660 FT S 165 FT W 330 FT S 264 FT W 330
FT TO BEG EXC THAT PT TAKEN BY PLAZA 29 AND EXC W 30 FT FOR RD ROW

ALSO KNOWN AS TAX PARCEL NUMBER 2943-053-00-136

Introduced on first reading this ___ day of _____, 2010 and ordered published.

Adopted on second reading this _____ day of _____, 2010.

ATTEST:

City Clerk

Mayor



Date: June 8, 2010
Author: Lori V. Bowers
Title/ Phone Ext: Senior Planner /
4033
Proposed Schedule: 1st
Reading August 2, 2010
2nd Reading: August 16, 2010

CITY COUNCIL AGENDA ITEM

Attach 3
Lee/Bell Rezone - Located at 315 Ouray Avenue,
from R-O to B-2

Subject: Lee/Bell Rezone - Located at 315 Ouray Avenue, from R-O to B-2
File #: RZ-2010-066
Presenters Name & Title: Lori V. Bowers, Senior Planner

Executive Summary:

A request to rezone 0.14 acres, located at 315 Ouray Avenue, from R-O (Residential Office) zone district to B-2 (Downtown Business) zone district to allow retail sales in a gallery within the home.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

Rezoning the property to B-2, will allow the applicants to remain living in their home and provide a "mixed use" by providing retail sales in a gallery setting in their home.

Action Requested/Recommendation:

Introduce a Proposed Zoning Ordinance and Set a Public Hearing for August 16, 2010.

Board or Committee Recommendation:

At the July 13, 2010 meeting, the Planning Commission forwarded a recommendation of approval to the City Council.

Background, Analysis and Options:

Please see the attached background information and staff report.

Financial Impact/Budget:

N/A

Legal issues:

None

Other issues:

N/A

Previously presented or discussed:

This matter has not been previously presented or discussed.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Proposed Ordinance

BACKGROUND INFORMATION					
Location:		315 Ouray Avenue			
Applicants:		Sandra G. Lee, owner; Don Bell, representative			
Existing Land Use:		Single-family residence, with home occupation			
Proposed Land Use:		Single-family residence, with retail sales area			
Surrounding Land Use:	North	Residential			
	South	United States Postal Service repair facility			
	East	Single-family residence			
	West	Single-family residence / Commercial parking lot			
Existing Zoning:		R-O (Residential Office)			
Proposed Zoning:		B-2 (Downtown Business)			
Surrounding Zoning:	North	R-8 (Residential – 8 units per acre)			
	South	B-1 (Neighborhood Business)			
	East	R-O (Neighborhood Business)			
	West	R-O (Neighborhood Business)			
Future Land Use Designation:		Downtown Mixed Use (DT, 24+ DU Acre, 96 Jobs/Acre)			
Zoning within density range?		X	Yes		No

1. Background

The applicants live at 315 Ouray Avenue, in a two story home built in 1902. They have a home occupation (design and manufacture of jewelry) which is allowed in an R-O zone. The issue is that retail sales are not allowed. The owner, Sandra Lee, is a jewelry designer who would like to turn a portion of her home into a small gallery to display her work and be able to sell her designs to the general public. B-2 zoning would allow her to do so. The purpose of the B-2 zoning district is to promote the vitality of the Downtown Area as provided by the Comprehensive Plan. The purpose of the B-2 zone district also encourages pedestrian circulation and common parking areas.

The applicants feel that a fine crafts gallery in the Ouray neighborhood justifies the rezone as it is in compliance with the intent and purpose of the Comprehensive Plan Downtown Mixed Use designation. The owner has spoken with the Mesa County Building Department about converting the entry hall and the living room into her gallery/showroom. The Building Official has said that they need to meet some minimal accessibility standards, at least a ramp to the main entry door. Furthermore, depending

on the number of potential customers at any one time, a restroom for the public may be needed with accessible features. The structure already has a handicapped accessible ramp and one restroom that is handicap accessible.

The applicant held a neighborhood meeting on April 20, 2010. Both neighbors on either side of the subject property attended the meeting along with a neighbor from across the street. All of the neighbors were in support of the plan and said it would be a great addition for the neighborhood. They also thought that all four houses on this block should be rezoned. One neighbor was concerned about possible parking conflicts, but the applicants stated that they had already contacted the Chamber of Commerce about leasing parking. The Chamber's parking lot is about 100 feet away to the east. The applicant plans to post a small sign in the front directing people to the parking lot. They have obtained a signed parking agreement with the Chamber, in accordance with the Grand Junction Municipal Code (GJMC), Section 06.050.(e)(iii).

2. Section 02.140.(a) of the Grand Junction Municipal Code

In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

(1) Subsequent events have invalidated the original premise and findings; and/or

Response: The new Comprehensive Plan's Goal 4 states: "Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions."

This area is designated on the Future Land Use Map as Downtown Mixed Use.

Rezoning the property to B-2, will allow the applicants to remain living in their home and provide a "mixed use" by providing retail sales in a gallery setting in their home, thereby supporting Goal 4.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: The Comprehensive Plan designation of Downtown Mixed Use encourages the proposed B-2 zoning and therefore the request is consistent with the Plan. The new Comprehensive Plan reflects changes in the character of the downtown area.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: There are adequate public and community facilities existing in this area.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Response: This is a re-use of an existing home, adding more intensity to the property, as encouraged by the Downtown Mixed Use area of the Comprehensive Plan.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The applicants state in their General Project Report that there is currently a lack of fine craft galleries in the Ouray neighborhood. The rezone will provide a walkable neighborhood gallery, while continuing to provide residential housing.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Lee/Bell Rezone, file number RZ-2010-066, a request to rezone the property from R-O (Residential Office) to B-2 (Downtown Commercial), the following findings of fact and conclusions have been determined:

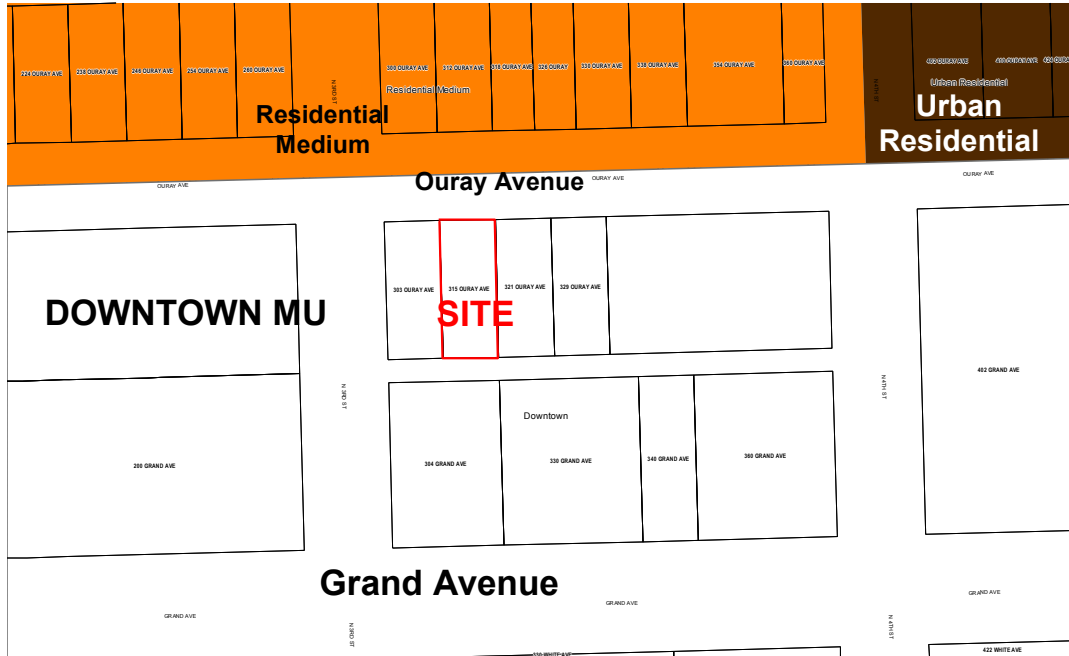
1. The requested B-2 zone district is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 02.140 of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval to City Council on July 13, 2010.

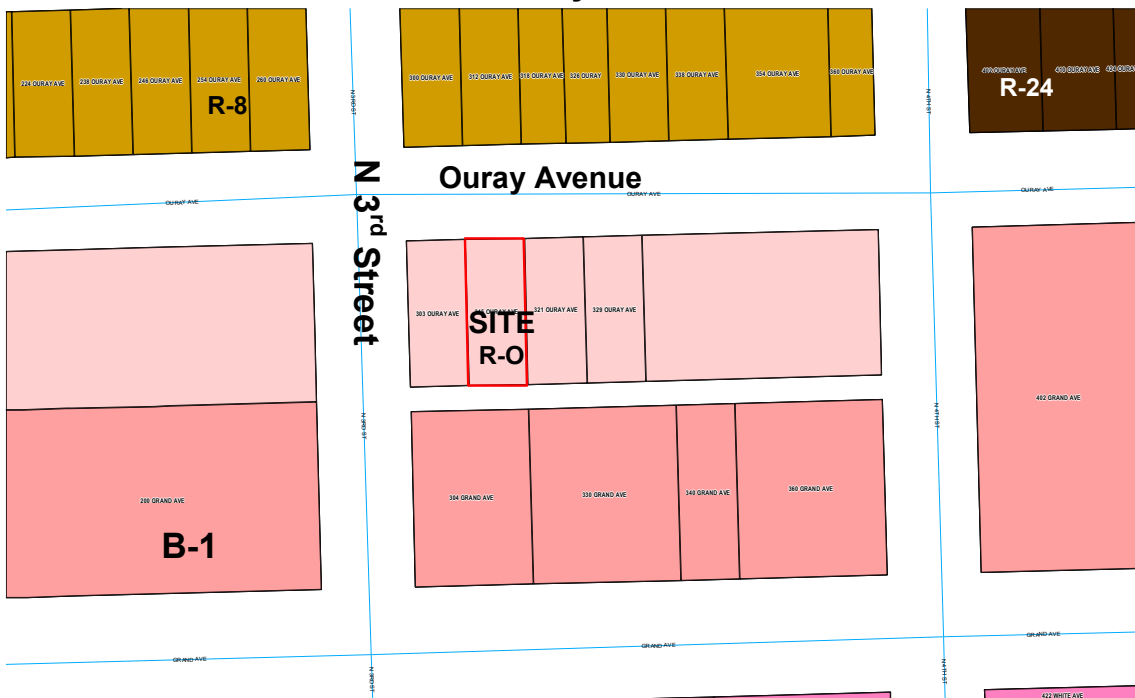
Comprehensive Plan Map

315 Ouray Avenue



Existing City Zoning Map

315 Ouray Avenue



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE LEE/BELL PROPERTY
FROM R-O (RESIDENTIAL OFFICE) TO
B-2 (DOWNTOWN COMMERCIAL)**

LOCATED AT 315 OURAY

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Lee/Bell property from R-O (Residential Office) to the B-2 (Downtown Commercial) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Downtown Mixed Use and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the B-2 zone district to be established.

The Planning Commission and City Council find that the B-2 zoning is in conformance with the stated criteria of Title 21 Section 02.140 of the Grand Junction Municipal Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property shall be rezoned B-2 (Downtown Business).

Lots 3 and 4, Block 75, Grand Junction, CO

Also identified as Tax Parcel 2945-142-39-002

Introduced on first reading this _____ day of _____, 2010 and ordered published.

Adopted on second reading this _____ day of _____, 2010.

ATTEST:

City Clerk

Mayor



Date: July 20, 2010
 Author: Scott Hockins
 Title/ Phone Ext: Purchasing
Supervisor, 1484
 Proposed Schedule: Monday,
August 2, 2010
 2nd Reading
 (if applicable): _____

CITY COUNCIL AGENDA ITEM

**Attach 4
 Emergency Services Fiber Optic Installation
 Contract**

Subject: Emergency Services Fiber Optic Installation Contract
File # :
Presenters Name & Title: Jim Finlayson, Information Technology Manager Jay Valentine, Assistant Financial Operations Manager

Executive Summary: This contract consists of installing a new fiber optic ring linking the Police Department, City Hall and the Mesa County Sheriff’s Office. This is a second link and will serve as back up to ensure the availability of public safety systems to E-911, police, fire, and sheriff as they deliver public safety services to the community. This is a part of the larger project to implement a public safety network that will provide integrated criminal justice records, corrections management, and computer aided dispatch across all law enforcement agencies in Mesa County.

How this action item meets City Council Comprehensive Plan Goals and Policies:

This Emergency Services Fiber Optic Installation project supports the following Goals from the Comprehensive plan:

Goal 11: Public safety facilities and services for our citizens will be a priority in planning for growth

The project will improve the communications for the public safety network by providing a secondary data path for the new County-wide Computer Aid Dispatch/Records Management/Correction Management System (CAD/RMS/CMS).

The secondary path is essential to ensure that the applications are available on an uninterrupted basis by the dispatchers, police officers and fire fighters that rely on the system to provide law enforcement, fire, and emergency services to our citizens.

Action Requested/Recommendation:

Authorize the City Purchasing Division to Sign a Construction Contract for the Emergency Services Fiber Optic Installation Project with Sturgeon Electric in the Amount of \$108,555.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The Grand Junction Regional Communication Center board has authorized funds for the purchases of the software, hardware and network equipment required to implement the multi-jurisdictional project (CAD/RMS/CMS). The total expected cost of the combined project is just over \$4 million. We have been successful in acquiring over \$2 million in grant funds for the total project including a \$1.75 million Department of Local Affairs award.

Sufficient funds for this component, secondary fiber optic installation (\$108,555), have been approved in the 2010 Communication Center Fund budget.

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Background, Analysis and Options:

This contract is part of the larger CAD/RMS/CMS implementation project that was approved by Council on August 31, 2009. The goal of the project is to implement an integrated data management system for the Grand Junction Regional Communication Center (GJRCC) and all of the law enforcement and fire departments in Mesa County. The new system will provide the ability and capacity to manage and exchange data between the various dispatch, mobile, field-based reporting, records and jail management modules in one integrated system. Each agency will be able to access appropriate information and data from other participating agencies in a timely, efficient, secure and reliable manner.

The architecture for the purchased system requires that the servers and databases be located in a central location that are accessed over fiber optic lines and other communication methods by officers and fire fighters located throughout the valley. In order to ensure the availability of the systems, a secondary set of fiber lines is necessary between the primary data center at the Police Department and the other major data centers at the Sheriff's Department and City Hall. This contract will allow the selected vendor to build the secondary fiber loop connecting those facilities.

A formal solicitation was advertised in the Daily Sentinel and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA). Four bids for the Secondary Ring- Emergency Services Project were received. Sturgeon Electric of Rifle, Colorado was the apparent low bidder with a bid of \$108,555.00.

The following bids were received on July 20, 2010:

COMPANY	LOCATION	AMOUNT	DIFFERENCE FROM LOW BID
Sturgeon Electric	Rifle	\$108,555.00	--
Apeiron Utility Construction	Grand Junction	\$131,246.05	21%
EC Electric	Grand Junction	\$176,284.61	62%
BWR Constructors	Durango	\$227,757.35	110%

This project is scheduled to be completed by mid October 2010.

Attachments:

N/A



Date: July 20, 2010
 Author: Scott Hockins
 Title/ Phone Ext: Purchasing
Supervisor, 1484
 Proposed Schedule: Monday,
August 2, 2010
 2nd Reading
 (if applicable):

CITY COUNCIL AGENDA ITEM

**Attach 5
 Construction Contract for Compressed Natural
 Gas Slow-Fill Station**

Subject: Construction Contract for Compressed Natural Gas Slow-Fill Station Located at the Municipal Campus, 333 West Avenue
File # :
Presenters Name & Title: Jay Valentine, Assistant Financial Operations Manager Greg Trainor, Director of Streets, Facilities, and Utilities Terry Franklin, Deputy Director of Streets, Facilities, and Utilities

Executive Summary: The project consists of installation of a new Compressed Natural Gas (CNG) Slow-Fill Station. This slow-fill station will provide a fueling point for the four new solid waste trash trucks that were purchased earlier this year, and expected to provide two fueling bays to be used for Grand Valley Transit buses.

How this action item meets City Council Comprehensive Plan Goals and Policies:

The CNG Slow-Fill Station project supports the following Goals from the Comprehensive plan:

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.

CNG Fuel is a clean and economically sound alternative to diesel fuels currently used by some of the City’s larger fleet vehicles. This fueling source will also be utilized by Grand Valley Transit busses as an alternative fuel. Providing an opportunity for CNG fueling provides an alternative for other public, or private, fleet managers that may see the benefit of using this clean fuel alternative.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

Construction of this CNG slow fill fueling station is the first phase of a two phase plan to provide fueling options for CNG fuel. The second phase of the project will involve construction of a fast fill station that may be utilized by a private vendor, or the City would have the opportunity to enter into a private/public venture for fast-fill CNG fueling. This option for alternative fuel will help to promote use of clean fuels in the local/regional area that over time will result in improving air quality in the valley.

Action Requested/Recommendation:

Authorize the City Purchasing Division to Sign a Construction Contract for the CNG Slow-Fill Station Project with Gas Energy Systems, Inc. in the Amount of \$555,086

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

Funds to complete this project have not been appropriated in the 2010 Fleet Fund budget however adequate funding has been achieved through several grant awards and available Fleet funds. Budget allocation is as follows:

Funding

Department of Local Affairs	\$300,000.00
Governor’s Energy Office	\$120,000.00
“ARRA” EECBG	\$ 80,000.00
Fleet Equipment Fund	<u>\$125,279.00</u>

Total Available Funding ***\$625,279.00***

Costs

Engineering Design Costs	\$ 80,193.00
Construction	<u>\$555,086.00</u>

Total Cost ***\$625,279.00***

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Background, Analysis and Options:

The City of Grand Junction has been exploring alternatives to provide a CNG fuel option for several years. This effort started with Staff exploring possible uses for the methane gas generated as a byproduct of treating sewage at the Persigo Waste Water

Treatment Plant. Staff evaluated cost benefits realized with provision of the CNG fuel alternative and determined it advantageous to establish a market for CNG fuel prior to committing to a specific use at the Waste Water Plant. Staff looked to Xcel Energy as a source of natural gas at the Municipal Services Campus for the first phase of the fueling station.

This phase of the fueling station project will result in construction of ten time-fill stations. Four will be utilized by City Solid Waste trucks, and two by Grand Valley Transit, allowing four additional time-fill stations that may be utilized for other public/private fueling needs.

A formal solicitation was advertised in the Daily Sentinel and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA). One bid for the CNG Slow-Fill Station was received. Gas Equipment Systems Inc. (GESI), of Rancho Cucamonga, CA, was the only bidder.

FIRM	LOCATION	AMOUNT
GESI	Rancho Cucamonga, CA	\$555,086.00

This project is scheduled to be completed by late November 2010.

Attachments:

N/A



CITY COUNCIL AGENDA ITEM

Attach 6 Mesa State College Right-of-Way Vacations

Date: July 20, 2010
Author: Scott D. Peterson
Title/ Phone Ext: Senior
Planner/1447
Proposed Schedule: 1st Reading,
Monday, July 19, 2010
2nd Reading: Monday, August 2,
2010

Subject: Mesa State College Right-of-Way Vacations
File #: VR-2010-068
Presenters Name & Title: Greg Moberg, Planning Services Supervisor

Executive Summary:

Mesa State College is requesting to vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys in anticipation of current and future building and parking lot expansions for the campus.

How this item relates to the Comprehensive Plan Goals and Policies:

By vacating the existing rights-of-way, it will allow Mesa State College to continue to grow the main campus at its current location within the central city and also support the planned westward growth of the College as identified in the Mesa State College Facilities Master Plan.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 6: Land use decisions will encourage preservation and appropriate reuse.

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

Action Requested/Recommendation:

Hold a Public Hearing and Consider Final Passage and Final Publication of the Proposed Ordinance to Vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys.

Board or Committee Recommendation:

At the July 13, 2010 meeting, the Planning Commission forwarded a conditioned recommendation of approval. See Legal issues.

Background, Analysis and Options:

Please see the attached Staff Report.

Financial Impact/Budget:

N/A.

Legal issues:

The Ordinance will be conditioned upon the reservation and grant of temporary easements that the City Manager or the City Manager's designee determines to be satisfactory for the continued utility infrastructure and necessary public access.

Other issues:

No other issues.

Previously presented or discussed:

First reading of the Ordinance was July 19, 2010.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan / City Zoning Map
Mesa State Overview and Ownership Map
Proposed Ordinance

BACKGROUND INFORMATION					
Location:		Texas, Elm, Houston and Bunting Avenue areas near Mesa State College			
Applicants:		Mesa State College			
Existing Land Use:		City street and alley rights-of-way			
Proposed Land Use:		Mesa State College building and parking lot expansions			
Surrounding Land Use:	North	Mesa State College properties			
	South	Mesa State College properties			
	East	Mesa State College properties			
	West	Single-family residential			
Existing Zoning:		R-8, (Residential – 8 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	CSR, (Community Services and Recreation)			
	South	R-8, (Residential – 8 du/ac) and CSR, (Community Services and Recreation)			
	East	CSR, (Community Services and Recreation)			
	West	R-8, (Residential – 8 du/ac)			
Future Land Use Designation:		Business Park MU			
Zoning within density range?		X	Yes		No

ANALYSIS

1. Background:

The applicant, Mesa State College, wishes to vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys all located east of Cannell Avenue in anticipation of current and future building and parking lot expansions for the campus.

With the vacation of the right-of-way requested, the City of Grand Junction (“City”) shall reserve Utility and Public Access Easements. These easements shall be temporary. Much of the right-of-way requested to be vacated includes utility infrastructure and provides public access. As part of the Mesa State College Master Plan, much of the utilities infrastructure will be relocated. The applicant has agreed that upon the City approving and agreeing to the final location of the utilities, permanent utility easements shall be granted to the City and the portion of the temporary utility easements reserved that are no longer needed by the City shall be released and/or vacated after relocation of the utilities.

Presently there are nine (9) remaining parcels of land that are held by private individuals (five of the parcels are owned by one owner) located within the area of the

vacation requests. (See the attached Mesa State Overview and Ownership Map.) Seven of these parcels are being impacted by the present construction currently underway at the campus. Mesa State College is requesting that portions of the right-of-way not be reserved as temporary public access easements due to this construction and expected use of the property. In return, the Applicant shall provide to the City two (2) separate temporary public access easements across its property to serve the public, including the parcels being impacted. A condition of the vacation of the right-of-way includes the release of these temporary public access easements with the grant of temporary public access easements that are determined acceptable by the City Manager in location, construction, and condition of the access ways. The City Manager through the Public Works and Planning Director (“Director”) has determined that the locations of the temporary public access easements proposed by the Applicant are acceptable. The area within the easements including those portions reserved as public access easements must be approved by the Director as to construction and design, but minimally the surface material shall be asphalt.

2. Section 21.02.100 of the Zoning and Development Code:

The vacation of the right-of-way shall conform to the following:

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

Granting the request to vacate the existing street portions and alley portions does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. Utility and public access easements will be retained to allow for the continuation of general traffic circulation and existing utilities.

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

No parcel will be landlocked as a result of these vacations. Access easements shall be reserved and Applicant shall provide additional access easements as needed.

- 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 as access easements shall be reserved and additional access easements granted by the Applicant.

- 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).

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the vacation requests.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code (“GJMC”).

With the reserved easements and the grant of additional easements, the provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 21.06 of the GJMC. No adverse comments were received from the utility review agencies during the staff review process.

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

Maintenance requirements for the City will not change as a result of the proposed vacations as easements will be reserved and additional access easements shall be granted by the approved City Ordinance.

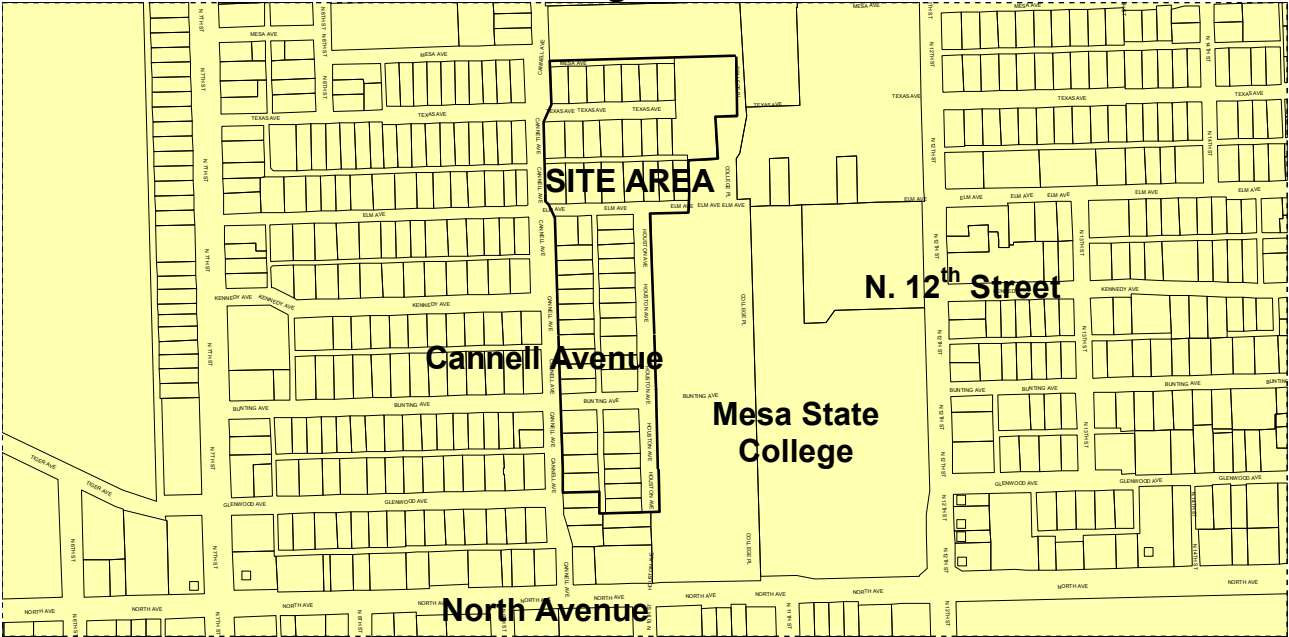
FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Mesa State College application, VR-2010-068 for the vacation of public rights-of-way, the Planning Commission made the following findings of fact, conclusions and conditions:

1. The requested vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.100 (c) of the Grand Junction Municipal Code have all been met.
3. Approval of the street and alley vacation requests is conditioned upon the reservation and grant of temporary easements that the City Manager determines to be satisfactory for the continued utility infrastructure and necessary public access for the area being vacated.

Site Location Map

Figure 1



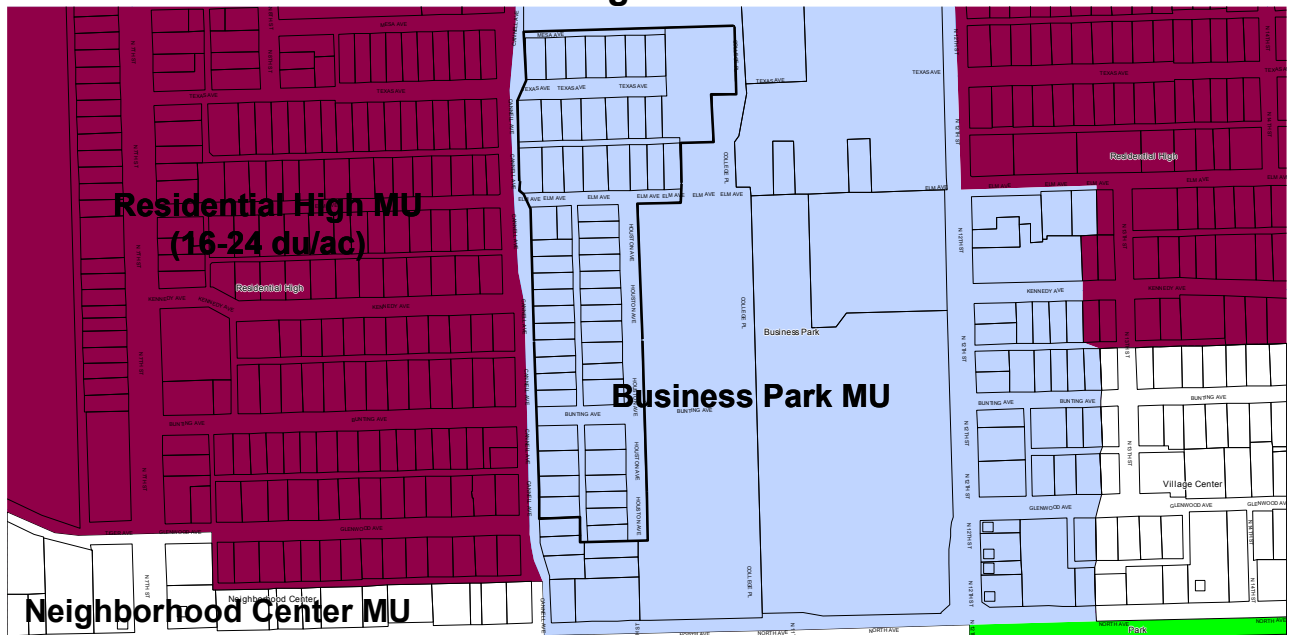
Aerial Photo Map

Figure 2



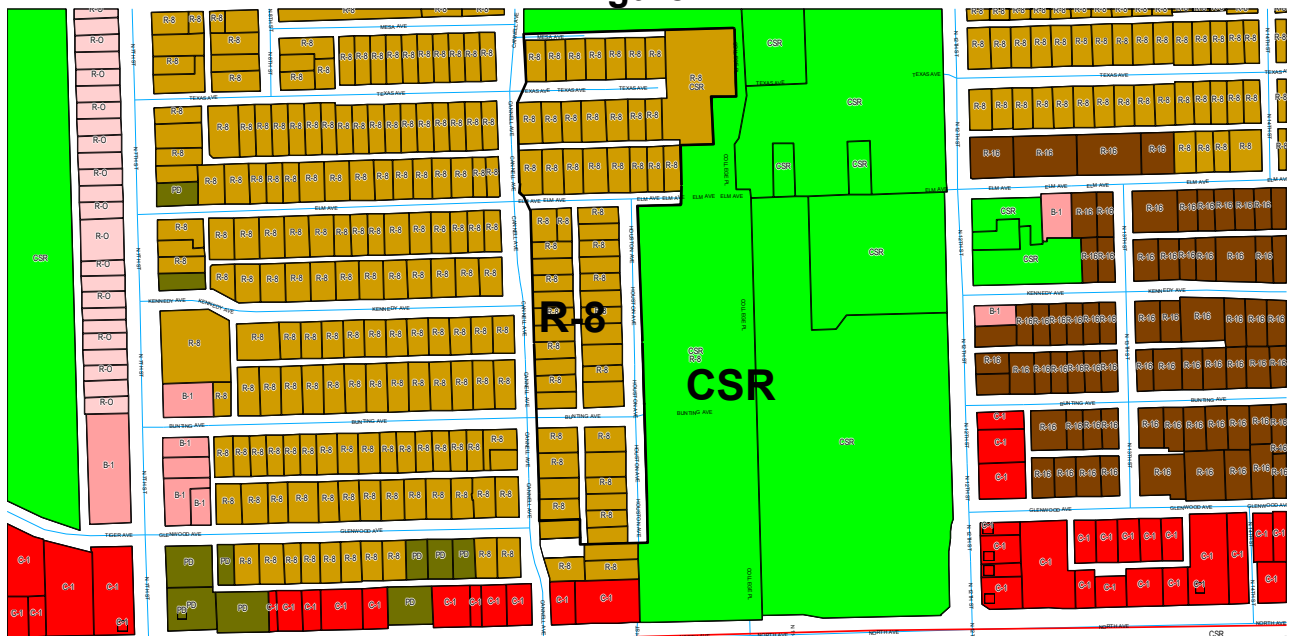
Comprehensive Plan

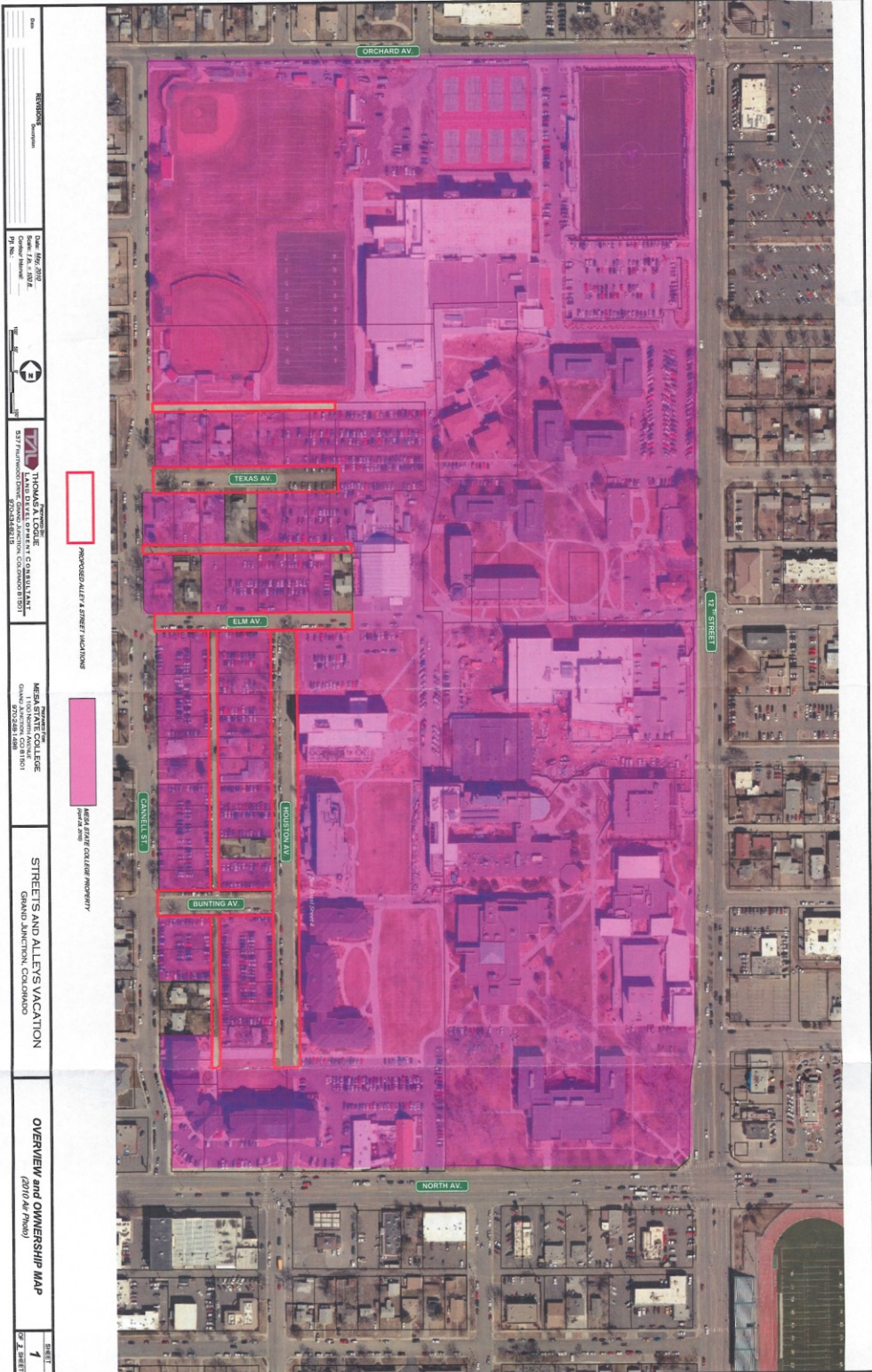
Figure 3



Existing City Zoning

Figure 4





<p>EXTENSION</p> <p>DATE: May 2012</p> <p>BY: [Signature]</p>	<p>THOMAS T. TOULIE</p> <p>LAND DEVELOPMENT CONSULTANT</p> <p>2377 W. GRAND AVENUE, SUITE 100</p> <p>GRAND JUNCTION, CO 81505</p>	<p>MESA STATE COLLEGE</p> <p>GRAND JUNCTION, COLORADO</p> <p>2702 S. 14TH</p>	<p>STREETS AND ALLEYS VACATION</p> <p>GRAND JUNCTION, COLORADO</p>	<p>OVERVIEW and OWNERSHIP MAP</p> <p>(2010 Air Photo)</p>	<p>1 SHEET</p> <p>OF 1 SHEETS</p>
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PROPOSED ALLEY & STREET LOCATIONS

EXISTING CALLEJER PROPERTY

CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE VACATING PORTIONS OF TEXAS, ELM, HOUSTON AND
BUNTING AVENUES AND ASSOCIATED ALLEY RIGHTS-OF-WAY
IN THE MESA STATE COLLEGE AREA**

RECITALS:

Mesa State College has requested the vacation of street and alley rights-of-way in the Mesa State College area to allow for expansion of the campus, in accordance with the 1999 Facilities Master Plan. The vacated rights-of-way shall be reserved as Utility and Access Easements to allow for the adequate circulation of through traffic and accessibility to non-Mesa State College owned property and also utilities. Only asphalt or other surface treatment will be allowed within said Utility and Access Easements. Other surface treatment shall be subject to review and approval by the City of Grand Junction.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Chapter 21.02.100 of the Zoning and Development Code with the conditions of approval including the reservation and granting of the Utility and Access Easements as described with this ordinance.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met with the conditions of approval, and recommends that the vacation be conditionally approved.

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

The following described dedicated rights-of-way are hereby vacated subject to the listed conditions:

The public Streets and Alleys situate within the SE 1/4 of Section 11, Township One South, Range One West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, described as follows:

1. All of the east-west alley in Block 6, Garfield Park Subdivision, Reception No. 444756.
2. All of Texas Avenue lying west of Elam II Subdivision, as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 2455622, to the east of the most easterly right-of-way line of Cannell Avenue as it abuts Texas Avenue.

3. All of the east-west alley in South Garfield Park Subdivision, as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 539508.
4. All of Elm Avenue lying east of the most easterly right-of-way line of Cannell Avenue as it abuts Elm Avenue and west of Elam II Subdivision, as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 2455622.
5. All of Houston Avenue that remains from the dedication of Houston Avenue on the McMullin & Gormley Sub-division plat, as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 349926 after the right-of-way vacation of Houston Avenue in Ordinance No. 4252.
6. All of the north-south alley in Block 2, McMullin & Gormley Sub-division, as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 349926.
7. All of the north-south alley in Block 3, McMullin & Gormley Sub-division, as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 349926, remaining after the right-of-way vacation of a portion of the same alley in Ordinance No. 4252.
8. All of Bunting Avenue lying east of the east right-of-way line of Cannell Avenue and west of the east right-of-way line of Houston Avenue.

The identified rights-of-way as shown on "Exhibit A" as part of this vacation description.

Temporary utility easements are hereby reserved by the City of Grand Junction on, along, over, under, through and across the areas of the right-of-ways to be vacated for the benefit of the public for the use of City-approved public utilities as perpetual easements for the operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities. The easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the facilities of the City-approved public utilities or which might act to prevent or impede reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement area. Only sod or gravel shall be placed on the surface in the easement area unless written consent has been given by the City Manager's designee.

Temporary access easements are hereby reserved by the City of Grand Junction on, along, over, under though and across the areas of the right-of-ways to be vacated for

maintaining and repairing an access way for vehicular and pedestrian ingress and egress, except as follows:

1. No temporary access shall be reserved on any or all of the east-west alley in Block 6, Garfield Park Subdivision, Reception No. 444756.
2. No temporary access shall be reserved on that portion of Texas Avenue abutting the 30 most easterly feet of Lot 5 and all of Lot 6 and Lot 7 of the South Garfield Park Subdivision, as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 539508.
3. No temporary access shall be reserved on that portion of the east-west alley in South Garfield Park Subdivision abutting the 30 most easterly feet of Lot 36 and all of Lots 35, 34, and 33 as recorded in the records of the Mesa County Clerk & Recorder at Reception No. 539508.
4. No temporary access shall be reserved on that portion of Elm Avenue vacated herein that lies east of the most easterly right-of-way line of Houston Avenue as vacated herein.
5. No temporary access shall be reserved on the portion of Houston Avenue lying south of the northerly right-of-way line of Bunting Avenue.

The easements are reserved and or separately granted as temporary easements as it is understood that the easements are needed for the utilities presently in the right-of-way and for access. It is expected that some utilities will be relocated or removed with the changes and improvements being made to the Mesa State College campus. Mesa State College will work with the City and the appropriate public utility agencies to determine the final location of the utilities and the relocation of the utilities. Once the utilities have been relocated or it is determined that the utility infrastructure need not be moved to the satisfaction of the City Manager or the City Manager's designee, Mesa State College shall grant new permanent utility easements for the new locations as required by the City Manager. Upon the City's acceptance of a utility easement, the City Manager shall release all interests in the Temporary Utility Easements pursuant to Section 21.02.100 of the Grand Junction Municipal Code that is no longer needed due to the grant of the new permanent utility easement.

In accordance with the same section, the City Manager may likewise release any and/or all interest in a temporary access easement included herein if it is determined that the access is no longer needed. All temporary access easements installed by Mesa State College shall be maintained and repaired by Mesa State College.

Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

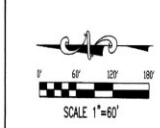
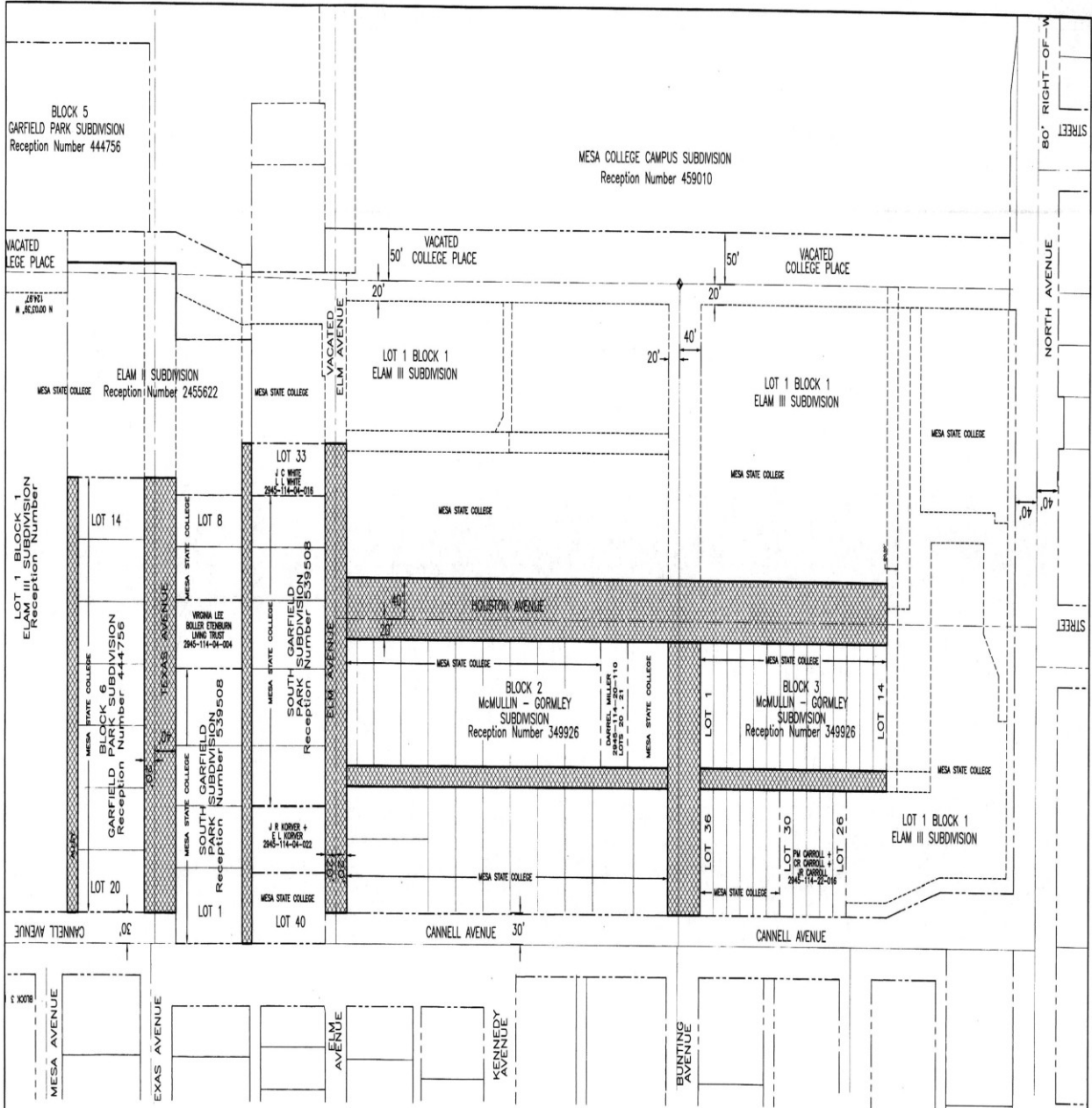
Introduced for first reading on this 19th day of July, 2010.

PASSED and ADOPTED this ___ day of _____, 2010.

ATTEST:

President of City Council

City Clerk



STREET AND ALLEY VACATION DESCRIPTIONS

- All public Streets and Alleys within the SE 1/4 of Section 11, Township One South, Range One West of the One Meridian, City of Grand Junction, Mesa County, Colorado, more particularly described as follows:
- All of the east-west alley on the north side of Block 6, Garfield Park Subdivision, Reception No. 444756
 - All of Texas Avenue lying east of the east right-of-way line of Cannell Avenue and west of the westerly line of Elam I Subdivision, Reception No. 2455622
 - All of the east-west alley in South Garfield Park Subdivision, Reception No. 539508
 - All of Elm Avenue lying east of the east right-of-way line of Cannell Avenue and west of the westerly line of Elam I Subdivision, Reception No. 2455622
 - All of Houston Avenue
 - All of the north-south alley in Block 2, McMullin-Gormley Subdivision, Reception No. 349926
 - All of the north-south alley in Block 3, McMullin-Gormley Subdivision, Reception No. 349926
- All of Bunting Avenue lying east of the east right-of-way line of Cannell Avenue and west of the west right-of-way line of Houston Avenue

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.

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
 CALL 1 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR TRENCH FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

Richard A. Mason
 Registered Professional Land Surveyor
 P.L.S. No. 19489
 Date 6/30/2010

NOTE: This map is not a monumented survey plat.



EXHIBIT A
MESA STATE COLLEGE
RIGHT-OF-WAY
VACATION

488 Ridge Blvd, Suite A
 Grand Junction, CO 81507
 Phone: (970) 243-6800
 Fax: (970) 243-1279
 www.rcb.com

Drawn	ALG	Checked	RAM	Printed	6/29/10	Sheet	1
C:\A0209\A0209RVC							1

"Exhibit A"



Date: July 20, 2010
 Author: Brian Rusche
Senior Planner
 Title/ Phone Ext: x. 4058
 Proposed Schedule:
August 2, 2010
 2nd Reading
 (if applicable): N/A

CITY COUNCIL AGENDA ITEM

**Attach 7
 Appeal of the Planning Commission’s Decision
 Regarding the Schooley-Weaver Partnership
 Conditional Use Permit**

Subject: Appeal of the Planning Commission’s Decision Regarding the Schooley-Weaver Partnership Conditional Use Permit for a Gravel Extraction Facility, Located at 104 29 ¾ Road
File # (if applicable): CUP-2010-008
Presenters Name & Title: Brian Rusche, Senior Planner

Executive Summary:

An appeal has been filed regarding the Planning Commission’s decision to deny a conditional use permit for a Gravel Extraction Facility, located at 104 29 ¾ Road.

The Conditional Use Permit was considered under the provisions of the 2000 Zoning and Development Code; therefore, the appeal was filed in accordance with Section 2.18.E of the 2000 Zoning and Development Code, which specifies that the City Council is the appellate body of the Planning Commission.

According to Section 2.18.E.4.h, no new evidence or testimony may be presented, except City Staff may be asked to interpret materials contained in the record.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Action Requested/Recommendation:

Hold a Hearing on and Consider the Appeal.

Board or Committee Recommendation:

The Planning Commission denied the requested Conditional Use Permit on a 4-2 vote.

Background, Analysis and Options:

On June 8, 2010 a public hearing was held by the City of Grand Junction's Planning Commission for review of a Conditional Use Permit for a gravel extraction facility at 104 29 ¼ Road. The Commission reviewed the contents of a written staff report; a presentation by Brian Rusche, Senior Planner; a presentation by the applicant's representative and public testimony taken during the Public Hearing. The Planning Commission denied the Conditional Use Permit by a vote of four to two.

On June 18, 2010 an appeal of the Planning Commission's decision was filed with the Planning Manager. This appeal is in accordance with Section 2.18.E.1 of the 2000 Zoning and Development Code. The following criteria are to be considered by the City Council for affirming, reversing, or remanding the matter back for further consideration by the Planning Commission:

- (1) The decision maker may have acted in a manner inconsistent with the provisions of this Code or other applicable local, state or federal law; or
- (2) The decision maker may have made erroneous findings of fact based on the evidence and testimony on the record; or
- (3) The decision maker may have failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or
- (4) The decision-maker may have acted arbitrarily, acted capriciously, and/or abused its discretion; or
- (5) In addition to one (1) or more of the above findings, the appellate body shall find the appellant was present at the hearing during which the original decision was made or was otherwise on the official record concerning the development application.

In reversing or remanding the decision back to Planning Commission, the City Council shall state the rationale for its decision on the record. An affirmative vote of four members of City Council is required to reverse the Planning Commission's decision.

Financial Impact/Budget: N/A

Legal issues: Refer to Section 2.18.E of the 2000 Zoning and Development Code for appeal procedure (attached for your reference).

Other issues: None.

Previously presented or discussed: No.

Attachments:

Excerpt from 2000 Zoning and Development Code (Section 2.18 E)
Appeal Letter
Planning Commission Staff Report
Additional correspondence and items presented at public hearing
Minutes of June 8, 2010 Planning Commission Meeting

Excerpt from 2000 Zoning and Development Code:

E. **Appeal of Action on Non-Administrative Development Permits.** Any person, including any officer or agent of the City, aggrieved by or claimed to be aggrieved by a decision or final action of the Planning Commission may request an appeal of the action in accordance with Table 2.1 and this Section 2.18. Appeals of denials made by the Planning Commission on items for which they are not the final decision-maker shall be heard by the City Council in accordance with these provisions. A request for a rehearing, as described in Section 2.18.D, shall be a condition required for requesting an appeal.

1. **Approval Criteria.**

a. Findings. In granting an Appeal to action on a non-administrative development permit, the appellate body shall find:

- (1) The decision maker may have acted in a manner inconsistent with the provisions of this Code or other applicable local, state or federal law; or
- (2) The decision maker may have made erroneous findings of fact based on the evidence and testimony on the record; or
- (3) The decision maker may have failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or
- (4) The decision-maker may have acted arbitrarily, acted capriciously, and/or abused its discretion; or
- (5) In addition to one or more of the above findings, the appellate body shall find the appellant was present at the hearing during which the original decision was made or was otherwise on the official record concerning the development application. The appellate body shall also find that the appellant requested a rehearing before the decision-maker in accordance with Section 2.18.D.

2. **Facts on Record.** In considering a request for appeal, the appellate body shall consider only those facts, evidence, testimony and witnesses that were part of the official record of the decision-maker's action. No new evidence or testimony may be considered, except City staff may be asked to interpret materials contained in the record. If the appellate body finds that pertinent facts were not considered or made a part of the record, they shall remand the item back to the decision-maker for a rehearing and direct that such facts be included on the record.

3. **Decision-Maker.** The appellate body for a particular development permit shall be as specified on Table 2.1. The appellate body shall affirm, reverse or remand the decision. In reversing or remanding the decision back to the decision-maker, the appellate body shall state the rationale for its decision. An affirmative vote of four members of the appellate body shall be required to reverse the decision-maker's action. An affirmative vote of five members of the appellate body shall be required to approve re-zones and Growth Plan Amendment(s).

4. **Application and Review Procedures.** Requests for an appeal shall be submitted to the Director in accordance with the following:
- a. **Application Materials.** The appellant shall provide a written request that explains the rationale of the appeal based on the criteria provided in this Section 2.18.E.4. The appellant also shall submit evidence of his/her attendance at the original hearing or other testimony or correspondence from him/her that was in the official record at the time of the original hearing.
 - b. **Application Fees.** The appropriate fee, as may be approved by the City Council, shall be submitted with the request.
 - c. **Application Deadline.** A request for an appeal shall be submitted within ten (10) calendar days of the action taken by the decision-maker.
 - d. **Notice to Applicant.** If the appellant is not the applicant, the Director, within five working days of receipt of the request for appeal, shall notify the applicant of the request and the applicant shall have ten (10) working days to review the request and provide a written response.
 - e. **Preparation of the Record.** The Director shall compile all material made a part of the official record of the decision-maker's action. As may be requested by the appellate body, the Director also may provide a summary report of the record.
 - f. **Notice.** Notice of the appeal hearing shall be provided in the same manner as was required with the original action.
 - g. **Hearing.** The Director shall schedule the Appeal before the appellate body within forty-five (45) calendar days of receipt of the appeal. The appellate body shall hold a hearing and render a decision within thirty (30) calendar days of the close of that hearing.
 - h. **Conduct of Hearing.** At the hearing, the appellate body shall review the record of the decision-maker's action. No new evidence or testimony may be presented, except that City staff may be asked to interpret materials contained in the record.

June 18, 2010

Lisa Cox, Planning Manager
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

**RE: Appeal of June 8, 2010 Planning Commission Decision on the
Schooley-Weaver Partnership – Conditional Use Permit Application**

CITY OF GRAND JUNCTION FILE #: CUP-2010-008
PETITIONER: Schooley-Weaver Partnership
LOCATION: 104 29 3/4 Road
STAFF: Brian Rusche

Dear Ms. Cox;

The petitioner/applicant respectfully requests to appeal the June 8, 2010 decision by the Planning Commission to the City Council pursuant to Section 2.18 of the 2000 Zoning and Development Code as amended.

Rationale for Appeal (Section 2.18.E.1 of the 2000 Land Use Code.)

2.18. E.1 Approval Criteria

1. The Planning Commission acted in a manner inconsistent with the provisions of the Code or other applicable law;
2. The Planning Commission made erroneous findings of fact based on the testimony;
3. Assuming non-compliance for the moment, the Planning Commission failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance;
or
4. The Planning Commission acted arbitrarily and capriciously and/or abused its discretion; and
5. The appellant was present at the hearing, fully participated and was on the official record as the petitioner/applicant.

Overview

The applicant, with full awareness of the city's 2000 Zoning and Development Code, applied for a Conditional Use Permit for gravel extraction in a Residential – Rural Zone as prescribed in Table 3.5 but was denied for 'safety concerns.'

Findings of Fact

The staff report confirms the applicant complied with all of the requirements of Section 2.13 and Section 4.3.K. During the hearing no evidence was entered into the record to the contrary. The May 27, 2010 City Staff Report summarized the application's compliance as follows:

"After reviewing the Schooley-Weaver Gravel Pit application, CUP-2010-008 for a Conditional Use Permit, Staff made the following findings of fact, conclusions and conditions:

1. *The requested Conditional Use Permit is consistent with the goals and policies of the Comprehensive Plan.*
2. *The review criteria in Section 2.13.C of the 2000 Zoning and Development Code have all been met.*
3. *Approval of the project being conditioned upon:*
 - *The Conditional Use Permit shall be approved for five (5) years, as outlined in the General Project Report, with the option of an administrative extension of two (2) years, pursuant to Section 4.3.K.3.w.*
 - *All required local, state, and federal permits for the operation of the project shall be obtained and maintained. Copies shall be provided.*
 - *No signage, except for emergency contact information, is allowed.*
 - *The operator shall provide for necessary repairs and maintenance of 29 ¾ Road during the duration of the permit, upon request of the Public Works Department, pursuant to Section 4.3.K.3.g.*

"I recommended that the Planning Commission approve the requested Conditional Use Permit, CUP-2010-008 with the findings of fact, conclusions and conditions of approval listed above." – Presenter Brian Rusche, Senior Planner.

Additional requirements of Section 2.13

The appellant and his representatives were in attendance at the original hearing. As the petitioner/applicant the appellant has the legal standing to request an appeal. A check for the \$250.00 appeal fee is included with this appeal request which is being made within the required 10 calendar days following the Planning Commission Decision.

Summary of Pre-Motion Discussion on the Record by the Commissioners

(See Attachment 1 for a transcription of the discussion.)

C Schoenrad (denial): public safety issue

C Carlow (denial): 29 ¾ Road has the potential to become a bottle neck ... Although it wasn't discussed, I've got a problem with discrepancies (2 years) between the CDOT permit and the City permit

C Burnett (denial): safety reasons alone

C Williams (denial): safety on that road and ... the 3 year period for CDOT's portion of the permit and the City giving 5. I just don't understand how that is.

C Eslami (approval): property rights

Acting Chairman Abbott (approval): the applicant is doing everything they can to mitigate the impact of this project. I do find that it fits the zoning code, it fits all the requirements that the City has asked for. As a strictly property rights issue, I'm going to have to probably vote for this measure.

Review of Commissioner's reasons for denial:

Safety

- Safety of the School Bus Stop Location (assumed based on public testimony)
 - Robert Jones II, Professional Engineer, of Vortex Engineering, representing the applicant, testified at the Hearing about the applicants offers to go beyond the legal requirements to mitigate any theoretical risks.
 - Robert Jones II testified at the Hearing to the ongoing efforts with Dave Montoya, School District 51 Transportation Coordinator (254-5127) to relocate the bus stop off 29 ¼ Road and internal to the subdivision. The School District is agreeable to this solution.
 - Robert Jones II testified at the Hearing that the applicant was offering to build a bus stop shelter for the neighborhood school children.
 - Robert Jones II testified at the Hearing the applicant's willingness to limit the hours of operation to coincide with the school bus schedule (8:30 AM – 5:00 PM).
- Safety of Pedestrian Access (assumed based on public testimony)
 - Appellant is aware of NO city requirements.
 - The application shows the existing Right of Way is sufficient to accommodate standard sidewalks but the owners in the neighborhood have chosen to not install them. The City has supported neighborhood efforts for years to make such improvements to existing streets, but these neighbors have apparently chosen to not make such efforts. Appellant notes that if the neighbors' concerns and those expressed by the Planning Commissioners who voted no are valid, the existing traffic is already extremely dangerous, but apparently not enough to take steps to keep the children off the public way or to create curbs and sidewalks. It is noted that the appellant does not agree that there is such a danger, any more than on any other street, but does agree that curbs and especially, parental control over where children play and walk, would be good.
- Safety of children playing in the street because there are no sidewalks nor neighborhood parks (assumed based on public testimony)
 - Appellant recognizes that 'kids will be kids,' but also that it is the parents' duty to supervise their children, and certainly not encourage or allow them to play in the middle of the public right of way.
 - This issue is not identified in the City of Grand Junction Zoning and Development Code.
 - Reviews by CDOT, Mesa County and City Engineers did not identify ANY safety concerns for this rural road.

The use of 'Safety' as the criteria for denial by three of the six voting is inconsistent with the provisions of the Code and therefore, by definition, capricious and an abuse of discretion. Furthermore, the Commission failed to fully consider mitigating measures offered by the applicant in an effort to be a good neighbor.

29 ¾ Road bottleneck

- The neighbors and planning commissioners have created an issue which they named the "29 ¾ Road bottleneck" however, the objective evidence, listed below, shows either their concerns are simply not valid (capricious/abuse of discretion) or impose on the appellant new requirements to the existing city road system that have no basis in the existing city code or other laws.
- CDOT has approved a State Highway Access Permit at 29 ¾ Road onto State HWY 50. By definition of the permit the State Highway Access Engineers believe the access to be safe and in compliance with all applicable State laws and design practices.
- As an experienced and licensed Civil Engineer Robert Jones II testified at the Hearing that the proposed left turn acceleration lane onto westbound HWY 50 will actually improve the safety for ALL the neighbors exiting onto HWY 50.
- A Level III Traffic Impact Study prepared by Turnkey Consulting was submitted with this application and is part of the record. The Traffic Study identified the impacts of the project traffic on the Level of Service at the 29 ¾ Road intersection with HWY 50.

Left from 29 ¾ Road to westbound HWY 50	EXISTING LEVEL OF SERVICE	PROPOSED LEVEL OF SERVICE
AM PEAK HOUR	B (13 sec delay)	B (14 sec delay)
PM PEAK HOUR	B (13 sec delay)	C (18 sec delay)

The notion that 29 ¾ Road will become a bottleneck is an erroneous finding of fact based on the testimony, the evidence and the applicable law. Its use as a reason for denial is arbitrary and capricious.

3 year CDOT Access Permit vs. 5 year City Conditional Use Permit

- Critical questions affecting a decision should have been asked at the hearing to give the City Staff and/or the applicant an opportunity to clarify. That is the purpose of the hearing yet neither Commissioner Carlow nor Williams asked for any information that would alleviate their concerns regarding the difference in time length for the two permits.
- There is no provision of the City Zoning and Development Code that requires, recommends or even suggests that the Access Permit, under the jurisdiction of the State, be of equal length to the City's Conditional Use Permit length. It is, however, stated that all other State, Federal and local permits must be in effect prior to the operation of the CUP. If any permit expired during the operation of the CUP it would have to be extended. Other required permits have time lengths contrary to the CUP's 5-year length. For example, the State APEN Permit is an

annual permit that must be renewed each year for the applicant to be in compliance with the City's CUP requirements.

- Appellant would have explained, had the opportunity been presented that CDOT did adjust the length of the Temporary Access Permit in an attempt to match the time span of the City's CUP. In a communication error, CDOT mistakenly used the 3 year review period recently identified in a different permit granted by the County on a site located at 29 Road and I-70 Frontage Road. (the same applicant at the north end of 29 Road). CDOT offered to re-issue the Access Permit with a 5 year time frame but with the knowledge of City Staff we requested CDOT make all revisions after the City's Hearing in case there were Conditions of Approval that needed to be accommodated. This issue is a 'red herring' that is easily remedied. There again, if either Commissioner Carlow or Williams had asked, the applicant or the City staff would have clarified this issue for them.

The notion that a State permit must match the city permit length as a reason for denial is arbitrary and capricious.

State of Colorado Statute on Mineral Extraction

During the Hearing Robert Jones II included into the record the relevant State statutes by reference. (See Attachment 2)

The applicant is aware that gravel extraction is not a use by right in any zone of the City of Grand Junction or Mesa County. However, BOTH jurisdictions have individually and separately acknowledged the intent of the State statutes and the value of the mineral resources to the community by identifying areas that may be mined and controlling that use with the CUP process to insure mining operators remain good neighbors. The City of Grand Junction allows gravel extraction in this zone as well as ALL surrounding zones with the approval of a CUP. Mesa County allows gravel extraction in ALL surrounding zones with the approval of a CUP.

The State statute does not require local governments to allow mining, but does preserve access to the mineral deposits. In declaring the use of 29 ¾ Road, by legally licensed vehicles, an unmitigateable 'Safety' concern the Planning Commissioner has acted in a manner inconsistent with State law.

Summary

Acting Chairman Abbott said it best: "the applicant is doing everything they can to mitigate the impact of this project. I do find that it fits the zoning code, it fits all the requirements that the City has asked for..."

By not identifying a Section of the Zoning and Development Code that the project was not in compliance with, all of the Commissioners who voted 'no' by stating on the record that 'safety' was the reason for their 'no' vote essentially just made up a new rule, after the fact. The use of such an undefined 'standard, ' that will vary from person to person, is exactly what is meant by arbitrary and capricious; an abuse of discretion, where ALL of the adopted standards WERE met. To allow this result to remain, 'safety' without definition or reference to the laws of the City of Grand Junction, is arbitrary and capricious and the appellant requests their decision be reversed.

Respectfully,



Merle Weaver
Schooley-Weaver Partnership
296 Little Park Road
Grand Junction, CO 81503
970-234-3088

Enclosures

Cc: James Schooley, Schooley-Weaver Partnership, w/ encl.
Robert W. Jones, II, Vortex Engineering, w/ encl.

ATTACHMENT 1 – Transcription of Commission Discussion & Motion
ATTACHMENT 2 – Colorado State Statue on Mineral Extraction

ATTACHMENT 1

Planning Commission Discussion and Motion June 8, 2010 (transcribed from the video record)

C Richard Schoenrad:

The way I see things – the primary roll of the Governing body is to protect the public welfare and safety. I am torn because there is a balancing act here between prior property rights that are a foundation of our country but a public safety issue which is the primary roll of any government. And because of that I am going to be unable to support the approval of this permit the way it is proposed with its ingress and egress route being 29 ¾ Road.

C Patrick J. Carlow:

I am opposed to it also. I think the 29 ¾ Road has the potential to become a bottle neck whether through accidents, breakdowns, weather, school related issues, whatever. This access onto Highway 50 is going to be a bigger problem. As I understand it everything turns left out of the project. Although it wasn't discussed, I've got a problem with discrepancies between the CDOT permit and the City permit (2 years), so I cannot support this.

C Rob Burnett:

I also, for safety reasons alone, am opposed to this.

C Ebi Eslami:

For the property rights, I am for it.

C Gregory Williams:

Mr. Chairman, while I appreciate the effort of the time change, there are still too many questions, the biggest being safety on that road and also being the 3 year period for CODT's portion of the permit and the City giving 5. I just don't understand how that is. At this time I will have to say no also.

Acting Chairman Mark Abbott:

To be real honest, I started out opposing this measure as it kept going and kept going, and then to be honest with you, the applicant has offered to change his hours of operation from 8:30 to 5:00 PM. It sounds to me like the applicant is doing everything they can to mitigate the impact of this project. Again, while, yes, I would not necessarily like to have this in my neighborhood, I do find that it fits the zoning code, it fits all the requirements that the City has asked for. As a strictly property rights issue, I'm going to have to probably vote for this measure.

At this time I will entertain a motion on this motion.

C Richard Schoenrad:

Mr. Chairman, I want to request for a Conditional Use Permit for the Schooley-Weaver Gravel Pit Application number CUP-2010-008 to be located at 104 29 ¾ Road. I move that the Planning Commission approve the Conditional Use Permit with the findings of fact, conclusions and conditions listed in the staff report.

Acting Chairman Mark Abbott

All those in favor of this say so by saying Aye. Opposed?

For – 2

Opposed – 4

Planning Manager, Lisa Cox:

For purpose of clarification could you just do a count of those for and against?

Commissioners Abbott and Eslami - for

Commissioners Carlow, Schoenrad, Williams and Burnett - against

Acting Chairman Abbott called this session of the Planning Commission closed.

ATTACHMENT 2

State of Colorado Statute on Mineral Extraction

The relevant State statute cited for the Record during the hearing consists of the following sections:

34-1-301. Legislative declaration.

- (1) The general assembly hereby declares that:
- (a) The state's commercial mineral deposits are essential to the state's economy;
 - (b) The populous counties of the state face a critical shortage of such deposits;
 - (c) Such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state.
- (2) The general assembly further declares that, for the reasons stated in subsection (1) of this section, the regulation of commercial mineral deposits, the preservation of access to and extraction of such deposits and the development of a rational plan for extraction of such deposits are matters of concern in the populous counties of the state. It is the intention of the general assembly that the provisions of this part 3 have full force and effect throughout such populous counties, including, but not limited to, the city and county of Denver and any other home rule city or town within each such populous county but shall have no application outside such populous counties.

[This language has been in effect since 1973, thus neighbors on legal notice.....The statute was first adopted in 1963]

34-1-302. Definitions.

As used in this part 3, unless the context otherwise requires:

- (1) "Commercial mineral deposit" means a natural mineral deposit of limestone used for construction purposes, coal, sand, gravel, and quarry aggregate, for which extraction by an extractor is or will be commercially feasible and regarding which it can be demonstrated by geologic, mineralogic, or other scientific data that such deposit has significant economic or strategic value to the area, state, or nation.
- (2) "Extractor" means any individual, partnership, association, or corporation which extracts commercial mineral deposits for use in the business of selling such deposits or for use in another business owned by the extractor or any department or division of federal, state, county, or municipal government which extracts such deposits.

(3) "Populous county or populous counties of the state" means any county or city and county having a population of sixty-five thousand inhabitants or more according to the latest federal decennial census.

34-1-303. Geological survey to make study.

After July 1, 1973, the Colorado geological survey shall contract for a study of the commercial mineral deposits in the populous counties of the state in order to identify and locate such deposits. Such study shall be of sand, gravel, and quarry aggregate, and shall be completed on or before July 1, 1974, and shall include a map or maps of the state showing such commercial mineral deposits, copies of which may be generally circulated. Any commercial mineral deposits discovered subsequent to July 1, 1974, may be, upon discovery, included in such study.

34-1-304. Master plan for extraction.

(1) The county planning commission for unincorporated areas and for cities and towns having no planning commission or the planning commission for each city and county, city, or town, within each populous county of the state, shall, with the aid of the maps from the study conducted pursuant to section 34-1-303, conduct a study of the commercial mineral deposits located within its jurisdiction and develop a master plan for the extraction of such deposits, which plan shall consist of text and maps. In developing the master plan, the planning commission shall consider, among others, the following factors:

(a) Any system adopted by the Colorado geological survey grading commercial mineral deposits according to such factors as magnitude of the deposit and time of availability for and feasibility of extraction of a deposit;

(b) The potential for effective multiple sequential use which would result in the optimum benefit to the landowner, neighboring residents, and the community as a whole;

(c) The development or preservation of land to enhance development of physically attractive surroundings compatible with the surrounding area;

(d) The quality of life of the residents in and around areas which contain commercial mineral deposits;

(e) Other master plans of the county, city and county, city, or town;

(f) Maximization of extraction of commercial mineral deposits;

(g) The ability to reclaim an area pursuant to the provisions of article 32 of this title; and

(h) The ability to reclaim an area owned by any county, city and county, city, town, or other governmental authority or proposed, pursuant to an adopted plan, to be used for public purposes by such a governmental authority consistent with such proposed use.

(2) A planning commission shall cooperate with the planning commissions of contiguous areas and the mined land reclamation board created by section 34-32-105 in conducting the study and developing the master plan for extraction.

(3) (a) A county planning commission shall certify its master plan for extraction to the board of county commissioners or the governing body of the city or town where the county planning commission is acting in lieu of a city or town planning commission. A planning commission in any city and county, city, or town shall certify its master plan for extraction to the governing body of such city and county, city, or town.

(b) After receiving the certification of such master plan and before adoption of such plan, the board of county commissioners or governing body of a city and county, city, or town shall hold a public hearing thereon, and at least thirty days' notice of the time and place of such hearing shall be given by one publication in a newspaper of general circulation in the county, city and county, city, or town. Such notice shall state the place at which the text and maps so certified may be examined.

(4) The board of county commissioners or governing body of a city and county, city, or town may, after such public hearing, adopt the plan, revise the plan with the advice of the planning commission and adopt it, or return the plan to the planning commission for further study and rehearing before adoption, but, in any case, a master plan for extraction of commercial mineral deposits shall be adopted for the unincorporated territory and any city and county, city, or town in each populous county of the state on or before July 1, 1975.

Source: L. 73: p. 1047, § 1. C.R.S. 1963: § 92-36-4. L. 75: (1)(h) added, p. 1336, § 1, effective June 29. L. 77: (2) amended, p. 289, § 67, effective June 29.

34-1-305. Preservation of commercial mineral deposits for extraction.

(1) After July 1, 1973, no board of county commissioners, governing body of any city and county, city, or town, or other governmental authority which has control over zoning shall, by zoning, rezoning, granting a variance, or other official action or inaction, permit the use of any area known to contain a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor.

(2) After adoption of a master plan for extraction for an area under its jurisdiction, no board of county commissioners, governing body of any city and county, city, or town, or other governmental authority which has control over zoning shall, by zoning, rezoning, granting a variance, or other official action or inaction, permit the use of any area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor.

(3) Nothing in this section shall be construed to prohibit a board of county commissioners, a governing body of any city and county, city, or town, or any other governmental authority which has control over zoning from zoning or rezoning land to permit a certain use, if said use does not permit erection of permanent structures upon, or otherwise permanently preclude the extraction of commercial mineral deposits by an extractor from, land subject to said use.

(4) Nothing in this section shall be construed to prohibit a board of county commissioners, a governing body of any city and county, city, or town, or other governmental authority which has control over zoning from zoning for agricultural use, only, land not otherwise zoned on July 1, 1973.

(5) Nothing in this section shall be construed to prohibit a use of zoned land permissible under the zoning governing such land on July 1, 1973.

(6) Nothing in this section shall be construed to prohibit a board of county commissioners, a governing body of any city and county, city, or town, or any other governmental authority from acquiring property known to contain a commercial mineral deposit and using said property for a public purpose; except that such use shall not permit erection of permanent structures which would preclude permanently the extraction of commercial mineral deposits.

Source: L. 73: p. 1048, § 1. C.R.S. 1963: § 92-36-5. L. 75: (6) added, p. 1336, § 2, effective June 29.

ANNOTATION

Law reviews. For article, "Severed Minerals as a Deterrent to Land Development", see 51 Den. L. J. 1 (1974).

This section does not deprive landowners of reasonable use of their property, and thus does not constitute a governmental taking. *Cottonwood Farms v. Bd. of County Comm'rs*, 725 P.2d 57 (Colo. App. 1986), aff'd, 763 P.2d 551 (Colo. 1988).

Local governments can permit uses compatible with mining. By zoning, rezoning, granting a variance, or other action or inaction, local governments can permit any use of land known to contain a commercial mineral deposit so long as the permitted use is not incompatible with mining, such as erecting permanent structures on this land; the preservation act does not require local governments to allow mining in any area where it is commercially practicable, but only to preserve access to the mineral deposits. *C & M Sand & Gravel v. Bd. of County Comm'rs*, 673 P.2d 1013 (Colo. App. 1983).

AGENDA TOPIC: Schooley-Weaver Partnership Conditional Use Permit – CUP-2010-008

ACTION REQUESTED: Approval of a Conditional Use Permit (CUP)

BACKGROUND INFORMATION				
Location:		104 29 ¾ Road		
Applicants:		Schooley-Weaver Partnership - Owner Vortex Engineering - Representative		
Existing Land Use:		Vacant		
Proposed Land Use:		Gravel Extraction		
Surrounding Land Use:	North	Residential		
	South	Gravel Extraction		
	East	Residential and Vacant		
	West	Residential / Commercial (Trucking Business)		
Existing Zoning:		R-R (Residential Rural – 1 du/ 5ac)		
Proposed Zoning:		Same		
Surrounding Zoning:	North	County RSF-R (Residential Single Family Rural)		
	South	County AFT (Agriculture/Forestry/Transitional)		
	East	County RSF-R (Residential Single Family Rural) County AFT (Agriculture/Forestry/Transitional)		
	West	County RSF-R (Residential Single Family Rural) County PUD (Planned Unit Development)		
Future Land Use Designation:		Rural (5 – 10 ac / du)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request for approval of a Conditional Use Permit to allow a gravel extraction facility in an R-R (Residential Rural) zone district in accordance with Table 3.5 of the 2000 Zoning and Development Code.

RECOMMENDATION: Approval of the Conditional Use Permit

ANALYSIS:

1. Background

The subject property was annexed in 2004 as the Fisher Annexation and zoned R-R (Residential Rural). The property consists of 16 acres, with a topography that rises approximately 100 feet above the Orchard Mesa Canal #2. Across the canal, north of the subject property is a residential neighborhood. Along 29 ³/₄ Road west of the site are three residences. Also along 29 ³/₄ Road is an existing construction and trucking operation on approximately 20 acres. An existing gravel extraction operation is located approximately 600 feet south of the subject property (approved by Mesa County in 1994). The primary access onto the subject property is from 29 ³/₄ Road, which terminates at the southern edge of the subject site. This road previously continued south and east through private property and the Mesa County Landfill, but this road has been closed by the County.

The applicant is requesting a Conditional Use Permit to operate a gravel extraction facility at this location. The intent is to remove material from the site over a five (5) year period with no onsite processing. Access to US Highway 50 has been granted for three (3) years, subject to construction of improvements for traffic flow. These improvements include extended acceleration/deceleration lanes, with appropriate turning radii and asphalt overlay, if necessary. A maximum of 300 trips per day would be generated by the use, according to the traffic study. All truck traffic would use 29 ³/₄ Road, which has been evaluated by a geotechnical consulting firm and found suitable in strength for the proposed level of traffic. This roadway has two travel lanes, twelve (12) feet wide each way and is currently maintained by Mesa County. Mesa County has provided comments, which are attached, relative to the use of this road as well as other alternative access points. The applicant considered other accesses to and from the site but deemed these not to be viable alternatives, either because the roads did not meet standards or required crossing of private property. Since 29 ³/₄ Road is located within the Persigo 201 boundary, it will ultimately be incorporated into the City street network. The standards for gravel extraction facilities provide for improvements and maintenance of designated haul routes, as deemed necessary by the Public Works Director.

The applicant proposes to mine approximately 7.63 acres of the total 16 acres of property. The proposal reflects the requirement for a minimum separation from existing residences and the Orchard Mesa Canal #2, as well as the finished grade necessary for reclamation.

Landscaping buffers are proposed along 29 ³/₄ Road, along the Canal, and at the northeast corner of the property. These buffers are designed by a Landscape Architect to help mitigate some of the visual effects of the proposed gravel extraction operation by providing groupings of plants visible from the rear yards of the adjacent residences. An exhibit has been provided showing view cross sections and approximate sight lines from three different residential sites surrounding the operation. Given the difference in terrain between the residences, all but three of which sit below the canal, the existing elevation of the property, which rises approximately 100 feet from the property line to the peak, and the proposed final elevations, which will be reduced by 75 to 90 feet, it is not feasible to create a buffer that will completely "hide" the proposed operation.

2. Section 2.13.C of the 2000 Zoning and Development Code

This project is being reviewed under the 2000 Zoning and Development Code, which was in place at the time of application, pursuant to Section 21.01.120(b) of the Municipal Code.

Requests for a Conditional Use Permit must demonstrate that the proposed development will comply with all of the following:

- a. All applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code and with the SSID, TEDS and SWMM Manuals.

Section 2.2.D.4

1. Adopted plans and policies such as the Comprehensive Plan, applicable corridor or neighborhood plans, the major street plan, trails plan and the parks plans

The site is currently zoned R-R (Residential Rural) with the Comprehensive Plan Future Land Use Map identifying this area as Rural (5-10 ac/du). The Residential Blended Map identifies this site as Residential Low Density (Rural to 5 du/ac). As gravel extraction is allowed, through approval of a CUP, the proposed use is in compliance with the adopted plans and policies of the Comprehensive Plan. The proposal is in compliance with zoning policies which require a gravel extraction operation to obtain a Conditional Use Permit. There is no applicable neighborhood plan.

2. Conditions of any prior approvals

There are no prior approvals on the site.

3. Other Code requirements including rules of the zoning district, applicable use specific standards of Chapter Three of the Zoning and Development Code and the design and improvement standards of Chapter Six of the Code

Landscaping along the perimeter of the operation will be provided according to the attached landscaping plan, in accordance with Chapter Six.

4. Quality site design practices

The proposal has been reviewed by staff for quality design. The proposed access, screening, phasing, and reclamation have been found to be consistent with adopted standards and address the site's inherent constraints, which include the existing topography, the proximity of residences, the existing canal, the boundaries of the property, and the underlying geology. The request meets all minimum

requirements and standards contained within SSID (Submittal Standards for Improvements and Development), TEDS (Transportation Engineering Design Standards) and SWMM (Stormwater Management Manual).

- b. The underlying zoning district's standards established in Chapter Three of the Zoning and Development Code

The proposed project is in conformance with Table 3.5 (Use Matrix – 2000 Zoning and Development Code), which requires a Conditional Use Permit for a mining operation in an R-R (Residential Rural) Zone District.

- c. The use-specific standards established in Chapters Three and Four of the Zoning and Development Code

Section 4.3.K states the specific standards associated with Mineral Extraction. The proposed excavation area exceeds the minimum 125 foot setback from existing residences by at least 75 feet. Landscaping buffers, as discussed in the background of this report, meet the requirement for operations adjacent to residential uses. The hours of operation, which by Code are 6 am to 6 pm, are proposed to be more restrictive as the applicant will not be conducting work on weekends. All State and Federal Permits will be obtained and the applicant is required to provide proof thereof to the City prior to commencement of operations.

The applicant has addressed the site standards specified under Section 4.3.K within the revised General Project Report, which is attached and incorporated herein by this reference.

- d. Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to, schools, parks, hospitals, business and commercial facilities, and transportation facilities.

An existing Gravel Extraction Facility, which includes material processing, is located to the south of the subject property; however, the two properties do not share common access and the Applicant has been unable to reach any mutual agreement(s) regarding shared use of the former landfill road, which was closed at the edge of the subject property by Mesa County and crosses the private property owned by the Ducrays. In addition, a construction and trucking facility utilizes 29 ³/₄ Road, which provides direct access to US Highway 50 and the rest of the Grand Valley.

The adjacent residential neighborhood sits significantly lower in elevation than the proposed operation, making any sort of material extraction noticeable. However, the applicant anticipates that all of the material that can be removed, given the regulatory constraints, will be removed within five (5) years, allowing the property to be reclaimed. The applicant reserves, however, the right to request an extension of time after five years to continue

the operation (see below) without requirement of a new Conditional Use Permit. During the operation, the applicant will be required to maintain the landscaping, provide noise and dust control, stormwater management, and other site upkeep practices, similar to those required for a construction site. These standards are spelled out in the Zoning and Development Code (landscaping), the Municipal Code (noise ordinance) and the SWMM (Stormwater Management Manual).

e. Compatibility with and protection of neighboring properties through measures such as:

1. Protection of privacy

Proposed grades will be sloped into the site as the material is removed, according to the applicant. The landscaping around the site, along with the elevation cross section, including with this report, demonstrate the applicant's privacy mitigation proposals.

2. Protection of use and enjoyment

Hours of operation will be limited to 6am to 6pm on weekdays only. No on-site crushing or processing will take place.

There are mechanisms already in place within the City, as well as with outside agencies, for handling complaints about the proposed operation, depending on the nature of the complaint. These agencies include City Code Enforcement and the 5-2-1 Drainage Authority.

3. Compatible design and integration

The entrance to the site will be asphalted and gated. As the material is removed, the slopes will be graded inward, which will mitigate the effects of stormwater runoff as well as provide a natural buffer to the operation as it continues mining downward.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Schooley-Weaver Gravel Pit application, CUP-2010-008 for a Conditional Use Permit, I make the following findings of fact, conclusions and conditions:

3. The requested Conditional Use Permit is consistent with the goals and policies of the Comprehensive Plan.
4. The review criteria in Section 2.13.C of the 2000 Zoning and Development Code have all been met.
5. Approval of the project being conditioned upon:

- The Conditional Use Permit shall be approved for five (5) years, as outlined in the General Project Report, with the option of an administrative extension of two (2) years, pursuant to Section 4.3.K.3.w.
- All required local, state, and federal permits for the operation of the project shall be obtained and maintained. Copies shall be provided.
- No signage, except for emergency contact information, is allowed.
- The operator shall provide for necessary repairs and maintenance of 29 ¾ Road during the duration of the permit, upon request of the Public Works Department, pursuant to Section 4.3.K.3.g.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the requested Conditional Use Permit, CUP-2010-008 with the findings of fact, conclusions and conditions of approval listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

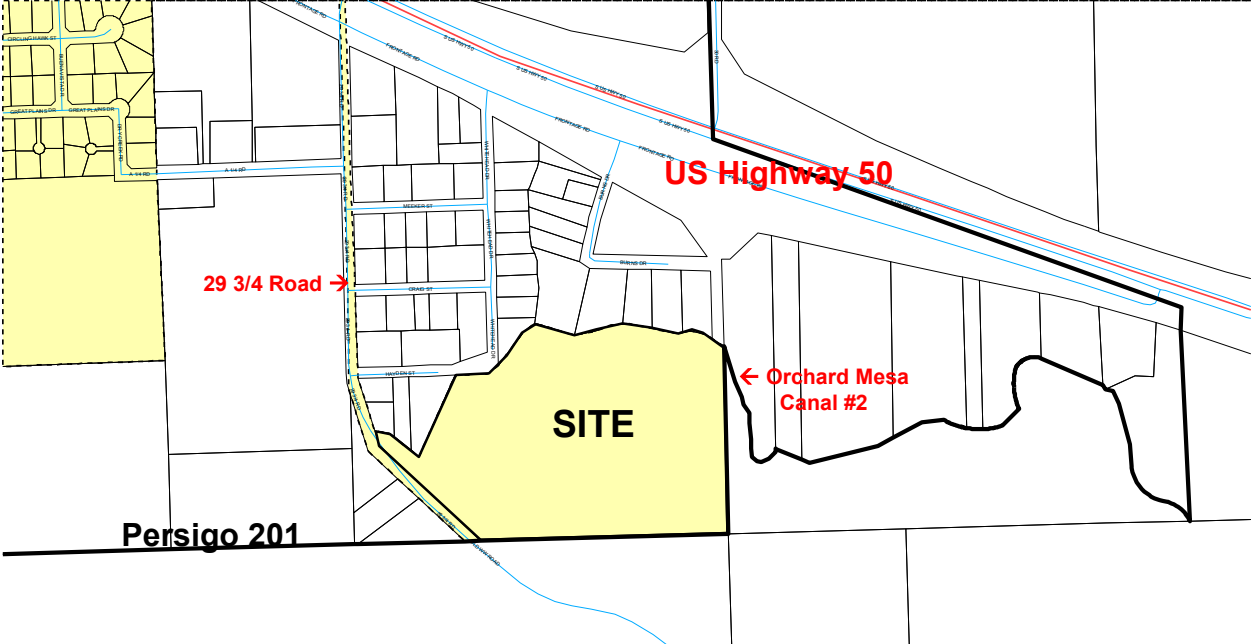
Mr. Chairman, on the request for a Conditional Use Permit for the Schooley-Weaver Gravel Pit application, number CUP-2010-008 to be located at 104 29 ¾ Road, I move that the Planning Commission approve the Conditional Use Permit with the findings of fact, conclusions and conditions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
 Comprehensive Plan Map / Existing City and County Zoning Map
 Blended Residential Map
 Site Photos (Pictometry)
 Section 4.3.K of the 2000 Zoning and Development Code
 General Project Report
 Site Plan
 Grading Plan
 Stormwater Management Plan
 Haul Road Plan
 Haul Road Letter
 Geotechnical Analysis of 29 ¾ Road
 Mesa County Review Comments
 Adjacent Property Exhibit
 Landscape Plan
 Reclamation Plan
 Letter(s) of Support
 Letter(s) of Objection

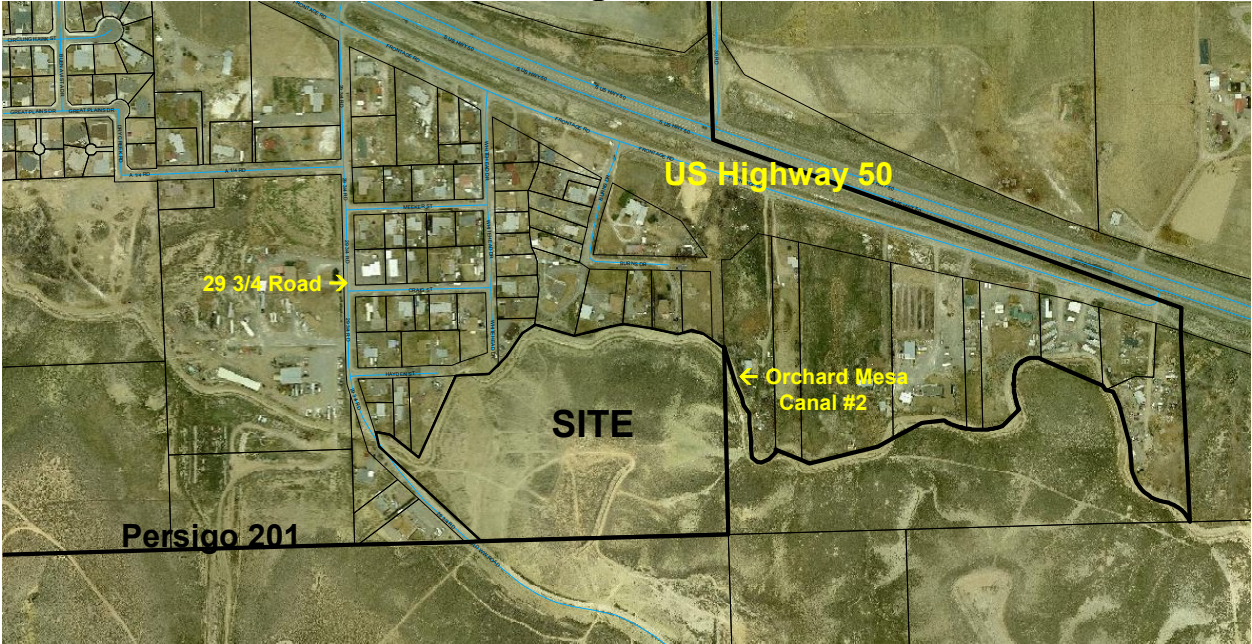
Site Location Map

Figure 1



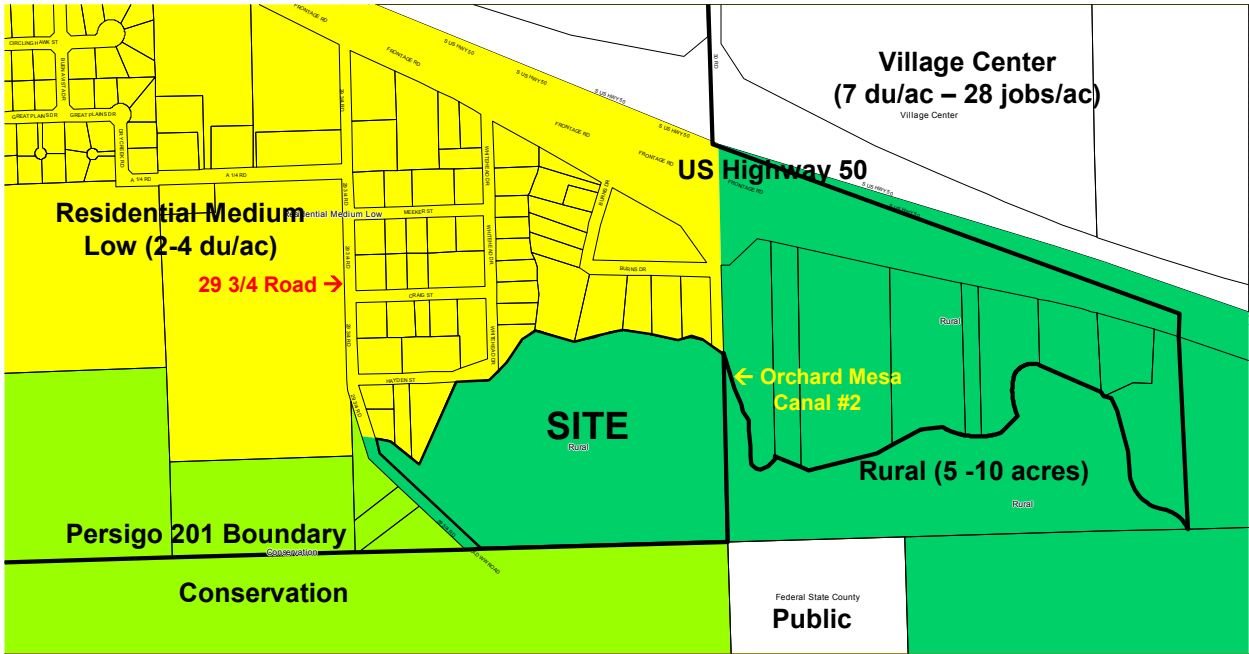
Aerial Photo Map

Figure 2



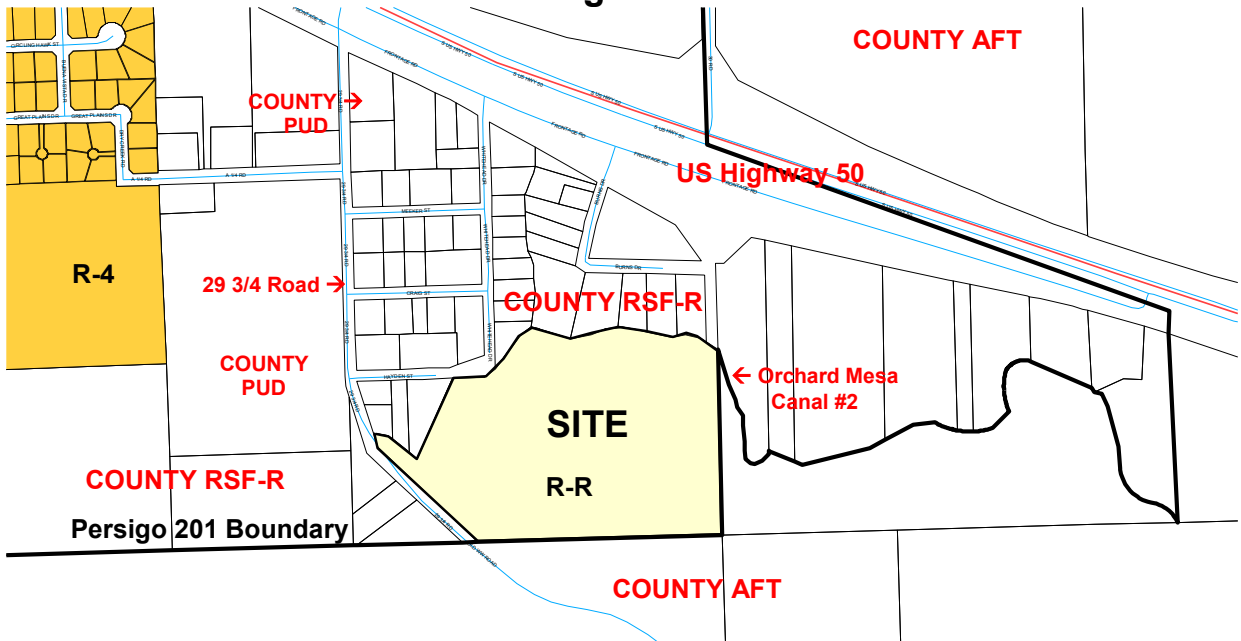
Comprehensive Plan Map

Figure 3



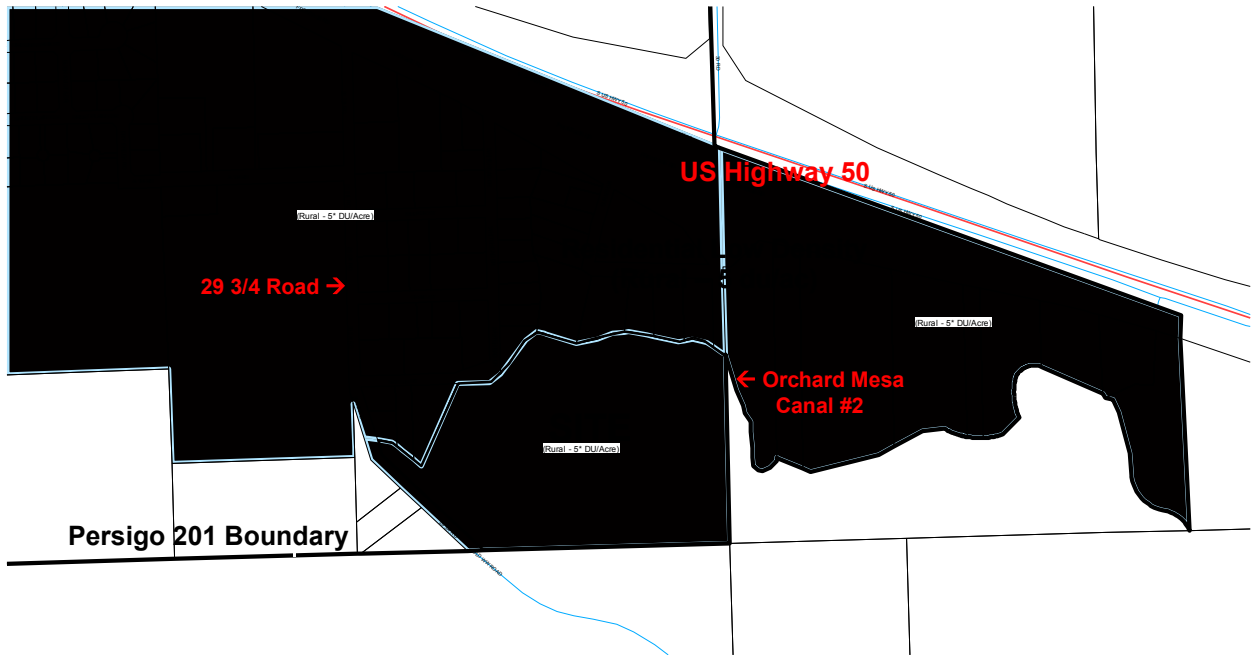
Existing City and County Zoning

Figure 4



Blended Residential Map

Figure 5



29 3/4 Road



Looking North



Looking East



Looking South



Looking West



K. Mineral Extraction, Washing, Crushing, Cement Batch Plants and Asphalt Plants.

1. **Purpose.** The purpose of this Section is to establish reasonable and uniform limitations, safeguards and controls to wisely utilize natural resources and to reclaim mined land.

- a. Gravel extraction and/or processing activities should occur on parcels of sufficient size so that extraction and reclamation can be undertaken while still protecting the health, safety and welfare of the citizens.
- b. Where gravel extraction and/or processing is adjacent to zoning or land uses other than I-1 or I-2, mining, handling and batch processing activities may be restricted, buffering may be required and/or disturbance/reclamation may be accelerated to be compatible with the adjacent zone(s) or use(s).

2. **Procedure.**

- a. Commercial extraction of mineral deposits shall not begin or occur until an excavation and land reclamation plan have been approved in writing by the Colorado Mined Land Reclamation Board.
- b. A plan approved as part of a CUP and/or a reclamation/development schedule being followed under previous regulations fulfills this requirement.
- c. Asphalt, cement and/or other batch plant operations shall be subject to CUP requirements.
- d. A plan for a use under this Section shall contain, in addition to those relevant requirements outlined for a CUP, the following:
 - (1) Detailed description of the method of extraction and reclamation to be employed, including any necessary accessory uses such as, but not limited to, crushers, batch plants and asphalt plants;
 - (2) An extraction plan showing the areas to be mined, location of stockpile area, location of structures, general location of processing equipment, with accompanying time schedules, fencing if applicable, depth of deposit, tons in the deposit and other pertinent information;
 - (3) A detailed reclamation plan showing proposed reclamation with time schedules including, but not limited to, finish contours, grading, sloping, placement, and amount and type of revegetation, post-extraction land use plans and any other relevant information;
 - (4) Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application;
 - (5) Type, character, and density of proposed vegetation both during excavation and as a component of rehabilitation;

- (6) The operator's estimated cost at each of the following segments of the reclamation process, including where applicable, backfilling, grading, reestablishing topsoil, planting, revegetation management, irrigation, protection of plants and soil prior to vegetation establishment and administrative cost;
- (7) A drainage plan and report prepared by a Colorado registered professional engineer with consideration of natural drainage, drainage during excavation and drainage after reclamation such that the proposed reclamation and excavation will have no adverse effect in excess of natural conditions. Where applicable, the Director may require a floodplain permit (see Section 7.1, Flood Damage Prevention Regulation).
- (8) Traffic analysis, which reviews road capacity and safety conditions/considerations for and within the neighborhood, as that term may be defined and applied by the Director. The Director may reduce or enlarge the neighborhood to be analyzed upon a finding of a hazard or hazardous condition. The traffic analysis shall generally conform to and address TEDS standards and shall include but not be limited to ingress/egress, parking and loading, on site circulation, number of trucks per day and the capacity of roads, streets, bridges, intersections etc.
- (9) An erosion control plan for runoff and wind-blown sediments shall be provided for the mining operation and the reclamation;
- (10) Additional information that is required because of unique site features or characteristics may be required by the City Community Development Department; and
- (11) Upon approval, the excavation and reclamation plans shall be filed with the City and recorded with the Mesa County Clerk and Recorder. Any change in excavation or reclamation plan shall be prohibited unless amended through the conditional use permit process.

3. Standards.

- a. Mineral extraction, washing, crushing, cement & asphalt batch planting and other mined products related uses shall be subject to an approved excavation permit, well permit, air pollution permit, reclamation plan and any and all other permits, certifications or requirements of the state or federal agencies having jurisdiction as required;
- b. Excavation or deposit of overburden is not permitted within thirty feet (30') of an abutting parcel, an easement, an irrigation ditch or canal or right-of-way unless by written agreement of the owner(s) of such property, easement, irrigation ditch, canal or right-of-way;

- c. Excavation within one hundred twenty-five feet (125') of an existing residence is not permitted unless by written agreement of the owners and occupants of the residence. No rock crushing, asphalt/cement plant or other similar equipment or operations shall take place any closer than two hundred fifty feet (250') of a residence. The Planning Commission may require a greater distance if the operation is abutting a residential zone district. Excavation, loading, handling, processing and batch operations adjacent to residentially zoned parcels shall not exceed sixty-five decibels (65dB) at the property line of any adjacent parcel;
- d. At a minimum, one hundred feet (100') greenbelt setback shall be provided from jurisdictional wetlands or navigable watercourses as the same are defined by the US Army Corps of Engineers (USACE). The Director upon recommendation and consent of the USACE may vary this standard;
- e. Existing trees and vegetation shall, to the extent practicable, be preserved and maintained in the required setback to protect against and reduce noise, dust and erosion. The Director may require vegetative screening and/or buffering in accordance with this Code in order to minimize the impact to dissimilar adjacent uses or zoning districts;
- f. The owner or operator shall submit a traffic analysis;
- g. The Director of Public Works may place restrictions on right-of-way use after review of the traffic analysis. Restrictions may include but are not limited to the owner or operator being responsible for the extraordinary upgrade and maintenance of the designated haul route(s);
- h. Streets, bridges and highways designated as haul route(s) shall be maintained by the owner/operator in a reasonably clean condition. This may include, depending on local conditions, watering, oiling, or sweeping as determined by the Director;
- i. Hours of operation shall be restricted to 6:00 AM to 6:00 PM. The Director may authorize different hours, however, the Director may also restrict as part of the CUP the hours of operation near residential or urbanized areas;
- j. In no event shall a slope of steeper than 2:1 be left for dry pits. A pit with a slope of 3:1 or steeper shall not exceed a depth of ten feet (10'). The floor of excavation pits, whether wet or dry, shall be left in a suitable condition;
- k. The owner/operator shall not excavate, store overburden or mined material or dike the property in such a manner as to increase any drainage or flooding on property not owned by the operator or damage public facilities and/or property;
- l. Prior to starting operation, where the operation is adjacent to subdivided and/or developed commercial or residential property, the Director may require buffering and/or screening. Required fencing,

screening and/or buffering shall not be removed until reclamation has been completed;

- m. After mining has been completed, the site shall not to be used to stockpile sand and/or gravel except in I-1 and I-2 with a CUP. In any event the owner/operator is to reclaim the site as rapidly as possible;
- n. Operations shall comply with the noise, vibration and other applicable standards and requirements of this Code and, if not in conflict those of the Grand Junction Code of Ordinances (GJCO). If there are conflicting or competing provisions in this Code and the GJCO the most stringent shall apply;
- o. All air emissions shall comply with standards established by the Mesa County Health Department, State Health Department and Colorado Air Quality Control Commission;
- p. All water use and/or discharge shall conform to standards established by law and administered by the Environmental Protection Agency (EPA), the Colorado Department of Public Health and Environment (CDHPE), the City of Grand Junction and the Mesa County Health Department;
- q. All slopes shall be stabilized. Land remaining at the natural water level must be revegetated in a manner compatible in type as/with the immediately prevailing area. Revegetation plans are required and shall minimally meet the standards of the Colorado Mine Land Reclamation Board;
- r. All disturbed areas shall be revegetated in accordance with the vegetation plan;
- s. Following initial revegetation efforts, the revegetated area shall be maintained for a period of three (3) years or until all vegetation is firmly established in the reclamation area;
- t. A timetable for reclamation shall be placed on each project. Time lines, including but not limited to milestones, if any, shall be dependent upon the type and size of reclamation effort;
- u. Proof of a reclamation bond shall be submitted, along with the required reclamation plan;
- v. A development schedule shall be submitted describing the life span of the project in years (ranges are acceptable) and, if applicable, the years per phase;
- w. If the development schedule is not met the conditional use permit:
 - (1) May be revoked;
 - (2) The Director may grant a two (2) year extension per request;
 - (3) The Planning Commission shall have the power, after hearing, to revoke any conditional use permit for any violation;
 - (4) Upon at least ten (10) days written notice to the owner, the Planning Commission may hold a hearing to determine the nature and extent of the alleged violation, and shall have the power, upon showing of good cause, to revoke the permit and

the plan and to require reclamation of the land;

- (5) If not extended or revoked, a new application and extraction plan will need to be submitted and reviewed in the manner described in this section;
- (6) An extension request shall provide information in writing detailing the reasons for the request. The Director shall consider the stated reasons, as well as the extent conditions have changed in the area, if any, before granting an extension;
- (7) If a written request to extend the development schedule is submitted to the Director it shall include but not necessarily be limited to the factors and reasons for the requested extension. New conditions may be imposed as a part of the granting of an extension. New conditions, if any, may be appealed to the Planning Commission to be considered at a public hearing;
- (8) The Director may forward any extension request to the Planning Commission;
- (9) Extension requests will be evaluated by the Director and/or Planning Commission on the same basis and with the same information as per the conditional use permit process;
 - x. If the use has not operated or if no material has been extracted in accordance with the development schedule or any extension(s) thereof, the conditional use permit shall expire;
 - y. Signage for public safety is required; and
 - z. Fencing around the perimeter of the property is required.

**General Project Report
For
Schooley/Weaver Gravel Pit**

Date: December 1, 2009
Revised March 31, 2010

Prepared by: Les Crawford PE
Vortex Engineering, Inc.
1168 East Via Le Paz Drive
Fruita, CO 81521
970-245-9051
VEI # F08-016

Type of Design: Conditional Use Permit – Gravel Extraction

Owner: Schooley/Weaver Partnership
395 West Valley Circle
Grand Junction, CO 81507

Property address: 104 29 ³/₄ Rd.
Orchard Mesa, CO 81505

Tax schedule No.: 2943-324-10-001

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Exhibit 'A' – Location Map

Project Description

The purpose of this General Project Report is to provide a general review and discussion of the Site, Zoning, and Planning of the subject site for Staff to properly determine the compliance with all Conditional Use Permit requirements.

A. Property Location

The site is located along the east side of 29 ¼ Road, south of Hwy 50 in the Orchard Mesa area of Grand Junction, Colorado at 104 29 ¼ Rd.

Please reference Exhibit 'A'—Vicinity Map within this report for further information.

B. Legal and Acreage

By legal description, the property is described as Lot 1, Block 9, of the Burns Subdivision, Section 32, Township 1 South, Range 1 East in Mesa County, Colorado.

The property is approximately 16.0 acres in size and is currently undeveloped. The property does not appear to be utilized for any specific purpose. Sparse natural vegetation covers the parcel.

C. Proposed Use

The 16.0 acre parcel is planned to be mined for construction materials. No onsite crushing or processing of materials is proposed. The topsoil will be used to supplement landscape areas and will not be stockpiled on site. The pit-run gravel will be extracted and removed from the site. Water for dust control and irrigation will be hauled to the site. When the extraction process is completed topsoil will be imported as needed and distributed evenly over the disturbed area and covered with a native seed mix. Per the Reclamation Plan copies of the State Reclamation Plan and Permit Application, State Apen, State Stormwater, and CDOT Access Permit Application are incorporated with this CUP application

Public Benefit

This development is an excellent opportunity to provide an important community resource in this area by providing much needed construction aggregate for the 29 Road Overpass at the Union Pacific Railroad.

I. Project Compliance, Compatibility and Impact

A. Adopted Plans

Orchard Mesa Neighborhood/ City of Grand Junction Growth Plan

This site is located within the Orchard Mesa Neighborhood Plan, revised July 13 & August 16, 2000. This CUP is not in conflict with the neighborhood plan.

B. Land Use

This property was platted as part of the Burns Subdivision on June 15, 1950 and recorded in the land records of Mesa County, Colorado under Liber 7, Folio 63.

The property was annexed into the City of Grand Junction pursuant to the Persigio Agreement.

The site is bounded on the west by 29 ¼ Rd, various county residential uses to the north and east, various county residential and commercial to the west and vacant ground to the south.

Existing Land Use:		Undeveloped
Proposed Land Use:		Gravel Extraction
Surrounding Land Use:	North	Residential Medium Low, 2-4 du/ac
	South	Vacant (county landfill)
	East	Rural, 5-35 ac/du
	West	Conservation/Residential Medium Low, 2-4 du/ac
Existing Zoning		R-R (Rural Residential, 1 unit per 5 acres)
Surrounding Zoning:	North	County RSF-R
	South	County AFT
	East	County RSF-R
	West	County RSF-R/Planned Commercial

C. Site Access and Traffic Patterns

Currently the site is accessed from 29 ¼ Rd which is a 2-lane, no median, paved, County owned and maintained roadway. The existing Right-of-Way of 29 ¼ Rd. is approximately 38'. The ultimate Right-of-Way of 29 ¼ Rd. is 60'.

Portions of the 29 ¼ Road Right-of-Way were annexed into the City of Grand Junction with this site. Staff has suggested the full width of 29 ¼ Road might be annexed at this time. This applicant will work with the City towards that goal.

A Level III Traffic Impact Study was prepared by Turnkey Consulting. It evaluated accessing the SH-50 intersection at 29 ¼ Road with two alternatives.

Alternative #1 – 29 ¼ Road to SH-50.

Alternative #2 – 30 Road to South Frontage Road to 29 ¼ Road to SH-50.

Both alternatives create the same impact on SH-50 however, the 30 Road Alternative would require a haul road in excess of 12% grade from the crossing over the canal to the South Frontage Road within a 30 foot wide right of way. Additional right of way would be required and both TED and CDOT design exceptions that are difficult to support would be required for Alternate #2. Alternate #1 (29 ¼ Road to SH-50) was chosen as the preferred alternative.

A CDOT Access Permit will be required and signalization is not warranted. Recommended improvements to SH-50 include:

1. Extend existing eastbound left turn decel lane by 40 feet.
2. Restripe SH-50 to install a 1,182 foot long northbound to westbound left turn acceleration lane.

A copy of the CDOT Access Permit application including a layout of the proposed improvements is incorporated with this CUP application. Delegation of Authority letters from the City of Grand Junction and Mesa County for the CDOT Access Permit at SH-50 and 29 ¼ Road were submitted to CDOT and are incorporated with this application.

The Traffic Impact Study is incorporated within this CUP application.

A Haul Route Plan is incorporated within this CUP application. SH-50 is the nearest Truck Route. The intended use is temporary with a typical Conditional Use Permit from the City being valid for 5 years. Alternative haul routes explored include:

- An alternate route using the southern leg of the 30 Road is not proposed to be built in time for use by Schooley-Weaver. An additional obstacle is the insufficient width of 30 Road Right-of-Way south of the Frontage Road. The 30 Road Alternative would require a haul road in excess of 12% grade from the crossing over the canal to the South Frontage Road within a 30 foot wide right of way. Additional right of way would be needed from adjacent property owners and both TED and CDOT design exceptions that are difficult to support would be required
- An alternate route to Whitehead Drive, north of the canal is restricted by the 20 foot grade differential below the canal. In addition, a haul route through the abutting neighborhood is undesirable.
- A request for an alternate access route via the existing road to the south across the Ducray property was refused by Mrs. Ducray.

Use of the 29 ¼ Road intersection will require temporary improvements to SH-50. The improvements proposed in the CDOT Access permit include adding a left turn to west bound SH-50 accel lane and the restriping of existing lane widths from 12-feet to 11-feet. The existing 76-foot wide roadway can accommodate the temporary alterations with minimal disturbance to existing users.

EXISTING HIGHWAY 50 STRIPING:

Four 12-foot through lanes
One 12-foot left turn lane
One 4-foot median
One 12-foot right turn lane
One 12-foot right turn westbound accel lane
Two 2.5-foot shoulders
TOTAL WIDTH 93 FEET

PROPOSED HIGHWAY 50 STRIPING:

Four 11-foot through lanes
One 11-foot left turn lane
No 4-foot median
One 11-foot left turn westbound accel lane
One 11-foot right turn lane
One 11-foot right turn westbound accel lane
Two 2.5-foot shoulders
TOTAL WIDTH 93 FEET

A supplemental Geotechnical Report included cores of 29 ¼ Road to establish the adequacy of its structural strength and condition. Three borings of the existing pavement revealed 8 to 9 inches of asphalt over a 6 inch road base. This road section appears more than adequate for the proposed use.

It is worth noting that 29 ¼ Road was built as the haul road to the landfill to the south and operated successfully for many years. The Ducray trucking operations are currently using the road as the only access to SH-50 from their 13-acre site.

D. Effects on Utilities

Electric

The provider for electric service in this area is Grand Valley Power Company.

This CUP will not require electric service.

Water

The provider for water service in this area is Ute Water Conservancy District. It is anticipated that an off-site 8"-12" water main extension of approximately 2,000' will be required with the future development of this property. A 2" water line is located in Hayden St. and 29 ¼ Rd. An 8" water main is located at the south side of Hwy 50. The service boundary for Ute Water will need to be amended to allow this property to obtain service from the Ute Water Company.

However this CUP will not require water service. Water for dust control will be hauled to the site. Ute Water will not provide water for temporary irrigation. Therefore, the landscape plan provided for hauling irrigation water.

Sewer

The provider for sewer service in this area is the Orchard Mesa Sanitation District. It is not presently anticipated that an off-site sewer main extension will be required with the future development of this property. An 8" sewer line is located in the middle of the west lane of 29 ¼ Rd. According to the Orchard Mesa Sanitation District, the 8" main in 29 ¼ Rd. has adequate capacity.

This CUP will not require sanitary sewer service.

Storm Drainage

This property is located in the Orchard Mesa Drainage Basin. The watershed in this region slopes from the south to the north, ultimately draining to the Colorado River. The lowest elevations on this site occur along the northern boundary of the property adjacent to the Orchard Mesa Canal #2.

This site currently accepts off-site drainage from the southern property and 29 ¼ rd. to the west. These off-site areas are undeveloped vacant ground in composition. A roadside swale presently drains a portion of the site to the north dissipating alongside the drainage canal at the northern boundary. Drainage is generally from the south to the north. Similar existing topography directs and conveys all offsite runoff from the south east to the east and north east towards the canal.

The original drainage report proposed on-site retention of the storm water runoff. Subsequent borings and percolation tests performed by Huddleston-Berry Geotechnical Engineers have discovered prohibitive limitations in the soil below the proposed retention basin location(s). The Revised Drainage Report (Rev 1) will utilize a single Detention Basin to capture the 10-yr and

100-yr storm events from the mined areas and to provide a Water Quality function. No changes in drainage patterns or increase in runoff rates is proposed for undisturbed areas.

This CUP will not require any offsite storm drainage improvements.

This CUP will not impact any offsite or downstream storm drain.

Natural Gas

The provider for gas service in this area is Xcel Energy. A 3" Mil wrapped gas main is located at the intersection of 29 ¾ Rd. & HWY 50 approximately 5' north of the southern right-of-way line of HWY 50. This main has approximately 60 psi pressure. A 2" mil wrapped line is located in 29 ¾ Rd. approximately 15' west of the right-of-way line. This line extends approximately 487' south past the intersection of Hayden Dr. and 29 ¾ Rd. It is anticipated that this main will have the capacity to service future development.

This CUP will not require natural gas service.

Telephone

The provider for telephone service in this area is U.S. West. It is estimated that there is adequate capacity to service future development.

This CUP will not require telephone service.

Cable Television

The provider for cable service in this area is Bresnan. It is estimated that there is adequate capacity to service future development.

This CUP will not require cable TV service.

Irrigation

The provider for irrigation service in this general area is the Orchard Mesa Irrigation District (OMID). However, this site is not within their district boundary. This property has never been irrigated and does not have an irrigation source. Irrigation is NOT available from the Orchard Mesa Irrigation District Canal #2 that crosses the property. This site may not be annexed into the OMID.

This CUP will not require permanent irrigation service. Water for dust control will be hauled to the site. Ute Water will not provide water for irrigation. Therefore, the landscape plan provides for hauling of irrigation water.

E. Effects on Public Services

Fire Protection

The provider for Fire Protection service in this area is the Grand Junction Rural Fire District.

This CUP will have a minimal impact on Fire Protection resources as no structures or permanent storage is proposed with this CUP.

Police Protection

The provider for Police Protection service in this area is the City of Grand Junction Police Department & the Mesa County Sheriff's Department.

This CUP will have a minimal impact on Police Protection resources. No structures or permanent

School District

The provider for public education in this area is Mesa County School District 51.

This CUP will not have an impact on the existing facilities in terms of capacity.

Parks/Trails

Presently no neighborhood parks or trails exist in this area of Orchard Mesa.

This CUP does not propose any parks or trails.

F. Site Soils

According to the Natural Resource Conservation Service (NRCS), the soils across the site consist of two predominant families. The first being the "Badlands-Deaver-Chipeta Complex", 25 to 99 percent slopes. The Badlands-Deaver-Chipeta Complex family consists of moderately steep to very steep barren land dissected by many intermittent drainage channels. The areas are ordinarily not stony. Runoff is very rapid and erosion is active. They are composed of well drained soils formed in Residium from the shale on uplands. Typically, the surface layer is very cobbly Silty Clay loam about 3 inches thick. The underlying layer is clay to a depth of 27 inches and is underlain by shale at a depth of 30 inches or more. Hydrologic Soils Group "C-D".

The second being the "Persayo Silty Clay Loam", 5 to 12 percent slopes (Cc). The Persayo Silty Clay Loam family consists of shallow, well drained soils formed in Residium from the shale on ridge crests, side slopes, and toe slopes. Typically, the surface layer is Silty Clay loam about 2 inches thick. The underlying layer is clay to a depth of 13 inches thick. Weathered Shale is at a depth of 15 inches. Hydrologic Soils Group "D".

G. Site Geology

The property is a large knoll with significant topographic relief, with elevations ranging more than 100 feet. Due to grades and the Orchard Mesa Canal #2 that borders the property on the north, the only access that can be provided to the property is from the existing 29 ¼ Road to the west.

The subject site has significant topography, with elevations peaking at 4936, descending to 4832. A natural plateau exists on site and dominates much of the property. The entire site slopes to the north to the Orchard Mesa Canal #2 located along the northern boundary.

A Geotechnical & Geological Hazard Investigation for proposed gravel resource extraction was conducted by Huddleston - Berry Engineering and Testing and their report is incorporated in this submittal.

"No geologic hazards were identified which would preclude resource extraction at this site."

H. Hours of Operation

Proposed Operations are from 6 am to 6 pm Monday through Friday. No operations will occur on national holidays or weekends.

I. Number of Employees

No resident onsite employees are planned. Truck drivers and equipment operators will total approximately 20. Employee parking and overnight truck storage and maintenance is accommodated offsite.

J. Signs

Public Safety signs are proposed along the fence. An identification sign package is not proposed at this time. If a sign is proposed at this site in the future it will comply with the Mesa County Sign Regulations and approval processes.

K. Review Criteria

The City of Grand Junction Land Use Code (LUC), Chapter 2.13 Conditional Use Permits (CUPs) outlines five Approval Criteria:

- 1. Site Plan Review Standards.**
This CUP complies with the adopted standards within Section 2.2.D.4 and the standards within the SSID, TEDS and SWMM Manuals.
- 2. District Standards**
This CUP Complies with all underlying zoning district standards of Chapter 3 of the LUC.
- 3. Specific Standards**
The LUC Chapter 4.K.2.d Mineral Extraction... outlines Specific Standards for Gravel Mining operations
 - 1. Description:** The 16.0 acre parcel is planned to be mined for construction materials. No onsite crushing, processing or storage of materials is proposed. No accessory structures are proposed. No topsoil or overburden will be stockpiled on site.
 - 2. Extraction Plan:** The Site Plan incorporates the information required including delimitation of the 7.5 acres to be mined. No excavation is proposed within 30 feet of a property line or canal. No excavation is proposed within 125 feet of any structure. No structures or processing equipment is proposed.

Work hours are 6 am to 6 pm Monday through Friday. No operations are scheduled on national holidays or weekends. Excavators and front end loaders will be used to top-load the dump trucks. A water truck will be used to haul water for dust control and landscape

irrigation. Total extraction will be approximately 500,000 tons. Application of surfactants as needed will provide additional dust control

The topsoil stockpile has been removed from the proposal. Onsite topsoil will be used to supplement the landscaping areas. Topsoil will be brought onsite as needed when extraction activities cease and the site reclaimed.

3. **Reclamation Plan:** A copy of the detailed Reclamation Plan submitted to the State is incorporated with this CUP application under separate cover.
4. **Topography:** Existing and proposed contours are shown on the Site Plan.
5. **Vegetation:** The site has only scattered desert vegetation. The Colorado Division of Wildlife characterized the site as: As with all gravel mining operations reclamation is a very important step for final project conclusion. The subject parcel contains several vegetation species important to wildlife. They are: Wyoming sage brush, *Artemisia tridentata wyomingensis*; needle & thread, *Stipa comata*; Indian rice grass, *Oryzopsis hymenoides* and four wing saltbush, *Artiplex canescens*. The site also contains several non-native, undesirable species; they are cheat grass, *Bromus tectorum* and Russian thistle, *Salsola kali*, and halogeton, *Halogeton glomeratus*. If this property is not immediately developed with urban uses following completion of the gravel extraction reclamation efforts should include an integrated vegetation management plan that includes native revegetation and rigorous weed management component. The Reclamation Plan leaves much gentler slopes than exist currently and the disturbed ground will be seeded with a native seed mix after topsoil is redistributed. No irrigation water is available. All disturbed areas slope towards the onsite retention areas.
6. **Landscaping/buffering:** Landscape plans have been complete by a licensed Landscape Architect and landscape screening and buffering have been designed to meet city code. The goal of the landscape plan is to create a natural landscape buffer around the proposed gravel pit. Native and xeric plant materials are to be used in the landscape buffers. The reclamation/ landscape plan has added a native seed mix that has been reviewed by the DNR. The proposed landscaping is to be irrigated by a drip system that will use water trucked to the site. Each landscape area will have a point of connection for the water to be delivered to each irrigation zone. The landscape irrigation schedule shall be: two times per week for the first growing season, one time each week for the second growing season, and as needed for the third growing season.
7. **Estimated Reclamation Costs:** The total reclamation costs of distributing the topsoil and reseeding with the native seed mix is included in the cost estimate "Exhibit B".
8. **Drainage Plan & Report:** A Final Drainage Report (Rev 1) that includes calculations for sizing of the onsite Detention Basin is incorporated within this CUP application. The SWMM requirement of containing the runoff from 1.44 inches of rainfall in a 3-hour 100-year storm has been exceeded. The four foot deep Detention Basins will fill to less than 1.5 feet of depth and release the detained runoff over 48 hours. No runoff from any disturbed area will leave the site. And there will not be any increase in natural runoff from any part of the site. There are no floodplains or jurisdictional wetlands on site. The Detention Basin has been located completely within the excavation/disturbed area.

9. **Traffic:** A Level III Traffic Impact Study was prepared by Turnkey Consulting and is incorporated within this CUP application. Its findings and recommendations are included in other paragraphs of this General Project Report.
10. **Erosion Control Plan:** An Erosion Control Plan is incorporated within this CUP application. All disturbed areas will be graded towards the Detention Basin preventing any sediment from leaving the site. The Detention Basin is more than double the required size and has more than two feet of freeboard. Dust control will be managed by hauled water and chemical surfactants during mining operations.

The LUC Chapter 4.K.3 Standards identifies setbacks, minimum slopes and other requirements that are all met or exceeded with this proposed CUP. All requirements established by Mesa County Health Department, State Health Department, Colorado Air Quality Control Commission, State of Colorado Division of Reclamation, Mining and Safety, and Colorado Department of Transportation are met by this CUP application.

4. Availability of Complementary Uses

The primary resource complementary to this CUP is the availability of a major transportation corridor within a few hundred feet. SH-50 (a truck route) and 29 Road (a major arterial) provide a safe and appropriate haul route for the transport of aggregate materials to the 29 Road overpass at the Union Pacific Railroad.

5. Compatibility with Adjoining Uses

- **Protection of Privacy:** Proposed grades are sloped into the disturbed area concealing most of the extraction operations from the back yards of the neighbors to the north and east. The land to the south is vacant. The back yards of the three residences to the west face away from the site. An adjacent property exhibit with typical cross sections and sight lines is incorporated with this application to demonstrate how the natural topography of the site and the significant vertical drop below the canal screen and limit the visibility of mining operation by the closest neighbors.
- **Protection of Use & Enjoyment:** With the hours of operations limited to weekdays only, only minor disturbances are expected during the workday. No operations are allowed evenings, nights, weekends or holidays. No processing or crushing operations are proposed onsite. The extraction operations will be primarily during the construction of the 29 Road Overpass in 2010. The haul route will utilize 29 ¾ Road to SH-50. This road extends to the south and was used by truck traffic to the landfill for many years. It continues to be used for trucking operations by the DuCray construction facilities on 29 ¾ Road and others.
- **Compatible Design:** No structures or accessory structures are proposed by this CUP application. Only minimal equipment will remain onsite overnight. The site entrance will be paved to the edge of the right of way and an anti-tracking pad will be constructed at the entrance to minimize materials being carried onto 29 ¾ Road. No outdoor lighting is proposed. No noxious odors or emissions emanate from this type of extraction operation. With the proposed slopes graded inward, neighbors will not be subjected to the noise levels normally found on a construction site.

II. Development Schedule & Phasing

The extraction of aggregate materials is primarily intended for the use in constructing the 29 Road Overpass at the Union Pacific Railroad during 2010. Only minor extraction of materials may occur during the remainder of the 5 year permit. Reclamation per the State Reclamation Permit will be completed prior to the expiration of the CUP. No phasing is proposed.

	2010	2011	2012	2013	2014	2015
PERMITTING	■					
LANDSCAPING	■					
EXTRACTION	■	■	■	■	■	■
RECLAMATION						■

III. Limitations/Restrictions

This report is a site-specific investigation and is applicable only for the client for whom our work was performed. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering and Architecture Incorporated and is to be taken in its entirety. Excerpts from this report may be taken out of context and may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

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

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

IV. References

The following manuals and computer web sites were used for this General Project report:

- Storm water Management Manual, City of Grand Junction and Mesa County
- Zoning Ordinance Manual, City of Grand Junction
- T.E.D.S. Manual, City of Grand Junction
- City of Grand Junction GIS Master Website and the Mesa County GIS Website.

- Growth Plan Manual, City of Grand Junction.
- Orchard Mesa Growth Plan Manual, City of Grand Junction
- 5-2-1 Drainage Authority
- NRCS Website
- State Department of Reclamation Website
- Colorado Dept. of Public Health and Environment (stormwater) Website
- Colorado Dept. of Public Health and Environment (Apen) Website









EXHIBIT 'A'
LOCATION MAP

Schooley / Weaver Gravel Pit

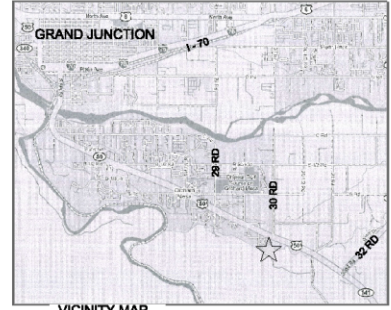
104 29 3/4 Road

Grand Junction, Colorado

Prepared By
VORTEX
 ENGINEERING & ARCHITECTURE, INC.
 1168 E. Via Le Paz Drive
 Fruita, Colorado 81521
 (970) 245-9051

LEGEND	
	EX. PROPERTY LINE
	PROP. LOT LINES
	EXISTING CONTOUR LINE
	PROPOSED CONTOUR LINE
	EASEMENT LINE
	EXISTING FENCE
	PROPOSED FENCE
	PROPOSED ASPHALT

SHEET #	SHEET TITLE
1	COVER SHEET
2	SITE PLAN
3	GRADING AND DRAINAGE PLAN
4	STORM WATER MANAGEMENT PLAN
5	HAUL ROUTE PLAN



VICINITY MAP

LOCATION OF UTILITIES SHOWN HEREON
 WAS PROVIDED BY OTHERS. CONTRACTOR
 MUST VERIFY LOCATION OF ALL EXISTING
 UTILITIES PRIOR TO CONSTRUCTION.



1-800-922-1987
 UTILITY NOTIFICATION
 CENTER OF COLORADO

VORTEX
 ENGINEERING & ARCHITECTURE, INC.
 1168 E. Via Le Paz Drive
 Fruita, Colorado 81521
 Phone (970) 245-9051
 Fax (970) 245-9058

R.W. JONES II
 PROFESSIONAL ENGINEER
 LICENSE NUMBER: 10008
 EXPIRES: 12/31/2010

LES CRAWFORD
 PROFESSIONAL ENGINEER
 LICENSE NUMBER: 10008
 EXPIRES: 12/31/2010

Contract No. 10-10000000-0001
 VORTEX ENGINEERING & ARCHITECTURE, INC.
 1168 E. VIA LE PAZ DRIVE
 FRUITA, COLORADO 81521
 PHONE (970) 245-9051
 FAX (970) 245-9058
 WWW.VORTEX-ENR.COM
 PROJECT NO. 10-10000000-0001
 SHEET NO. 10-10000000-0001-001

CONDITIONAL USE PERMIT	
1. LOCATION	BASED ON LIST OF UTILITIES
2. DESIGN	BASED ON LIST OF UTILITIES
3. CONSTRUCTION	BASED ON LIST OF UTILITIES

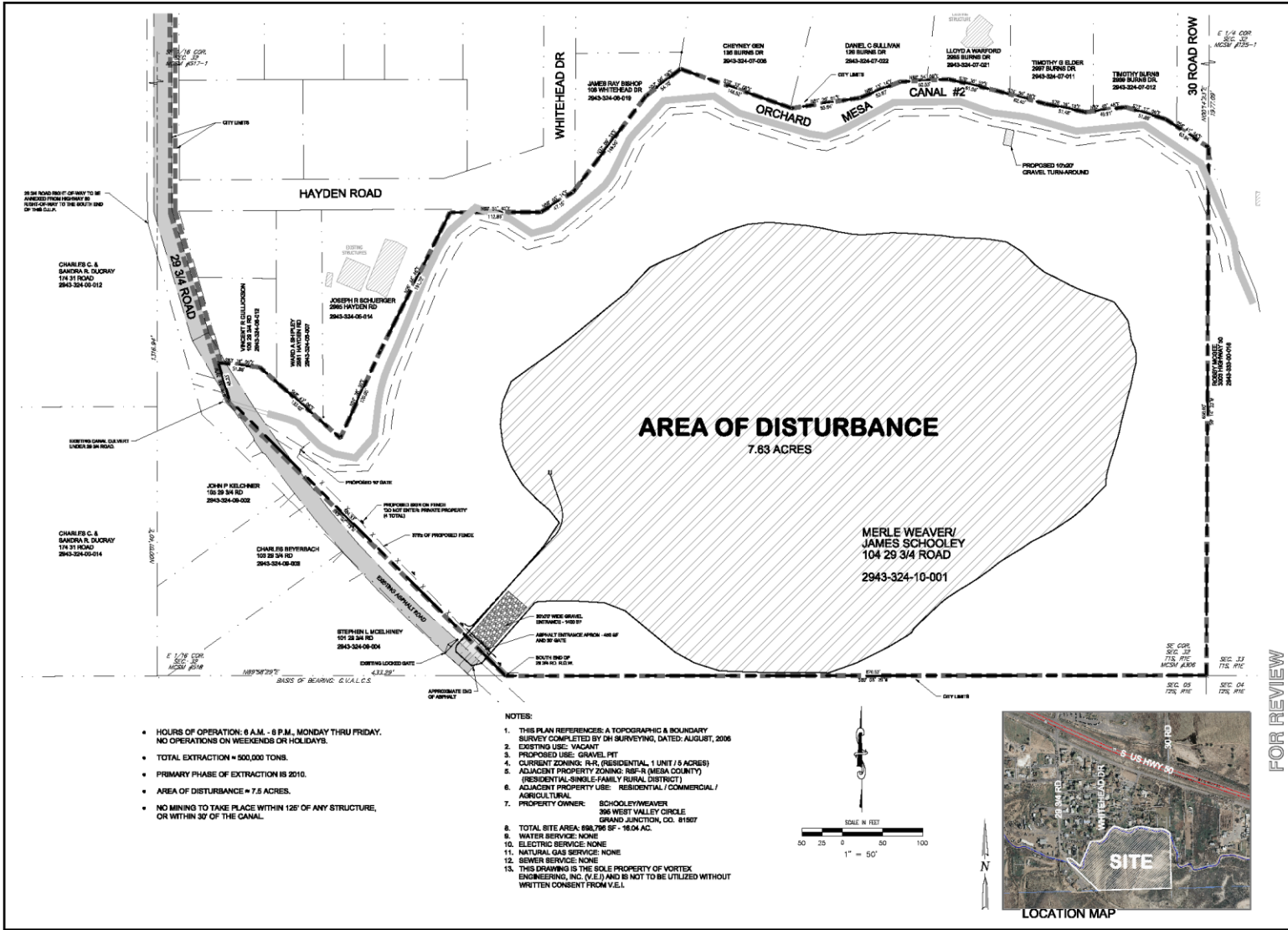
FOR REVIEW

Cover Sheet
**SCHOOLEY/WEAVER
 GRAVEL PIT**
 104 29 3/4 ROAD
 GRAND JUNCTION, CO

DATE: 10/27/2010
 TIME: 10:00 AM
 PROJECT: 10-10000000-0001
 SHEET NO: 10-10000000-0001-001
 DESIGNER: LES CRAWFORD
 CHECKER: R.W. JONES II
 www.vortex-enr.com

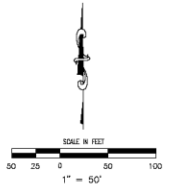


VORTEX ENGINEERING & ARCHITECTURE, INC. 1168 E. VIA LE PAZ DRIVE, FRUITA, CO 81521



- HOURS OF OPERATION: 6 A.M. - 8 P.M., MONDAY THRU FRIDAY, NO OPERATIONS ON WEEKENDS OR HOLIDAYS.
- TOTAL EXTRACTION = 500,000 TONS.
- PRIMARY PHASE OF EXTRACTION IS 2010.
- AREA OF DISTURBANCE = 7.8 ACRES.
- NO MINING TO TAKE PLACE WITHIN 125' OF ANY STRUCTURE, OR WITHIN 30' OF THE CANAL.

- NOTES:
1. THIS PLAN REFERENCE: A TOPOGRAPHIC & BOUNDARY SURVEY COMPLETED BY DR SURVEYING, DATED: AUGUST, 2006
 2. EXISTING USE: VACANT
 3. PROPOSED USE: GRAVEL PIT
 4. CURRENT ZONING: R-R, (RESIDENTIAL, 1 UNIT / 0.5 ACRES)
 5. ADJACENT PROPERTY ZONING: RSP-R (MESA COUNTY) (RESIDENTIAL-SINGLE-FAMILY RURAL DISTRICT)
 6. ADJACENT PROPERTY USE: RESIDENTIAL / COMMERCIAL / AGRICULTURAL
 7. PROPERTY OWNER: SCHOOLEYWEAVER 306 WEST VALLEY CIRCLE GRAND JUNCTION, CO. 81507
 8. TOTAL SITE AREA: 698,795 SF - 16.04 AC.
 9. WATER SERVICE: NONE
 10. ELECTRIC SERVICE: NONE
 11. NATURAL GAS SERVICE: NONE
 12. SEWER SERVICE: NONE
 13. THIS DRAWING IS THE SOLE PROPERTY OF VORTEX ENGINEERING, INC. (V.E.I.) AND IS NOT TO BE UTILIZED WITHOUT WRITTEN CONSENT FROM V.E.I.



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CONDITIONAL USE PERMIT

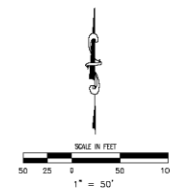
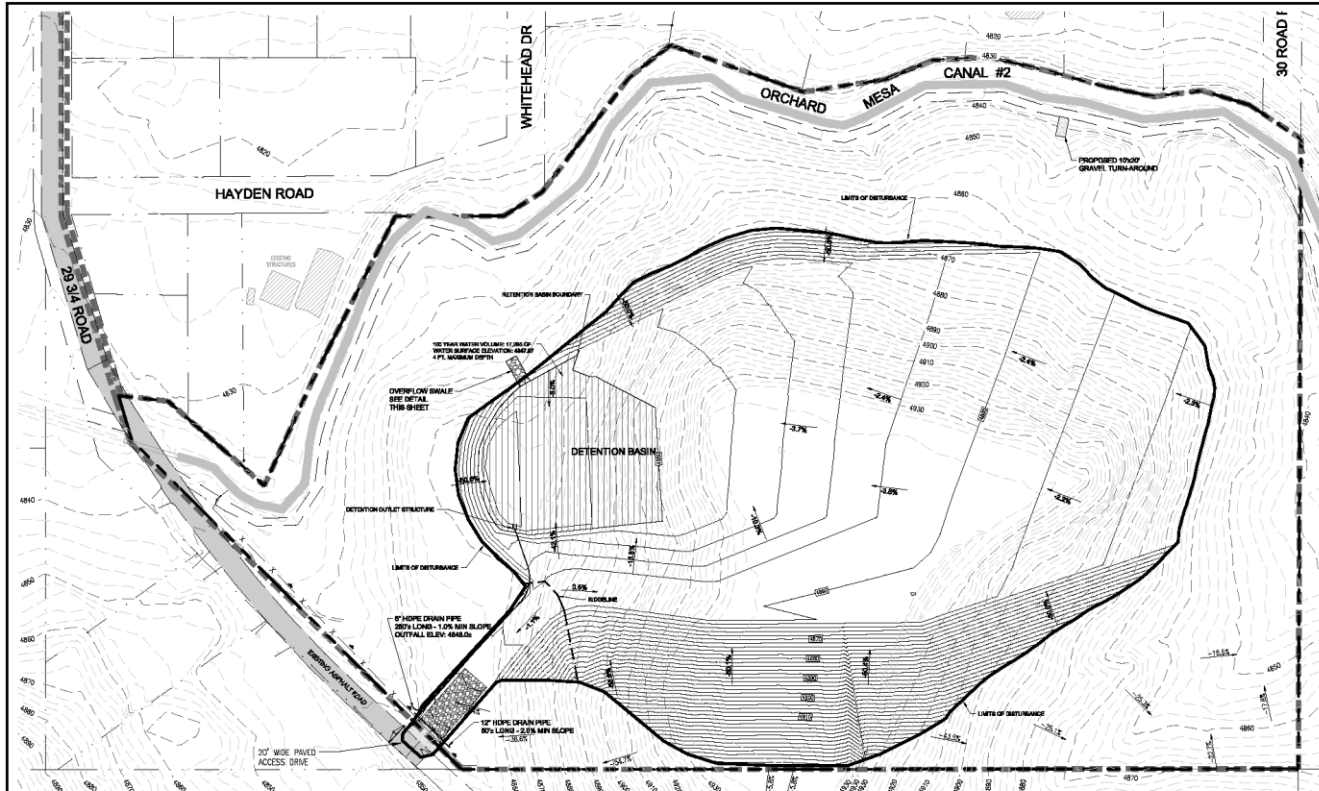
DATE	APPROVED BY

FOR REVIEW

Site Plan
SCHOOLEYWEAVER
GRAVEL PIT
104 29 3/4 ROAD
GRAND JUNCTION, CO

SCALE: 1" = 50'

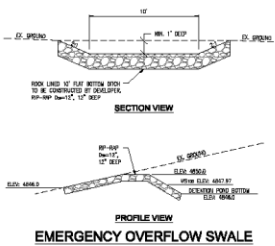
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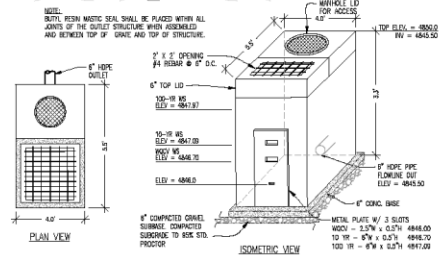
LOCATION OF UTILITIES SHOWN HEREON
WAS PROVIDED BY OTHERS. CONTRACTOR
MUST VERIFY LOCATION OF ALL EXISTING
UTILITIES PRIOR TO CONSTRUCTION.



- GRAZING / UTILITY NOTES:**
1. CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF EXISTING TOPOGRAPHY AND UTILITY INVERT ELEVATIONS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR TO EXERCISE DUE CARE AGAINST ALL OUTCROPPINGS TO PREVENT ANY DISPERSEMENTS SHALL BE PROVIDED TO THE ENGINEER IN WRITING IMMEDIATELY.
 2. LOCATION OF ALL EXISTING AND PROPOSED SERVICES ARE APPROXIMATE AND MUST BE CONFIRMED INDEPENDENTLY WITH LOCAL UTILITY COMPANIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. AN EDUCATIONAL SANITARY SERVICE AND ALL OTHER UTILITY SERVICES CONNECTION POINTS SHALL BE CONFIRMED INDEPENDENTLY BY THE CONTRACTOR IN FIELD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. ALL DISCREPANCIES SHALL BE REPORTED IMMEDIATELY IN WRITING TO THE ENGINEER. CONSTRUCTION SHALL COMMENCE IMMEDIATELY IF THE LOWER POINTS ORIGINALLY MARKED WITH REFERENCE METAL MARKERS SHALL BE FIELD VERIFIED BY TEST PIT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR THE RELATIVE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS DEFINED BY THE DRAWINGS AND IN FULL COMPLIANCE WITH LOCAL REGULATIONS AND CODES.
 4. THE DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPROPRIATE.
 5. CONSTRUCT CONCRETE WALLS, CURBS AND GUTTER TO MATCH EXISTING SURFACE IMPROVEMENTS.
 6. CONTIGUOUS INTERVAL = 2'.
 7. NO FLOOD PLAIN, FLOODING OR JURISDICTIONAL WETLANDS OCCUR ON THIS SITE.
- STOPWATER NOTES:**
1. NO STOPWATER INTO OR CROSSING THE PRODUCTION CANAL IS OBSERVABLE.
 2. ALL RUNOFF FROM DISTURBED AREAS IS TRAVELING TO THE DETENTION BASIN WITH THE EXCEPTION OF THE ENTRANCE.
- BENCHMARK:**
PROJECT BENCHMARK IS LOCATED NORTHWEST OF THE PROJECT, AT THE INTERSECTION OF 29 3/4 ROAD AND IN 1/2 ROAD, THE SOUTHWEST 1/4 CORNER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE 6TH MERIDIAN. THE ELEVATION USED 4788.88 (DWARMS), IS BASED ON MESA COUNTY DEPARTMENT OF PUBLIC WORKS SURVEY INFORMATION MANAGEMENT SYSTEM DATA SHEET GPS ID NO: T0093



EMERGENCY OVERFLOW SWALE
N.T.S.



OUTLET STRUCTURE DETAIL
N.T.S. NOTE: OUTLET STRUCTURE PLANS ARE TO BE SUBMITTED BY THE CONTRACTOR TO DESIGN ENGINEER FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.



1188 E. Via La Paz Drive
Durango, Colorado 81301
Phone: (970) 248-0001
Fax: (970) 248-7000

R.W. JONES II

PROFESSIONAL ENGINEER
1188 E. Via La Paz Drive
Durango, Colorado 81301
Professional Engineer No. 10000
Professional Engineer in Charge

LES CRAWFORD

PROFESSIONAL ENGINEER
1188 E. Via La Paz Drive
Durango, Colorado 81301
Professional Engineer No. 10000
Professional Engineer in Charge

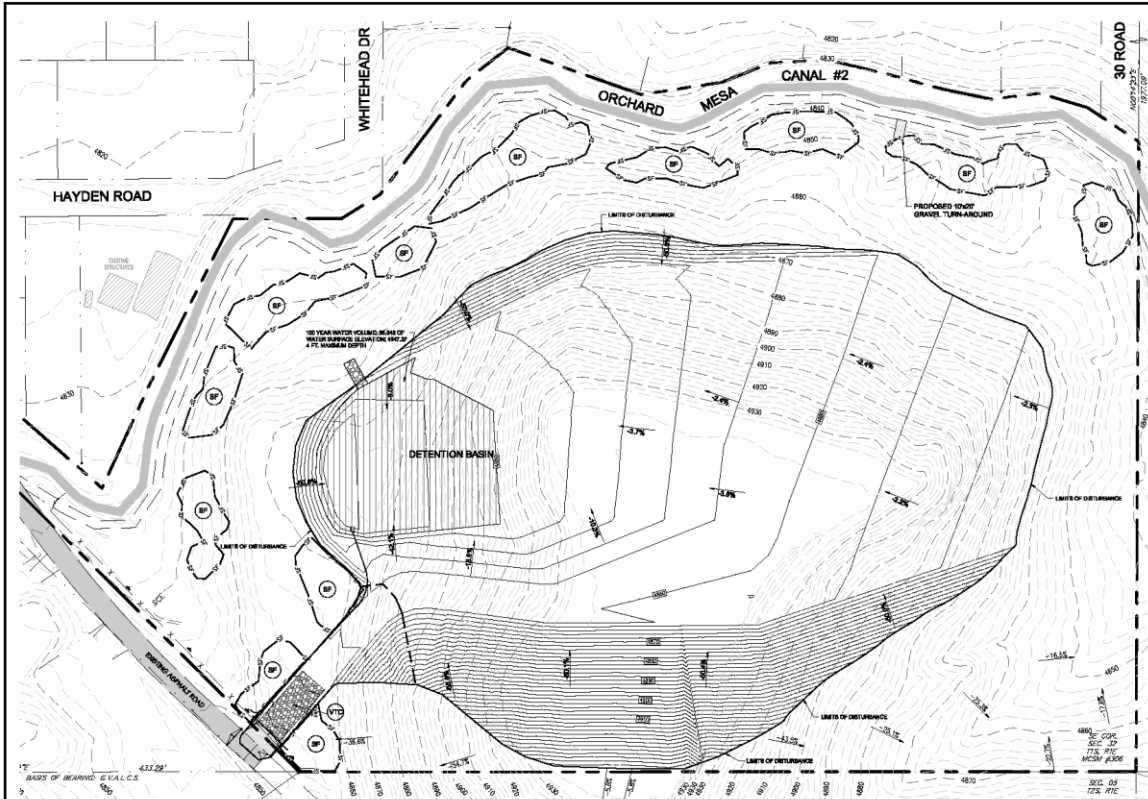
Copyright © 2010, by Vortex Engineering & Architecture, Inc. All Rights Reserved. This drawing is the property of Vortex Engineering & Architecture, Inc. and is to be used only for the project and location specified herein. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Vortex Engineering & Architecture, Inc.

CONDITIONAL USE PERMIT	
1. PROJECT	104 29 3/4 ROAD
2. LOCATION	SECTION 32, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF 6TH MERIDIAN
3. DATE	11/11/2010
4. SHEET NO.	5
5. TOTAL SHEETS	5

FOR REVIEW
Grading / Drainage Sheet
SCHOOLEYWEAVER
GRAVEL PIT
104 29 3/4 ROAD
GRAND JUNCTION, CO

SCALE: 1" = 10'-0"
DATE: 11/11/2010
PROJECT NO: 104 29 3/4 ROAD
SHEET NO: 5

3 OF **5**



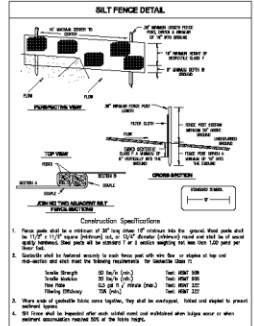
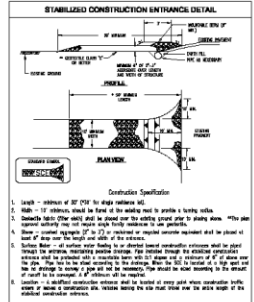
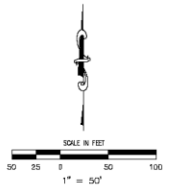
TOTAL SILT FENCE = 34782'

STANDARD NOTES:

- NO BUILDING, STRUCTURE, OR FILL WILL BE PLACED IN THE RETENTION AREAS AND NO CHANGES OR ALTERATIONS AFFECTING THE HYDRAULIC CHARACTERISTICS OF THE RETENTION AREAS WILL BE MADE WITHOUT THE APPROVAL OF THE CITY.
- MAINTENANCE AND OPERATION OF THE DETENTION AND WATER QUALITY AREAS IS THE RESPONSIBILITY OF PROPERTY OWNERS. IF OWNERS FAIL IN THIS RESPONSIBILITY, THE CITY HAS THE RIGHT TO ENTER THE PROPERTY, MAINTAIN THE RETENTION AREAS, AND BE REIMBURSED FOR COSTS INCURRED.
- RETENTION POND VOLUMES, ALL DRAINAGE APPURTENANCES, AND BASIN DISCHARGES SHALL BE VERIFIED. A SILT FENCE DRAWING SHALL BE PREPARED BY A REGISTERED PROFESSIONAL ENGINEER PRIOR TO INCREASE OF CERTIFICATE OF OCCUPANCY FOR ANY STRUCTURE WITHIN THE DEVELOPMENT.
- FORWARD TO REDUCE THEIR PLANS IN HERETY BY CITY OF GRAND JUNCTION FOR CITY PLANNERS ASSOCIATED WITH PLAN REVIEW, APPROVAL, PERMITS, INSPECTION AND CONSTRUCTION OF WORK.

GENERAL NOTES:

- THE DEVELOPER IS RESPONSIBLE FOR THE ACQUISITION OF ALL REQUIRED EASEMENTS, RIGHT AND/OR RIGHTS-OF-WAY PURSUANT TO THE DISCHARGE FROM THE RETENTION AND EROSION CONTROL, FLOODING, SEWAGEWATER MANAGEMENT PRACTICES AND THE DISCHARGE OF STORMWATER INTO OR ACROSS AND GRADING OR OTHER WORK TO BE PERFORMED OR ADJACENT OR DOWNSTREAM PROPERTIES AFFECTED BY THE PLAN.
- FOLLOWING INITIAL SOIL SETTLEMENT OR REMEDIATION, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN APPROXIMATE CALIBRATED DAYS AS TO THE SURFACE OF ALL PERMITS CONTROL, DRAIN, SWALES, DETOURS, FURROWS, SLOPES, AND ALL SLOPES GREATER THAN THREE HORIZONTAL TO ONE VERTICAL (3:1) AND IS FOURTEEN (14) DAYS FOR ALL OTHERS DETOURED OR GRADED AREAS ON THE PROPOSED SITE. THE IN-PLACE SEDIMENT CONTROL MEASURES WILL BE MAINTAINED ON A CONTINUING BASIS UNTIL THE SITE IS PERMANENTLY STABILIZED AND ALL PERMIT REQUIREMENTS ARE MET.
- ALL CONSTRUCTION WITHIN THE PUBLIC RIGHT-OF-WAY REQUIRES INSPECTION BY GRAND JUNCTION CONTACT GRAND JUNCTION PUBLIC WORKS PRIOR TO CONSTRUCTION BY THE RIGHT-OF-WAY.
- CONTRACTOR SHALL KEEP A COPY OF THE CONSTRUCTION STORM WATER MANAGEMENT PLAN ON SITE AT ALL TIMES, ALONG WITH THE STATE AND CITY DISCHARGE PERMITS.
- ALL DISTURBED AREAS SHALL BE HYDROSEED WITH "REDLANDER NATIVE GRASS SEED" MIX AVAILABLE AT GREEN FIELDS IN GRAND JUNCTION. SOIL SHALL BE WATERED UNTIL ESTABLISHED. SOIL RATES SHALL BE 500 LBS/ACR. FERTILIZER - 50 LBS/ACR GRASS SEED MIX.
- CONTOUR INTERVAL = 4'
- SILT FENCES SHALL BE INSTALLED BELOW ANY DISTURBED SLOPE, NOT IMMEDIATELY TRIBUTARY TO A RETENTION BASIN.
- TOPSOIL REMOVED DURING MINING WILL BE USED TO SUPPLEMENT LANDSCAPED AREAS. EACH AREA WILL BE BARRICADED BY SILT FENCE UNTIL FULLY ESTABLISHED. NO OTHER TOPOSOILS WILL BE ON SITE.



APPROVAL/SIGNATURE BLOCK

CITY ENGINEER	DATE
COMMUNITY DEVELOPMENT	DATE

LOCATION OF UTILITIES SHOWN HEREON WAS PROVIDED BY OTHERS. CONTRACTOR MUST VERIFY LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.



1-800-922-1987
UTILITY NOTIFICATION
CENTER OF COLORADO

VORTEX
CONSULTING ENGINEERS & ARCHITECTS, INC.
1188 E. Via Las Pasa Drive
Grand Junction, Colorado
Phone (970) 244-0001
Fax (970) 244-1000

R.W. JONES II
PROFESSIONAL ENGINEER
No. 10000 License
Colorado License No. 10000
Address: 1188 E. Via Las Pasa Drive
Grand Junction, CO 81505

LES CRAWFORD
PROFESSIONAL ENGINEER
No. 10000 License
Colorado License No. 10000
Address: 1188 E. Via Las Pasa Drive
Grand Junction, CO 81505

CONDITIONAL USE PERMIT

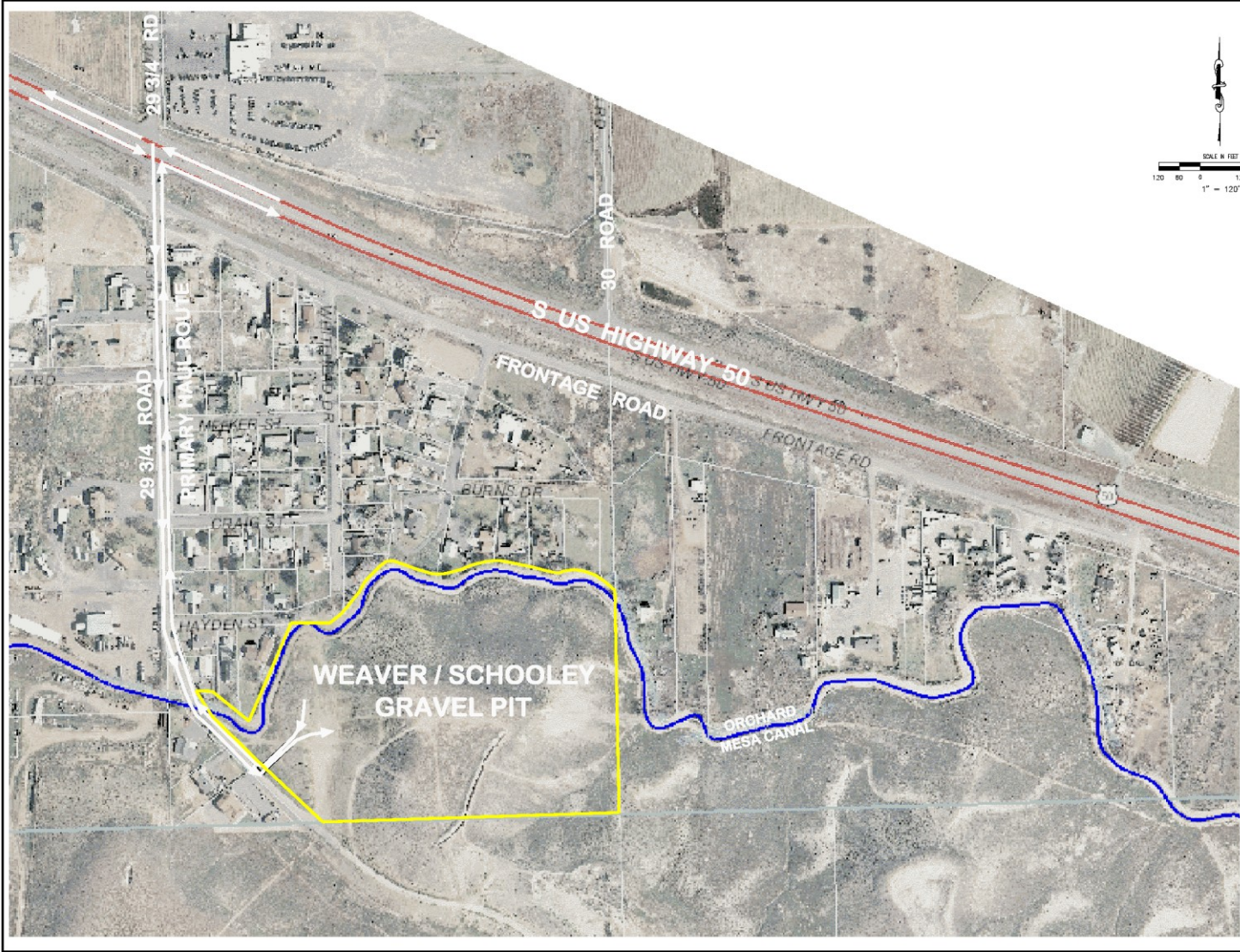
PROJECT NO.	104-29-3/4 ROAD
ISSUED BY	CITY ENGINEER & CITY CLERK
DATE	11/15/2011
SCALE	AS SHOWN

FOR REVIEW

Storm Water Management Plan
SCHOOLEYWEAVER
GRAVEL PIT
104 29 3/4 ROAD
GRAND JUNCTION, CO

SCALE: 1" = 50'
DATE: 11/15/2011
PROJECT NO.: 104-29-3/4 ROAD
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT

4 5



FOR REVIEW

R.W. JONES II PROFESSIONAL ENGINEER		
LES CRAWFORD PROFESSIONAL ENGINEER		
1488 E. Via La Pasa Drive Phoenix, Arizona 85028 Phone: (602) 988-0007 Fax: (602) 988-7406		
Conditional Use Permit for the proposed gravel pit and haul route located in the unincorporated area of the City of Phoenix, Arizona. The permit is subject to the following conditions: 1. The applicant shall maintain a permanent buffer zone between the gravel pit and adjacent residential areas. 2. The applicant shall install and maintain a permanent noise barrier along the haul route. 3. The applicant shall install and maintain a permanent erosion control system along the haul route. 4. The applicant shall install and maintain a permanent dust control system along the haul route. 5. The applicant shall install and maintain a permanent water control system along the haul route. 6. The applicant shall install and maintain a permanent sediment control system along the haul route. 7. The applicant shall install and maintain a permanent silt fence along the haul route. 8. The applicant shall install and maintain a permanent weed control system along the haul route. 9. The applicant shall install and maintain a permanent lighting system along the haul route. 10. The applicant shall install and maintain a permanent security system along the haul route. 11. The applicant shall install and maintain a permanent access control system along the haul route. 12. The applicant shall install and maintain a permanent monitoring system along the haul route. 13. The applicant shall install and maintain a permanent record keeping system along the haul route. 14. The applicant shall install and maintain a permanent reporting system along the haul route. 15. The applicant shall install and maintain a permanent compliance system along the haul route.		
SCHOOLY/WEAVER GRAVEL PIT 104 29 3/4 ROAD GRAND JUNCTION, CO		
SCALE: 1" = 120' DATE: 08/10/2017 DRAWN BY: R.W.J.	SHEET NO.: 5 TOTAL SHEETS: 5	PROJECT NO.: 17-005 PROJECT NAME: SCHOOLY/WEAVER GRAVEL PIT
-SECRET- <div style="display: flex; justify-content: space-around;"> 5 5 </div>		



Robert E. Edmiston, Director
 (970) 242-7436 - Phone
 (970) 242-7467 - Fax
 bedmisto@co.mesa.co.us - E-Mail

Solid Waste Management
 P.O. Box 20,000
 Grand Junction, CO 81502

May 26, 2005

Ken Simms
 Regional Transportation Planning Office
 Mesa County
 P.O. Box 20,000
 Grand Junction, CO 81502

COPY

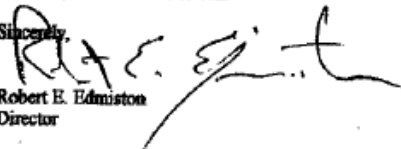
Dear Mr. Simms:

Per our discussion it is my understanding that United Companies, Inc. is entertaining the idea of accessing a proposed gravel pit near the southern end of 29 1/2 Road via a road traversing the Solid Waste Management Campus. I am opposed to this idea for several reasons. Through this letter I will summarize my thoughts within a bullet format.

- The access road proposed off of 31 Road is the main entrance to the Organic Materials Composting Facility. After hours security of this facility as well as the northern boundary of the landfill must be maintained.
- The proposal would involve the use of private property owned by Mountain Region Construction.
- The license agreement through which the Mountain Region Construction accesses their gravel permit is temporary and will expire on 12/01/2007. Mountain Region Construction and Mesa County have worked jointly on the provision of access to their facilities as a function of the area's previous ownership by the Bureau of Land Management. Mountain Region Construction understands that access to their facilities is based on conditions existing prior to Mesa County obtaining a patent to the property and that their right of access is temporary.
- The idea is inconsistent with BoCC Resolution Number MCM96-24 outlining the County's process of granting easements in that it is contrary to the Board's designation of the area as "open space," and it could/would negatively influence access to, and control of, County facilities.
- The natural and/or most efficient route of access to the property is 29 1/2 Road.

Thank you for inviting me to comment upon United Companies' idea. Should you have further questions and/or concerns, don't hesitate to call.

Sincerely,


 Robert E. Edmiston
 Director

cc. Peter Baier, Mesa County Public Works Director

"The Conservation Equation"
 Waste + Management = Resource
 Resource - Management = Waste

Letter regarding access through the County Landfill property.

NOTICE OF INTENT (NOI) to Issue an Access Permit

(to be submitted prior to most land use applications, and as part of the process with other development applications)

Case No./Pre-Submittal #: None		NOI #: 05-033
Applicant Name: Fisher Construction/Brian Fisher (Authorized Agent = Robert Jones II) Vortex Eng.		
Applicant Address:		City/State/ZIP:
Representative Name: Vortex Engineering, Inc.		
Representative Address: 255 Vista Valley Drive		City/State/ZIP: Fruita, Colorado 81521
E-mail address: rjones@vortexeng.us	Phone: 858-4888	Cell: 260-9082
Project Name: United Companies Gravel Pit/Mining Operation		
Project Address: 104 29 $\frac{1}{2}$ Road		City/State/ZIP: Grand Junction, CO 81505
Tax Schedule Number(s): 2943-324-10-001		
Project Type: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Other:		
Land Use Action: <input type="checkbox"/> Residential/Agricultural Site Plan <input checked="" type="checkbox"/> Commercial Site Plan <input type="checkbox"/> Building Permit <input type="checkbox"/> Property Subdivision <input type="checkbox"/> Simple Land Division <input type="checkbox"/> Other		

By Signing Below. The Applicant Accepts Responsibility For:

- Installing the access in accordance with the approval of this NOI and applicable sections of the Mesa County Standards and Specifications For Road and Bridge Construction, Road Access Policy and the Land Development Code.
- Materials for review, approval, and eventual installation of access comply represent the conditions for approval. Failure to accurately represent information on application materials, including maps, may nullify the approval of this NOI. Any other official documents that granted approval in reliance upon the nullified NOI may also be rescinded and deemed invalid.
- The right to appeal this approval through the appeals process defined in the Road Access Policy is waived.
- Signer affirms that he/she has full authority as Power of Attorney for this application (notarized form attached) and may bind the Applicant to the conditions of this application. (Sign with: *own name, as Attorney-in-fact for applicant name.*)

Signature of Applicant / Individual as Authorized Agent for (applicant's name), Applicant

Date

RTPO Signature

Date

STAFF SECTION		NOI #: 05-033
Submittal: <input checked="" type="checkbox"/> Conceptual proposal <input checked="" type="checkbox"/> Narrative <input checked="" type="checkbox"/> Ortho <input type="checkbox"/> Map <input type="checkbox"/> Roadway Profile, Etc.		
CONDITIONS:		
The NOI application is rejected due to objections from the Mesa County Landfill Director to routing gravel pit traffic through the property.		
Until such time as permission is received from the Landfill Director that permits use of the Landfill property as a haul route for this gravel pit, an NOI cannot be issued for the proposed access point.		
A letter from Robert Edmiston, Mesa County Landfill Director, outline objections to the proposal is attached to this form.		
NOI accepted <input type="checkbox"/>	NOI rejected <input checked="" type="checkbox"/>	DE accepted <input type="checkbox"/> issued <input type="checkbox"/>

Denial of access through County Landfill property.



Huddleston-Berry
Engineering & Testing, LLC

640 White Avenue
Grand Junction, CO 81501
Phone: 970-255-8005
Fax: 970-255-6818
HuddlestonBerry@bresnan.net
www.HBET-GJ.com

March 22, 2010
Project# 00695-0006

CMC Weaver
c/o Vortex Engineering & Architecture, Inc.
1168 East Via Le Paz Drive
Fruita, Colorado 81521

Attention: Mr. Les Crawford

Subject: 29 $\frac{3}{4}$ Road Pavement Evaluation
Weaver Gravel Pit
Grand Junction, Colorado

RECEIVED

APR 23 2010

**COMMUNITY DEVELOPMENT
DEPT.**

Dear Mr. Crawford,

This letter presents the results of a geotechnical investigation conducted by Huddleston-Berry Engineering & Testing, LLC (HBET) as part of the development process for the Weaver Gravel Pit in Grand Junction, Colorado. The site location is shown on Figure 1. Part of the development of the site is anticipated to include removal of gravel resources at the site. The scope of our investigation included evaluating the pavement and subgrade along 29 $\frac{3}{4}$ Road with regard to their ability to carry the truck traffic generated during the gravel resource extraction.

Subsurface Investigation

The subsurface investigation included four borings along 29 $\frac{3}{4}$ Road as shown on Figure 2 – Site Plan. The borings were drilled to a depth of 6.5 feet below the existing grade. Typed boring logs are included in Appendix A.

As indicated in the attached logs, the subsurface conditions along 29 $\frac{3}{4}$ Road were slightly variable. Boring B-1, conducted near the proposed gravel pit, encountered 9-inches of asphalt pavement above gravel base course to a depth of 1.75 feet. Below the base course, brown, moist, medium stiff fat clay with sand and shale fill extended to a depth of 5.0 feet. The fill was underlain by brown, moist, medium stiff fat clay with sand to the bottom of the boring. Groundwater was not encountered in B-1 at the time of the investigation.

Borings B-2 through B-4 encountered 8 to 9-inches of asphalt pavement above gravel base course to depths of between 1.75 and 2.25 feet. The base course was underlain by brown to gray, moist, medium stiff to stiff fat clay with sand to the bottoms of the borings. Groundwater was not encountered in B-2 through B-4 at the time of the investigation.

②

Geotechnical analysis of 29 $\frac{3}{4}$ Road

Laboratory Testing

Laboratory testing was conducted on samples of the native soils collected in the borings. The testing included grain-size analysis, Atterberg limits determination, natural moisture content determination, and maximum dry density/optimum moisture (Proctor) determination. The laboratory testing results are included in Appendix B.

The laboratory testing results indicate that the native clay soils are highly plastic. Based upon the plasticity of the materials, HBET anticipates that the native clay soils are slightly to moderately expansive.

29 $\frac{1}{4}$ Road Pavement Evaluation

As discussed previously, the subgrade materials at the site were determined to consist of fat clays. Therefore, for pavement support, the native clays will be considered to have a Resilient Modulus of 3,000 psi. This corresponds to an R-value less than 5 or CBR of 2.0 or less.

Based upon the results of the subsurface investigation, the thinnest pavement section along 29 $\frac{1}{4}$ Road includes 8-inches of asphalt pavement above 13-inches of base course. This corresponds to a pavement Structural Number of 5.3. As shown on the pavement design nomograph included in Appendix C, for a Structural Number of 5.3 and subgrade Resilient Modulus of 3,000 psi, the existing pavement section along 29 $\frac{1}{4}$ Road is adequate for an ESAL value of approximately 2,000,000.

With regard to the additional traffic loading associated with the gravel resource extraction, HBET understands that up to 100 loaded trucks per day may leave the site. In addition, HBET understands that it is estimated to take 3 to 5 years to extract all of the gravel. However, for traffic loading computations, 5 years will be assumed.

As shown on the traffic computations included in Appendix C, 100 trucks per day for 5 years corresponds to an ESAL value of 120,000. This is well below the capacity of the existing pavement section. However, to further evaluate the impact on the existing pavements due to the increase in traffic loading, HBET calculated the traffic loading considering a full 30 years of increased truck traffic. As shown on the computations, this only corresponds to an ESAL value of 720,000 – still well below the capacity of the existing pavement section.

Conclusions

HBET understands that 29 $\frac{1}{4}$ Road used to provide access to the Mesa County Landfill. As such, this roadway endured significant truck traffic for many years. This is consistent with the robust pavement section along 29 $\frac{1}{4}$ Road. In addition, as discussed previously, the proposed gravel resource extraction is anticipated to increase the traffic loading by less than 10% of the overall capacity of the pavement section. In general, based upon the results of the subsurface investigation and our analyses, HBET believes that the existing pavements along 29 $\frac{1}{4}$ Road are more than adequate to support the additional traffic loading associated with gravel resource extraction at the site.

Weaver Gravel Pit
#00695-0006
04/14/10



We are pleased to be of service to your project. Please contact us if you have any questions or comments regarding the contents of this report.

Respectfully Submitted:
Huddleston-Berry Engineering and Testing, LLC



Michael A. Berry, P.E.
Vice President of Engineering

Mesa County review comments on the Schooley-Weaver Gravel Pit
May 26, 2010

The Development Review Team for this review includes Mesa County Planning & Economic Development (which includes the Planning, Long Range Planning, Development Engineering, Access Control, and Transportation Planning divisions), Mesa County Public Works Director Pete Baier and the Mesa County Road Supervisor Eric Bruton.

General comments:

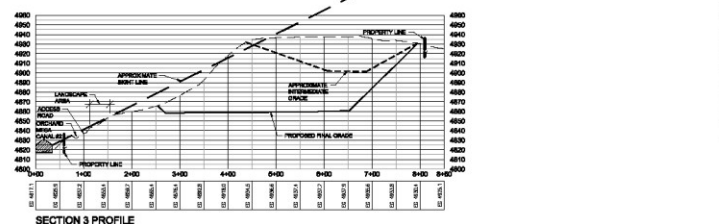
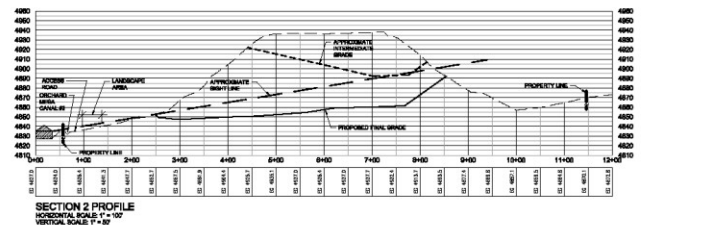
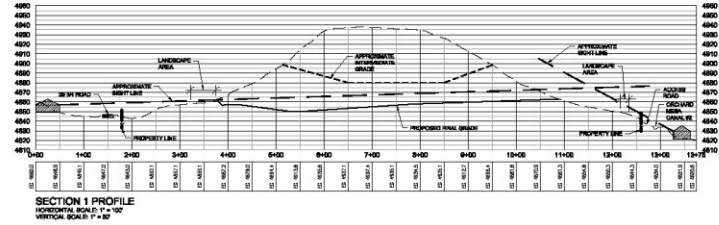
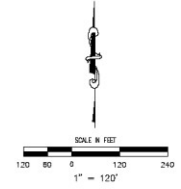
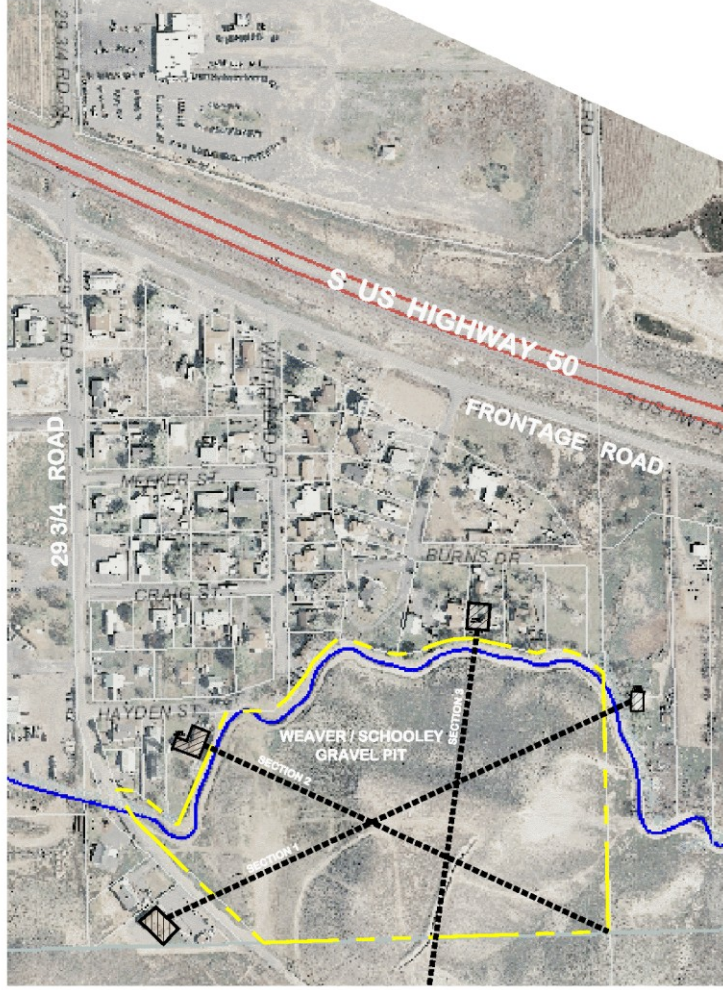
- The operation should be compatible with Mesa County Land Development standards (hours of operation/ distance from residences, right-of-way, etc.) in Sections 5.2.13.C-J.
- A signal on Highway 50 is not warranted with this proposal.
- A Notice of Intent (NOI) to Permit an access will be required if County still has partial jurisdiction on 29 ¾ Road.
- The gravel pit proposal is only for a 5 year period for the 29 Road project. We expect the pit to be able to produce more gravel than just for that period.
- The Ducray pit is still active and uses the road through the Solid Waste Facility. This access is another possibility that needs to be explored.

29 ¾ Road comments:

- 29 ¾ Road has right-of-way on the west side that has not been annexed into the City. Grand Junction did not have any provisions for the maintenance of the road by the gravel pit. Every fall, the City and County have snow removal meetings. If the City approves a gravel pit, the County will not maintain 29 ¾ Road.
- Use of 29 ¾ Road is inappropriate due to proximity to residential subdivision. We would not support taking traffic down frontage road because of proximity to the neighborhood -rather it should go straight up to Highway 50.

30 Road alignment comments:

- 30 Road – 30' of right-of-way exists. Option: the County would allow a driveway for gravel pit use only on a temporary basis. Significant grade to build road, but not insurmountable. The County would allow a lesser section (more of driveway standard) of 24' of dust-free surface. It would have to be time-limited. (3-5 years) to match the time frame of the gravel pit. Maximum grade standards must be met (12%). If it is built just for that user, the applicant may be able to get a design exception.
- Would it be annexed to the City? It could be but it is not being required to be built to County standards.
- B Road gated roadway caused problems for the County when public needed access to BLM within the right-of-way. 30 Road needs to be gated on a **time limited** basis. The County would need a key. Temporary use of 30 Road is not necessarily accurate as the proposal is for gravel/fill for the 29 Road improvements project. This may not be the only project that the gravel/fill will be used for and future access should be on the 30 Road alignment. County Attorney has allowed single user for right-of-way with resolution, on other occasions they have required the right-of-way be open to the public when improvements are made.
- US 50 Access Control Plan has the future intersection at 30 Road, so improvements should be made toward that future use. Could use 30 Road to access Frontage Road, then use frontage road to 29 ¾ Road access to US 50.
- Noise issues with steep grade? Probably not more than using 29 ¾ Road.



R.W. JONES II
 PROFESSIONAL ENGINEER
 LICENSE NO. 10036
 EXPIRES 12/31/2025
 SPECIALTY: CIVIL ENGINEERING

LES CRAWFORD
 PROFESSIONAL ENGINEER
 LICENSE NO. 10036
 EXPIRES 12/31/2025
 SPECIALTY: CIVIL ENGINEERING

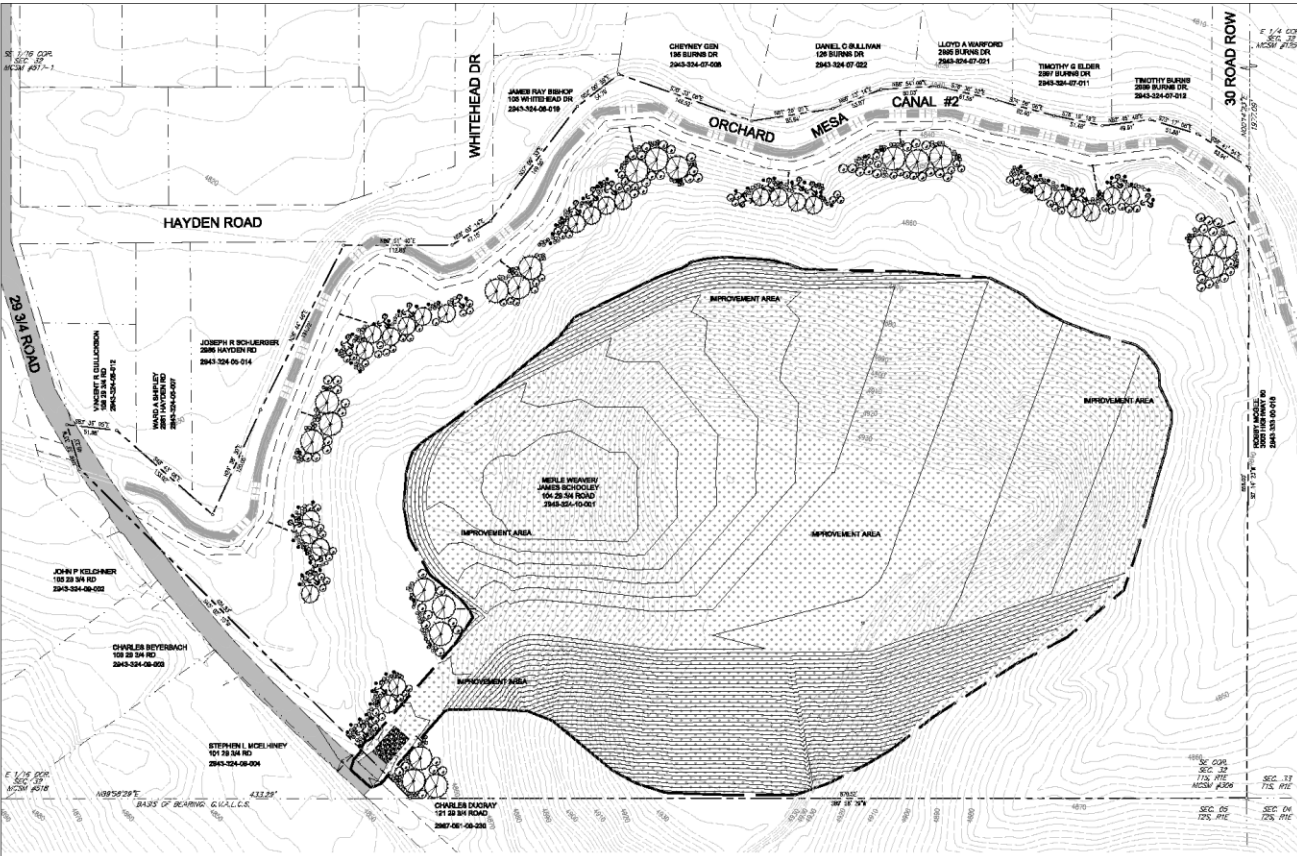
CONDITIONAL USE PERMIT

PROJECT NO.	104-29-3/4-ROAD
DATE	08/20/2024
PROJECT NAME	GRAVEL PIT
PROJECT LOCATION	104 29 3/4 ROAD GRAND JUNCTION, CO
APPLICANT	SCHOOLEY/WEAVER
DESIGNED BY	R.W. JONES II
CHECKED BY	R.W. JONES II
DATE	08/20/2024

FOR REVIEW
 ADJACENT PROPERTY EXHIBIT
 SCHOOLEY/WEAVER
 GRAVEL PIT
 104 29 3/4 ROAD
 GRAND JUNCTION, CO

DATE	08/20/2024	PROJECT	104-29-3/4-ROAD
DESIGNED BY	R.W. JONES II	CHECKED BY	R.W. JONES II
PROJECT NO.	104-29-3/4-ROAD	DATE	08/20/2024
PROJECT NAME	GRAVEL PIT	PROJECT LOCATION	104 29 3/4 ROAD GRAND JUNCTION, CO
DESIGNED BY	R.W. JONES II	CHECKED BY	R.W. JONES II
DATE	08/20/2024		

1



1 Overall Reclamation Landscape Plan
 SCALE: 1" = 50'-0"

LANDSCAPE LEGEND

- Evergreen Tree
- Large Deciduous Shrub
- Small Deciduous Shrub
- Native Shrub

LANDSCAPE REQUIREMENTS

- **Total Improved Area:** 332,426 sq. ft.
- **Revised Trees:** One (1) per 5,000 sq. ft. of improved area.
 332,426 sq. ft. / 5,000 sq. ft. = 67 Trees
 Trees Provided: 67 Trees
- **Revised Shrubs:** One (1) per 800 sq. ft. of improved area.
 332,426 sq. ft. / 800 sq. ft. = 414 Shrubs
 Shrubs Provided: 414 Shrubs

Native Seed Mix

- 1% Broomrape/Common Nerve
- 25 Oxyacope hirsutoides/ Indian Ricegrass
- 25 Elymus leucostachyus/Streambank Wheatgrass
- 25 Hordea jubata/ Oatgrass
- 25 Aristida canescens/ Four-wing Saltgrass

Seeding Rate: 1-2 bu/1,000 sq. ft. or 25 bu/acre

All seed needs to be well mixed, broadcast seeded, followed by raking to cover seed, and then an application of 800 pounds/acre of Biocel to improve germination. Hydramulch the seeded area with 2500 lbs/acre of virgin wood fiber hydramulch and 1500 lbs/acre of organic topsoiler. Do not hydroseed and do not seed if standing water or snow/frozen ground are present.

First year maintenance needed to establish good growth should include temporary irrigation and mowing to control annual weeds. Mowers should be rotary and the tractor small enough not to rut the soil and damage the vegetation. If needed, spot treat with approved herbicides to control noxious weeds. Reseed bare areas after the first growing season.

Following initial revegetation efforts, the revegetated area shall be monitored for a period of three years or until all vegetation is firmly established in the reclamation area.

MRLA
 MITCHELL REEDLANDSCAPE ARCHITECT
 LANDSCAPE ARCHITECT
 LAND PLANNING

3685 34th Road
 Palisade, Colorado 81358
 (970) 454-1155

Schooley/ Weaver Gravel Pit
 104 29th Road
 Grand Junction, Colorado

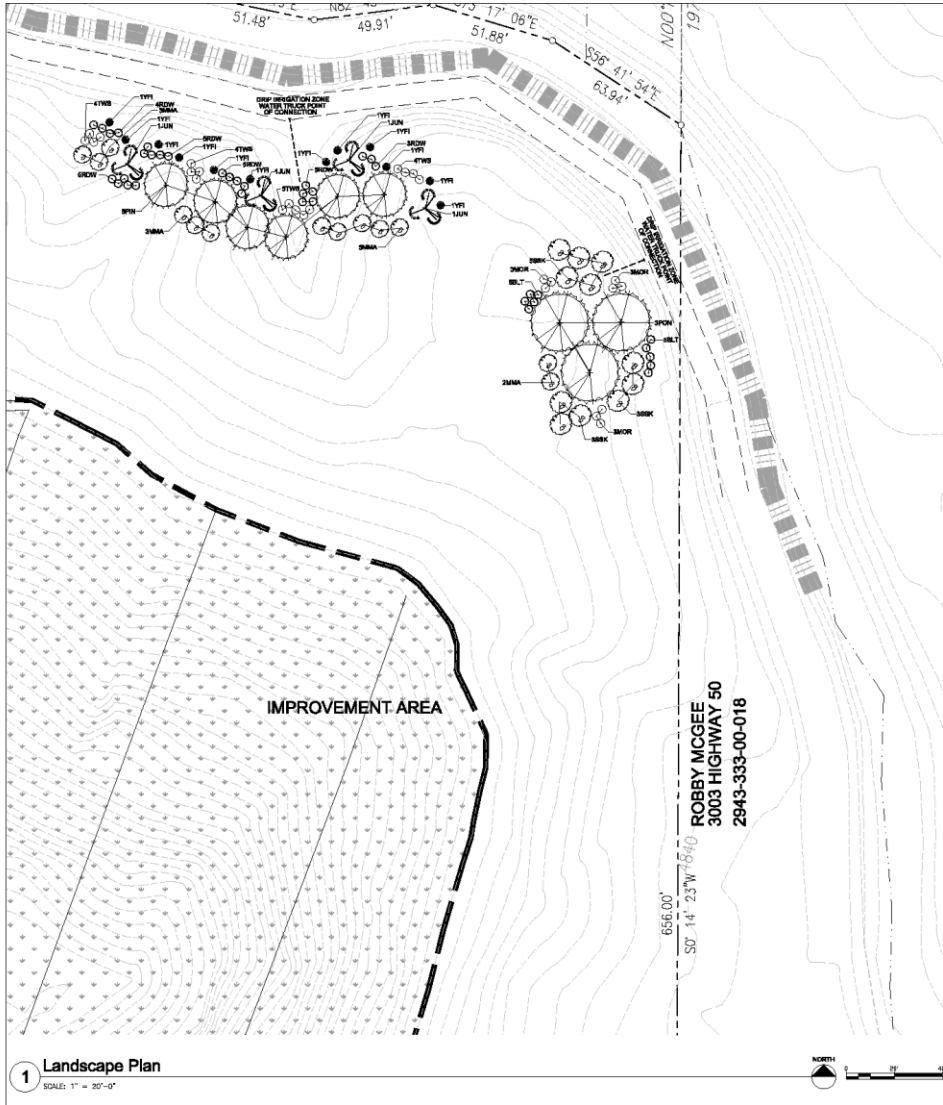
ISSUED FOR:

No.	Date	Remarks

PROJECT NO: 10882
 PHASE: CD
 CONDITIONAL USE
 PERMIT

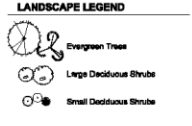
DRAWING TITLE:
 OVERALL
 RECLAMATION
 LANDSCAPE PLAN

SHEET NUMBER
L-1
 DATE: 09/22/2010



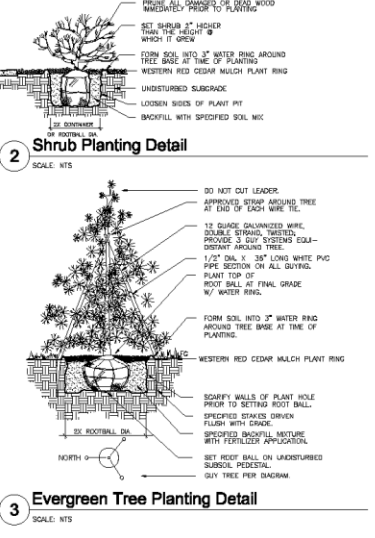
PLANT LIST

No.	Plant Name	Quantity	Planting Method	Notes
01	Blue Spruce	150	10' x 10' Spaced	
02	White Pine	150	10' x 10' Spaced	
03	Colorado Spruce	150	10' x 10' Spaced	
04	Blue Spruce	150	10' x 10' Spaced	
05	White Pine	150	10' x 10' Spaced	
06	Colorado Spruce	150	10' x 10' Spaced	
07	Blue Spruce	150	10' x 10' Spaced	
08	White Pine	150	10' x 10' Spaced	
09	Colorado Spruce	150	10' x 10' Spaced	
10	Blue Spruce	150	10' x 10' Spaced	
11	White Pine	150	10' x 10' Spaced	
12	Colorado Spruce	150	10' x 10' Spaced	



- LANDSCAPE AND IRRIGATION NOTES**
- The goal of the landscape plan is to provide a natural landscape buffer around the proposed gravel pit.
 - During installation, please do not disturb any existing trees or shrubs.
 - Planting pits shall be installed around the base of all plants and shall contain 2" of washed red cedar.
 - A drip irrigation system will be provided for all plant material. Irrigation water is to be treated to the site and a pump will pressurize the irrigation system. Each irrigation zone will have a pump or controller for the water flow to back into the reservoir to be used for each site area.

- SOIL PREPARATION AND PLANTING SPECIFICATIONS**
- 1.1 PREPARATION - GENERAL**
- Layout individual tree and shrub locations and areas for multiple plantings. Stake locations and outline areas and secure Landscape Architect's acceptance before start of planting work. Make minor adjustments as may be required.
- 1.2 PREPARATION OF PLANTING SITES**
- Before mixing, clean topsoil of rocks, plants, stumps, clay lumps, and other extraneous materials harmful or toxic to plant growth.
 - Mix specified soil amendments and fertilizer into topsoil as specified. Delay mixing of fertilizer if planting will not take place for planting soil within a few days.
 - For pits and trench type backfills, mix planting soil prior to backfilling and stockpile at site.
 - For filling pits and trenches, mix planting soil either prior to planting or apply on surface of topsoil and mix thoroughly before planting.
- 1.3 PREPARATION OF PLANTING SITES**
- Spread planting soil mixture to minimum depth required to meet trees, shrubs, and decorative shrubs, after light raking and natural settlement. Place approximately 1/2 of total amount of planting soil required. Work into top of loosened substrate to create a transition layer. Use grade stake for the planting area.
 - Remove 8" mulch to 10" inches of soil and replace with prepared planting soil mixture. Backfill for each bed with three parts topsoil and one part fine sand (3:1:1) ratio prior to planting.
- 1.4 EXCAVATION FOR TREES AND SHRUBS**
- Excavate pits and trenches with vertical sides and with bottom of excavation slightly bowed at center to provide proper drainage. Loosen hard subsoil in bottom of excavation.
 - For balled and burlapped trees, use excavations of least half again as wide as the ball diameter and equal to the ball depth, plus following allowance for setting of soil on a layer of composted barkfill:
 - Allow for 3 inch thick setting layer of planting soil mixture.
 - For container grown stock, excavate as specified for balled and burlapped stock, adjusted to slope of container width and depth.
 - Excavate of subsoil removed from digging operations. Do not mix with planting soil or use as backfill.
 - Fill excavations for trees and shrubs with water and allow water to percolate out prior to planting.
 - Backfill pits with three parts topsoil and one part fine sand (3:1:1) ratio prior to planting.
 - Place pitform tables in planting pit prior to backfilling at the following rate: three per each tree, one per each shrub.
- 1.5 PLANTING TREES AND SHRUBS**
- Set balled and burlapped (B&B) stock on layer of composted planting soil mixture, slump soil to center of pit or trench with top of ball at same elevation as adjacent finished landscape grade. Remove burlap from sides of balls, reach on bottom, when set, place additional barkfill around base and sides of ball, and work each layer to settle barkfill and eliminate voids and air pockets. When excavation is approximately 2/3 full, water thoroughly before placing remainder of barkfill. Repeat watering until no more is absorbed. Water depth after placing first layer of barkfill.
 - For container grown stock, use specified for balled burlapped stock, except cut cone on 2 sides with an approved cone cutter on from diameter as per manufacturer's directions.
 - Trim top of barkfill to allow for mulching.
 - Apply anti-desiccant spray to all sides of trunk on a substrate film over trunk, branches, stems, twigs and foliage.
 - If deciduous trees or shrubs are moved when in full-leaf, spray with anti-desiccant at nursery before moving and spray again 2 weeks after planting.
 - Remove and replace excessively pruned or malformed stock resulting from improper pruning.
 - Wrap new trunks of 2 inches and larger - start at ground and cover trunk to height of first branches and securely attach. Inspect tree trunks for major, extensive pruning and insect infestation and take corrective measures before wrapping.
 - Guy and stake trees immediately after planting, as indicated.



MRLA LANDSCAPE ARCHITECTURE
LAND PLANNING

Schooley/Weaver Gravel Pit
104 29th Road
Grand Junction, Colorado

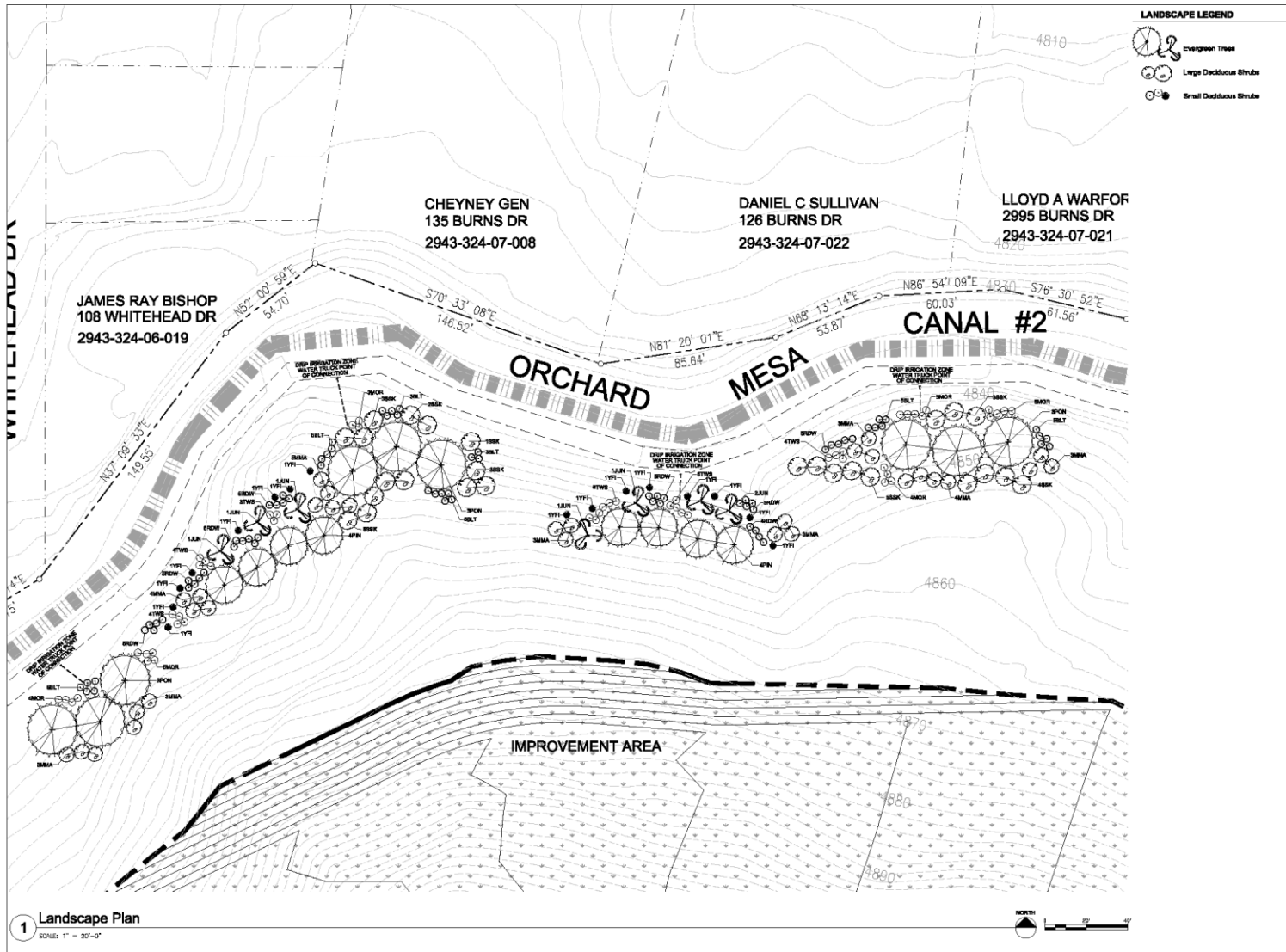
ISSUED FOR:
No. Date Remarks

PROJECT NO: 10202
PHASE: CD
CONDITIONAL USE PERMIT

DRAWING TITLE:
OVERALL RECONSTRUCTION LANDSCAPE PLAN

SHEET NUMBER
L-2

DATE: 08/22/2010



- LANDSCAPE LEGEND**
- Evergreen Trees
 - Large Deciduous Shrubs
 - Small Deciduous Shrubs

MRLA MITCH BENIGUI LANDSCAPE ARCHITECT
LANDSCAPE ARCHITECT AND LAND PLANNER
306 24 1 Road
Palouse, Colorado 81528 (970) 434-1156

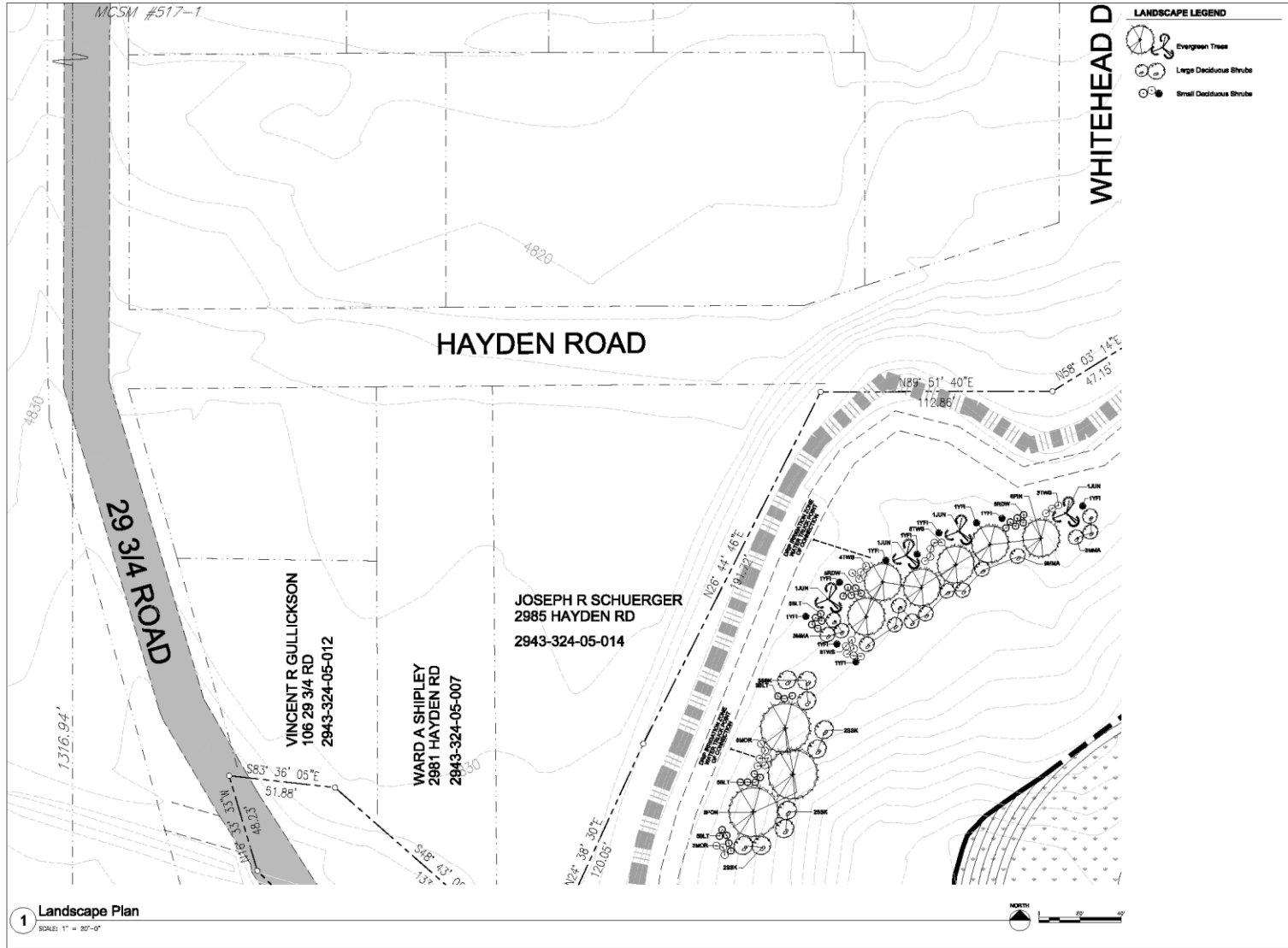
Schooley/ Weaver Gravel Pit
104 29 1/2 Road
Grand Junction, Colorado

ISSUED FOR:
No. Date Remarks

PROJECT NO: 10202
PHASE: CD
CONDITIONAL USE PERMIT

DRAWING TITLE:
OVERALL RECLAMATION LANDSCAPE PLAN

SHEET NUMBER
L-3
DATE: 08/22/2010



1 Landscape Plan
 SCALE: 1" = 20'-0"



LANDSCAPE LEGEND

- Evergreen Trees
- Large Deciduous Shrubs
- Small Deciduous Shrubs

MRLA MITCHELL BENDIS LANDSCAPE ARCHITECT
 LANDSCAPE ARCHITECT
 LAND PLANNING
 366 24 1 Road
 Palisade, Colorado 81528 (970) 434-1156

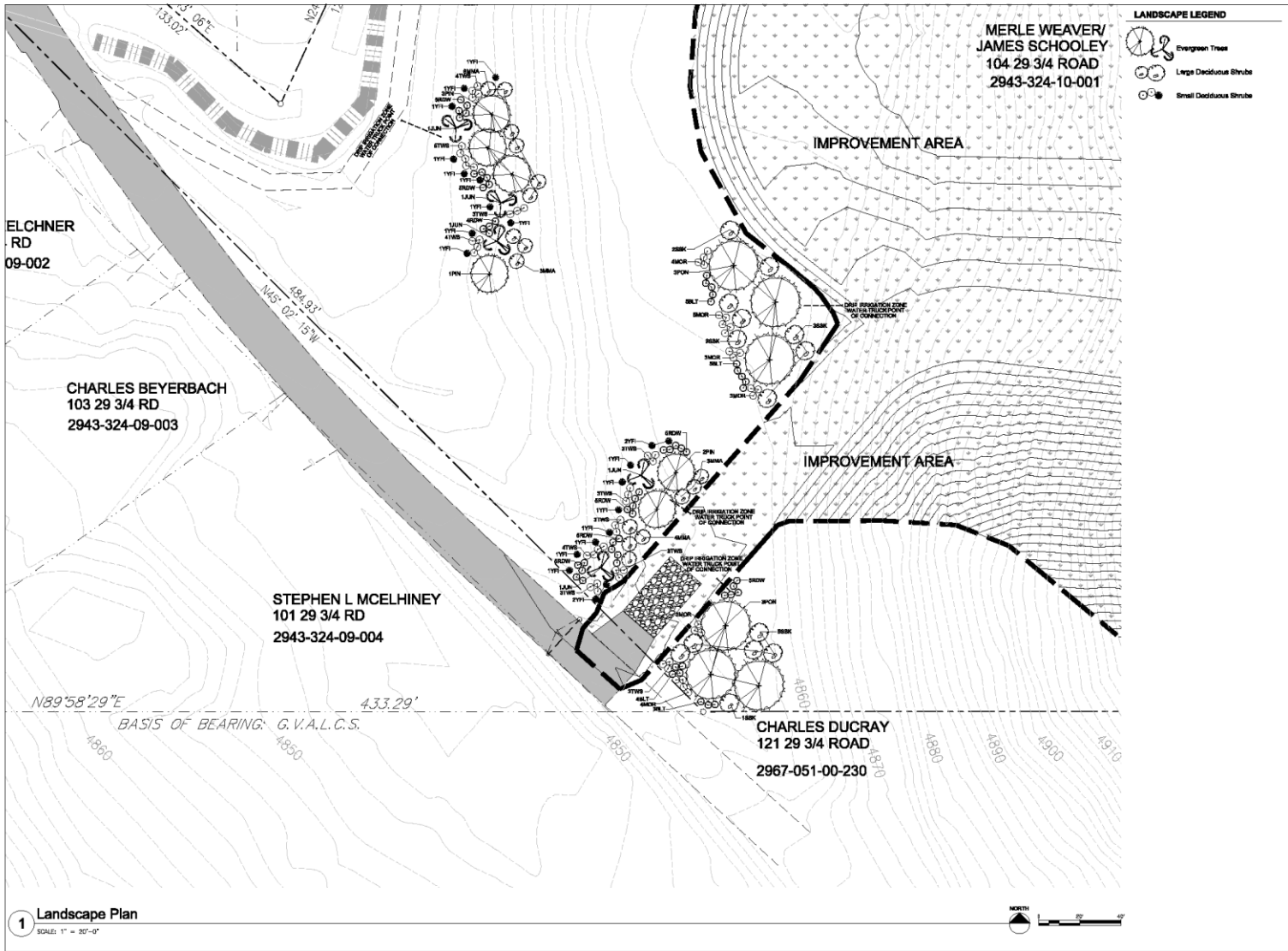
Schooley/ Weaver Gravel Pit
 104 29 1/2 Road
 Grand Junction, Colorado

ISSUED FOR:

No.	Date	Remarks

PROJECT NO: 10202
 PHASE: CD
 CONDITIONAL USE PERMIT
 DRAWING TITLE:
 OVERALL REGULATION LANDSCAPE PLAN

SHEET NUMBER
L-4
 DATE: 09/22/2010



MRLA MITCHELL BENDIS LANDSCAPE ARCHITECTURE
 LANDSCAPE ARCHITECTURE
 LAND PLANNING
 368 24 1/2 Road
 Palisade, Colorado 81528 (970) 434-1156

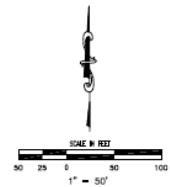
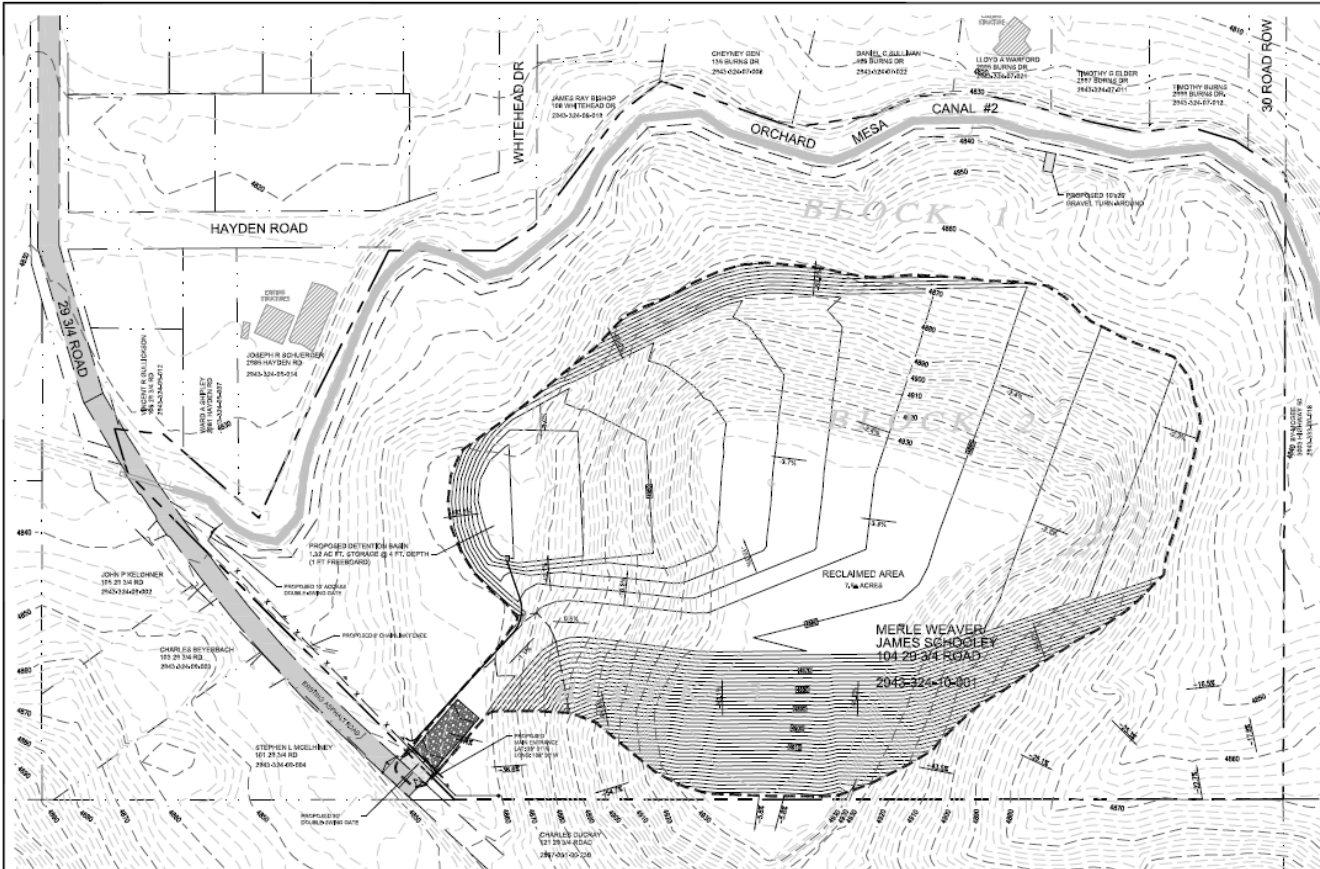
Schooley/ Weaver Gravel Pit
 104 29 3/4 Road
 Grand Junction, Colorado

ISSUED FOR:

No.	Date	Remarks

PROJECT NO: 10002
 PHASE: CD
 CONDITIONAL USE PERMIT
 DRAWING TITLE:
 OVERALL RECLAMATION LANDSCAPE PLAN

SHEET NUMBER
L-5
 DATE: 09/22/2010



GENERAL NOTES:

1. THE DESIGNER IS RESPONSIBLE FOR THE ACQUISITION OF ALL REQUIRED CONVEYANCES, DEEDS AND/OR RIGHTS-IN-DEED PURSUANT TO THE REQUIREMENTS OF THE DISTRICT AND OTHER COUNTY, STATE, FEDERAL, STATEMENT AND/OR FEDERAL AGENCIES AND THE REQUIREMENTS OF THE DISTRICT AND/OR STATE AND/OR FEDERAL AGENCIES TO BE PERFORMED ON THE PROPERTY AND TO BE COMPLETED BY THE OWNER.
2. FOLLOWING FINAL DESIGN AND CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE DISTRICT AND/OR STATE AND/OR FEDERAL AGENCIES AND FOR OBTAINING ALL NECESSARY CONVEYANCES, DEEDS AND/OR RIGHTS-IN-DEED PURSUANT TO THE REQUIREMENTS OF THE DISTRICT AND/OR STATE AND/OR FEDERAL AGENCIES TO BE PERFORMED ON THE PROPERTY AND TO BE COMPLETED BY THE OWNER.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE DISTRICT AND/OR STATE AND/OR FEDERAL AGENCIES AND THE REQUIREMENTS OF THE DISTRICT AND/OR STATE AND/OR FEDERAL AGENCIES TO BE PERFORMED ON THE PROPERTY AND TO BE COMPLETED BY THE OWNER.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE DISTRICT AND/OR STATE AND/OR FEDERAL AGENCIES AND THE REQUIREMENTS OF THE DISTRICT AND/OR STATE AND/OR FEDERAL AGENCIES TO BE PERFORMED ON THE PROPERTY AND TO BE COMPLETED BY THE OWNER.
5. ALL DISTURBED AREAS TO BE RECLAIMED AT A RATE OF 1/200 YD³ OR 25 LBS/AC OF NUTRIENT AND/OR OTHER POLLUTANTS PER YEAR.
6. ALL DISTURBED AREAS TO BE RECLAIMED AT A RATE OF 1/200 YD³ OR 25 LBS/AC OF NUTRIENT AND/OR OTHER POLLUTANTS PER YEAR.
7. ALL DISTURBED AREAS TO BE RECLAIMED AT A RATE OF 1/200 YD³ OR 25 LBS/AC OF NUTRIENT AND/OR OTHER POLLUTANTS PER YEAR.
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10. ALL DISTURBED AREAS TO BE RECLAIMED AT A RATE OF 1/200 YD³ OR 25 LBS/AC OF NUTRIENT AND/OR OTHER POLLUTANTS PER YEAR.
11. ALL DISTURBED AREAS TO BE RECLAIMED AT A RATE OF 1/200 YD³ OR 25 LBS/AC OF NUTRIENT AND/OR OTHER POLLUTANTS PER YEAR.



R.W. JONES II
PROFESSIONAL ENGINEER
LICENSE NO. 10000
EXPIRES 08/31/2025

LES CRAWFORD
PROFESSIONAL ENGINEER
LICENSE NO. 10000
EXPIRES 08/31/2025

CONDITIONAL USE PERMIT

NO.	DATE	DESCRIPTION	BY
1	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
2	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
3	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
4	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
5	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
6	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
7	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
8	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
9	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II
10	08/15/2024	ISSUED FOR REVIEW	R.W. JONES II

FOR REVIEW
Reclamation Plan
SCHOOLEY/WEAVER
GRAVEL PIT
104 29 3/4 ROAD
GRAND JUNCTION, CO

Scale: 1" = 50'

Reclamation Plan

OVER SOUTH PIT

WHITEWATER BUILDING MATERIALS CORPORATION

840 South 10th Street, P.O. Box 1789
GRAND JUNCTION, COLORADO 81502



SAND & GRAVEL PRODUCTS
Phone: (970) 242-7627



READY MIXED CONCRETE
Phone: (970) 242-1843

February 15th, 2010

To Whom It May Concern:

I am writing this letter in support of CMC's application to mine Pit Run at 29 3/4 road on Orchard Mesa.

It is my understanding that CMC is applying for a permit to mine at this site to potentially supply to the 29 road overpass and other projects. The location of this pit would be convenient to this project and others on Orchard Mesa and in Clifton.

The need for fill materials on projects such as the 29 road overpass are going to continue to use up the permitted resources in the valley, and the growth in the valley has already eliminated large portions of available gravel resources. As the valley goes forward materials for concrete, asphalt and construction fill will have to come from further away driving costs up.

I believe that utilizing the resource under CMC's property prior to any development is prudent.


Mark Gardner VP
Whitewater Building Materials Corp.

Letters of Objection

March 29, 2010

Mr. Brian Rusche
City of Grand Junction, Planning Department
250 North 5th Street
Grand Junction, CO 81501

Re: Property at 104 29 ½ Road, Grand Junction, CO 81503

Dear Mr. Rusche,

This letter is to air our grievances with the proposed Conditional Use Permit that have been submitted to you for this property.

We understand that the circumstances with this piece of property have changed from when it was originally annexed into the city. The property owners have every right to develop this land, but I would think that it would be developed in the manner of the surrounding area. Why should Mr. Weaver and Mr. Schooley be able to profit from this piece of property at the destruction of our neighborhood? It would be another thing if either owner lived next to or close enough to the property, as do the DuCrays, to enjoy all of the problems that come along with the operation of a gravel pit. Many of the residents have lived here for many years and believe in the sense of family that is neighborhood has. This is an older established neighborhood with many elderly and growing younger families. On any given day there are children riding bikes or playing a game of catch as well as families walking their pets. Many of the property owners have gentleman farms with livestock. This is an established rural neighborhood. There are many reasons that the residents choose to live here, and they chose to live here before the so called master zoning plan changed. Are the residents of this happy valley expected to change their residence with every changing of the guards and the flavor of the month?

The history of the road being closed by Mesa County to heavy truck traffic was done for very specific safety reasons. From the obvious those safety reasons still stand today. There are no curb, gutters or sidewalks, very few street lights and most of the lights that are present are provided by the residents themselves. The road system is narrow and at a considerable grade. A loaded dump truck would have to use the Jake Brake system and who wants to be awakened by that noise repeatedly. Presently there is a school bus stop on the corner of 29 ½ Road and the south frontage road. Again the only street lights are provided by the property owners. This intersection is already dangerous by design. It has a double stop sign and very little distance to negotiate the turns coming off the highway. With the development of the Red Cliff subdivision and its proposal for more construction there is already an increase in vehicle traffic.

To allow this development to go further would bring down the property values of the surrounding homes. Which property owners would then be able to "profit" from their investments?

Do good zoning practices employ changing the existing neighborhood to the new owner and their submitted proposals? By the same token as this neighborhood is bordered by the highway and we are conditioned to the noise and lack of certain city amenities, the property they purchased is bordered by existing family homes. To allow Mr. Schooley and Mr. Weaver to open this pit for production, you would be allowing a few to burden the many for personal gains. Where is the justice in that? Before you make your recommendations, please ask yourself these few questions. Is this something I would be proud of? Is this something that I could live next door to? Is this something that I would like to leave for my one time mark on humanity? Is this something that will better a neighborhood and the lives of the residents?

Respectfully,

Robert and Shelley Smith
135 29 ½ Road
Grand Junction, CO 81503

April 28, 2010

Planning Commission

Gentlemen:

I am writing to express my opposition to the request for a gravel pit off 29 ¾ Road on Orchard Mesa.

Just the issue of the noise and dust by itself is of great concern to me and should be sufficient to deny this petition but in addition, the value of my property will decrease considerably. My granddaughter stays with me a great deal of the time and she would no longer be able to stay with me because she has severe asthma and she would not be able to breathe. If any of you are grandparents would this be something you would want to give up? It is not fair for anyone to ask another person to give up their quality of life or the quality of their family's life for the almighty dollar!

The current economic situation we are in has devalued properties in the valley considerably but then to add this to the top is just not acceptable. I would love to be at the May 11th hearing on this issue but have made plans to be out of town which cannot be changed.

I moved into this neighborhood in 1987 because of it being rural and because of the open spaces that surround us. The quiet and solitude is something that doesn't exist in many places anymore and yet we have been able to enjoy this for a very long time and now you are looking at the possibility of taking it all away. Please do not! I don't know how to say how adamantly opposed to this operation I am. I have worked very hard to maintain my home and keep the value up but this will certainly make what value is left given our current economy plummet even more! Rural life as we have come to cherish will no longer exist and no longer will it be safe for our children and grandchildren to play and ride their bikes as the trucks that will be required to come in and out daily will be phenomenal. We have little to no police patrol in this area and have actually prided ourselves in that we don't require much but this will certainly change everything.

I just ask that you ask yourself if you would like to have an operation like this within 500 feet of your home – the answer I am sure would be no. Just the noise and dust by itself would be enough without any of the other factors being considered. I am, however, asking you to look at everything and deny this request for rock mining.

Sincerely,

Barbara J. Herring
118 Whitehead Drive
Grand Junction, CO 81503
970-242-7533

Brian Rusche - more information

From: "Jeanne Herring" <jherring@mesastate.edu>
To: "Brian Rusche" <brianr@ci.grandjct.co.us>
Date: 5/5/2010 11:10 AM
Subject: more information

Brian: the other point on my opposition on the Schooley-Weaver Partnership proposal for rock mining on Orchard is that I hope everyone has remembered that 29 3/4 Road is the only major road in and out of our subdivision -- the impact of heavy trucks running this road constantly will certainly result in damaged roads and access both in or out of the subdivision will be severely limited by this operation. It has only been a few years since the county started putting down the chip and seal to eliminate some of the dust in the area and this operation will make all of that for not!

If I need to revise my letter or submit another one outlining this other point please let me know and I will do so.

Thank you much,

B.J. Herring
118 Whitehead Drive
G.J., CO 81503

Dana C. Forbes
217 Brookcliff Drive
King, NC 27021

May 9, 2010

Attention: Brian Rusche
Public Works & Planning Department
Planning Division
250 North 5th Street
Grand Junction, CO 81501

Re: CUP-2010-008 - Schooley-Weaver Partnership – 104 29th Road

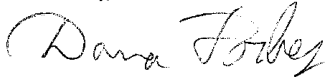
To Whom It May Concern:

I would like to express my concern regarding the proposal to operate a gravel pit at 104 29th Road in Orchard Mesa. As a land-owner in that neighborhood, I believe this work will significantly increase the traffic near my house on Craig Street and others in the area.

We have many young children here and this will negatively impact safety here for them. It also increases the dust which is already a factor especially when the wind blows. My property value, as well as those around me, will be even more negatively impacted.

Please do not allow this project to occur here.

Sincerely,



Dana Forbes
970-986-9384

Brenda Forbes
217 Brookcliff Drive
King, NC 27021
336-983-7881

May 9, 2010

Mr. Brian Rusche
Public Works and Planning Department
Planning Division
250 North 5th Street
Grand Junction, CO 81501

Regarding: CUP - 2010-008 - Schooley-Weaver partnership - 104 29 3/4 Road

To Whom It May Concern:

I am writing this letter to express opposition to the gravel pit being proposed for the acreage on 104 29 3/4 Road. As I received my first notice of this plan only last week, I have been at a disadvantage to have my comments presented sooner. The following are reasons I am against this proposal:

Safety issues: For the most part the streets off of 29 3/4 Rd are a closed circuit between 29 3/4 Rd and Whitehead Dr with the irrigation ditch being the southern boundary and the only inlet/outlet being 29 3/4 Road. This makes it a safe place for families who do not want their children exposed to through traffic and also allows the ability to use bikes, scooters, walking, running, etc. The increased use of the road would destroy that environment and the purpose that many people purchased in the area. The road would become unsafe for pedestrian traffic, children waiting for the bus, cars on 29 3/4 Rd pulling out of driveways, etc. There is also the safety issue of the pit being so close to a neighborhood with children. I am concerned that children and youth would be drawn to it as a play area, which could be dangerous and life threatening.

Pollution: There would be an objectionable increase in dust due to the road and the pit. The noise from the pit and the road would also be unacceptable. There is already a burden of foul odor at various times due to the county dump/compost operation; this would only get worse by the removal of the physical land barrier that the gravel pit proposes to remove.

Traffic issues: The road's width and condition will not accommodate the increased traffic flow of the large numbers of trucks being proposed to haul the gravel and equipment. There would be too much traffic at the intersection of 29 3/4 Rd and Hwy 50. This of course would also be another huge safety issue. Use of 29 3/4 Rd would be unpleasant and difficult because of constant traffic from large vehicles and dust. There is concern that the constant rumblings, vibrations, and vehicle weight load would weaken the irrigation ditch walls and the bridge that crosses it.

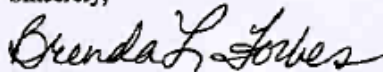
Property values and significant reduction in quality of life: This gravel pit would cause a reduction in the property values of this neighborhood. This is unfair to those who own there

already. Also, the quality of life would be completely changed for the worse. We purchased the home on 2977 Craig Street with the idea that there was limited traffic and noise in this neighborhood. The gravel pit would destroy that and turn a quiet existence into what boils down to an industrial type of environment.

Other operations in the area: There has been discussion that the other trucking business on 29 ¼ Rd does not present a problem, so this project should be allowed. This is false. First, the current business limits its impact on the community, and the traffic comparison between the two is ridiculous. The gravel pit impact would be much higher and present other issues already addressed in my comments. As a property owner I do not want the industrial traffic to be increased.

Please do not allow the use of 29 ¼ Road for this endeavor or approve the use of the acreage of 104 29 ¼ for a gravel pit (by any means accessed). Anything else would be a betrayal of the citizens who live and own in this community.

Sincerely,



Brenda L. Forbes

Co-owner:

2977 Craig St

Grand Junction, CO 81503

970-986-9384

May 10, 2010

To Those Involved,

I am writing because of a personal and neighborhood concern over the Conditional Use Permit for the operation of a gravel pit on the property located at 104 29 ¼ Road on Orchard Mesa. All persons in our neighborhood will be directly affected by the air quality from dirt and dust and truck traffic on our roadways will increase immensely. We at this location already deal with odors and some dirt from the county landfill and refuse areas. NOW, we get this health and environmental non-concern also from our elected officials.

Please, please do not allow this to happen to our area again! We should not have to be a dumping ground for all the undesirable programs you propose, the next thing we know, we'll have a "Body Farm" in our backyard.

I've lived in this neighborhood for 40 years and feel fortunate to have the view of the valley and surrounding area that we do. Please don't treat us as your undesirable down-trodden poor relative to be taken advantage of.

Gary L. Davis

Gary L. Davis

Earlene A. Davis

Earlene A. Davis

243-6353
127 Whitehead Dr.
A. J. Colo. 81503

a

RECEIVED
MAY 10 2010
COMMUNITY DEVELOPMENT
DEPT.

Dan and Mary Sullivan
126 Burns Dr.
Grand Junction, Co. 81503
970-256-0928

Re: Schooley-Weaver Partnership
104 29 ¾ Rd.
Grand Junction, Co. 81503

Areas of Concern:

Dust: Endless dust blowing off of the hill (wind seems to blow every afternoon).

How will you control this dust?

- 1) Use of water.
- 2) Where will you get the water?
- 3) Excess of water use affecting water table.
(already high because of irrigation canal and condition of the canal)

Noise and truck traffic: operation (noise) and traffic at intersection of 29 ¾ road and highway 50.

How will you control?

- 1) Hours of operation.
- 2) Is highway compatible with truck traffic at this intersection without any improvements and ridiculous traffic lights such as 29 road .
(just wait until one accident occurs).
- 3) Safety of occupants on 29 ¾ road and frontage road, children, driveways, school bus stop, (which is now at this intersection).
- 4) How many trucks daily will be involved.

Property value: What about loosing value of our property, not only the fact there is a "GRAVEL PIT" in your back yard, (now we have a desert hill protecting us somewhat from wind and land fill smell) it would also be an eye sore. It is now a quiet area of Orchard Mesa with decent views and a little seclusion that a lot of people already enjoy and some may desire to have in the future.

(continued)

RECEIVED
MAY 1 J 2010
COMMUNITY DEVELOPMENT
DEPT.

How will you control?

- 1) Once the hill and surrounding area is flattened and destroyed, what is next?
Proposed range land, how would this be accomplished?
- 2) During the 5 year period of operation, property values would drop drastically, and in the event we would have to sell during that period or beyond, who suffers?
- 3) Or the possibility of a development on this new "MESA", there again traffic, access, water issues and privacy.

Overview: This so called "Construction Materials Mine" would be difficult for many surrounding property owners to deal with in all aspects.
Yes, property owners do have rights, but we feel ours will be VIOLATED if this project approved.

Dan and Mary Sullivan

Brian Rusche - Re: File # CUP-2010-008 Schooley-Weaver

From: "Steve Acquafresca" <Steve.Acquafresca@mesacounty.us>
To: "Ruby Kane" <rbyjkane@bresnan.net>
Date: 5/11/2010 11:13 AM
Subject: Re: File # CUP-2010-008 Schooley-Weaver
CC: "Laurie Kadrich" <lauriek@ci.grandjct.co.us>, "Tim Moore" <timm@ci.grand...>

Ms. Kane:

It is my understanding that this gravel pit application has been filed with and is being processed by the City of Grand Junction. I am forwarding your comments to the appropriate city personnel.

Steve Acquafresca
Mesa County Commissioner

>>> "Ruby Kane" <rbyjkane@bresnan.net> 05/10/2010 8:47 PM >>>
Re: File Cup -2010-008 Property 104 29 3/4 Road;
Schooley Weaver Use Permits for operation of gravel pit.

I can't believe Mesa County, the Planning Commission, City Council or County Commissioners would allow or approve this project and allow it to operate 7 days a week, from 6 am to 10 pm with no limit of loads removed from the site.

The county closed 29 3/4 Road to heavy traffic some time ago, so why is the City Planning Commission going to allow the road to reopen to heavy traffic for this operation to take place?

I am concerned about the safety issues for the people living on 29 3/4 Road and their children, as well as the rest of us in this neighborhood. The intersection on 20 3/4 & Hiway 50 is not a safe exit as it is. The heavy traffic, the noise and the environment are all issues I am concerned about. And what is this going to do to the sale of homes in our area? Prices have already dropped due to the economy, but having a gravel pit in operation for five years and just around the corner?

Thank You for your consideration.

Ruby J Kane
119 Burns Dr
Grand Junction, CO 81503
970-314-2954

Brian Rusche - Re: proposed gravel pit at 104 29 3/4 Rd

From: "Steve Acquafresca" <Steve.Acquafresca@mesacounty.us>
To: <ebsebring@aol.com>
Date: 5/11/2010 11:06 AM
Subject: Re: proposed gravel pit at 104 29 3/4 Rd
CC: "Laurie Kadrich" <lauriek@ci.grandjct.co.us>, "Tim Moore" <timm@ci.grand...>

Mr. and Mrs. Sebring:

It is my understanding that this gravel pit application has been filed with and is being processed by the City of Grand Junction. I am forwarding your comments to appropriate city personnel.

Steven Acquafresca
Mesa County Commissioner

>>> <ebsebring@aol.com> 05/10/2010 11:57 AM >>>
We are writing regarding File #CUP 2010-008 concerning the proposed gravel pit.

Please do what you can to either prevent permission for this proposal or to at least limit the days to five and the hours so they can only work from 7:AM to 6:00PM. Also the loads that can be hauled per day should be limited. How will the land look when they leave?

We are both in our middle seventies and I (Eleanor) have serious breathing problems. When the wind blows from the landfill the smell of the mulch keeps me inside. If the developers have so little regulations it will not be possible for me to be outside, as well as others with the same problems. If you have been out this way you know the wind blows a lot.

The school bus stops on 29 3/4 road for several grade school children. They don't watch for traffic when they are playing while waiting for the bus.

Please do what you can to help our neighborhood with this very serious problem

Robert and Eleanor Sebring
2964 A 1/4 Rd

May 11, 2010

Re: File # CUP 2010-008

Planning Commission
City Hall
250 5th St.
Grand Junction, Co. 81501

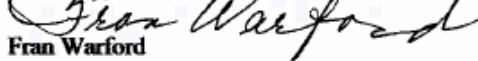
Dear Sirs:

In 2005 when this property was annexed into the City of Grand Junction, we opposed its development as a subdivision. We learned that the property in question is part of a Ridgeline Protection Area (see map included). As part of the Ridgeline Development guidelines on Chapter Seven, page 14, City of Grand Junction Zoning and Development Code (updated June, 2003) it seems that this Code would preclude doing anything that would disturb the existing ridge line.

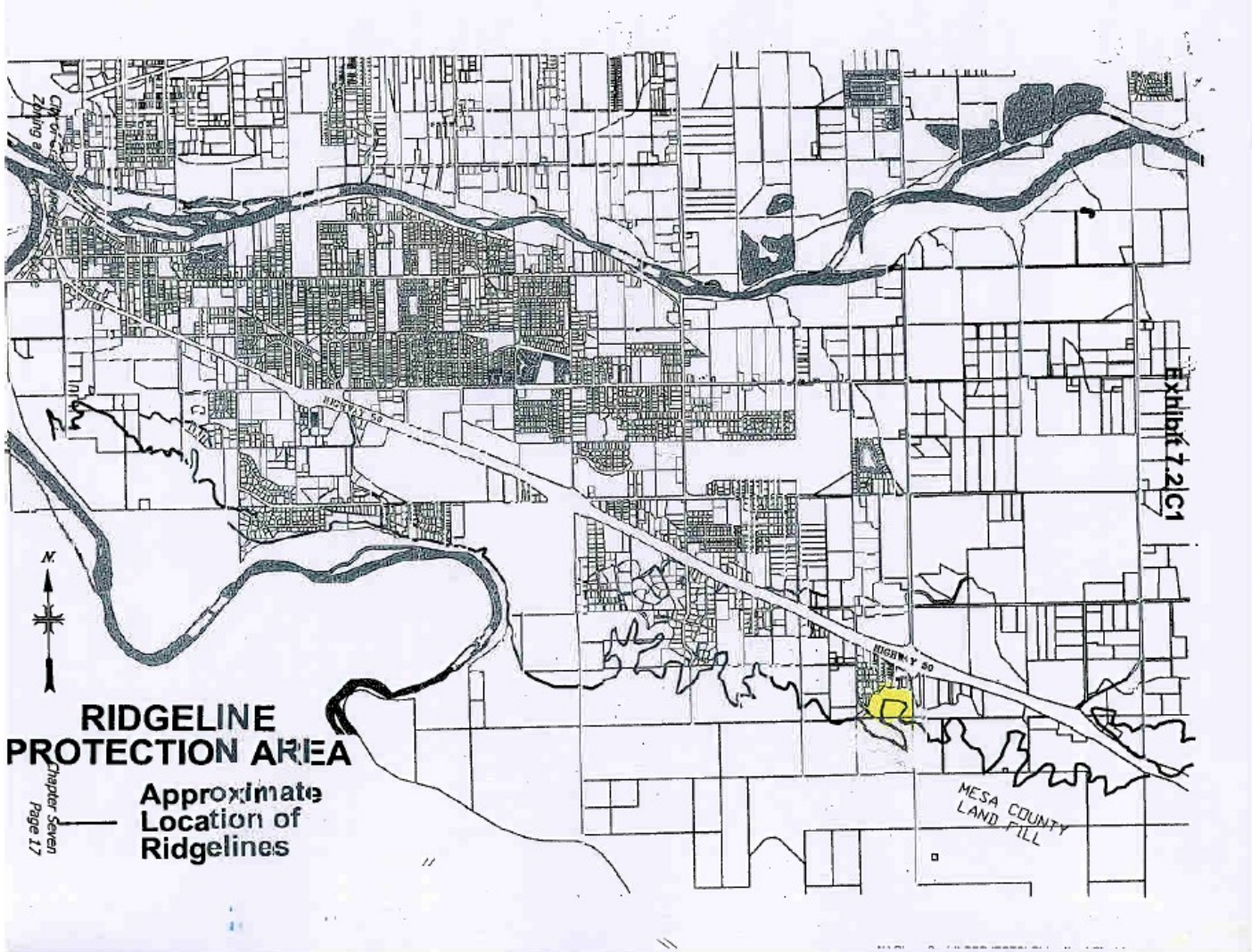
This part of the Code was in part done as a protection against damage to existing homes that lie beneath the Ridgeline. Parts of Grand Junction including homes in the Ridges and in Sierra Vista subdivision were damaged or destroyed due to foundation damage caused by building on the adobe hills above their properties. The Ridgeline Development Code was established not only to protect the properties actually built on the adobe hill, but to protect the foundations of those houses below that were at a lower elevation.

Please take all of this into consideration as you make your decision. The three properties that exist at the north of the canal; 126 Burns Dr., 2995 Burns Dr. and 2997 Burns Dr. have all been built with engineered foundations. This is our concern, the continued stability of our foundations.

Sincerely,



Fran Warford
2995 Burns Dr.
Grand Junction, Co.



RIDGE LINE PROTECTION AREA

Approximate Location of Ridgelines

Chapter Seven
Page 17

Exhibit 7.2(c)

Planning Commission finds that sidewalk construction would result in excessive grading and/or cut/fill of slopes.

- d. Vertical or drive-over, curb and gutter, as determined by the Director, shall be installed along all public streets.
8. **Joint Development Applications.** Multiple owners of hillside property, whether or not such property is contiguous, may file a joint development application for all such property or the City Council may direct the Director to file such an application on behalf of the City.
9. For all purposes of this Chapter, such property shall be treated as a single development parcel.
10. Development permitted on such property, pursuant to this Chapter, may be clustered on any one or more of the parcels under such joint application subject to the requirements and limitations of this Chapter. The provisions of this section shall not allow variance in the use requirements of the underlying and existing zoning category for the receiving parcel and may not result in a violation of the purposes of these regulations.

H. **Ridgeline Development.**

The City recognizes the value of its visual resources and amenities. The purpose of the ridgeline development standards is to preserve the character of the identified ridgelines and to minimize soil and slope instability and erosion.

1. **Ridgeline Development Standards.**

- a. For all lots platted within the mapped ridgeline protection area shown on Exhibits 7.2.C1, C2 and C3, buildings, fences and walls shall be setback a minimum of 200 feet from the ridgeline.
- b. This setback shall not apply if the applicant produces adequate visual representation that a proposed new structure will not be visible on the skyline as viewed from the centerline of the mapped roads or that mitigation will be provided. Mitigation techniques might include:
 - (1) Earth-tone colors to blend with the surrounding area;
 - (2) The use of non-reflective materials;
 - (3) Vegetation to screen and soften the visual impact of the structure; and/or
 - (4) A reduction of building height or the "stepping" of the building height; or
 - (5) Other means that minimizes the appearance from the road corridor.
- c. In no case shall the setback be less than thirty (30) feet from the Ridgeline. This regulation shall not apply to existing structures or lots platted prior to the effective date of this Code or to fences constructed primarily of wire.

- d. The required setback shall be measured to the building envelope, to be established at the time of platting.
- e. Line of sight shall be measured from the centerline of the road most parallel to the ridgeline at the point most perpendicular to the center of the lot.
- f. Ridgeline shall be determined on a site-specific basis and shall be that point at which the line of sight is tangent with the slope profile.

I am writing in regard to the Schooley - Weener Partnership - 104 29³⁴ Rd. The sand & gravel pit they want to make. I do not know how anyone could think it would be in the best interest of the Community bringing 100 to 300 Trucks a day in our small residential Area where 29³⁴ Rd is the only access to enter & leave. I could see accidents happening with out a street light here to protect entry & causing a bottle neck of traffic. Not to mention the threat on the children who play & catch Bussies in this Area. To continue that kind of traffic over the Canal Culvert I could see causing a break down causing flooding to the Community, which they just got fixed. We already have a smell problem from the Dump & with the removal of this hill I could see those fumes coming straight down on us. Not counting the dust that is sure to follow. Many people have back out of there yard to access 29³⁴ road which again will be a accident waiting to happen.

Since I've been told 2 Companies have been denied his access before with lesser damage to the Community, I do not understand why a Company with worse damage to the Community should be allowed to do so. Minus the noise, dust, & injury to the small 29³⁴ Rd.

I pray & hope you will reconsider a better location to get the sand & gravel or at least a better access like the dump road. One death is not worth all that sand & gravel.

Thank you

Rosalie Basick

112 Whithead Dr

Grand Jet CO 81503

To the planning Commission + all those involved with the CUP 2010-0008 Schooley Weaver Partnership - 104 29³/₄ Rd. The proposed sand + gravel at the end of 29³/₄rd.

It was brought to my attention that there is a ridgeline development standards set to preserve the character of the ridgelines + to minimize soil + slope instability + erosion it gives a list for those ridgeline development standards. I noticed a lot of those standards was to keep the visuals, ~~was~~ to keep the integrity of the ridgeline to look the same from the high, the color no reflective materials + so on.

So why would anybody be allowed to cut into the ridgeline to the point of changing its appearance causing more change to that ridgeline, more than any structure.

Why would one business man be allowed to break these standards to change our little community in so many negative ways.

Ask yourself would you want it behind your house + going down your road where your children play, battle reducing your ability to get to + from your home to work + school etc.

Please consider all the info you have been given + ask yourself why should one business be allowed to cause the change of appearance + havoc to one little community!

Thank you for considering
it all

Rosalie Bosick

- excessive grading and/or cut/fill of slopes.
- d. Vertical or drive-over, curb and gutter, as determined by the Director, shall be installed along all public streets.
 8. **Joint Development Applications.** Multiple owners of hillside property, whether or not such property is contiguous, may file a joint development application for all such property or the City Council may direct the Director to file such an application on behalf of the City.
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established at the time of platting.

- e. Line of sight shall be measured from the centerline of the road most parallel to the ridgeline at the point most perpendicular to the center of the lot.
- f. Ridgeline shall be determined on a site-specific basis and shall be that point at which the line of sight is tangent with the slope profile.

Brian Rusche - Fwd: Orchard Mesa Gravel Pit

From: Lisa Cox
To: Rusche, Brian
Date: 5/17/2010 11:22 AM
Subject: Fwd: Orchard Mesa Gravel Pit

Brian.....see email thread below. Thanks.

Lisa Cox, AICP
Planning Manager
Public Works & Planning Dept
970.244.1448

>>> Rich Englehart 5/14/2010 9:12 AM >>>
Tim and Lisa,

Tim as per our conversation, I am passing this to you for the file on this particular issue.

Thanks

Rich

>>> On 5/13/2010 at 10:47 AM, "Jim Watson" <j@ssbyjw.com> wrote:

Dear Grand Junction City Counsel.

I'm writing about the gravel pit proposed near 29 3/4 road in Orchard Mesa.

I live between 29 1/2 road and 29 3/4 road, probably within 300 or 400 yards of the proposed gravel pit. While I personally wouldn't have 150 gravel trucks per day driving past my house I'm sure I'll be hearing them. I can't imagine the city allowing such a thing in a residential area. Why would any of you think this is acceptable for a residential area?

I'm concerned about the noise as well as the cloud of dust (dirt) that will be raised during extraction of the gravel. I'm concerned about having a gravel pit in or even near a residential area. I'm concerned about where the trucks that will be making the 150 trips per day will spend the night and weekends. I'm concerned about the exhaust and noise of the heavy equipment used to extract the gravel. I'm concerned about water that will find it's way downhill (underground) from the gravel pit to my residence. Will there be maintenance areas in or near the pit for the trucks and heavy equipment needed to extract the gravel? What will the gravel pit be in 5 years when the mining is complete? A hole in the ground or a lake?

With all these concerns I've tried to look at the other side of the coin and find some benefits for our residential area or for me personally. I haven't come up with any other than possibly lower property taxes because of lowered property values. Hardly a benefit to me or the city.

You know it isn't just the 150 trucks per day or the pit, this is my neighborhood. If the city wants to allow people to strip mine gravel why in the world would the city allow this area to be zoned residential? I just don't get it.

I was reading on the city website what is titled "City of Grand Junction Mission and Core Values." It is my belief that allowing the proposed gravel pit in our residential area does not fit with the core values of the city. A gravel pit mining operation is not my idea of a good neighbor.

I urge each one of you, as my representative, to permanently reject this type of enterprise in or near

residential areas of the city and specifically the proposed gravel pit in Orchard Mesa.

Regards,

James Watson
2954 Circling Hawk St.
Grand Junction, CO 81503

May 10th, 2010

Schooley-Weaver Partnership
2470 Patterson Road, Suite 6, Office 7
Grand Junction, CO 81507

970-263-8032

and
Grand Junction Public Works & Planning Department
250 North 5th Street
Grand Junction, CO 81501

970-244-1430


To Whom It May Concern:

Regarding the Construction Materials Limited Impact (110) Reclamation Permit... for the Extraction of Construction Materials at 104 29-3/4 Road: CUP-2010-008 Conditional Use Permit to establish a Gravel Pit on 16 acres in a Residential Rural district

I am opposed to this activity going on behind my house for every conceivable reason, and I fail to see how this can be termed "Limited Impact" in the midst of a residential neighborhood. I have a few questions:

- 1) It sounds as though the hill behind my house is to be leveled and huge holes are to be dug in the "gravel pit" area; Is the motivation for this activity to sell dirt? Is there a real need for another "gravel pit" in Grand Junction? How many are in this area already? (I know there's a well-established one a couple of miles up the road in Whitewater.)
- 2) Or is the real motivation for this activity to level the hills in the residential area so that once leveled, the developer can come in and inundate us with the "3-homes-to-an-acre" proposition again? I know the Public Notice says "the proposed future use of the land is Range Land", but if it's relatively easy to convince the City or County to allow this application for a gravel pit to pass in a residential neighborhood, I have no hesitation in believing it will be relatively easy to change a "Range Land" classification to single-family or multi-family residential classification in the near future.
- 3) If this proposed activity takes effect June 1st, 2010 and isn't completed until December of 2015, that's 5-1/2 years of major impact you can expect with a "gravel pit" in a residential area. Generally, gravel pits aren't located in residential areas. Why has this particular location been chosen? Who polices the timeframe on this application to be sure the "gravel pit" is shut down on December 31, 2015?
- 4) I oppose this application for many reasons. Whether or not they are "concerns" or "issues not subject to this Office's jurisdiction (Division of Reclamation)" or addressed by the City of Grand Junction, someone needs to address the following:
 - a) Noise: trucks, digging and heavy construction equipment, motorized conveyors, crushers - there's a considerable amount of noise already from Highway 50 only a block away. Asking the residents to endure even more noise from the other side would be unbearable; most of us moved here to get away from the noise of the city. And what would be the hours of operation? Right now, we have respect for our neighbors and do not start up any power equipment or lawn mowers until after 8:00 or 9:00 am.
 - b) Dust and Dirt: Most of my neighbors (Burns Drive) are retired or semi-retired and have various health problems; adding to the problems of particulate matter in the air, would pose a definite health concern. In addition, the wind in this area is greater than in many other parts of Grand Junction. There would be no way to abate the dust and dirt with an activity that actually increases the health danger and decreases the air quality. Once again, this is in a residential area, not in an out-of-the-way remote area.
 - c) Would re-zoning take place after a period of time? Is the City of Grand Junction considering annexing this area, because currently we are in Mesa County, not the City of Grand Junction. Does the City of Grand Junction or Mesa County expect to derive some revenue from this activity?
 - d) The effect on our property values obviously would be devastating; the housing market is in a tenuous position as it is, and homeowners in this neighborhood who had hoped to sell their homes would be facing an even tougher market unless they took substantial losses on their properties. Who, with children or retired, would want a gravel pit next door with all the noise, dust, and trucks mangling the roads and the irrigation culverts? Where would the children on Whitehead Street ride their bikes - the highway is only a block away? If they have to watch for a continuous flow of trucks and heavy hauling equipment, this creates a real danger to the children in the neighborhood.

I am strongly opposed to this application and urge anyone involved to stop this activity before it's too late to quash. Thank you for weighing some of the points in this letter.

Sincerely,

Gen Cheyney
135 Burns Drive (P.O. Box 253)
Grand Junction, CO 81502
970-255-6873 or 970-901-0720 (cell)

Planning Comm.

I am writing this in
objection, against the Schooby-Weaver
Gravel Pit at 104 29³/₄ Rd

We put up with the mass
County Land fill traffic before they
changed the Road we have a
problem getting on to Hwy 50 as
it is

Donald Coulson
124-29³/₄ Rd
Ard Feb 91503

CUP-2010-008 SCHOOLEY-WEAVER PARTNERSHIP

May 13, 2010

Colorado Division of Reclamation Mining & Safety
Mr. Travis Marshall
101 South 3rd, Suite 301
Grand Junction, CO 81501

RECEIVED
MAY 21 2010
COMMUNITY DEVELOPMENT
DEPT.

Re: File No. M-2010-030
Schooley-Weaver Partnership
Proposed Gravel Pit
104 29 1/2 Road
Grand Junction, CO 81503

Dear Mr. Marshall

We are writing to you in protest of the operation of this proposed pit. With the proximity of the Mesa County Landfill and Compost Facility we as residence of the neighborhood have concerns about the potential groundwater issues and the vague reclamation plans. In past years the operating county landfill was adjacent to this property and has since then be reclaimed. If the natural filtration system of the gravel is removed we are concerned for the potential of contaminated groundwater seepage into the Orchard Mesa Canal System and the return waste water ditches that are currently open trenched. While the irrigation season is beginning now in the later part of the year the groundwater is significantly higher in the area. The alkali patches in the area are larger than they were a few years ago, and yes while there are other environmental contributors, they are the tell tale signs that the groundwater is rising to the surface. With this being a rural residential neighborhood, there are many backyard gardens and orchards with the residences using water from the canal.

There are conflicting protective measures in the application for a Conditional Use Permit that is now being considered by the City of Grand Junction. In the background section of the City Planners report it states that final elevations will be reduced by 75' to 90' lower, therefore there will not be any earth berms in place. While also stating the most of the residences sit below the starting elevations. We interrupt that as saying the hill that buffers the residences from the potential contaminated groundwater will be removed; thus placing the current county compost facility closer to the dwellings and the irrigation canal. We believe that the opening of the pit is being pushed through quickly on the premise that the material that is to be excavated will be used on the 29 Road Overpass and with some of the environmental protections that are normally imposed will be waved because of the location of this property and the fact of the low population ratio. This premise was mentioned several times in the Vortex Engineering report presented with CUP application. The current reclamation plans are vague as to the site cleanup and potential flooding and further contamination of the groundwater. As the proposal states there will be minimal equipment left on site, however the magnitude of heavy truck traffic lends to potential surface water runoff pollution. We feel that our neighborhood will be just collateral damage for the profit of the owners of this pit.

We ask that you please take the time and investigate this proposal while considering what the environmental ramifications and any ill effects that it may have on our little community, not to mention our personal well being and those of our families.

We the undersigned believe this letter to represent the majority opinion of this neighborhood.

Respectfully,

Matt & Carol Zehner
114 29³/₄ Rd
Grand Jct., CO 81503

Jim BEANERS
2977 HAYDEN
GR. Jct CO 81503

Mary A. Shipley
2981 Hayden
GJct, Co 81503

Eric Shipley
2981 Hayden
Grand Junction Co 81503

Wendy A. Shipley
2981 Hayden
Grand Jct 81503

Erlene M. Campbell
2980 Hayden
Grand Jct., Co. 81503

Stephen & Thelma McElhinney
101 29³/₄ Rd
Grand Jct, Co 81503

Charles & Sandra DeCray
117 29³/₄ Rd
GRAND Junction Co 81503

Donald & Beverly Ciesler
124 29³/₄ Rd
Hid gas colo
Sabrina Bader
2975 melker st
GJ, CO

Cecilia Bell
2975 melker st
GJ, CO 81503

Jim Brady
2984 mecker st
GJ, CO 81503

Thomas & Violet m. See
2976 mecker st
Grand Jct, Co. 81503

We ask that you please take the time and investigate this proposal while considering what the environmental ramifications and any ill effects that it may have on our little community, not to mention our personal well being and those of our families.

We the undersigned believe this letter to represent the majority opinion of this neighborhood.

Respectfully,

Robert & Shelley Smith
135 29 1/4 Road
Grand Junction, CO 81503

Jerry & Linda Gordon
2975 Craig St.
Grand Jct CO 81503

Linda Gordon
Jerry Gordon
Edward & Wilma
3976 Craig St.
Grand Jct Co 81503

Cindy Wilson
2978 Craig St
Grand Junction, CO 81503

Cindy Wilson
Nik Ross

2980 Craig St
Grand Jct CO 81503

M. P.

Ann Anderson
2977 Hwy 80
Grand Junction, CO 81503

Pete & Sandy Steves
2982 Craig St.
Grand Jct., CO 81503

Jim & Jackie Bishop
108 Whitehead Dr
Grand Jct CO 81503

Brian + Charleen Clapper
113 Whitehead Dr
Grand Jct. Co. 81503

Kevin Mye
110 Whitehead Dr
Grand Junction 81503

Angel & James Stern
116 Whitehead Dr.
81503

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We the undersigned believe this letter to represent the majority opinion of this neighborhood.

Respectfully,

Rosalie Basuck
112 Whitehead Dr
Grand Jct CO 81503
Ph 970-241-1038

Thomas Garner
Crystal Garner
Thomas Garner Jr.
Sylvia Garner
2981 Hwy 50 81503
Crys (970) 216-6764
Tom (970) 216-9565

Ernie Davis
Mary L. Davis
127 Whitehead Dr.
Grd. Jct, CO 81503
343-6353
KIA DENVER
2980 Hwy 50 South
Grand Junction, CO 81503

314-2037
Mr. Mrs. Bern E. Pyle
112 Whitehead Dr.
Reac War 2
121 Burns Drive
GJ T. CO.

Gen Chesney
PO Box 253
Grand Jct, CO 81502
(35 Burns Dr.)
970-255-6813

Alex Warford
2995 Subviall.
G. J. Co.
243-6096

Michele Elder
2997 Burns Dr.
Grand Jctn, CO

81503
Jose Flores
Maria Flores 115 Burns Dr.

Shirley + Ray Drake
113 Burns Dr
Grand Jct Co 81503
970. 212. 9277

Kenneth L. Stadtman
120 Whitehead Dr.
GT, CO 81503

DEAN G SHARPE
124 1/2 WHITEHEAD DR
GRD JCT CO 81503

William & Helen Hoodby
2979 Hwy 50
Grand Jct. Co. 81503

Frank & Linda Kirley
130 29 3/4 Rd
Grand Junction, Co. 81503

Barbara J & Lewis J
118 Whitehead Dr
GT CO 81503

To: City of Grand Junction-Planning Commission
Department of Public Works and Planning
250 North 5th Street
Grand Junction CO 81501

Attention: Brian Rusche – Senior Planner

Subject: Conditional Use Permit No. CUP-2010-008

From: Red Tail Ridge Home Owners Association
637 North Avenue
Grand Junction CO 81501
(970) 242-8450

Date: May 22, 2010

Sir,

It has come to the attention of the Board of Directors of the Red Tail Ridge Homeowners Association that the City of Grand Junction-Planning Committee is considering the issuance of a conditional land use permit (No. CUP-2010-008) for the establishment of a commercial gravel pit at the south end of 29 $\frac{1}{2}$ Road (refer to Background section for additional information).

Although, the Red Tail Ridge (RTR) subdivision's proximity to the site of this proposed business does not meet the current criteria specified in the City of Grand Junction's *Zoning and Development Code* (Section 21.02.080 e-1), it would, nevertheless, be greatly impacted by its commercial activities.

Currently, the RTR has only two egress and ingress points (29 $\frac{1}{2}$ Road and US-50 Frontage Road). Consequently, any increased traffic along 29 $\frac{1}{2}$ Road (as proposed by the conditional use permit) would directly affect the residents of RTR.

Therefore, the RTR has a **nexus in this matter and**, subsequently, the Board of Directors of RTR (the Board) request the Planning Committee deny the issuance of a permit based upon legal, safety, environmental and liability concerns (refer to the Issues section for additional information) unless certain remedies are agreed to and implemented prior to the operation of the proposed commercial activity (refer to the Remedies section for additional information).

BACKGROUND INFORMATION ON PROPOSED CONDITIONAL USE PERMIT

On January 6, 2010, the Schooley-Weaver Partnership applied to the City of Grand Junction for the issuance of a conditional use permit to allow the establishment and operation of a commercial/business activity located at the south end of 29 $\frac{1}{2}$ Road.

Specifically, the permit would allow 8 acres of the existing 16 acres to be converted into a gravel extraction site to be in operation for 5 years with a possible extension of an additional 2 years.

Additionally, it was estimated up to 150 truck loads of gravel, per day during normal business hours, would be transported from the site along 29 $\frac{1}{2}$ Road to US-50 (total number of round trips would include an additional 150 "empty trips" to the quarry site).

For additional information refer to City of Grand Junction CUP-2010-008.

ISSUES IN REGARD TO THE ISSUANCE OF THE CONDITIONAL USE PERMIT

The following is a list of concerns (in no particular order of precedence) in regard to the issuance of CUP-2010-008.

1) LEGAL:

- 29 $\frac{1}{4}$ Road (in the effected area) is designated a residential road. It does not meet current truck route standards (signage, width, roadway composition, etc.). Subsequently, to issue the requested use permit would be in conflict with current law(s).

- The intersection of northbound 29 $\frac{1}{4}$ Road and US-50 (between the Frontage Road and the eastbound lanes of US-50) does not meet current Federal Highway standards (and/or truck route standards) for heavy truck use. Subsequently, to issue the requested use permit would be in conflict with current law(s).

(Note: that intersection, maintained by CDOT, is currently permitted pursuant to a wavier or "grandfather clause" granted by the USDOT many years ago, any change in the usage or designation of 29 $\frac{1}{4}$ Road would void the wavier and require it to adhere to currents highway standards.)

- The 29 $\frac{1}{4}$ Road bridge/over-crossing of the Orchard Mesa Irrigation District (Canal No. 2) does not meet current truck route standards (roadway markings, signage, guard rails, etc.). Subsequently, to issue the requested use permit would be in conflict with current law(s).

2) SAFETY:

Roadway Design: 29 $\frac{1}{4}$ Road (in the area of concern) is a north-south, narrow, two-way, asphalt composite roadway. Furthermore, the roadway traverses a densely populated residential area and has no shoulders, curbs, gutters, sidewalks, street lights or roadway markings. Additionally, the roadway includes a bridge/over-crossing of an irrigation canal that currently does not meet truck route standards (i. e. - roadway markings, signage, guard rails, etc.).

(Note: two full size trucks, with or without trailers, traveling in opposite directions could not safely pass each other and that is not including any oversized vehicles.)

Traffic Accidents: With the increased traffic volume, the occurrence of traffic accidents is a statistical certainty. The only variable will be as to the severity of the accident(s) and the resulting damage. An additional variable will be as to the involvement of children and/or pets.

(Note: this will require response by public safety and emergency personnel at an unknown cost to all taxpayers.)

Road Blocked By Disabled Vehicle(s): With the increased traffic volume, the occurrence of a vehicle becoming disabled in that section of roadway, is a statistical certainty. Any

vehicle blocking the roadway will create a traffic incident and inconvenience to residents and other motorists (refer to the Miscellaneous Section for additional information).

(Note: this will require response by public safety personnel at an unknown cost to all taxpayers.)

Increased Response Time By Emergency Personal/Equipment: With the increased traffic volume, response time (to and from) the above described area may be effected, especially in the event that emergency vehicle(s) must get around another vehicle(s) as described above.

Hazardous Material Spills/Incidents: With the increased truck traffic volume, the occurrence of a hazardous material spill/incident (independent of a traffic accident) is a statistical certainty. Trucks by design, transport hazardous/regulated fluids in quantities that any leak (in a gas tank, gas line, transmission, radiator, hydraulic line, etc.) could result in a qualified hazardous material incident (the resulting effects cannot be fully detailed in this section).

(Note: this would require response by public safety, medical and special clean-up personnel at an unknown cost to all taxpayers, not including the damage to the environment.)

Leakage, Debris, Mud/Dirt From Trucks: With the increased truck traffic volume, the accumulation of fluids (oil, radiator coolant, gasoline, etc.), vehicle parts (nuts, bolts, tire tread, etc.) and debris (mud, dirt, gravel, etc.) upon the roadway will occur. This will require frequent removal for safe travel upon the roadway and prevention of environmental contamination (refer to the Environmental section for additional information).

(Note: this will require an increased response from the Road Department personnel for street cleaning and debris removal, at an unknown cost to all taxpayers.)

Miscellaneous:

29 $\frac{1}{4}$ Road, as described above, has sections that have a greater than 5% grade. During times of incimate weather (snow, ice, standing water, etc.) traction upon the roadway will be reduced and stopping distances will be increased. Fully loaded trucks will have difficulty going up/down the road and stopping (especially at the intersection with the Frontage Road to the south of US-50).

(Note: 29 $\frac{1}{4}$ Road is not a primary county/city roadway and subsequently, is one of the last streets to get snow plowed or treated, if at all. The probability that one or more fully loaded trucks will "jack-knife" or "spin-out" during incimate weather, is a statistical certainty.)

3) ENVIRONMENTAL:

Drainage: Currently there is inadequate drainage along the east and west shoulders of 29 $\frac{1}{4}$ Road. With the increase in vehicle traffic (specifically truck traffic), an increased

amount of fluid and solid matter will accumulate upon the roadway and will eventually find its way onto and into the shoulders. Without an adequate drainage system, those fluids and solid matter (oil, radiator coolant, gasoline, etc.) will accumulate in uncontrolled quantities and, subsequently, impact the environment (i.e. - groundwater contamination).

Vibration/Seismic Damage: The increased volume of heavy truck traffic along 29 $\frac{1}{4}$ Road will result in an increased amount of ground vibrations and, subsequent, damage to residential foundations, roadway bed and structures in close proximity to the roadway.

(Note: this would result in increased road repair costs, home owner repair costs and/or a decrease in property values and ultimately, impact revenues collected by the City.)

4) **LIABILITY:**

Roadway Maintenance Costs: The allowed increased volume of traffic along 29 $\frac{1}{4}$ Road will result in greater wear and tear on the roadway surface, necessitating additional repair and maintenance.

(Note: this would result in increased roadway maintenance costs to the City, at an unknown cost to all taxpayers.)

Minor Claim(s) Against The City: The allowed increased volume of traffic along 29 $\frac{1}{4}$ Road would, potentially, result in greater number of claims against the City for damage caused by pot holes and other roadway defects.

(Note: this would, statistically, result in increased expenses to the City, at an unknown cost to all taxpayers.)

Major Claim(s) Against the City: The allowed increased volume of traffic along 29 $\frac{1}{4}$ Road would correspondingly increase the probability that one or more major claims against the City will occur for damage, injury or death caused by roadway defect(s), defective roadway design and/or failure to maintain the roadway to established standards.

(Note: Only one such successful lawsuit would be necessary to bankrupt the City.)

PROPOSED REMEDIES

The following is a list of proposed remedies designed to mitigate the issues/problems as listed above. The following is not all inclusive nor does it exclude other remedies and or concerns:

- Upgrade 29 $\frac{1}{4}$ Road to meet current truck route standards (i.e. - minimum 60 foot wide roadway with paved shoulder, curb, gutters, sidewalk, street lights, pavement markings, cross walks, etc.);
- Upgrade the intersection of 29 $\frac{1}{4}$ Road and US-50 to meet current Federal Highway standards (i. e. - full signalized intersection meeting current truck route standards);

- Permit only trucks and trailers that have passed a current state/federal DOT safety inspection and display current safety inspection stickers/decals; and,
- No waivers or "grandfather clauses" allowed to mitigate the above concerns.

The Board realizes and acknowledges the current local and national economic conditions and does not wish to inhibit or interfere with revenue generated via legitimate business and government activities.

Additionally, the Board does not wish to indiscriminately interfere or infringe upon the rights of private property owners and/or business operators while conducting the lawful exercise thereof.

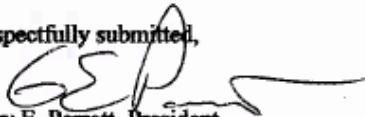
However, when an activity directly impacts the lives and property of RTR and/or its members, the Board is obligated to voice its concerns in an attempt to ensure, said activity is conducted - safely, responsibly and in accordance with law.

Furthermore, the Board realizes and acknowledges, the City Planning Committee is well within its purview to issue a conditional use permit without implementing one or more of the remedies recommended above.

However, the Board respectfully brings to the attention of the City Planning Committee, if it so chooses to do so, it will be unnecessarily exposing the City (and possibly the Committee itself) to potential administrative, civil and/or criminal liability in the event a major incident occurs upon or along 29th Road as referenced above.

One final issue, the Board again respectfully brings to the attention of the City Planning Committee, if it decides to issue the permit, not withstanding the objections of the residents in the effected area, it may tarnish its reputation and status enjoyed by all residents of the City of Grand Junction, in the event of an incident as described above.

Respectfully submitted,



Gary E. Parrott, President
Red Tail Ridge Home Owners Association

cc: Teresa Coons - Mayor

Brian Rusche - Rezoning Request Hearing 104, 293/4 Rd 2943-324-10-001

From: "DAD" <weatherman_1@brcsnan.net>
To: "Brian Rusche" <Brianr@gjcity.org>
Date: 5/25/2010 3:24 PM
Subject: Rezoning Request Hearing 104, 293/4 Rd 2943-324-10-001

I am opposed to the request to rezone this residential property presently zoned by the city in its annexation RR to allow a non-conforming land use as a gravel pit. My reasoning:

1. *The owners bought the land in 2007 knowing it was zoned residential*
2. *The only access road to the property is narrow without curbes, sidewalks, or proper footing to withstand heavy equipment*
3. *Gravel trucks at the rate of one every two minutes traveling through residential neighborhoods should never be allowed in the city*
4. *The egress point for this truck traffic does not meet CDOT and Federal requirements*
5. *House values would be adversely affected*
6. *The watershed drainage systems ridgeline would be impacted adversely as well as subsoil infiltration*
7. *This land use does not fit well with the City Centre Zoning for neighborhood shopping on the North side of US50 where the trucks will exit*
8. *The noise, dust, and traffic will be continuous because of digging, sorting equipment and idling diesel trucks*
9. *Without water and sewer public health will be endangered*
10. *No current shortage of existing gravel pit operations in Mesa County*
11. *No resident that I know of views this as a positive change to the quiet, appealing, tranquility of this existing residential neighborhood and the newer R-4's which can see the property.*
12. *I suspect that the owners bought residential development land, paid too much, and are trying to recover the money in a way which works against the existing neighborhood of which they are not a part.*

*William D. and Jane E. Taylor
2961 Great Plains Drive
Grand Junction, Co 81503*

1.

To whom it may concern:

5-26-10

I am concerned about the proposed gravel pit on 29 ¾ rd. There are many children that ride bikes, play and walk these roads; I am concerned that a gravel truck could not stop in time if one of these kids ran out in the road. (This could be a liability for the city if they permit this.) I am also concerned about the intersection on highway 50, at times we get 2 or 3 cars stacked up trying to get out on highway 50 due to traffic coming from one direction or another. Trucks cannot take off as quickly as a car can, so we will need a traffic light there which I feel the gravel pit should have to pay for, as they are the ones that are profiting from this (why should my tax dollars pay for something that one or two people are actually going to profit from.) Our road is only 22' wide on the pavement and a gravel truck is 11' wide, this will make it almost impossible for 2 trucks to pass each other on this road without running into a mailbox or someone's yard or a car, this could be dangerous. I feel 29 ¾ road should not be the access for the gravel pit if it goes through, they should use the dump road.

I am against the gravel pit coming in as right now we have a nice quiet community and it would be nice to leave it this way. Maybe you should look at it the way we do, would you want gravel trucks running up and down your road all the time just so a couple of people could profit from it? Also I am concerned about the environmental issues this may cause for the people in our community. I am an environmental inspector so I will be watching this quite closely.

Sincerely,

Linda Gordon

May 26, 2010

City of Grand Junction
Planning Commission
250 N. 5th Street
Grand Junction, CO 81501

RE: File No. CUP-2010-008
Schooley Weaver Partnership 114 29 $\frac{3}{4}$ Road
Proposed Gravel Pit

We are writing to you with our many concerns and protests of the operation of this proposed pit. With the proximity of the Mesa County Landfill and Compost Facility, we as residence of this established neighborhood have concerns about the environmental hazards and damages that may occur. The length of the proposed haul road and the placement of the entrance have many safety concerns. There are a few liberties and untruths stated in the application for this permit.

In past years the operating county landfill was adjacent to this property and has since been reclaimed. If the natural filtration system of the gravel is removed, we have concerns of contaminated groundwater seepage, methane gas issues, surface runoff water, air quality and noise pollution. Our irrigation water is provided by the canal that is on the border of this property and is 100' lower than the elevation of this knoll. On moist cool days plus the wind circulation that is always present the odor from the landfill/compost facilities is very odorous. Add to that the magnitude heavy traffic and dust that will be generated the area quickly becomes intolerable. Several of the homes lie within a ravine just southwest of the entrance and where the air is the heaviest.

The proposal states that the load count would be 150 loads per day in a 12 our period. That puts a truck traveling in each direction every 2.4 minutes. With that amount of heavy truck traffic the exhaust fumes, dust and noise will be unbearable, the air quality will be hazardous and not to mention the added ground pollution from the trucks that will be washed into the waste water ditches. The proposed haul road is 29 $\frac{3}{4}$ Road which is only 4/10 of mile long and is the main travel road in and out of our rural residential neighborhood. There are not any sidewalks, street lights or curb and gutters. We have fear for the kids that have to walk on this road to get to and fro the bus stop. It is our understanding that the applicant will not have to provide any off site storm water management or other safeguards.

WE understand that with each agency involved, they are only concerned with what their own regulations, but you need to look at the whole picture before lending your support. We as residences will have to endure the whole picture. We ask that you take the time to truly investigate this proposal. Take the time to compare the many inconsistencies that appear in each of the applications. The owners have deliberately molded their responses to each proposal or applications. They have implied that the

DuCray's maintain a vibrant trucking and gravel pit operations while using 29 ¼ Road daily for many loads and that is simply not true. They do own the operations, but they do not by any stretch use 29 ¼ Road to the amount of trucking that is stated. They do respectfully observe that 29 ¼ Road, which is a Mesa County Road, was closed to heavy truck traffic many years ago. There are documents on file with the Mesa County Planning department.

Schooley-Weaver have taken liberties with the intended use of the pit run aggregates. More than once they were using it for the 29 Road Overpass project and when we spoke with the contractor for the project he said that there was not a purchase order written to any company for that project. Once it was mentioned that the aggregates were to be used for the county road projects. Since when is a private individual promised work by any government agency. It just simply is if they take this many liberties and exaggerations to get the pit, what are they really going to maintain after they get it. Who of any of the regulating agency are going to police this? Who is going to make sure that they only mine 7.63 acres and then just walk away and call that huge hole "rangeland"?

If you would like to visit with any of the residences, please feel free to contact us. Or better yet take a field trip and visit our neighborhood. Come see what all the concerns are about. We would be more than hospitable and share our front porch view with you.

Respectfully,
Matt & Carrol Zehner
114 29 ¼ Road
Grand Junction, CO 81503
(970) 314-2758

Brian Rusche - RE: Proposal to Rezone Property 2943-324-10-001

From: Kimberly Hoyt <kdreher22@hotmail.com>
To: <brianr@gjcity.org>
Date: 5/26/2010 10:06 PM
Subject: RE: Proposal to Rezone Property 2943-324-10-001

Dear Mr. Rusche,

I am writing you in regards to the recent proposal to rezone the 16 acre parcel of land located at 104 29 3/4 Rd in Orchard Mesa. My husband and I live in the Red Tail Ridge subdivision just down the road. We are very concerned about this proposal. When we bought our house three years ago the reason we chose this neighborhood was because it was a quiet, family oriented community. Rezoning that property to allow a gravel pit to be developed will drive down our property values and create much unwanted traffic, noise and dust. The quiet, peaceful neighborhood that we live in will be transformed into a noisy, dirty, unappealing place to live. Rezoning a residential area to allow a gravel pit that will affect so many families is a gross misuse of government authority. It should not be allowed to happen.

This is a very family friendly neighborhood with lots of children. The only road that accesses that property will go through a residential area where kids are walking to and from the bus stop and playing. Currently there are no sidewalks to allow safe passage of children or pedestrians along that road. The large trucks that will be travel up and down that road all day long will pose a threat to the safety of our children.

Please take into consideration all the families that will be adversely affect by this decision. Thank you for time and consideration in this matter.

Kimberly Hoyt
2957 Great Plains Dr.
Grand Junction, CO 81503
970-640-3624
kdreher22@hotmail.com

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

Additional Letters of Objection provided prior to and/or during the public hearing

City of Grand Junction Planning Commission
250 North 5th Street
Grand Jct., Co. 81501

SUBJECT: CUP-2010-008 Schooley-Weaver Partnership
104 29-3/4 Road
Request approval of a Conditional Use Permit to establish
A Gravel Pit on 16 acres in an Residential Rural zone district

We are 44 year residents of the neighborhood which holds great concern relative to the subject request..

We are in total agreement that a permit of this nature will thereby subject the neighborhood to endure numerous problems. The heavy truck traffic leaving this site and accessing 29-3/4 road to Highway 50, would most certainly result in a dangerous situation to all the neighborhood children, who use this roadway to be bused to and from school. It would also become a danger, not only to the children, but any resident who exit there homes directly on 29-3/4 Road. It is also questionable as to rather the current condition of the road could long withstand a multitude of truck traffic such as they are proposing.

We also believe that the noise and dust created by such an industrial operation would create a situation of noise levels and air quality, which would unavoidably filter into the neighborhood.

This is only a very few of the problems that would arise with your approval of this Permit on the subject property.

In view of the above, we strongly urge you to give every consideration to the citizens who reside in the area. Thanking you in advance, we remain,

Sincerely, *Dean Sharpe*
Kathy Sharpe

Dean & Kathy Sharpe
124 - 1/2 Whitehead Drive
Grand Jct., Co. 81503
Dated: June 3, 2010

RECEIVED

JUN - 4 2010

**COMMUNITY DEVELOPMENT
DEPT.**

RECEIVED ✓

JUN - 3 2010

COMMUNITY DEVELOPMENT
DEPT.

June 1, 2010
Regarding: Schooley-Weaver Gravel Pit Proposal

150 trucks a DAY !! Almost 20 an hour, 160 in 8 hours approx. 1 truck every 3 min.. What Bumper to Bumper Trucks!! About the first time they hit me, my wife, or anyone visiting us backing out of our driveway or crossing or walking 29 ¾ Rd. or anyone else in the neighborhood for that matter much less run over a child we will sue their _____ off. There are no sidewalks or curbs along 29 ¾ Rd. This subdivision (Burns) is in the county not the city!

What Robert Jones II says about the type of operation, no crushers, no stock piling, less dust etc. is quite a concern. But not near as much as someone's life. Also tell me that small children are going to be able to think right and comprehend or mind for that matter to be able to avoid that much traffic. Are you CRAZY!! There is a good point about the children and the trucks (160 a day) 20 an hour peak or no peak even close it is still ridiculous!! The odor from the "landfill" DUMP! Also if the buffer is removed what about the irrigation canal and OLD DUMP, seepage is another of my concerns because we have a water well. The seepage could get into my well water. Years ago people were allowed to dump paint and chemicals all forms of toxic waste at the OLD DUMP site that they now receive at a building at the current "landfill" DUMP site. What about the methane gases? You can dig up an old DUMP 50 years later and still be able to read the newspaper. This would cause major problems to our health. Do they want to reimburse me for the money spent on the well plus pay for a Ute water tap and pay any medical bills we may incur? I don't think so!! My wife and I and ALL of the neighbors in this and surrounding areas are TOTALLY against this project.

Back in the 80's the neighbors all got together because of the heavy trash truck traffic and brake noise and safety issues on 29 ¾ Rd. going to and from the OLD DUMP site. We met with the county commissioners and they finally seen the dangers and changes were made. The DUMP was moved to it's present location. More recent there was a request from the DuCray's to run their gravel trucks up and down 29 ¾ Rd. and that was denied by the county commissioners the city should look at the county's reasons.

What would this project due to our property values in this and surrounding areas? There is a mix of families here some older and some with children who catch the school bus at the end of 29 ¾ Rd. right where one of the stops for the trucks would be. Let's spare a life!! We are aware that the City and the State as well as Schooley and Weaver will benefit from this but what about the people living here some for over 30 years!

Mr. Frank J. Kirby
Linda Kirby
130 29 ¾ Rd. Grand Junction, Co. 81503 970-243-2730

Frank J. Kirby
Linda Kirby

TO : GRAND JCT PUBLIC WORKS &
PIANNING DEPARTMENT

% BRIAN RUSCHE

re: SCHOOLEY-WEAVER GRAVEL PIT
PROPOSAL

I WAS WATCHING THE NEWS TODAY ABOUT
THE OIL SPILL AND CAN'T HELP BUT THINK OF
ALL THE DAMAGE THAT PUTTING A GRAVEL PIT,
ON THE PROPOSED LAND, WOULD DO.

THE FIRST THING WE WILL HAVE TO DEAL WITH
IS ~~THE~~ SMELL FROM THE LANDFILL AND ALL THE
DUST + DIRT WE WOULD HAVE WITH OUT THE
BARRIER HILL.

THE SECOND PROBLEM WOULD BE GRAVEL TRUCKS
RUNNING THROUGH A SUBDIVISION FULL OF CHILDREN
AND PETS THERE IS NO OTHER GRAVEL
PIT THAT RUNS TRUCKS THROUGH A SUBDIVISION.

SO, IF YOU LET THEM TAKE THE BARRIER HILL
DOWN AND FIND ALL THESE PROBLEMS ARE
TRUE, HOW ARE YOU GOING TO SOLVE THE
PROBLEM THEN? PUT THE HILL BACK OR
RESIGN SO YOU DON'T HAVE TO TAKE
THE PRESSURE.

IF YOU PASS THIS PROPOSAL
ALL OF US WILL BE FORCED TO
LIVE IN AN UNHEALTHY AND
UNSAFE ENVIRONMENT . . .
ADDED TO THAT IS THE LOSS OF
PROPERTY VALUE TO OUR HOMES.

PLANNING DEPARTMENT, WHAT
DO YOU HAVE TO LOSE? OR WILL
YOU SAY "OH SORRY, WE MADE A BIG
MISTAKE. IT WILL BE TOO LATE
FOR US THEN.

JIM + JACKIE BISHOP
108 WHITE HEAD DR

Brian Rusche - Request for nonconforming land use 104 29 3/4rd Property 2943-324-10-001

From: "DAD" <weatherman_1@bresnan.net>
To: "Teresa Coons" <teresac@gjcity.org>
Date: 5/27/2010 12:59 PM
Subject: Request for nonconforming land use 104 29 3/4rd Property 2943-324-10-001

As a resident I believe the owners request for a nonconforming use of residentially zoned land (ie. gravel pit) should be denied for the following reasons:

- *The owners bought the RR zoned property with >5 acre lots dividing the acreage knowing it was residential*
- *They overpaid, the economy collapsed, and they are now asking the residential neighborhood to help bail them out while destroying the value of their properties*
- *Residential development is the current predominate use of this area with new R4 developed and in development*
- *The only available road to the property does not have a sufficient width or engineered base to accomodate gravel trucks, neighborhood vehicles, and school busses*
- *Egress onto US50 does not meet federal or state requirements and does fit with a commercial town center development on the Master Plan*
- *Residents would be subjected to increased noise, dust, and traffic as a result of extraction, sorting, loading, and ideling diesels*
- *The owners will not protect the public health of residents downslope by building water and sewer llines for restrooms and washing facilities*
- *Disturbing the hill may allow methane to escape from the old landfill and berm which abuts the proposed gravel pit*
- *Mineral extraction, mining, drilling activities should never be sanctioned by any elected governmental unit in a residential neighborhood*
- *There already exist a surplus of gravel operations in the Grand Valley and Mesa County*
- *The City Council should not and must not allow the short term glitter of increased tax revenue turn the long term development dreams into a melange of terminally ugly scars and poorly integrated uses which will destroy the value of living in a planned City*



June 8, 2010

Grand Junction Planning Commission
City of Grand Junction, Colorado

RE: Schooley-Weaver Partnership's Proposed Orchard Mesa Mining Operation

To Whom It May Concern:

The *Old Spanish Trail Association* (OSTA) wishes to register its concern about the proposed establishment of gravel mining operations in Orchard Mesa by the Schooley-Weaver Partnership.

First, OSTA appreciates the objections expressed recently by Orchard Mesa residents in regard to the mining operation's negative impact on the residential area located 200 feet from the proposed mining site. Their concerns about the operation's impact on traffic, noise, air quality, property values and other aspects of community life are highly relevant and seem to beg the question: "*Why establish a gravel mining operation next door to a residential community?*"

However, OSTA's *official* concern in this matter is the effect such a mining operation would have on existing public access (29 ¾ Road) to a known corridor of the Old Spanish National Historic Trail. Public appreciation of the OSNHT—officially established by Congress in 2002 as a valuable part of our nation's history—should not be compromised by allowing a new industrial operation to make access to the OSNHT more complicated and less enjoyable, as we believe this venture would do.

I have asked our national association's president, as well as its *Preservation and Stewardship Committee*, to discuss this issue further and to take appropriate steps to further register and publicize our concern, including notification of the national historic trails staff at the *Partnership for the National Trails System* and appropriate *U.S. Department of the Interior* agencies.

On behalf of OSTA's Board of Directors and its western Colorado chapter, I urge you to deny the conditional use permit application for the proposed mining operation.

Respectfully,

Don Mimms
Association Manager

*Don Mimms, Manager; P.O. Box 11189; Pueblo, CO 81001
Phone: 719-242-8619 E-Mail: manager@oldspanishtrail.org*

Brian Rusche - Fwd: Schooley-Weaver Pit CUP

From: <smthpurple@aol.com>
To: <tinad@gjcity.org>, <laurik@gjcity.org>, <brianr@gjcity.org>, <bocc@mesa...>
Date: 6/7/2010 1:56 PM
Subject: Fwd: Schooley-Weaver Pit CUP

Teresa Cooms, Mayor City of Grand Junction
Laurie Kadrich, City Administrator
City of Grand Junction Planning Commissioners
Mesa County Commissioners
DMR, Mr. Travis Marshall

June 7, 2010

Re: Schooley-Weaver Property
104 29 3/4 Road
CUP -2010-008
DMR #M-2010-030

This matter is of importance to us, because of the impending planning meeting on June 8, 2010, we ask that you take some time to investigate further. We apologize for the trouble and ask that you help us understand why that this is the best use of this neighborhood at this time. We have a few questions, that are simply not being answered. We have been passed around from agency to agency and we would like the truth.

Why the 2-4 years difference in the permits? The City's CUP is 5-7 years, the CDOT is 3 years. Has anyone actually confirmed that the materials being pulled from this proposed pit is or is not going to be used on the "29 Road Overpass Project"? It is touted in most of the Vortex engineering report and all of the coordinating correspondence, except for the application to the DMRC, there it is stated that the anticipated use of material is for "county" road work. So which is it the county or the city project? The engineers report was finished before the project was bid, almost a full month. How would Mr. Weaver or Mr. Schooley have known that it was a guaranteed project? Did someone from the city or county promise to use this material if the pit was permitted? Is that why all of the required "red tape" has been so mysteriously overlooked or rushed through? We spoke with the project manager from Lawrence Construction, and Mike assured us that he would not use material from a pit that was not permitted by the state and because of the amount of testing that has to be done and the acceptance of submittals, he was likely going to use Parkerson Sand and Gravel. Did anyone check out the dates of the reports, submitted dates and the bid date of the project? Now where as the monies for this project is from the public coffers, it seems that the tax payers would want to know that there is no "under the table" dealings going on.

Why are not the same time and load restrictions placed on this pit that are on others in the city or county? Several other pits in the area have load limitations and different times of operations, depending on the school season. Did the applicants have to pay any development fees to the city or county? Who is going to police the operations? Which one of the agencies or their representatives will be on 29 3/4 Road, counting the amount of trucks, documenting the day to day practices of the operations or watching the streets for children. Did any one from the planning departments, go to the site and actually measure the width of the road? Did anyone actually measure the width of Highway 50 to see if the proposed stripping would really work? Did they travel the so called truck route, with the construction knowledge and trucking experience needed, to see if what the applicants have presented in the Vortex report is really existing and is the only inexpensive viable solution? Is the OMID canal crossing structure going to withstand the weight of 2 trucks passing at the same time? Is this bridge structure wide enough for that? Is it truly designed for the amount and weight of traffic that is proposed? Did anyone with trucking experience look at the entrance to the pit on site to see the angle and width of the road? It seems that most of the "common sense" approach did come from the county in their comments and they were admittedly not on site. Are any of the measurements true or did everyone just rely on the use of technology of the world wide web and GIS sites? Did anyone compare the HBET report to the Vortex report. The amount of

truck loads are different in both reports, so which is 100 or 150? With the added amount of truck loads, are the traffic and structure stability computations correct? In the daily sentinel Mr. Jones is quoted saying "the 100-foot-ridge is coming down". (May 31, 2010 edition, page 2A) Does that not go against all the of the information they presented in the report on the disturbance area map and what about the ridge protection. Now, you have proposed to have the developer pay for the repairs. Really, they are taking the cheap way to begin with and you sincerely expect them to be respectful at that. Did anyone talk to the DMR to see if the same information has been presented? Why has the closure to heavy truck traffic on 29 3/4 Road changed? Did anyone talked to the DuCray's to see at what level they use the road for their "commerical trucking business"? Is this the one of the very last places to obtain gravel? It seems that they have baffled the pros with a lot of dead trees and a pile of paper for the landfill.

However petty this may seem to you, the fact is there have been a large amount of liberties, half-truths and/or assumptions presented by the applicants and their representatives. So it leads one to believe that, there will be more taken and responsibilities will not be meant. We the residences of 29 3/4 Road will live with the realities of all the inconveniences. However long it may take for the area to be incorporated into the city, it isn't at this point. Do you want to travel along Hwy 50 and look into the landfill? Just because it fits into a chip game, does not mean it is the best possible solution for an established neighborhood. With most of us, being county property owners, we are not being represented. We are not feeling the love of the "Most Livable Community". We ask that you resend your reccommendation of approval for this pit, this is a disaster in the making and you have the ability to stop it. At this time there are just to many questions and not enough answers.

Respectfully,

Robert and Shelley Smith

Petition to Deny CUP-2010-008, Schooley Weaver Patnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road

Petition summary and background	We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
1	Carrol Zehner	<i>C Zehner</i>	114 29 ³ / ₄ Rd Grand Jct, CO 81503	5/22/10
2	Fran Warford	<i>Fran Warford</i>	2995 Burns Dr. GJ 81503	5/22/10
3	Vicki Felmer	<i>Vicki Felmer</i>	178 Glen View	5/22/10
4	Carter Bair	<i>Carter Bair</i>	2966 A Rd, GJ, CO 81503	5/22/10
5	Amy Wishon	<i>Amy Wishon</i>	119 29 ³ / ₄ RD unit 3	5/22/10
6	Ruth Gunnerson	<i>Ruth Gunnerson</i>	106 29 ³ / ₄ Rd GJ, Co 81503	5/22/10
7	Lashie P. Steves	<i>Lashie P. Steves</i>	2982 Craig St. GJ. Co 81503	5/22/10
8	Brenda Lobach	<i>Brenda Lobach</i>	2975 meeker St GJ CO 81503	5/22/10
9	Roy D. Wollett	<i>Roy D. Wollett</i>	2975 meeker St GJ CO 81503	5/22/10
10	Charleen Clapper	<i>Charleen Clapper</i>	113 Whitehead Dr Grand Jct. Co. 81503	5/22/10
11	Brian Clapper	<i>Brian Clapper</i>	113 Whitehead Dr Grand Jct Co 81503	5/22/10
12	Jackie Bishop	<i>Jackie Bishop</i>	108 Whitehead Dr J.C Co 81503	5/22/10
	Jim Bishop	<i>Jim Bishop</i>	" "	" "

**Petition to Deny CUP-2010-008, Schooley Weaver Patnership's request for a
Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road**

Petition summarary and background	We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
13	LINDA KIRBY	Linda Kirby	130 29 3/4 Rd. HJ Co 81503	5/22/10
14	Jo Craig		past owner 119 29 3/4 Rd	5/22/10
15	FRANK KIRBY	Frank Kirby	130 29 3/4 Rd. HJ Co. 81503	5/22/10
16	Thomas Mcbee	Thomas Mcbee	2976 Meeker St G.J. Co. 81503	5/22/10
17	Melanie Rockow		122 29 3/4 rd GJ CO 81503	5/22/10
18	ROLANDO RAMOS	Rolando Ramos	117 BURNS DR. G.J. CO. 81503	5/22/10
19	VIMMIE D. BEAVERS	Jimmie D. Beavers	2977 HAYDEN Rd, GJ. Co 81503	5/22/10
20	WILLIAM TAYLOR	William Taylor	2961 GREAT PLAINS DR. GJ CO 81503	5-22-10
21	JANE TAYLOR	Jane Taylor	2961 GREAT PLAINS DR GJ Co 81503	5-22-10
22	Lori-An Parrott	Lori-An Parrott	2960 Great Plains Dr GJ Co 81503	5-22-10
23	GARY E. PARROTT	Gary E. Parrott	2960 GREAT PLAINS DR G.J. Co 81503	5-22-10
24	Thelma Ly McElhiney	Thelma Ly McElhiney	101 29 3/4 Rd Grand Jct, Co 81503	5-22-10

Petition to Deny CUP-2010-008, Schooley Weaver Patnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road

Petition summery and background	We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
25	Stephen M. Elhiney	<i>Stephen M. Elhiney</i>	101 29 3/4 Rd Grand Jct Co 81503	5-22-10
26	ELEANOR SEBRING	<i>Eleanor Sebring</i>	2964 A 1/4 Rd G.J. CO 81503	05-22-10
27	Robert J Sebring	<i>Robert J Sebring</i>	2964 A 1/4 R G.J. Co 81503	05-22-10
28	Kenneth L. Stadtman	<i>Kenneth L. Stadtman</i>	170 Whitehead Dr. GJ CO 81503	5/22/10
29	Gerald Gordon	<i>Gerald Gordon</i>	2975 Craig St GJ co 81503	5/22/10
30	Ed Wilson	<i>Ed Wilson</i>	2976 Craig St GJ Co 81503	5/22/10
31	Cindy Wilson	<i>Cindy Wilson</i>	2978 Craig St GJ Co 81503	5/22/10
32	Linda Gordon	<i>Linda Gordon</i>	2975 Craig St GJ Co 81503	5/22/10
33	JOSEPH HAYES	<i>Joseph Hayes</i>	185 RAINBOW DR, GJ 81503	5-22-10
34	GARY L. DAVIS	<i>Gary L. Davis</i>	1279 WHITEHEAD DR G.J. 81503	5-22-10
35	Michelle Moran	<i>Michelle Moran</i>	128 Dry Creek Road G.J., CO 81503	5/22/10
36	SHIRLEY MORAN	<i>Shirley Moran</i>	128 DRY CREEK Rd. (G.J.) Co. 81503	5-22-10

Petition to Deny CUP-2010-008, Schooley Weaver Patnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road

Petition summary and background	We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
37	Joseph Schwegler	<i>Joseph Schwegler</i>	2985 Hayden GJ. CO 81503	5-22-10
38	ERLENE CAMPBELL	<i>Erlene Campbell</i>	2980 Hayden H.J. Co 81503	5-22-10
39	Rosalie Basick <i>Rosalie Basick</i>	<i>Rosalie Basick</i>	112 Whitehead Dr. J. CO 81503	5-22-10
40	Sandra Steves	<i>Sandra K. Steves</i>	2982 Craig St. CO 81503	5-22-10
41	Torrey Steves	<i>[Signature]</i>	2982 Craig St. GJ. CO 81503	5-22-10
42	Sandra DuCray	<i>Sandra DuCray</i>	117 29 3/4 Rd, Grand Junction Co 81503	5-22-10
43	Cheryl DuCray	<i>Cheryl DuCray</i>	119 29 3/4 Rd GJ CO 81503	5-22-10
44	Brent DuCray	<i>Brent DuCray</i>	119 29 3/4 Rd GJ CO 81503	5-22-10
45	Matt Zehner	<i>Matt Zehner</i>	114 29 3/4 Rd GJ CO 81503	5-22-10
46	Kendrick Sebesta	<i>Kendrick Sebesta</i>	288 Cherry lane ^{GJ} CO 81503	5/24/10
47	Joseph Sebesta	<i>Joseph Sebesta</i>	288 cherry lane GJ CO 81504	5/24/10
48	Grace M. Chew	<i>Grace M. Chew</i>	307 N. Ash St Fruita Co 81521	5/29/10

Petition to Deny CUP-2010-008, Schooley Weaver Patnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road

Petition summarary and background	We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
49	Dan+Mary Sullivan	<i>Dan Sullivan</i>	126 Burns Dr.	6-7-10
50	MARY A. SHIPLEY	<i>Mary A. Shipley</i>	2981 Hayden	6-8-10
51	Ward A. Shipley	<i>Ward A. Shipley</i>	2981 Hayden	"
52	Eric Shipley	<i>Eric Shipley</i>	2981 Hayden	6-8-10
53	Shelley Smith	<i>Shelley Smith</i>	135 29 3/4 Rd	6-8-10
54	Robert Smith	<i>Robert Smith</i>	135 29 3/4 Rd	6-8-10
55	SCOTT EDSTROM	<i>Scott Edstrom</i>	2977 MEEUCER ST.	6-8-10
56	Ryan Rockow	<i>Ryan Rockow</i>	122 29 3/4 Rd.	6-8-10
57				
58				
59				
60				

Schooley-Weaver Partnership

Conditional Use Permit

CUP-2010-008

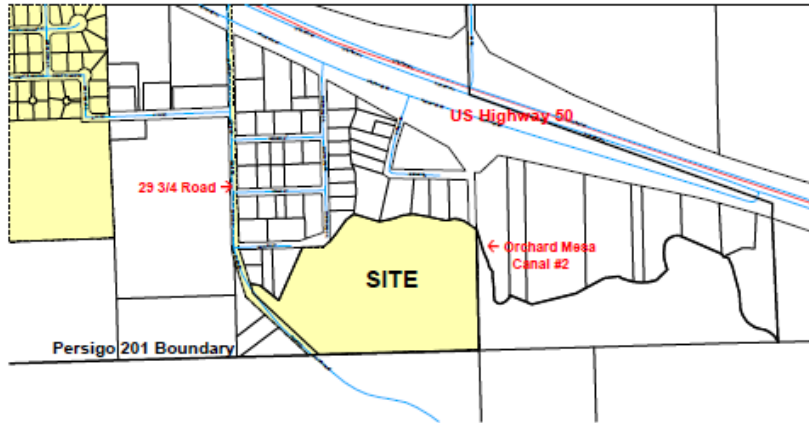
Planning Commission
June 8, 2010



Public Works & Planning

Site Location Map

Figure 1



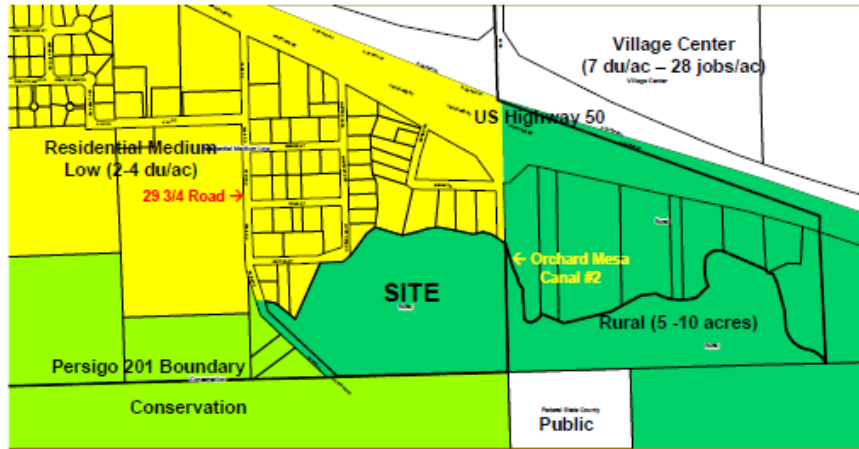
Aerial Photo Map

Figure 2



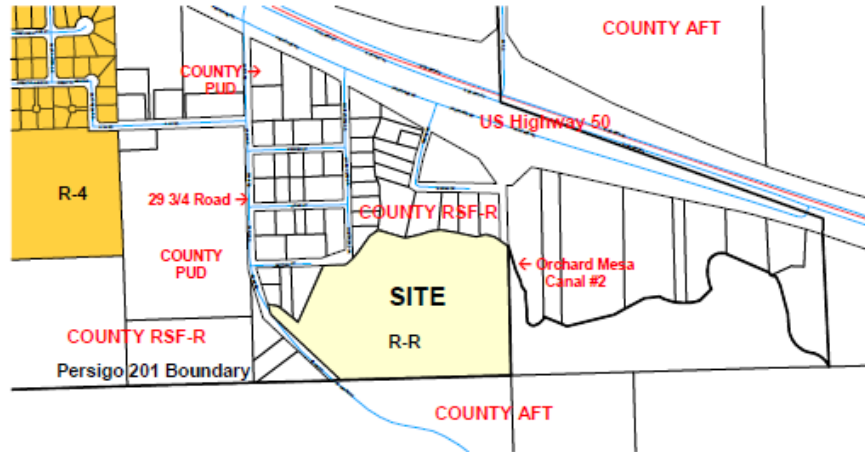
Comprehensive Plan Map

Figure 3



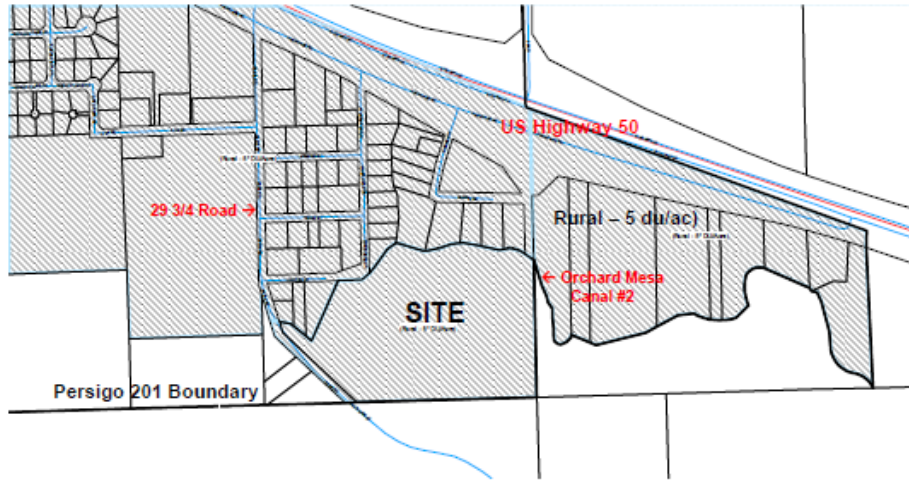
Existing City and County Zoning

Figure 4



Blended Residential Map

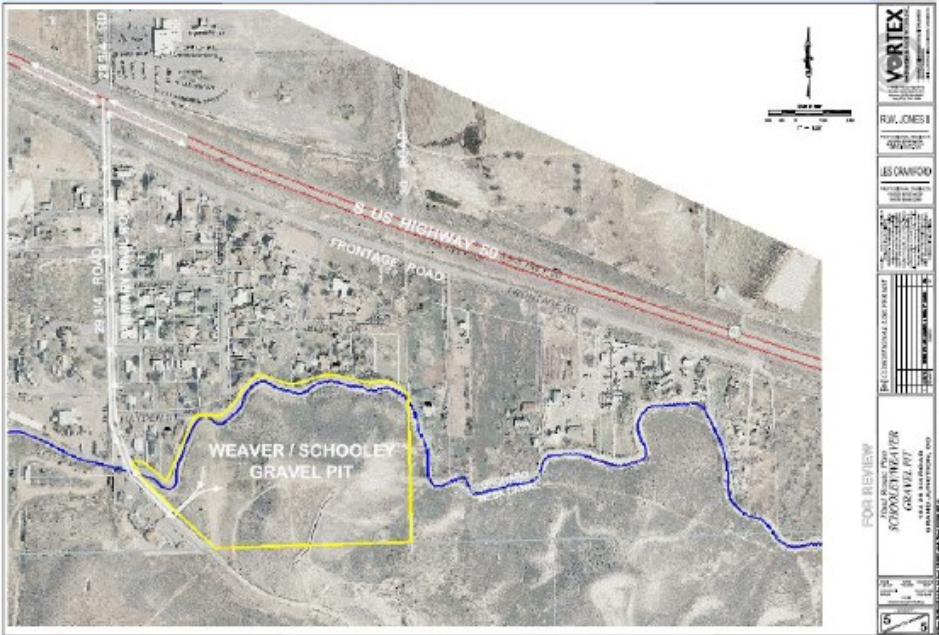
Figure 5



29 3/4 Road



Haul Route Plan



Looking North



Looking East



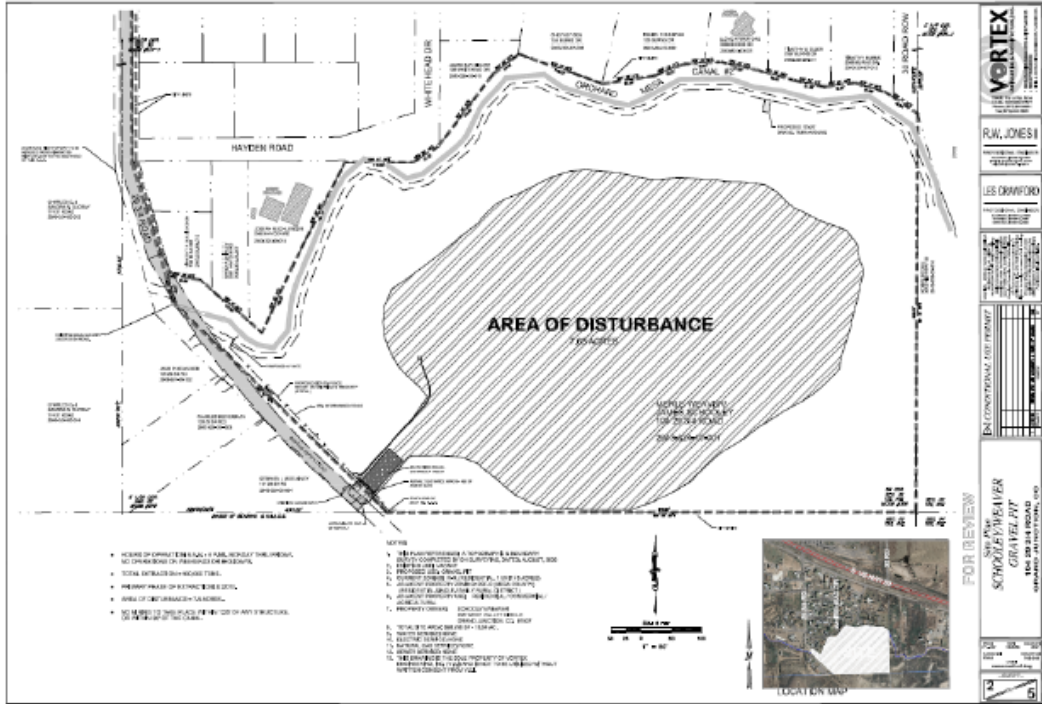
Looking South



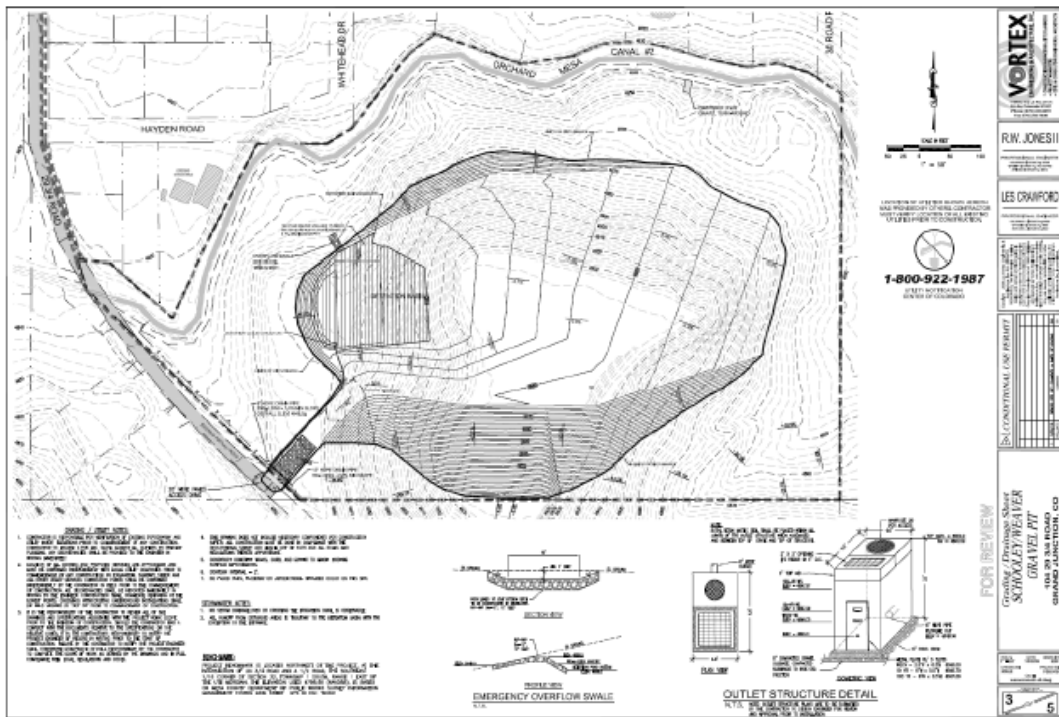
Looking West



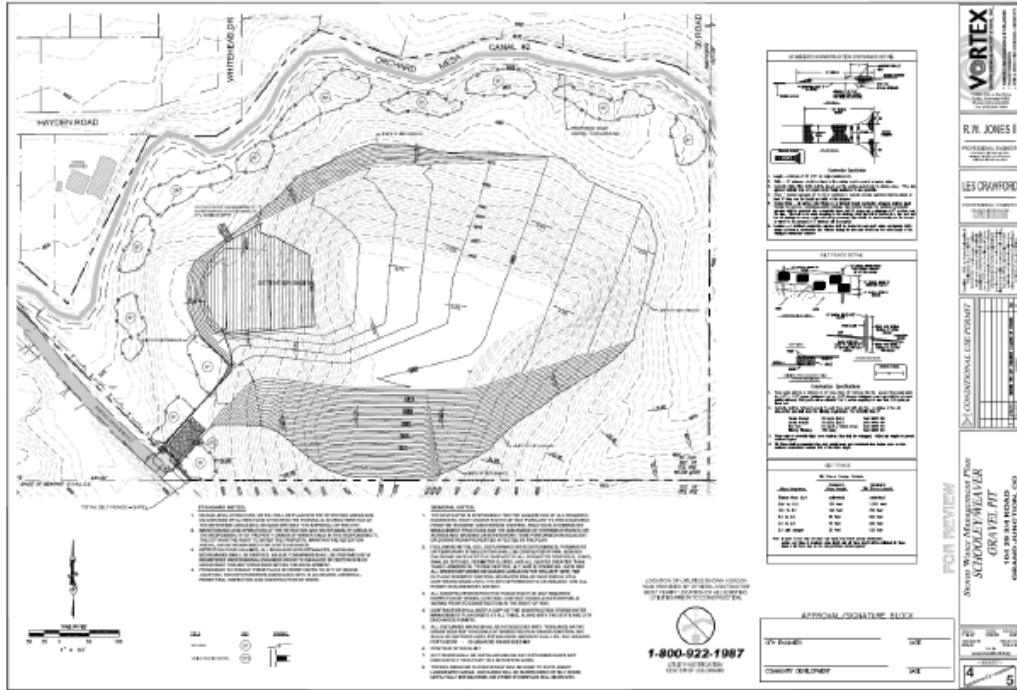
SITE PLAN



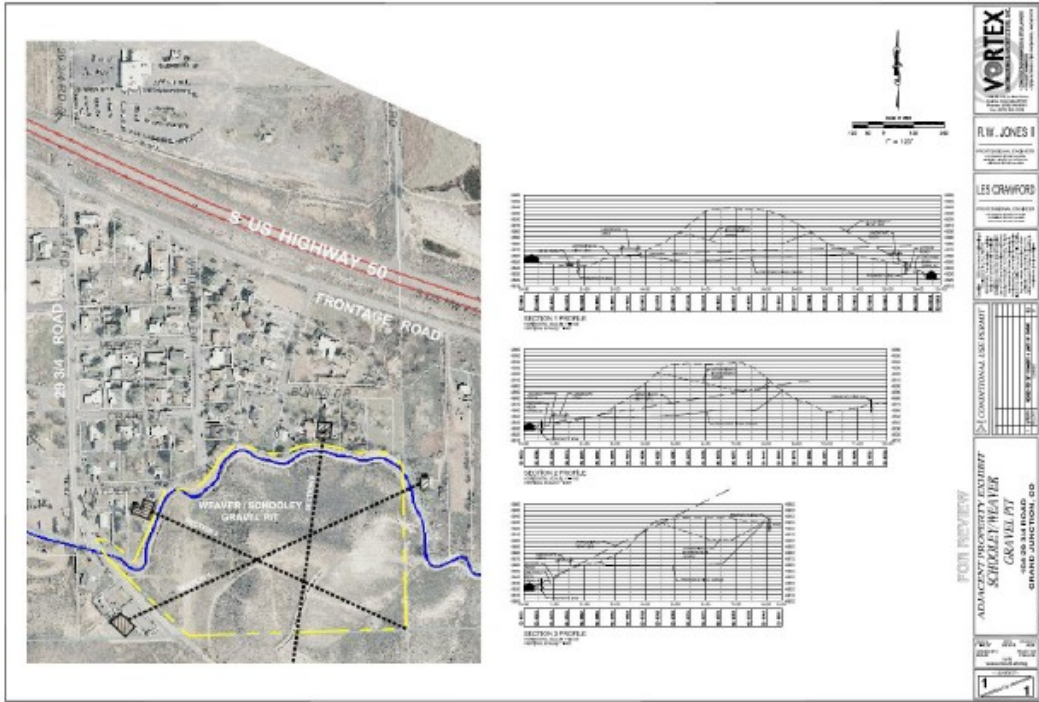
GRADING PLAN



STORM WATER MANAGEMENT PLAN



ADJACENT PROPERTY CROSS SECTION



VORTEX
 CONSULTING ENGINEERS
 1000 WEST 10TH AVENUE, SUITE 100
 GRAND JUNCTION, CO 81505
 TEL: 970.241.1100
 FAX: 970.241.1101
 WWW.VORTEXENGINEERS.COM

R.W. JONES II
 PROJECT ENGINEER
 LES CRAWFORD
 PROJECT ENGINEER

FOR REVIEW
 ADVISORY PROPERTY PLAN
 SKIDLEY WEAVER
 GRAVEL PIT
 29 3/4 ROAD
 GRAND JUNCTION, CO

DATE: 10/12/10
 SHEET NO.: 101
 TOTAL SHEETS: 102

LANDSCAPE PLAN



SUMMARY OF REQUEST

- 2004 Zoning = Residential Rural (CUP required for gravel extraction)
- Requested CUP for 5 years – potential for extension of 2 years
- Access via 29 ³/₄ Road
- Improvements on Highway 50 (per CDOT permit)
- Maximum number of trips = 300 per day (enter/leave = 2 trips)
- Hours of operation = 6 am to 6 pm weekdays (no weekends)
- No on-site crushing or processing
- Noise cannot exceed 65 dB at property line adjacent to residential
- Reclamation plan must be approved by State
- Stormwater management per 5-2-1 regulations
- Landscaping plan provides xeric screening and visual buffer
- Minimum separation of 125' from residences (proposal = 200' +)
- Review criteria of Section 2.13.C and 4.3.K have been met



SCHOOLEY-WEAVER CUP
104 29 ³/₄ Road
Grand Junction, CO

VORTEX
ENGINEERING & ARCHITECTURE, INC.

JUNE 8, 2010

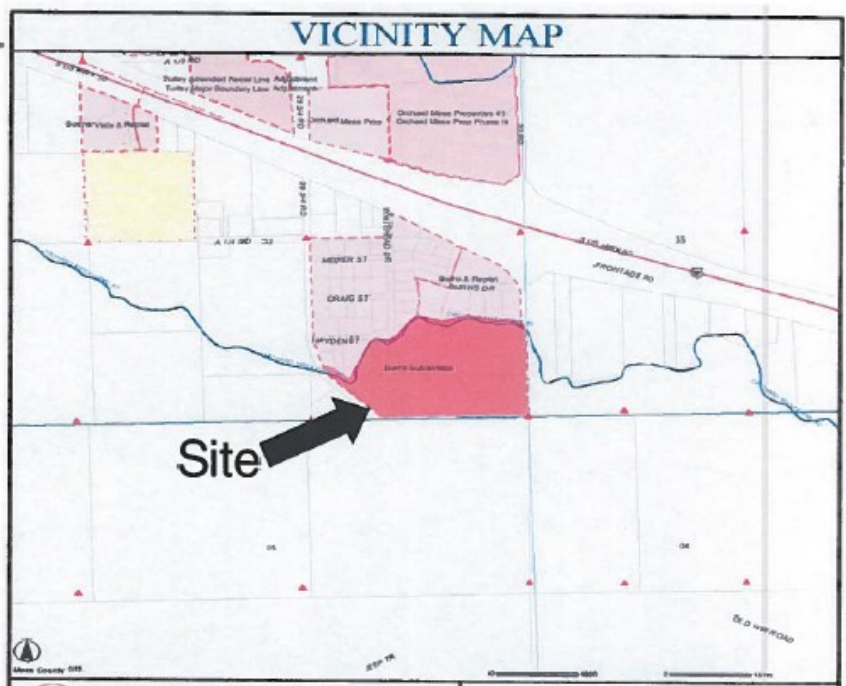
SCHOOLEY WEAVER CUP

1



SITE DESCRIPTION & BACKGROUND

- The site is located south of the intersection of Hwy 50 and 29 ³/₄ Rd with an address of 104 29 ³/₄ Rd.
- The property is approximately 16.0 acres in size and is bounded on the west by 29 ³/₄ Rd, various residential uses to the north and west, and vacant ground to the east and south.
- The property is zoned Rural Residential



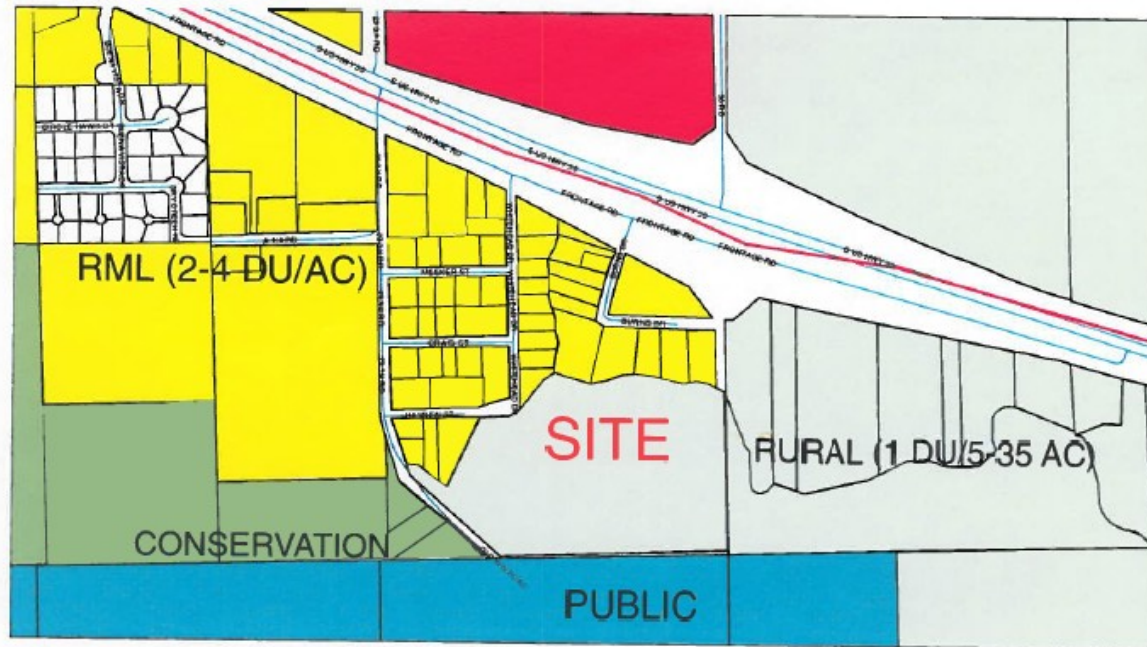
JUNE 8, 2010

SCHOOLEY WEAVER CUP

3

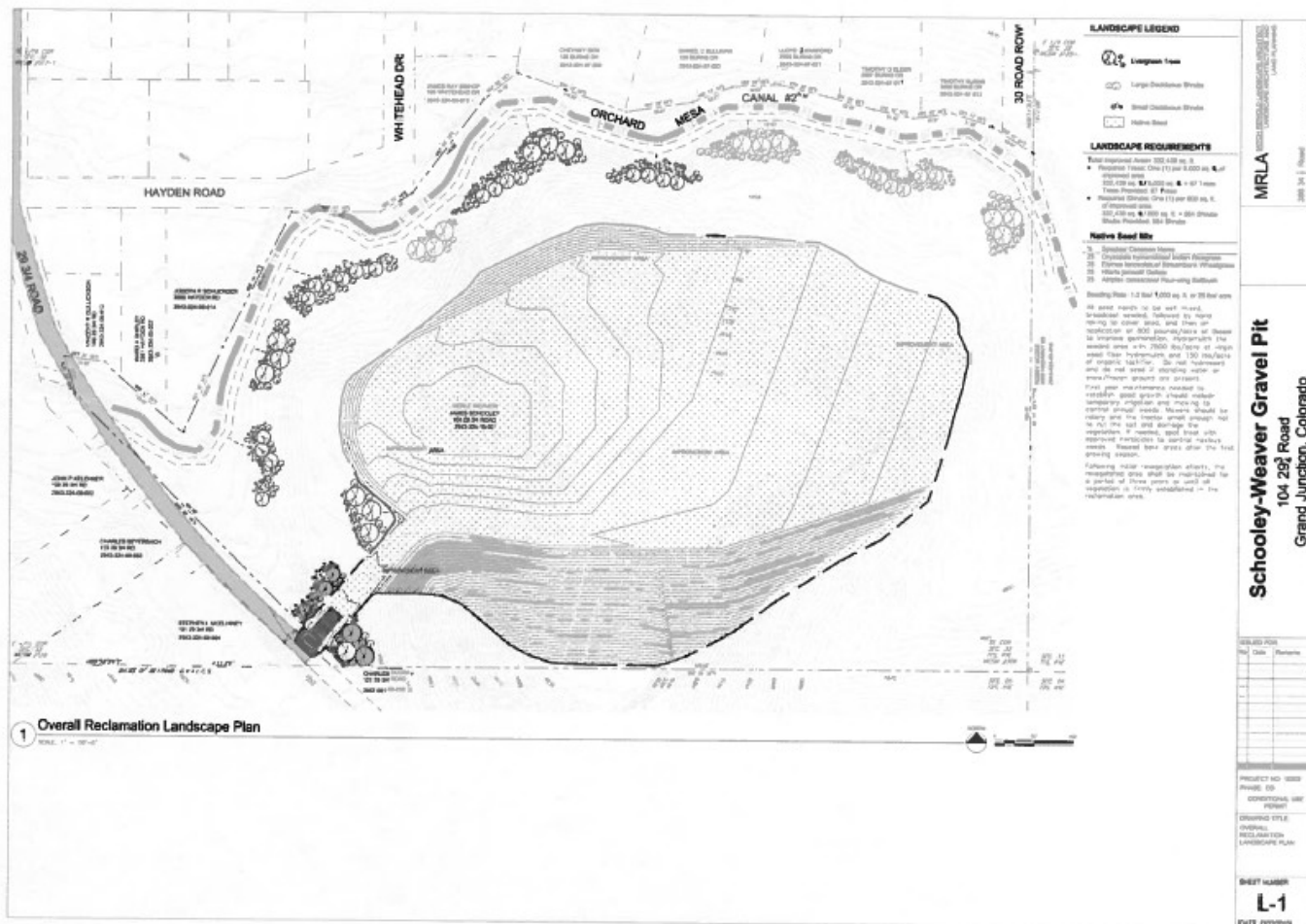


FUTURE LAND USE CLASSIFICATION MAP



JUNE 8, 2010

SCHOOL CUP



JUNE 8, 2010

SCHOOLY WEAVER CUP

5



Applicant's Request

- The applicant is requesting a Conditional Use Permit to Extract Gravel Materials per Sections 2.2.D.4 & 4.3 (k) of the City of Grand Junction Zoning and Development Code

Applicant's Proposal



- Approximately 7.63 acres of the 16.0 acre parcel is planned to be mined for construction materials.
- No onsite crushing or processing of materials is proposed.
- The topsoil will be used to supplement landscape areas and will not be stockpiled on site.
- The pit-run gravel will be extracted and removed from the site.
- Water for dust control and irrigation will be hauled to the site.
- When the extraction process is completed topsoil will be imported as needed and distributed evenly over the disturbed area and covered with a native seed mix approved in the State Reclamation Permit.



21.04.030 (k) Mineral Extraction

- Method – Excavators & Dump Trucks
- No stockpiles or processing
- Landscape & Reclamation Plans
- Drainage Plan & Report
- Traffic Report
- Erosion Control Plan



Standards

- State Permits for Emissions, Stormwater & Reclamation
- 30 feet from property lines
- 125 feet from structures
- No wetlands to protect
- No existing trees to protect
- Traffic Report recommends 29 ³/₄ Road
- Fencing and Signage for public safety
- Landscaping & Buffering



PERMITS

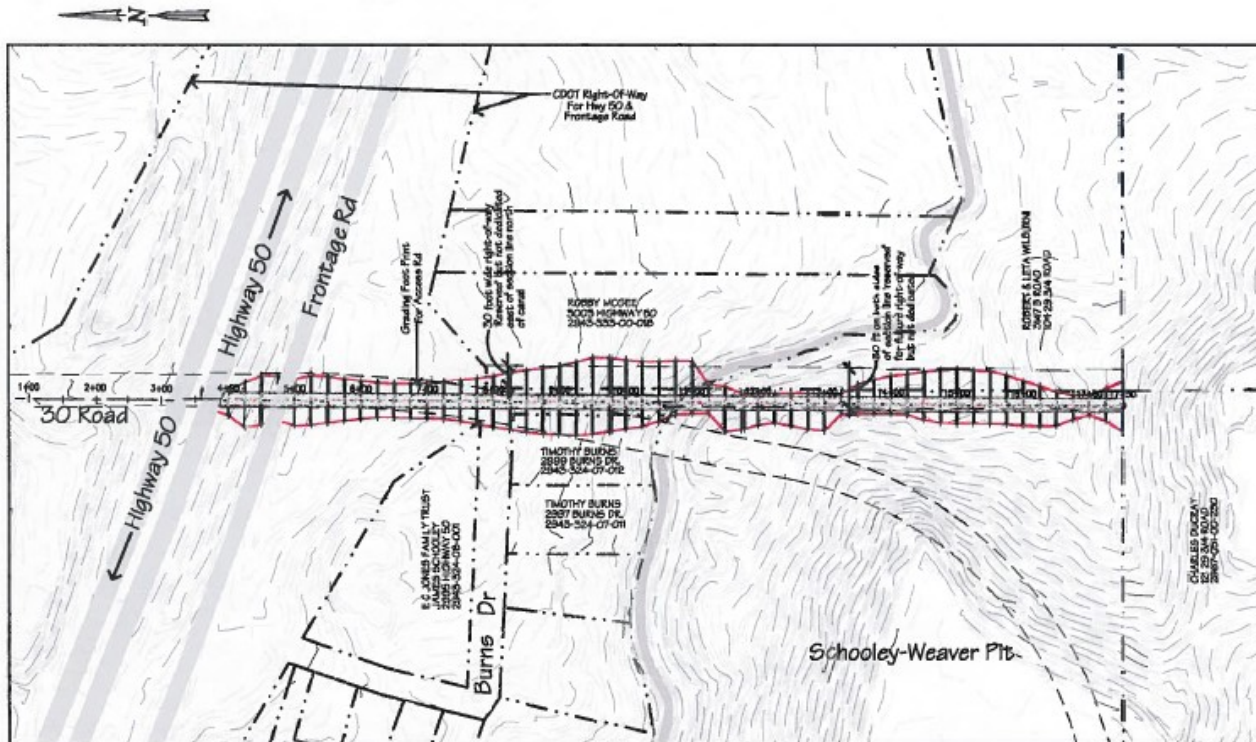
- **CONDITIONAL USE PERMIT – Gravel Extraction from the City of Grand Junction**
- **CONSTRUCTION MATERIAL LIMITED IMPACT (110) OPERATION RECLAMATION PERMIT State of Colorado from the Colorado Division of Reclamation**
- **STORMWATER DISCHARGE ASSOCIATED WITH SAND & GRAVEL MINING from Colorado Department of Public Health and Environment Water Quality Control Division**
- **AIR POLLUTANT EMISSION NOTICE (APEN) from the Colorado Department of Public Health and Environment Air Pollution Control Division**
- **CDOT ACCESS PERMIT from the Colorado Department of Transportation Region 3 Permit Unit**



Conclusion

- Therefore, we are respectfully requesting approval of the proposed CUP.
- Thank you.

30 ROAD



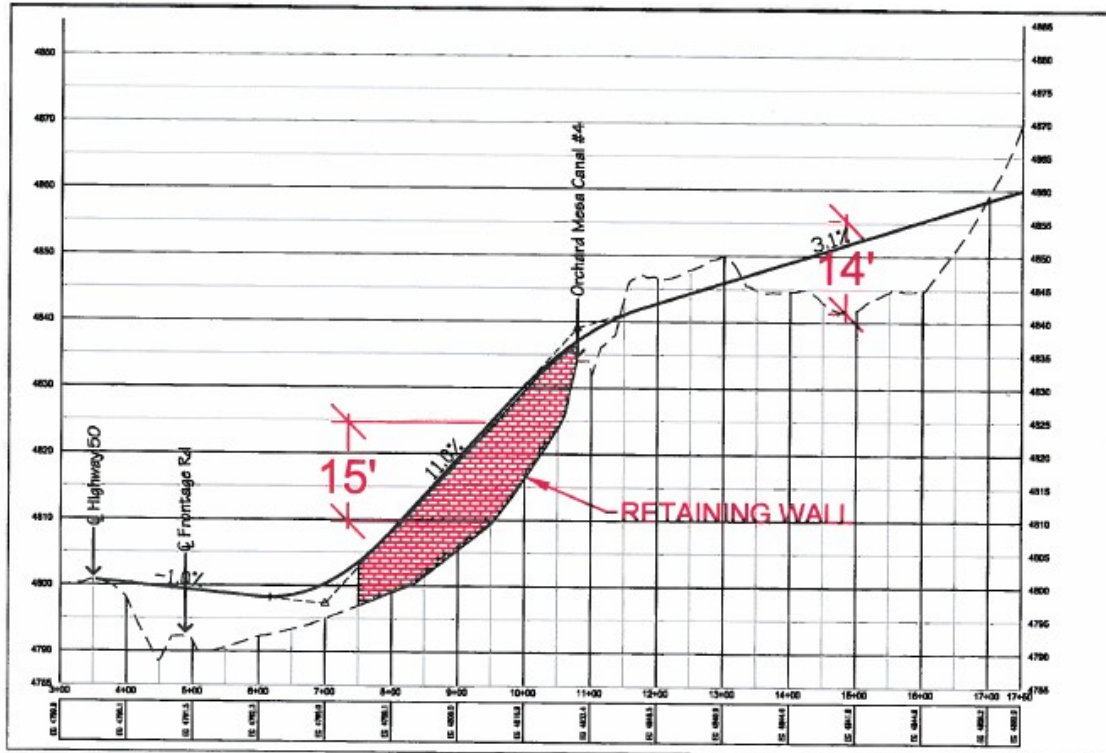
PRELIMINARY CONCEPT
SKETCH #1

ACCESS RD PLAN
HORIZONTAL SCALE: 1" = 100'

Prepared By

VORTEX
ENGINEERING & ARCHITECTURE, INC.

1168 E. Via Le Paz Drive
Fruita, Colorado 81521
(970) 245-9051



PRELIMINARY CONCEPT
SKETCH #1

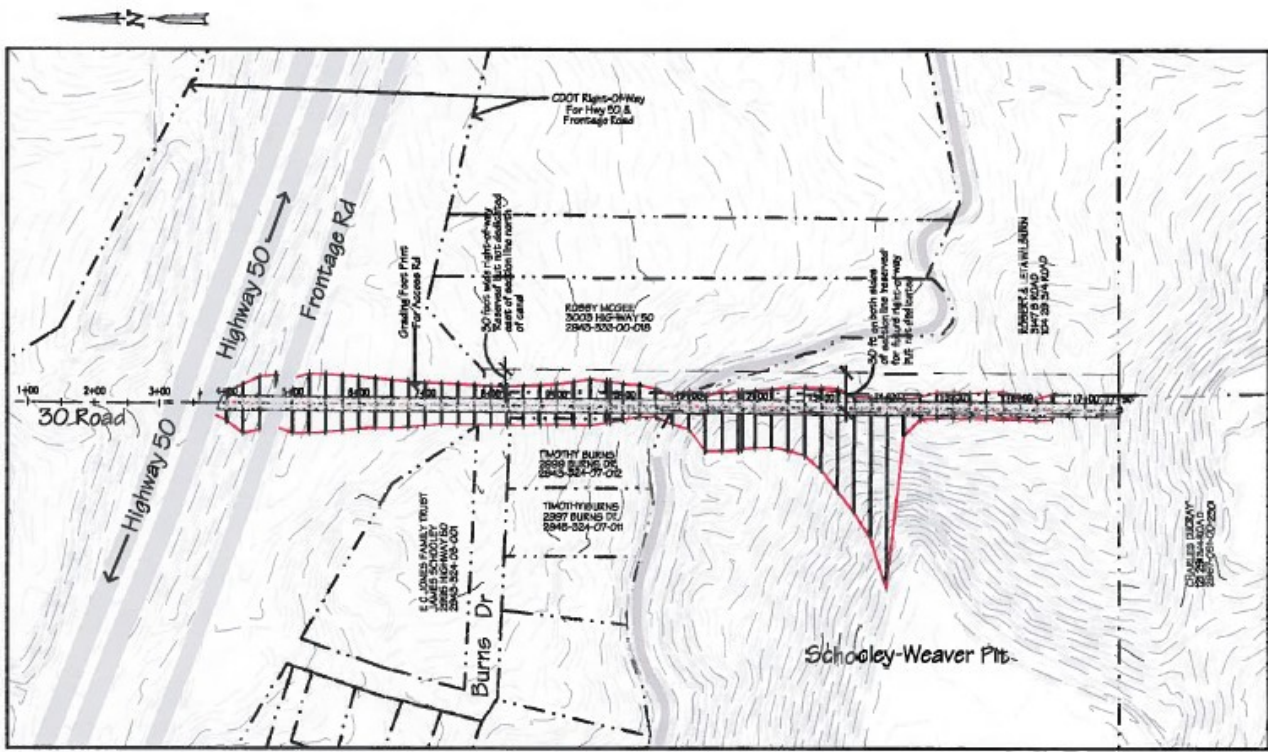
ACCESS RD PROFILE

HORIZONTAL SCALE: 1" = 100'
VERTICAL SCALE: 1" = 10'

Prepared By

VORTEX
ENGINEERING & ARCHITECTURE, INC.

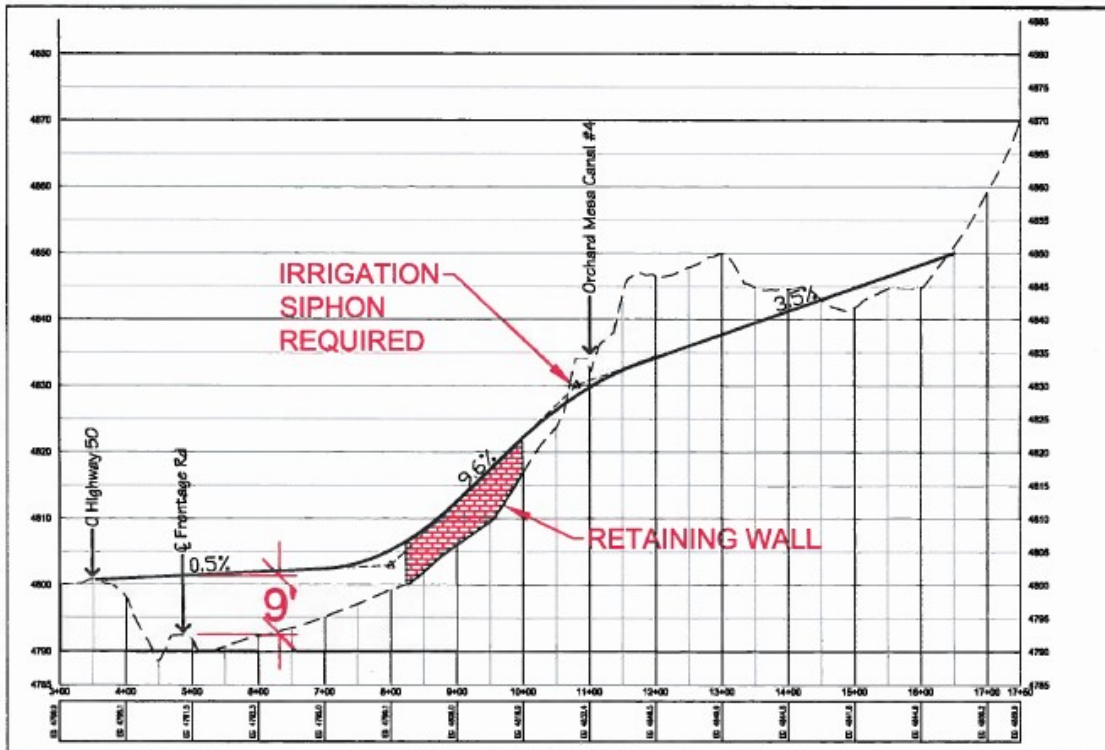
1168 E. Via Le Paz Drive
Fruita, Colorado 81521
(970) 245-9051



PRELIMINARY CONCEPT
SKETCH #2

ACCESS RD PLAN
HORIZONTAL SCALE: 1" = 100'

Prepared By
VORTEX
ENGINEERING & ARCHITECTURE, INC.
1168 E. Via Le Paz Drive
Fruita, Colorado 81521
(970) 245-9051



ACCESS RD PROFILE

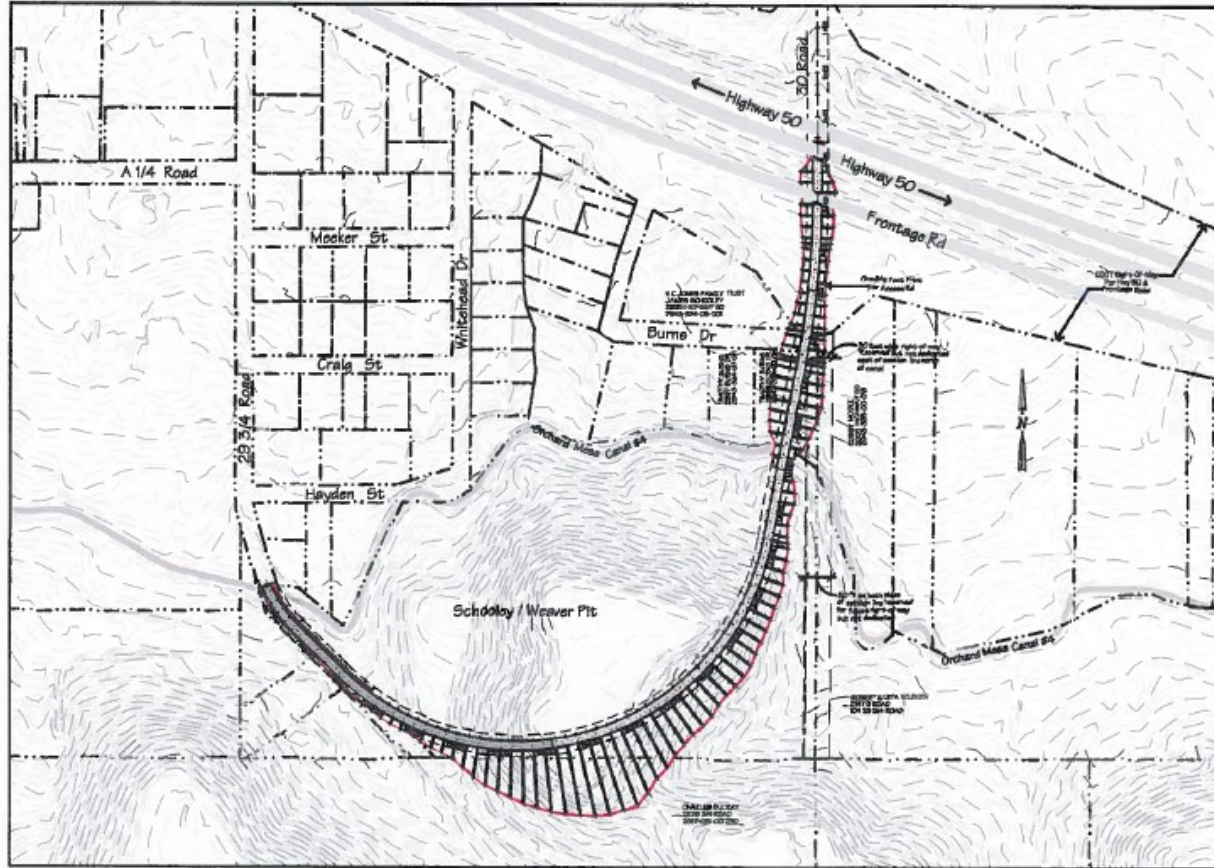
HORIZONTAL SCALE: 1" = 100'
 VERTICAL SCALE: 1" = 10'

PRELIMINARY CONCEPT
 SKETCH #2

Prepared By

VORTEX
 ENGINEERING & ARCHITECTURE, INC.

1188 E. Via Le Paz Drive
 Fruita, Colorado 81521
 (970) 245-9051



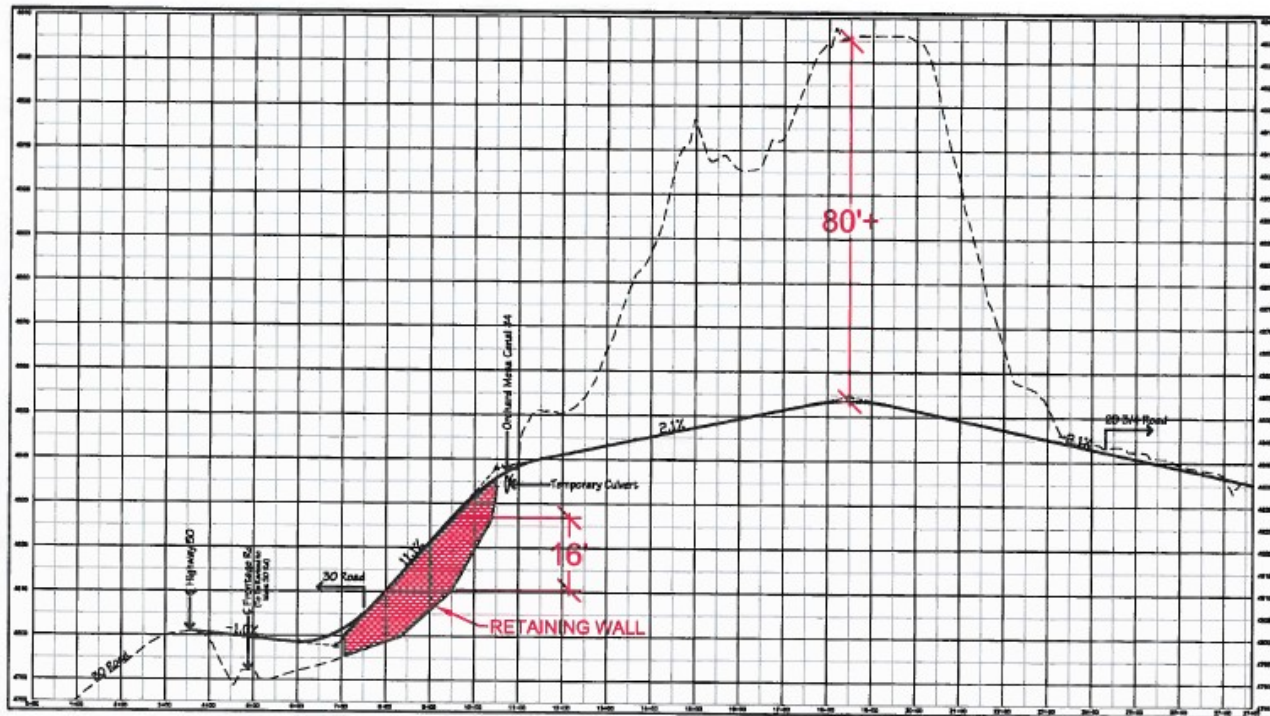
ACCESS RD PLAN
HORIZONTAL SCALE: 1" = 100'

PRELIMINARY CONCEPT
SKETCH #3

Prepared By

VORTEX
ENGINEERING & ARCHITECTURE, INC.

1168 E. Via Le Paz Drive
Fruita, Colorado 81521
(970) 246-8061



PRELIMINARY CONCEPT
SKETCH #3

ACCESS RD PROFILE
HORIZONTAL SCALE: 1" = 100'
VERTICAL SCALE: 1" = 10'

Prepared By

VORTEX
ENGINEERING & ARCHITECTURE, INC.

1168 E. Via La Paz Drive
Fruita, Colorado 81521
(970) 245-8051

HWY 50

JUNE 8, 2010

SCHOOLEY WEAVER CUP

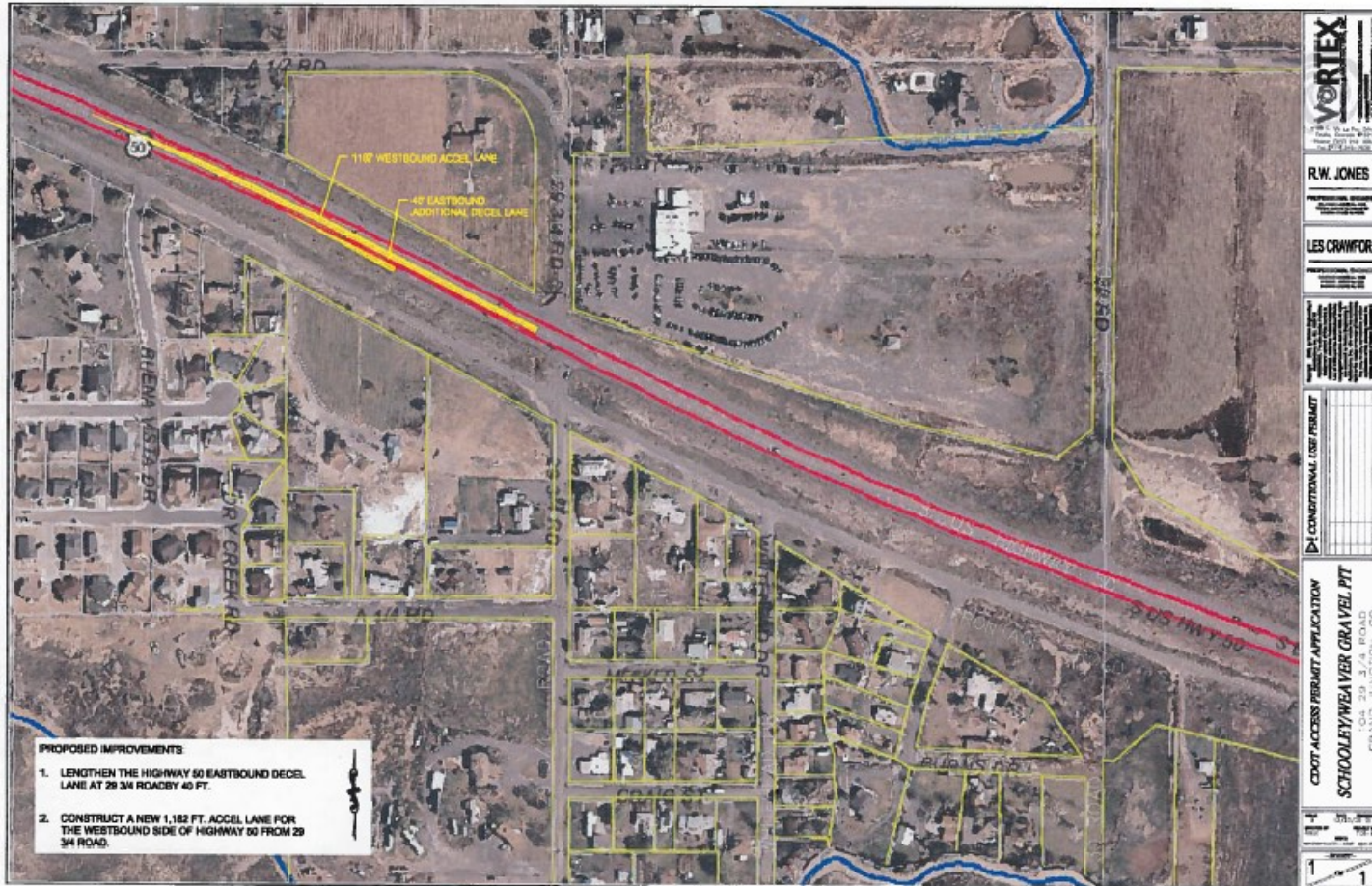
1



JUNE 8, 2010

SCHOOLEY WEAVER CUP

2



SITE

JUNE 8, 2010

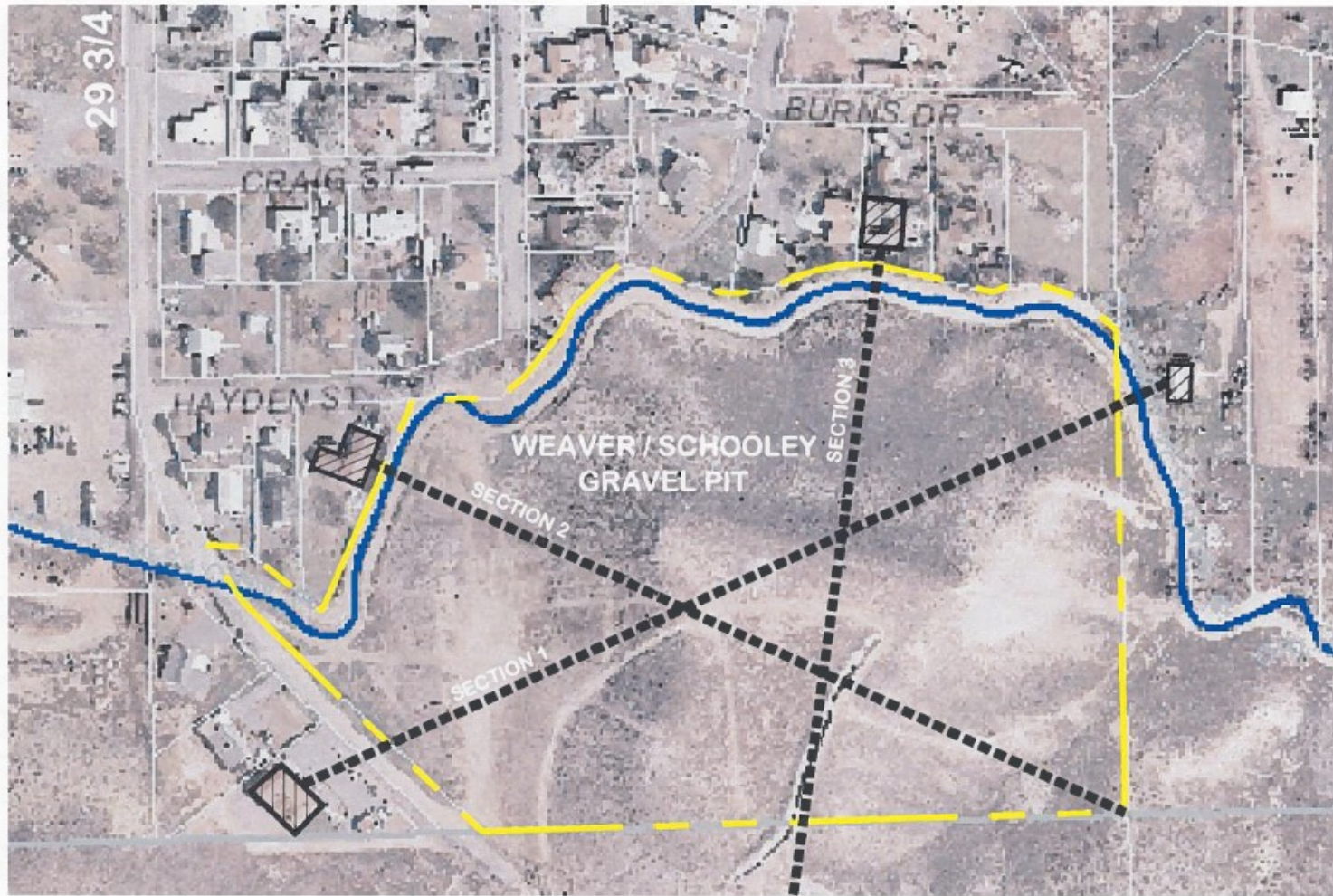
SCHOOLEY WEAVER CUP

ADJACENT PROPERTY SIGHT LINES

JUNE 8, 2010

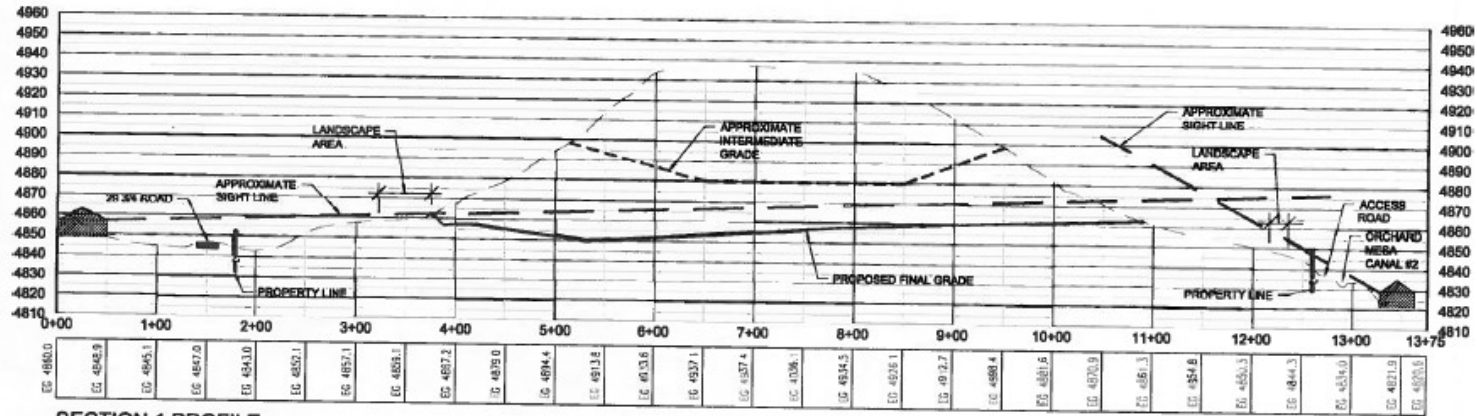
SCHOOLEY WEAVER CUP

1



JUNE 8, 2010

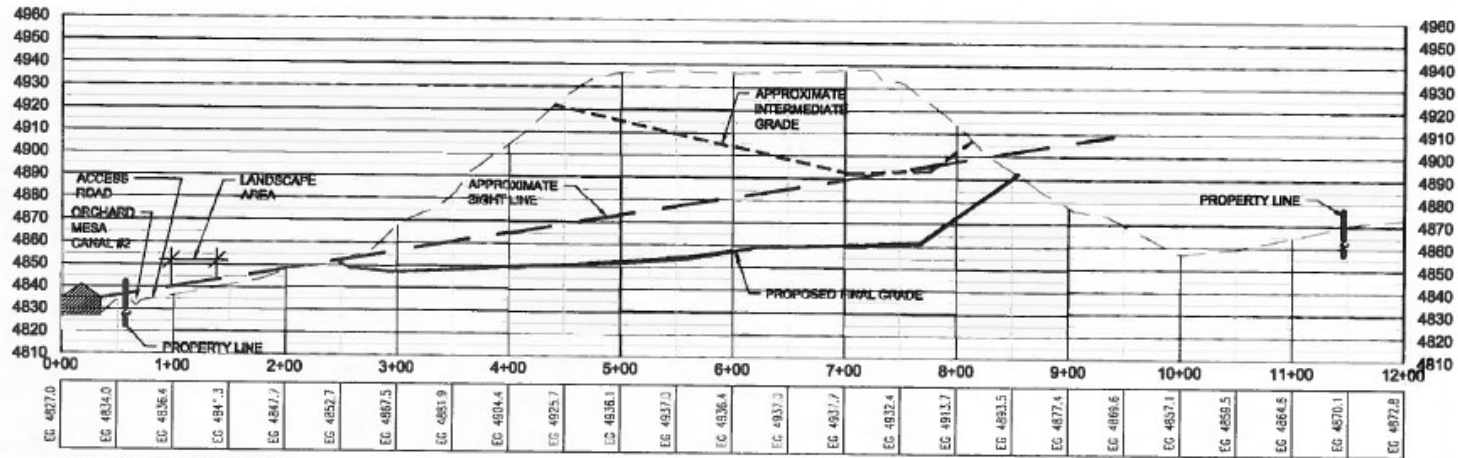
SCHOOLEY WEAVER CUP



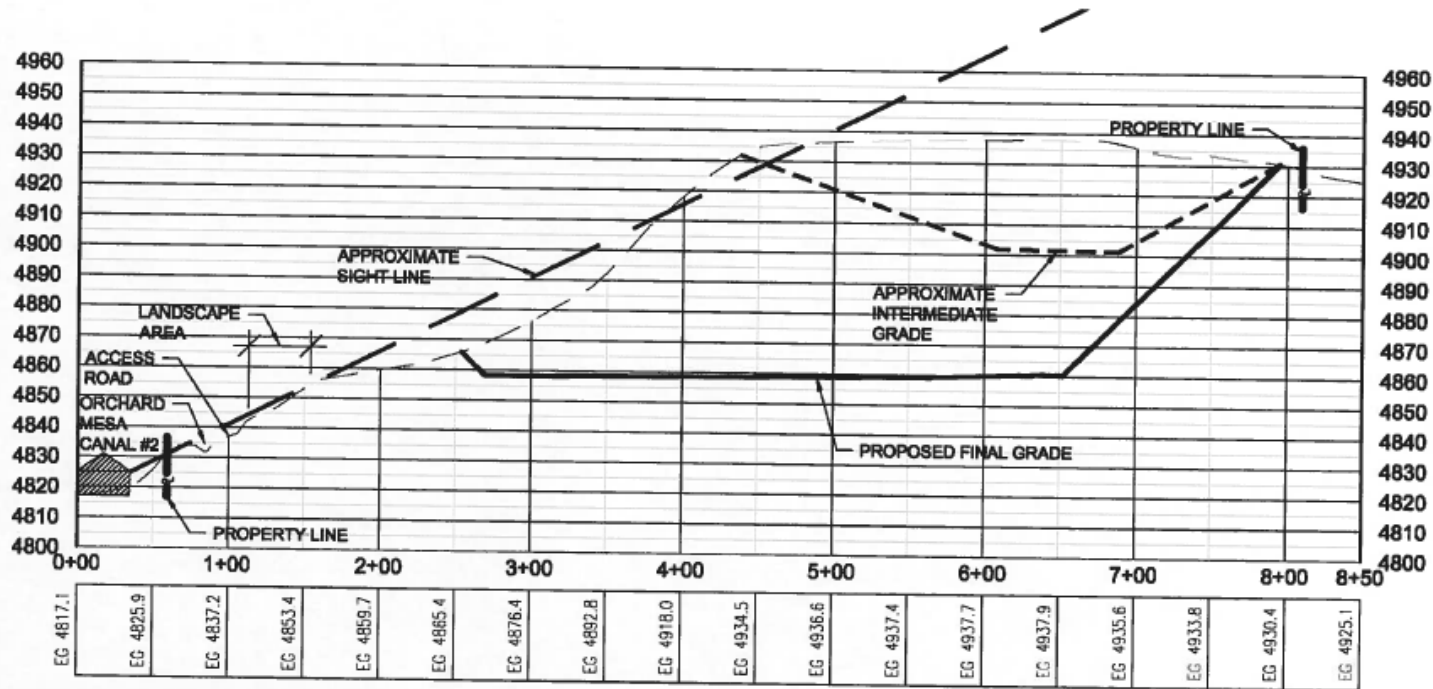
SECTION 1 PROFILE
 HORIZONTAL SCALE: 1" = 100'
 VERTICAL SCALE: 1" = 50'

JUNE 8, 2010

SCHOOLEY WEAVER CUP



SECTION 2 PROFILE
 HORIZONTAL SCALE: 1" = 100'
 VERTICAL SCALE: 1" = 50'



SECTION 3 PROFILE

HORIZONTAL SCALE: 1" = 100'
 VERTICAL SCALE: 1" = 50'

CUP DRAWINGS

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1

Schooley-Weaver Gravel Pit

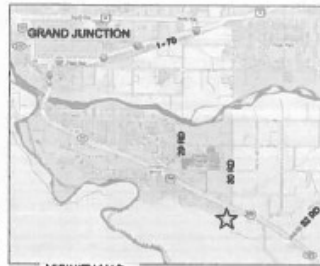
104 29 3/4 Road

Grand Junction, Colorado

Prepared By
VORTEX
 ENGINEERING & ARCHITECTURE, INC.
 1188 E. Via La Paz Drive
 Fruita, Colorado 81521
 (970) 245-9051

LEGEND	
	PROPERTY LINE
	PROP. LOT LINES
	EXISTING CONTOUR LINE
	PROPOSED CONTOUR LINE
	EASEMENT LINE
	EASEMENT FENCE
	PROPOSED FENCE
	PROPOSED GRAVEL PIT

SHEET #	SHEET TITLE
1	COVER SHEET
2	SITE PLAN
3	GRADING AND DRAINAGE PLAN
4	STORM WATER MANAGEMENT PLAN
5	HAUL ROUTE PLAN



LOCATION OF UTILITIES SHOWN HEREON
 WERE PROVIDED BY OTHERS. CONTRACTOR
 MUST VERIFY LOCATION OF ALL EXISTING
 UTILITIES PRIOR TO CONSTRUCTION



1-800-922-1987
 UTILITY NOTIFICATION
 CENTER OF COLORADO



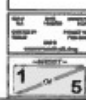
R.W. JONES II

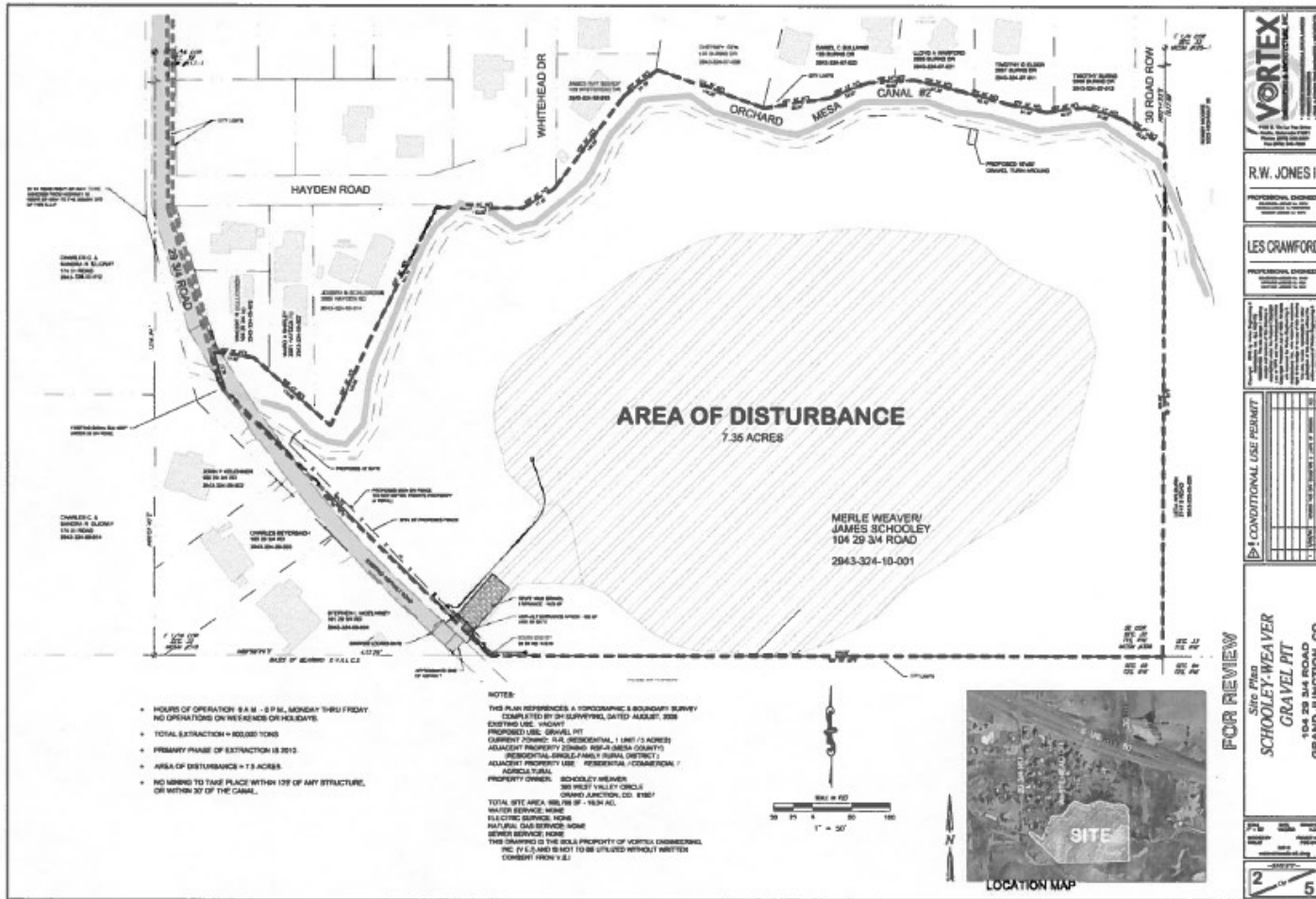
LES CRAWFORD

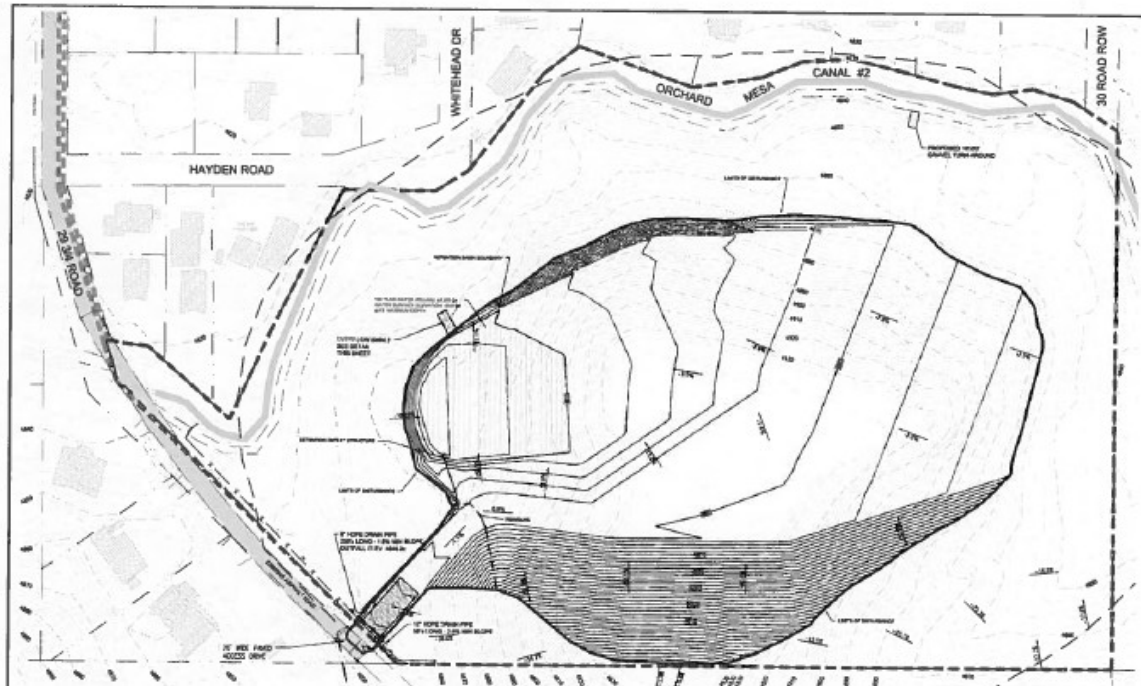
FOR REVIEW

CONDITIONAL USE PERMIT	
NO. 1	NO. 2
NO. 3	NO. 4
NO. 5	NO. 6
NO. 7	NO. 8
NO. 9	NO. 10
NO. 11	NO. 12
NO. 13	NO. 14
NO. 15	NO. 16
NO. 17	NO. 18
NO. 19	NO. 20
NO. 21	NO. 22
NO. 23	NO. 24
NO. 25	NO. 26
NO. 27	NO. 28
NO. 29	NO. 30
NO. 31	NO. 32
NO. 33	NO. 34
NO. 35	NO. 36
NO. 37	NO. 38
NO. 39	NO. 40
NO. 41	NO. 42
NO. 43	NO. 44
NO. 45	NO. 46
NO. 47	NO. 48
NO. 49	NO. 50

FOR REVIEW
 Cover Sheet
**SCHOOLEY-WEAVER
 GRAVEL PIT**
 104 29 3/4 ROAD
 GRAND JUNCTION, CO







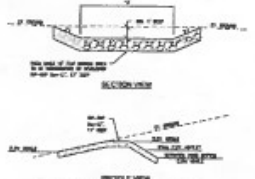
LOCATION OF UTILITIES SHOWN HERE ON WAS PROVIDED BY OTHER CONTRACTOR. MAINTAIN LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.



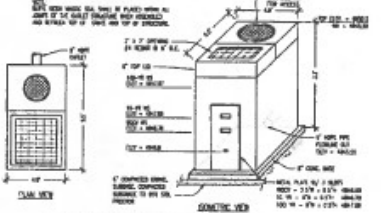
1-800-922-1967
UTILITY NOTIFICATION
CENTER OF COLORADO

- GENERAL / UTILITY NOTES:**
1. VERIFICATION OF EXISTING UTILITIES AND DEPTHS OF EXISTING UTILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTHS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. LOCATION OF ALL UTILITIES AND DEPTHS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTHS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTHS OF ALL UTILITIES PRIOR TO CONSTRUCTION.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTHS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
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6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTHS OF ALL UTILITIES PRIOR TO CONSTRUCTION.



EMERGENCY OVERFLOW SWALE
K7A



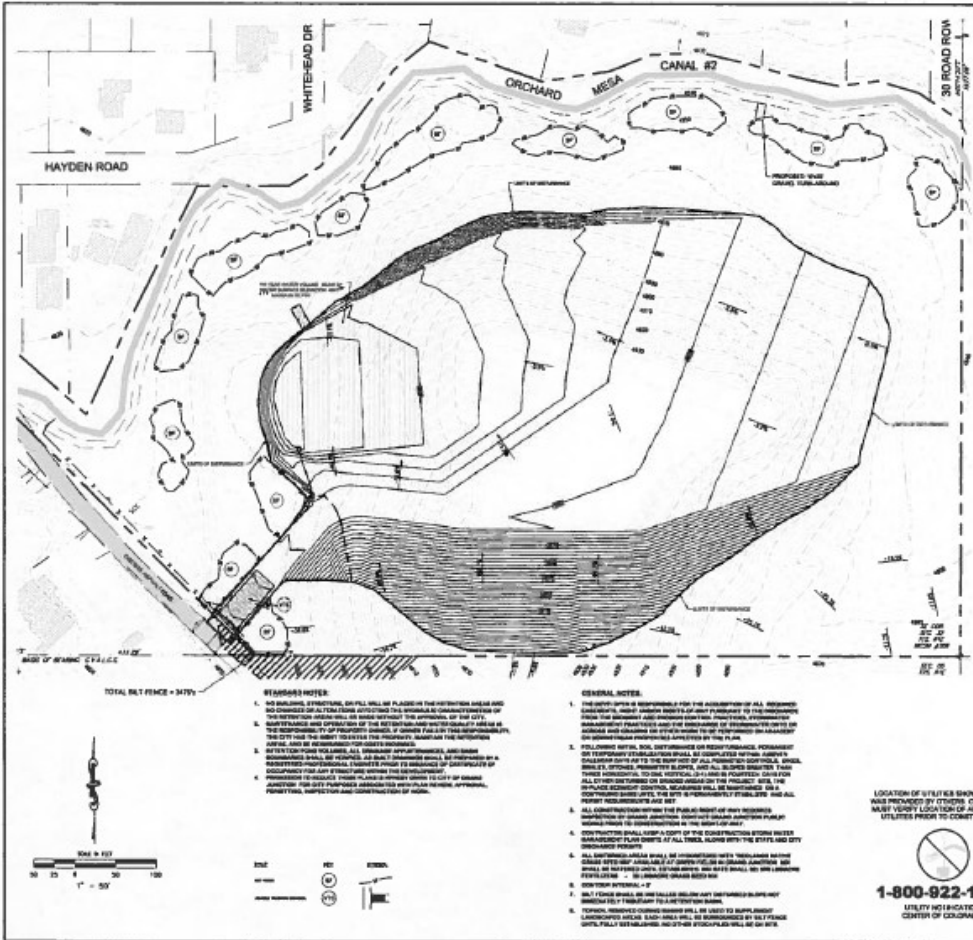
OUTLET STRUCTURE DETAIL
K7B

VORTEX
PROFESSIONAL ENGINEER
R.W. JONES II
LES CRAWFORD
1-800-922-1967
UTILITY NOTIFICATION
CENTER OF COLORADO

FOR REVIEW

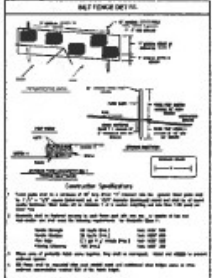
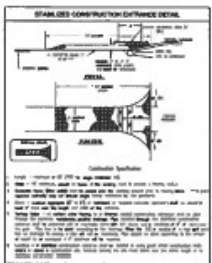
Grading / Drainage Sheet
SCHOLEY-WEAVER
GRAVEL PIT
1000 S.W. 84th ROAD
GRAND JUNCTION, CO

DATE: 10/15/2010
SCALE: 1" = 20'



- STANDARD NOTES**
1. NO BUILDING STRUCTURE SHALL BE PLACED IN THE RETENTION BASIN AND NO CONCRETE OR ALUMINUM STRUCTURE SHALL BE INSTALLED IN ANY PART OF THE BASIN OR ON THE BASIN FLOOR OR ON THE BASIN WALLS OR ON THE BASIN ROOF.
 2. MAINTENANCE AND OPERATION OF THE RETENTION BASIN SHALL BE AS SET FORTH IN THE OPERATING AND MAINTENANCE MANUAL FOR THE BASIN, WHICH SHALL BE PROVIDED TO THE CITY AND TO THE ADJACENT PROPERTY OWNERS.
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF GRAND JUNCTION, COLORADO, STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC WORKS, LATEST EDITION, AND THE CITY OF GRAND JUNCTION, COLORADO, STANDARD SPECIFICATIONS FOR CONSTRUCTION OF WATER SUPPLY SYSTEMS, LATEST EDITION.
 4. THE CITY ENGINEER SHALL BE NOTIFIED IN WRITING AT LEAST 14 DAYS PRIOR TO THE START OF CONSTRUCTION OF THE RETENTION BASIN.

- GENERAL NOTES**
1. THE CONTRACTOR IS RESPONSIBLE FOR THE ACQUISITION OF ALL NECESSARY PERMITS AND FOR THE OBTAINING OF ALL NECESSARY APPROVALS FROM THE CITY OF GRAND JUNCTION, COLORADO, AND FROM THE ADJACENT PROPERTY OWNERS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE OBTAINING OF ALL NECESSARY APPROVALS FROM THE CITY OF GRAND JUNCTION, COLORADO, AND FROM THE ADJACENT PROPERTY OWNERS.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE OBTAINING OF ALL NECESSARY APPROVALS FROM THE CITY OF GRAND JUNCTION, COLORADO, AND FROM THE ADJACENT PROPERTY OWNERS.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE OBTAINING OF ALL NECESSARY APPROVALS FROM THE CITY OF GRAND JUNCTION, COLORADO, AND FROM THE ADJACENT PROPERTY OWNERS.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE OBTAINING OF ALL NECESSARY APPROVALS FROM THE CITY OF GRAND JUNCTION, COLORADO, AND FROM THE ADJACENT PROPERTY OWNERS.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE OBTAINING OF ALL NECESSARY APPROVALS FROM THE CITY OF GRAND JUNCTION, COLORADO, AND FROM THE ADJACENT PROPERTY OWNERS.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE OBTAINING OF ALL NECESSARY APPROVALS FROM THE CITY OF GRAND JUNCTION, COLORADO, AND FROM THE ADJACENT PROPERTY OWNERS.



SALT FENCE

Item	Quantity	Unit	Price	Total
1. SALT FENCE	3475	LINEAL FEET	1.00	3475.00
2. GRAVEL	100	CY	10.00	1000.00
3. SAND	100	CY	10.00	1000.00
4. CONCRETE	100	CY	10.00	1000.00
5. TOTAL				6475.00

LOCATION OF UTILITIES SHOWN HEREON WAS PROVIDED BY UTILITY CONTRACTOR. MAINTAIN EXISTING UTILITIES PRIOR TO CONSTRUCTION.

1-800-922-9887

UTILITY RELOCATION CENTER OF COLORADO

APPROVAL/SIGNATURE BLOCK

CITY OWNER _____ DATE _____

COMMUNITY DEVELOPER _____ DATE _____

VORTEX
 PROFESSIONAL ENGINEERING & ARCHITECTURE
 104 20 304 ROAD
 GRAND JUNCTION, CO 81501

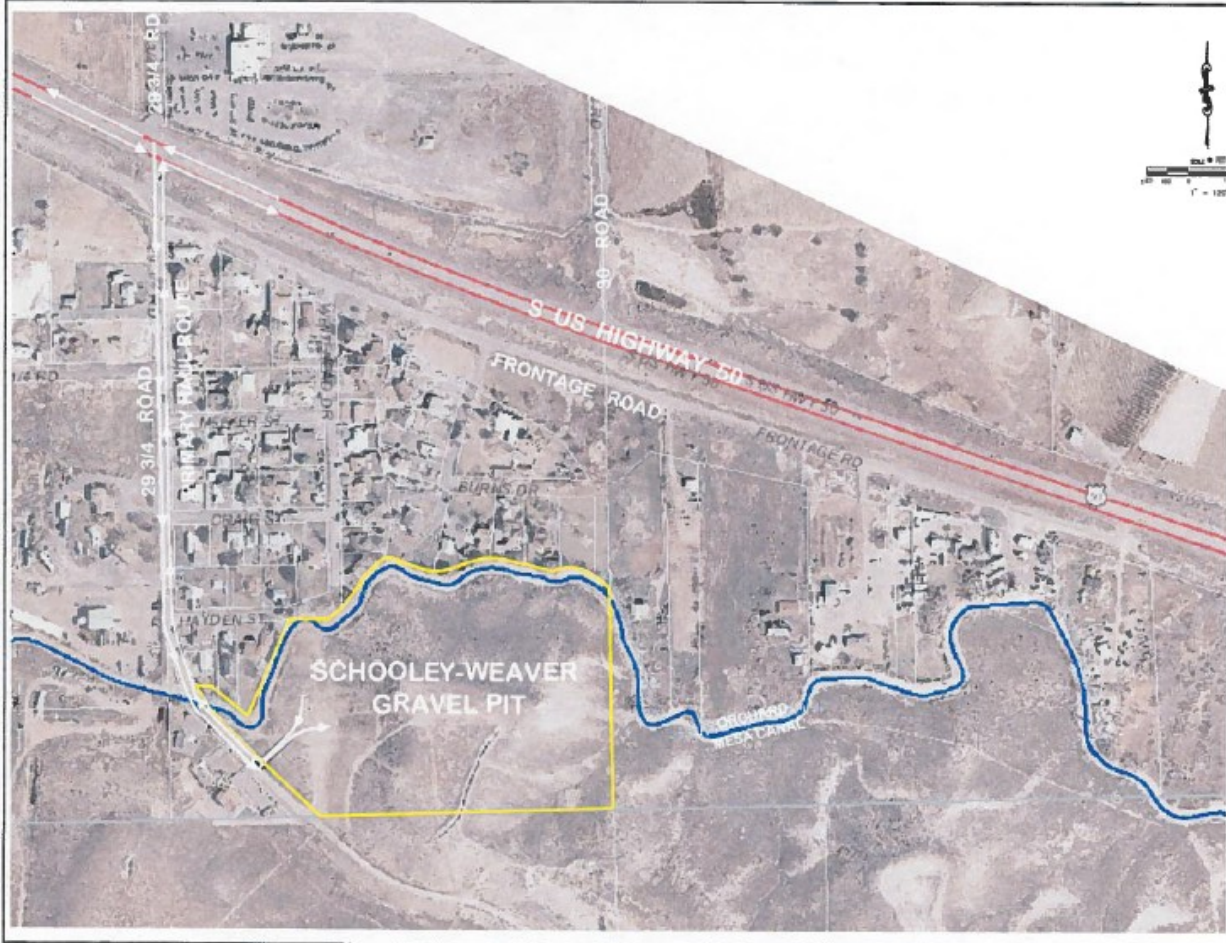
R.W. JONES II
 PROFESSIONAL LICENSE
 104 20 304 ROAD
 GRAND JUNCTION, CO 81501

LES CRAWFORD
 PROFESSIONAL LICENSE
 104 20 304 ROAD
 GRAND JUNCTION, CO 81501

POUR REVIEW

Storm Water Management Plan
SCHOOLEY-WEAVER GRAVEL PIT
 104 20 304 ROAD
 GRAND JUNCTION, CO

DATE: 10/15/10
 TIME: 10:00 AM



FOR REVIEW

Final Review Plan
SCHOOLEY-WEAVER
GRAVEL PIT
 104 28 3/4 ROAD
 GRAND JUNCTION, CO

DATE	REVISION	DESCRIPTION

LES CRAWFORD
 PROFESSIONAL ENGINEER
 NO. 10000
 STATE OF COLORADO

R.W. JONES II
 PROFESSIONAL ENGINEER
 NO. 10000
 STATE OF COLORADO

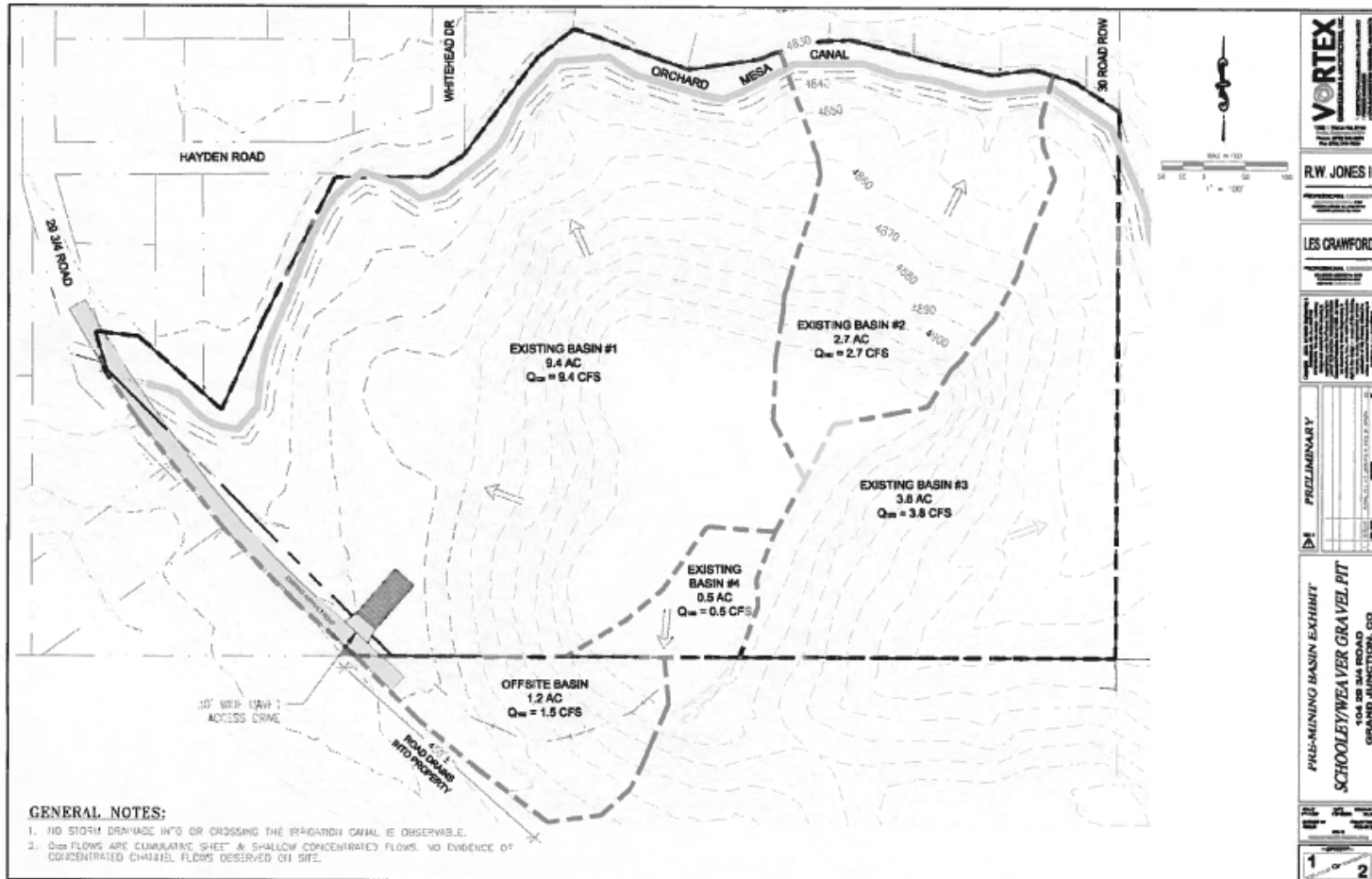


DRAINAGE BASIN MAPS

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1



VORTEX
 PROFESSIONAL ENGINEERING
 1000 N. W. 10th St., Suite 100
 Ft. Lauderdale, FL 33304
 (954) 575-1100
 www.vortexeng.com

R.W. JONES II
 PROFESSIONAL ENGINEER
 No. 12000
 State of Florida
 Exp. 12/31/2011

LES CRAWFORD
 PROFESSIONAL ENGINEER
 No. 12000
 State of Florida
 Exp. 12/31/2011

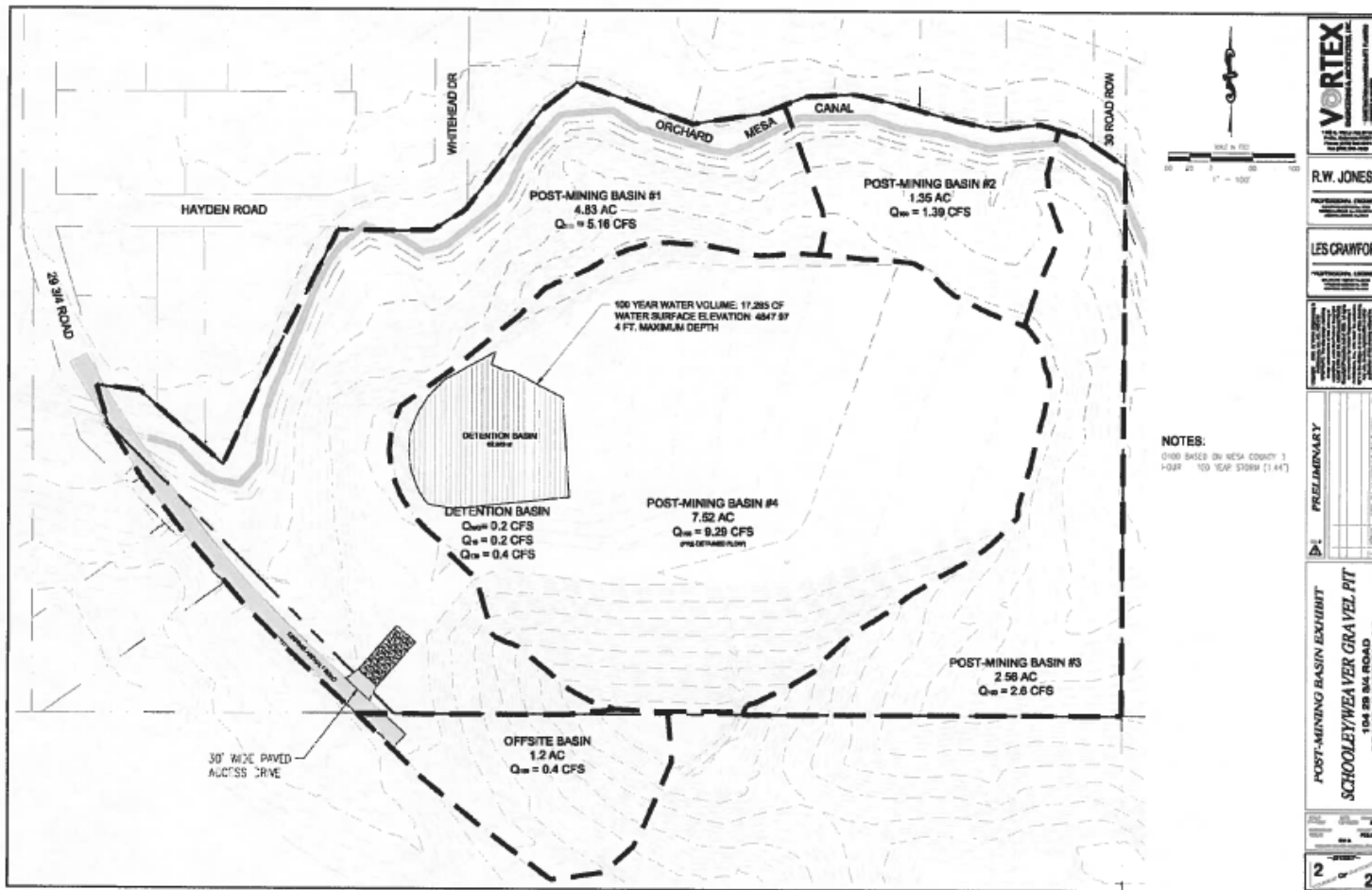
PRELIMINARY

PRE-MINING BASIN EXHIBIT
SCHOOLEY/WEAVER GRAVEL PIT
 GRAND JUNCTION, CO

1 2

JUNE 8, 2010

SCHOOLEY WEAVER CUP



JUNE 8, 2010

SCHOOLEY WEAVER CUP

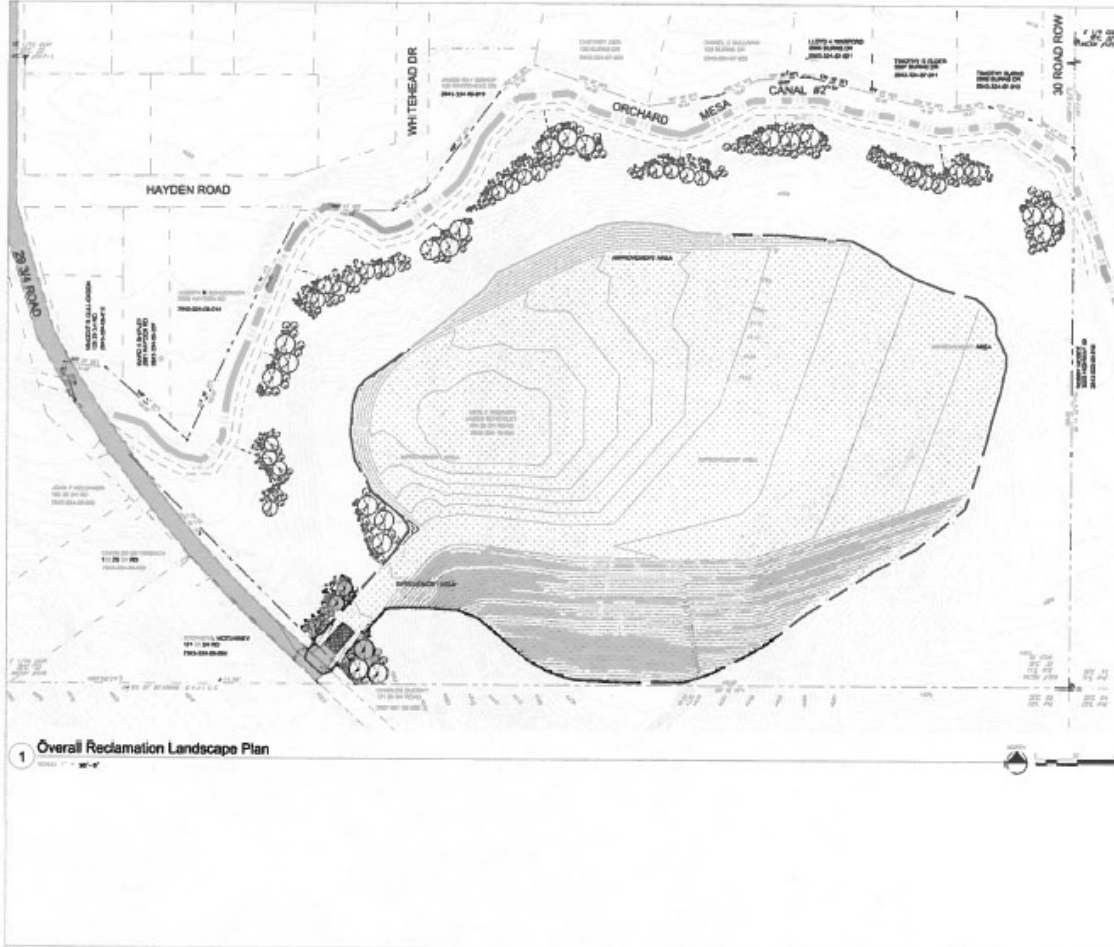
3

LANDSCAPING DRAWINGS

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1



LANDSCAPE LEGEND

- Evergreen Tree
- Large Deciduous Shrub
- Small Deciduous Shrub
- Native Seed

LANDSCAPE REQUIREMENTS

Total Impervious Area: 332,430 sq. ft.

- Required Street Tree: One (1) per 5,000 sq. ft. of Impervious Area.
- Required Small Deciduous Shrub: One (1) per 1,000 sq. ft. of Impervious Area.
- Required Large Deciduous Shrub: One (1) per 2,000 sq. ft. of Impervious Area.
- Required Native Seed: One (1) per 1,000 sq. ft. of Impervious Area.

Native Seed IDs:

- 1. *Quercus laevis*
- 2. *Quercus macrocarpa*
- 3. *Quercus prinus*
- 4. *Quercus rubra*
- 5. *Quercus sp.*
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- 98. *Quercus sp.*
- 99. *Quercus sp.*
- 100. *Quercus sp.*

Seeding Rate: 1.2 lbs/1,000 sq. ft. or 25 lbs/acre

or seed needs to be met with landscape seeding, achieved by hand sowing 10 lbs/acre and then an application of 100 pounds/acre of fertilizer to improve germination. Irrigate the seeded area with 2000 gallons of water over the hydrant and 100 lbs/acre of organic fertilizer. Do not compact any of the seed or standing water or otherwise prevent air growth.

First year maintenance needed to include weed control, mulch, temporary irrigation and watering to ensure ground cover. Seeding should be done and the tractor wheel should not be on the seed and compact the vegetation if needed, seed need with fertilizer application to control weeds. Second year work after the first growing season.

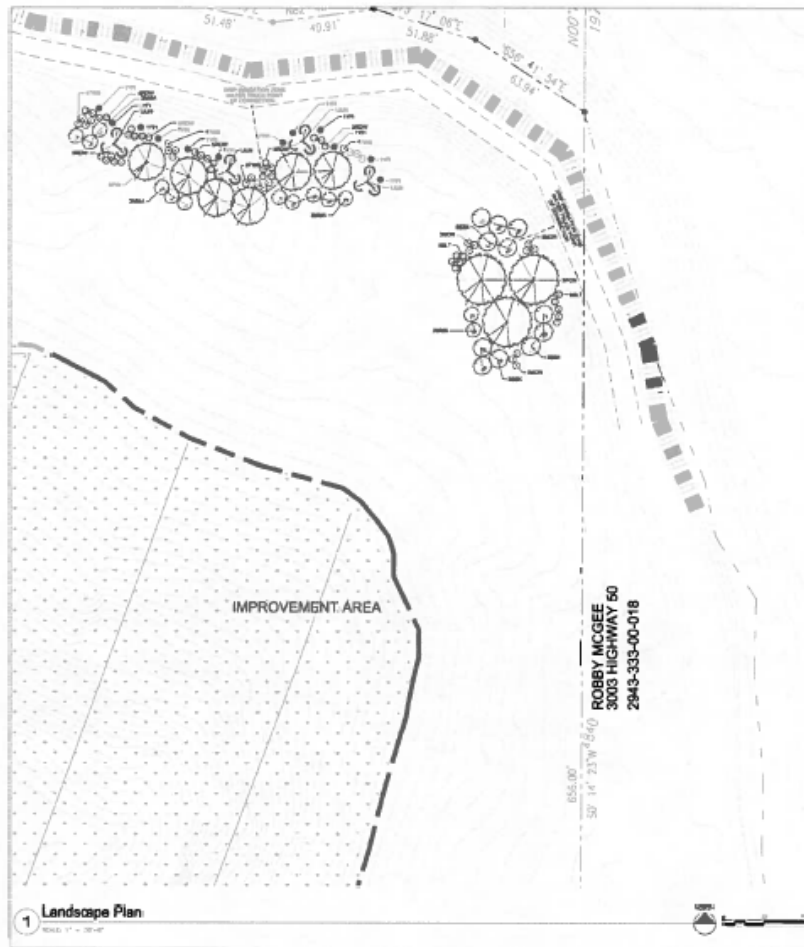
Following final revegetation efforts, the revegetation area shall be maintained for a period of three years or until all vegetation is fully established on the revegetation area.

1 Overall Reclamation Landscape Plan

MRLA 104 29 J Road
 104 29 J Road
 Grand Junction, Colorado
 81501-1156
 (970) 434-1156
 380 34 J Road
 Grand Junction, Colorado 81501-1156
 (970) 434-1156

Schooley-Weaver Gravel Pit
 104 29 J Road
 Grand Junction, Colorado

PREPARED FOR: []
 PREPARED BY: []
 DRAWING TITLE: []
 SHEET NUMBER: []
L-1
 DATE: 08/08/04



PLANT LIST

Symbol	Plant Name / Description	Planting Date	Quantity	Planting Date	Quantity
[Symbol]	Small Evergreen Shrub	2-4' 10" DB	10	4-6' 10" DB	10
[Symbol]	Medium Evergreen Shrub	6-8' 10" DB	10	10-12' 10" DB	10
[Symbol]	Large Evergreen Shrub	14-16' 10" DB	10	18-20' 10" DB	10
[Symbol]	Small Deciduous Shrub	4-6' 10" DB	10	8-10' 10" DB	10
[Symbol]	Medium Deciduous Shrub	8-10' 10" DB	10	12-14' 10" DB	10
[Symbol]	Large Deciduous Shrub	16-18' 10" DB	10	20-22' 10" DB	10
[Symbol]	Small Tree	8-10' 10" DB	10	12-14' 10" DB	10
[Symbol]	Medium Tree	14-16' 10" DB	10	18-20' 10" DB	10
[Symbol]	Large Tree	24-26' 10" DB	10	30-32' 10" DB	10

LANDSCAPE LEGEND

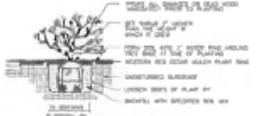


LANDSCAPE AND IRRIGATION NOTES

1. All plants shall be installed in accordance with the manufacturer's instructions.
2. Plants shall be installed in accordance with the manufacturer's instructions.
3. All plants shall be installed in accordance with the manufacturer's instructions.

SOIL PREPARATION AND PLANTING SPECIFICATIONS

1. The soil shall be prepared in accordance with the manufacturer's instructions.
2. The soil shall be prepared in accordance with the manufacturer's instructions.
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20. The soil shall be prepared in accordance with the manufacturer's instructions.



2 Shrub Planting Detail

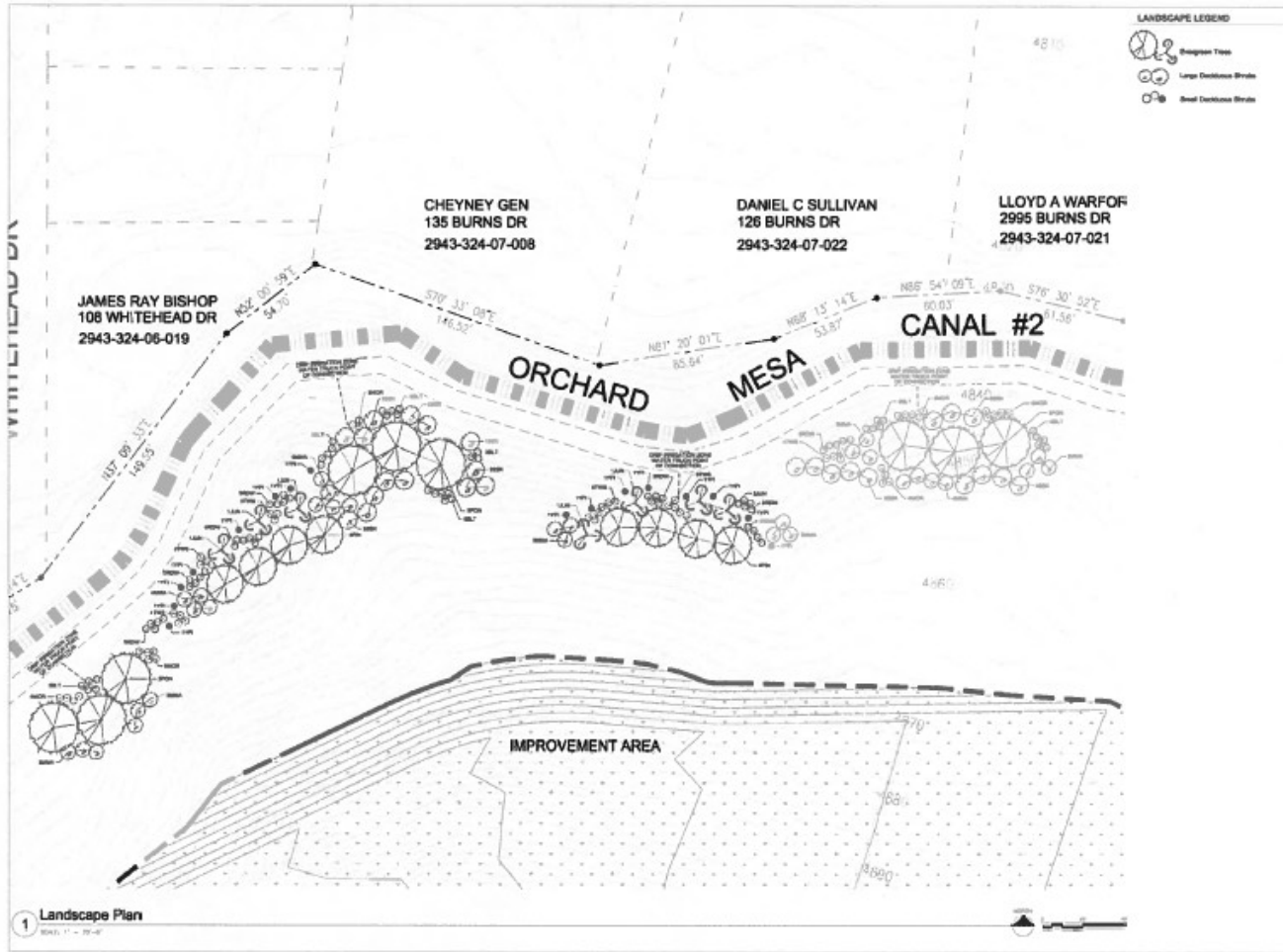


3 Evergreen Tree Planting Detail

MRLA
104 293 Road
Grand Junction, Colorado 81505
(970) 434-1152

Schooley-Weaver Gravel Pit
104 293 Road
Grand Junction, Colorado

PROJECT NO: 1000
PHASE: 02
CONSTRUCTION PERMIT
DRAWING TITLE:
LANDSCAPE PLAN
SHEET NUMBER
L-2
DATE: 10/15/2010

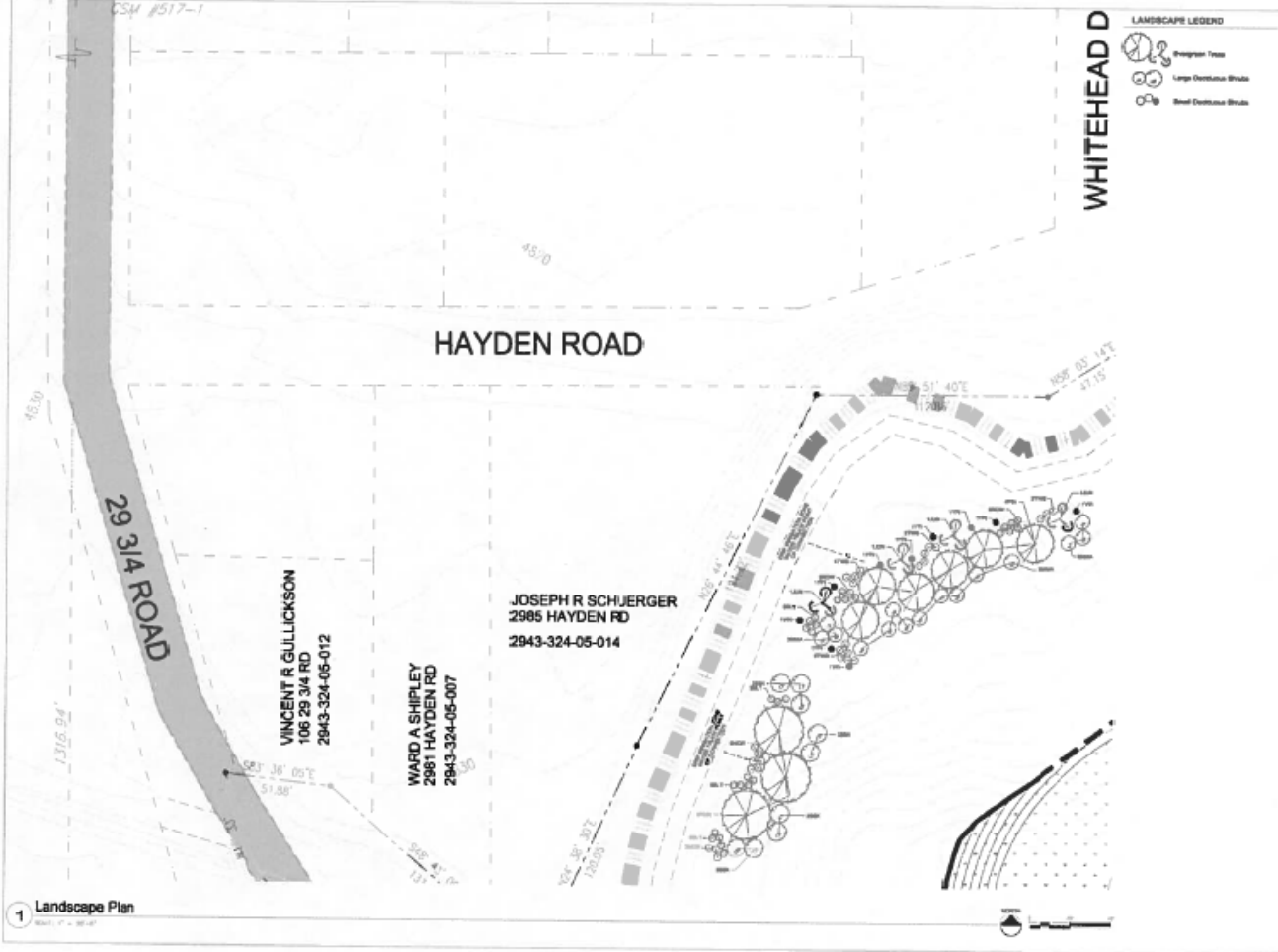


MRLA
10000 N. W. 100th Ave., Suite 100
Overland Park, KS 66212
316.241.1000
www.mrla.com

Schooley-Weaver Gravel Pit
104 29th Road
Grand Junction, Colorado

PROJECT NO: 1000
PHASE: 02
CONDITIONAL USE PERMIT
ISSUANCE TITLE
OVERALL PRELIMINARY LANDSCAPE PLAN

SHEET NUMBER
L-3
DATE: 06/20/19



1 Landscape Plan
10/21/17 - 10/27/17

WHITEHEAD D.

LANDSCAPE LEGEND

- Mountain Tree
- Large Deciduous Shrub
- Small Deciduous Shrub

MRLA
 1000 20th Street, Suite 100
 Grand Junction, CO 81505
 (970) 243-1156

Schooley-Weaver Gravel Pit
 104 29 1/2 Road
 Grand Junction, Colorado

DESIGNED FOR
 No. Title Date

PROJECT NO. 1822
 PHASE: 01
 CONCEPTUAL LAYOUT
 PERIOD

DRAWING TITLE:
 OVERALL
 PRELIMINARY
 LANDSCAPE PLAN

SHEET NUMBER
L-4
 DATE: 10/27/17

PHOTOS

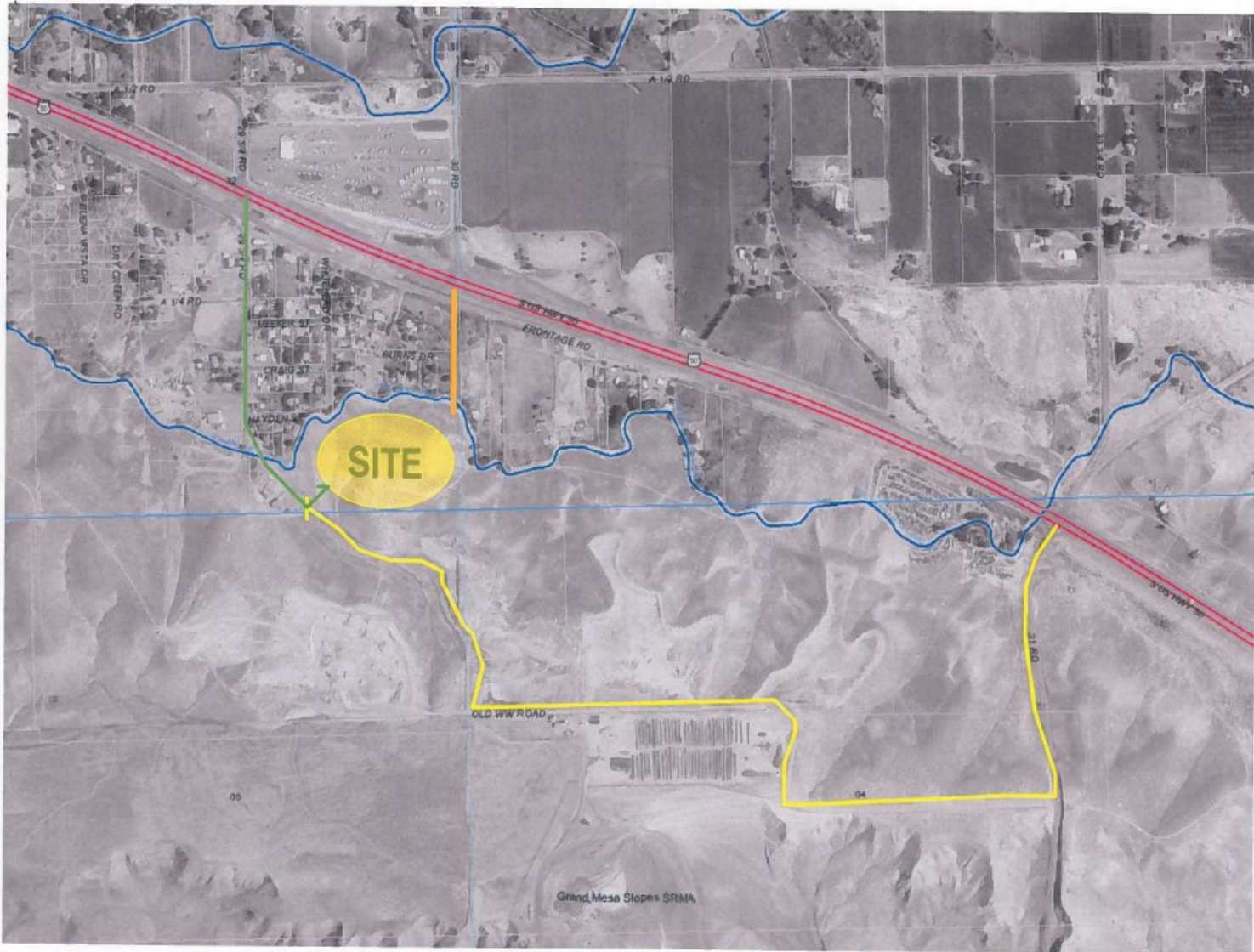
JUNE 8, 2010

SCHOOLEY WEAVER CUP

1







NEW CULVERT UNDER 29 ¾ ROAD

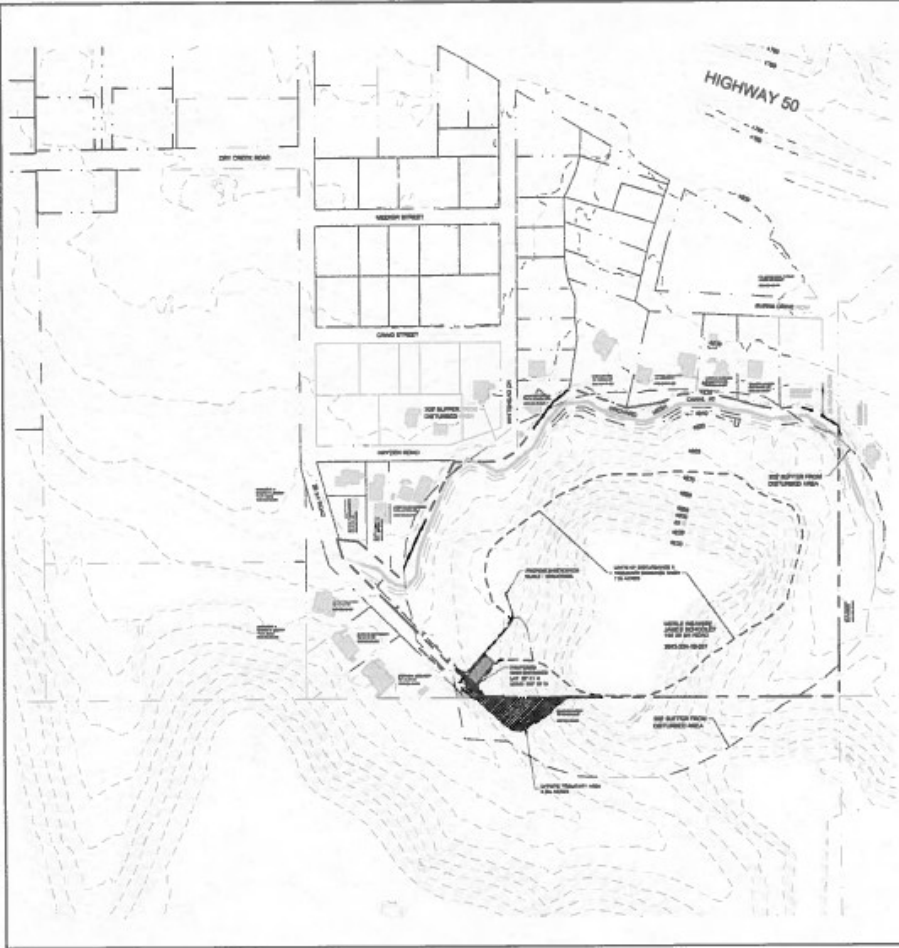


STATE 110 RECLAMATION PERMIT DRAWINGS

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1



LOCATION MAP



R.W. JONES II
PROFESSIONAL ENGINEER
No. 4329

LES CRAWFORD
PROFESSIONAL ENGINEER
No. 4329

THIS PLAN IS PREPARED BY VORTEX ENGINEERING, INC. UNDER THE CLOSE PERSONAL SUPERVISION AND IN FULL COMPLIANCE WITH THE REQUIREMENTS OF THE UTAH DEPARTMENT OF HERITAGE AND ARTS, DIVISION OF LAND AND WATER. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE APPLICABILITY OF THIS PLAN TO THE PROJECT. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF VORTEX ENGINEERING, INC.

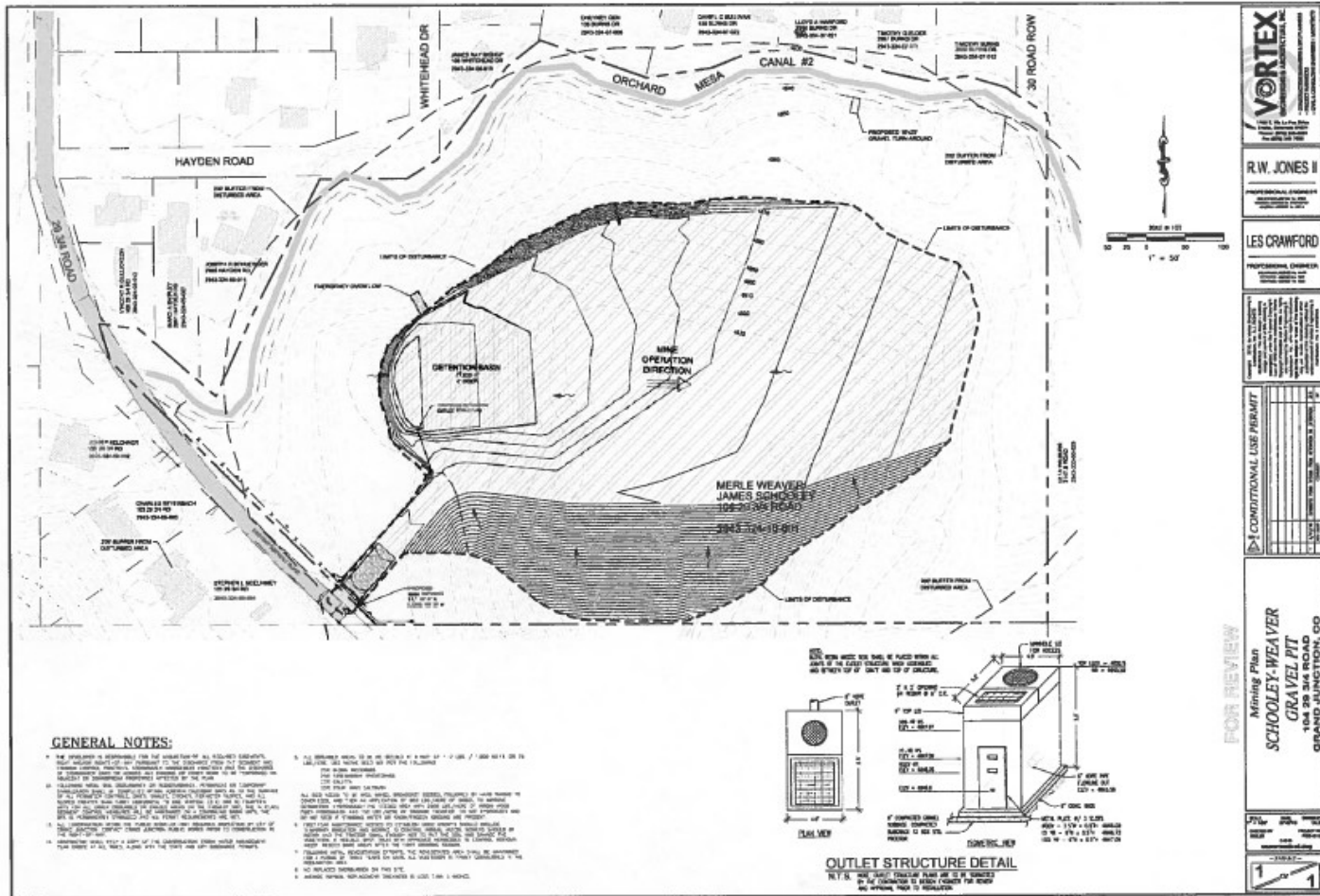
CONDITIONAL USE PERMIT

NO.	REVISIONS	DATE	BY
1	ISSUE	11/14/2023	RWJ

FOR REVIEW
Preliminary Plan
**SCHOOLEY-WEAVER
GRAVEL PIT**
10429 S.W. ROAD
GRAND JUNCTION, CO

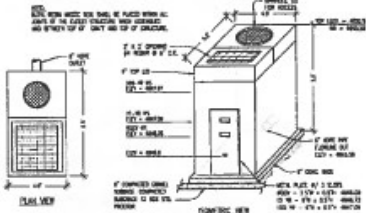
DATE	11/14/2023
BY	RWJ
CHECKED	LEW
SCALE	AS SHOWN

THIS PLAN IS PREPARED BY VORTEX ENGINEERING, INC. UNDER THE CLOSE PERSONAL SUPERVISION AND IN FULL COMPLIANCE WITH THE REQUIREMENTS OF THE UTAH DEPARTMENT OF HERITAGE AND ARTS, DIVISION OF LAND AND WATER. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE APPLICABILITY OF THIS PLAN TO THE PROJECT. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF VORTEX ENGINEERING, INC.



GENERAL NOTES:

1. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF ASBESTOS CONTAMINATION. HOWEVER, THE DESIGNER HAS NOT CONDUCTED AN ASBESTOS SURVEY AND THE DESIGNER DOES NOT WARRANT THAT THE SITE IS FREE OF ASBESTOS CONTAMINATION. THE USER SHALL BE RESPONSIBLE FOR CONDUCTING AN ASBESTOS SURVEY AND REMEDIATING ANY ASBESTOS CONTAMINATION FOUND.
2. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF LEAD CONTAMINATION. HOWEVER, THE DESIGNER HAS NOT CONDUCTED A LEAD SURVEY AND THE DESIGNER DOES NOT WARRANT THAT THE SITE IS FREE OF LEAD CONTAMINATION. THE USER SHALL BE RESPONSIBLE FOR CONDUCTING A LEAD SURVEY AND REMEDIATING ANY LEAD CONTAMINATION FOUND.
3. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF PCB CONTAMINATION. HOWEVER, THE DESIGNER HAS NOT CONDUCTED A PCB SURVEY AND THE DESIGNER DOES NOT WARRANT THAT THE SITE IS FREE OF PCB CONTAMINATION. THE USER SHALL BE RESPONSIBLE FOR CONDUCTING A PCB SURVEY AND REMEDIATING ANY PCB CONTAMINATION FOUND.
4. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF HAZARDOUS WASTE. HOWEVER, THE DESIGNER HAS NOT CONDUCTED A HAZARDOUS WASTE SURVEY AND THE DESIGNER DOES NOT WARRANT THAT THE SITE IS FREE OF HAZARDOUS WASTE. THE USER SHALL BE RESPONSIBLE FOR CONDUCTING A HAZARDOUS WASTE SURVEY AND REMEDIATING ANY HAZARDOUS WASTE FOUND.
5. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF OTHER CONTAMINATION. HOWEVER, THE DESIGNER HAS NOT CONDUCTED OTHER CONTAMINATION SURVEYS AND THE DESIGNER DOES NOT WARRANT THAT THE SITE IS FREE OF OTHER CONTAMINATION. THE USER SHALL BE RESPONSIBLE FOR CONDUCTING OTHER CONTAMINATION SURVEYS AND REMEDIATING ANY OTHER CONTAMINATION FOUND.
6. NO HAZARDOUS WASTE IS TO BE STORED OR TREATED ON THIS SITE.
7. HAZARDOUS WASTE IS TO BE STORED OR TREATED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND PERMITS.



OUTLET STRUCTURE DETAIL
 N.T.S. SEE NOTE CONCERNING PLAN AND SECTION BY THE CONTRACTOR TO VERIFY WHETHER THE DESIGN IS APPROPRIATE FOR THE SITUATION.

VORTEX
 ENGINEERING & ARCHITECTURE, INC.
 1000 N. W. 10th St., Suite 100
 Ft. Lauderdale, FL 33304
 (954) 561-1111

R.W. JONES II
 PROFESSIONAL ENGINEER
 No. 12345

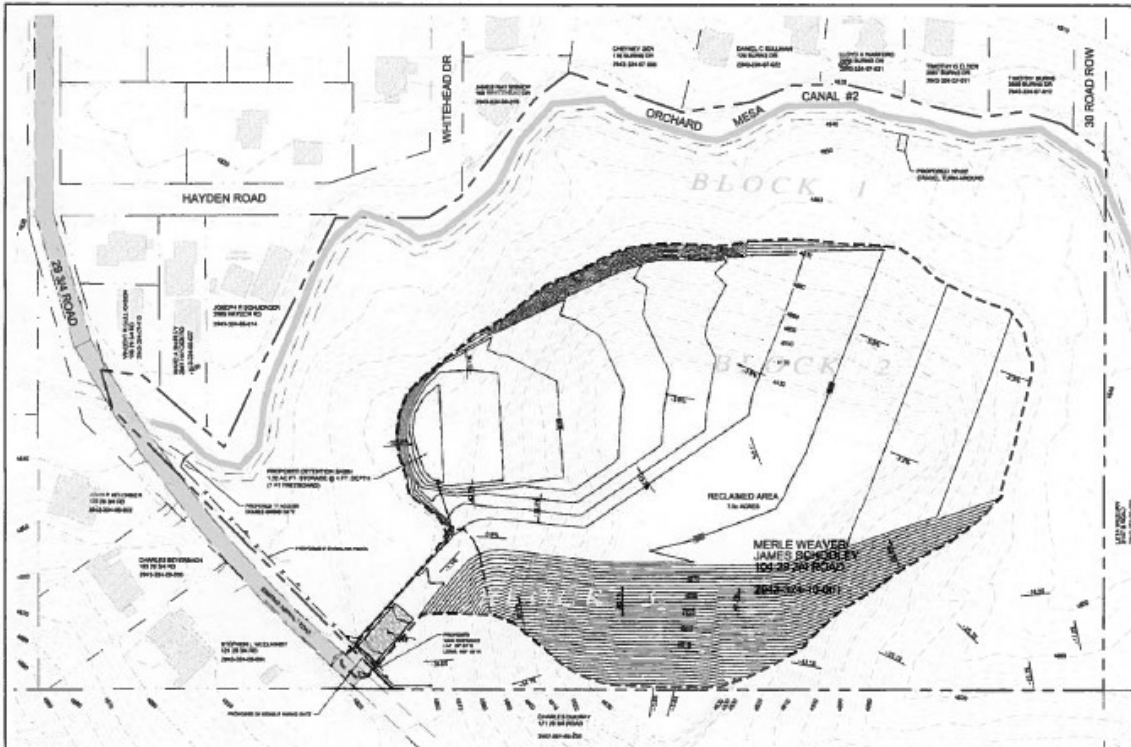
LES CRAWFORD
 PROFESSIONAL ENGINEER
 No. 12345

CONDITIONAL USE PERMIT

FOR REVIEW

Mining Plan
SCHOOLEY-WEAVER
GRAVEL PIT
 104 29 3/4 ROAD
 GRAND JUNCTION, CO

DATE: 10/1/2024
 SCALE: 1" = 50'



GENERAL NOTES:

1. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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30. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.



R.W. JONES II

LES CRAWFORD

CONDITIONAL USE PERMIT

NO. 1	10/15/2013	10/15/2013
NO. 2		
NO. 3		
NO. 4		
NO. 5		
NO. 6		
NO. 7		
NO. 8		
NO. 9		
NO. 10		
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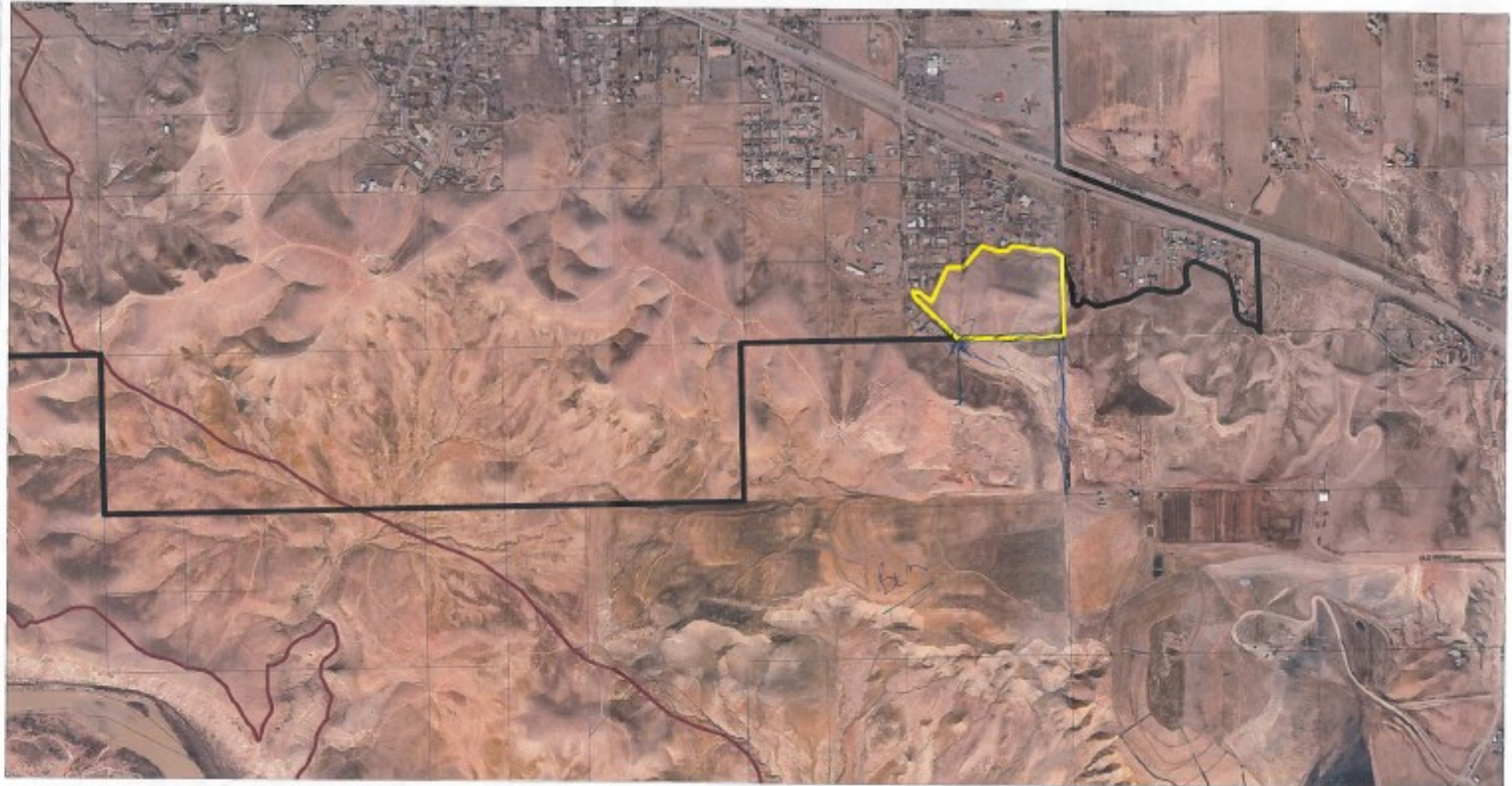
FOR REVIEW

Reclamation Plan
**SCHOOLEY-WEAVER
 GRAVEL PIT**
 104.28 3/4 ROAD
 GRAND JUNCTION, CO



Schooley Weaver and Old Spanish Trail

-  Redline
-  201 Persigo Service Area
- Trails**
 -  BLM- NFS Trails
 -  Foot
 -  Horseback/Foot
 -  Motorized
 -  Wilderness Horseba
- Air Photos**
 -  2010 Photos
 -  Highways
 -  Rivers
 -  Street Labels
 -  Ridges Irrigation Taps



GRAND JUNCTION PLANNING COMMISSION
June 8, 2010 MINUTES
6:00 p.m. to 8:20 p.m.

Lisa Cox, Planning Manager, announced that neither the regular Chairman nor Vice Chair were able to attend the hearing this evening. Therefore, in order to proceed with the meeting, the Planning Commissioners needed to decide amongst themselves who would act as the Chairperson this evening. Commissioner Schoenradt nominated Mark Abbott, seconded by Commissioner Eslami. A vote was taken and Commissioner Abbott was nominated unanimously to serve as Chairman.

The regularly scheduled Planning Commission hearing was called to order at 6:03 p.m. by Acting Chairman Abbott. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Pat Carlow, Ebe Eslami, Mark Abbott, Richard Schoenradt, Rob Burnett, and Gregory Williams (Alternate). Commissioners Reginald Wall (Chairman) and Lynn Pavelka-Zarkesh (Vice-Chairman) were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Lori Bowers (Senior Planner), Senta Costello (Senior Planner), Brian Rusche (Senior Planner) and Rick Dorris, (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 54 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

Approve minutes of the April 13, 2010 Regular Meeting.

2. Goose Downs Subdivision – Preliminary Subdivision Plan

Request approval of the Preliminary Subdivision Plan to develop 53 lots on 13.38 acres in an R-4 (Residential 4 du/ac) zone district; approve a phasing schedule; and request a recommendation of approval to City Council to vacate a portion of 29 5/8 Road.

FILE #: PP-2008-245

PETITIONER: Terry Deherrera

LOCATION: 359 29 5/8 Road

STAFF: Lori Bowers

3. Gentlemen’s Club CUP – Conditional Use Permit – Continued To the June 22, 2010 Planning Commission Meeting

Request approval of a Conditional Use Permit that would allow the hours of operation, from a previous approval, to be changed from 5:00 p.m. through 2:00 a.m. to 10:00 a.m. through 2:00 a.m.

FILE #: CUP-2010-050
PETITIONER: Kevin Eardley – 2257, LLC
LOCATION: 2258 Colex Drive
STAFF: Senta Costello

4. Baker Hughes Explosive – Conditional Use Permit

Request approval of a Conditional Use Permit to store hazardous materials/explosives on 2.87 acres in an I-1 (Light Industrial) zone district.

FILE #: CUP-2010-034
PETITIONER: John Durmas – Knight Durmas Properties, LLC
LOCATION: 842 21-1/2 Road
STAFF: Brian Rusche

Acting Chairman Abbott briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the Consent Agenda items.

MOTION: (Commissioner Schoenrad) “Mr. Chairman, I move that we adopt the Consent Agenda as read.”

Commissioner Eslami seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

Public Hearing Items

5. Schooley-Weaver Partnership – Conditional Use Permit – Continued from May 11, 2010 Planning Commission Hearing

Request approval of a Conditional Use Permit to establish a Gravel Pit on 16 acres in an R-R (Residential Rural) zone district.

FILE #: CUP-2010-008
PETITIONER: Schooley-Weaver Partnership
LOCATION: 104 29-3/4 Road
STAFF: Brian Rusche

VERBATIM MINUTES

1 COMMISSIONER ABBOTT: And with that our Public Hearing
2 item is the Schooley-Weaver Partnership...Partnership Conditional Use Permit.
3 This has been continued from May 11, 2010. This is a request for approval of
4 Conditional Use Permit to establish a gravel pit on 16 acres in a R-R, Residential
5 Rural, zone district. So with that I would like to have the staff come up and
6 present your information.

7 MR. RUSCHE: Thank you, Mr. Chairman, members of
8 the Commission, Brian Rusche, Senior Planner with the Grand Junction Public
9 Works and Planning Department. As the Chairman indicated this is the
10 Schooley-Weaver Partnership Conditional Use Permit request - - a request for a
11 Conditional Use Permit to operate gravel extraction on 16 acres within a
12 Residential Rural zone. The property consists of 16 acres and was annexed in
13 2004 as the Fisher Annexation. The property is accessible from 29-3/4 Road
14 which terminates at the southern edge of the site. The road previously continued
15 south and east through private property and the Mesa County landfill until it was
16 closed by Mesa County.

17 The site rises approximately 100 feet above Orchard Mesa Canal
18 Number 2. North of the canal is a residential neighborhood as well as three
19 residences to the west across 29-3/4 Road. An existing gravel extraction
20 operation approved by Mesa County in 1994 is located about 600 feet south of
21 the property. An existing construction and trucking operation utilizes 29-3/4
22 Road. As you can see in the aerial, this is the site...this is the trucking and
23 construction operation. The gravel pit that I was referring to, it's just off the
24 picture.

1 The Comprehensive Plan designates the property as Rural allowing
2 one dwelling unit for every five acres. The property was zoned Residential Rural
3 in 2004 as part of the Fisher Annexation. The adjacent neighborhood is also
4 designated as Rural under County zoning RSF-R. Except the trucking operation
5 which is a Planned Development and the existing gravel operation and
6 associated lands which is designated A-F-T - - that's Ag Forestry Transition
7 zone.

8 The blended residential map, which was adopted as part of the
9 Comprehensive Plan, designates the property as Residential Low with a housing
10 density of Rural, which is one unit for five acres up to five dwelling units per acre,
11 density range.

12 The applicant is requesting a Conditional Use Permit to operate a
13 gravel extraction facility. A maximum of 300 trips per day would be generated by
14 the use according to the traffic study. All truck traffic would use 29-3/4 Road and
15 that's the photo shown here which has been evaluated by a geotechnical
16 consulting firm and found suitable in strength for the proposed level of traffic.
17 The roadway has two travel lanes and is currently maintained by Mesa County.
18 Access to Highway 50 has been granted for three years by the Colorado
19 Department of Transportation subject to construction of improvements for traffic
20 flow. These improvements include extended acceleration and de-acceleration
21 lanes with appropriate turning radiuses and an asphalt overlay if necessary.

22 The applicant has considered other accesses to and from the site
23 but deemed these to not be viable alternatives either because the roads do not
24 meet standards or require crossing private property. The standards for gravel
25 extraction facilities provide for improvements and maintenance of designated

1 haul routes. 29-3/4 Road will ultimately be incorporated into the City's street
2 network but currently it's a joint jurisdictional road due to the annexation patterns
3 that have occurred in the area.

4 This photo illustrates the closure point on 29-3/4 Road that
5 prevents access to the south as well as the location of 30 Road which has not
6 been built. The existing residences that are north of the canal, with the
7 exception of the three that are on 29-3/4 Road, sit below the elevation of the
8 canal. The property itself, here, rises approximately 100 feet in elevation,
9 measured from property line to peak. As mentioned, the adjacent residential
10 neighborhood sits lower in elevation than that of the canal as well as the
11 proposed operation making any sort of extraction of material from this property
12 noticeable. The applicant has proposed landscaping along the canal to mitigate
13 some of the visual affects of this operation.

14 The existing gravel extraction operation sits south of the property
15 and over here you can see some of that. The two properties do share a
16 common boundary. The property line is somewhere in here. However, no
17 mutual agreement regarding the shared use of the former landfill road which was
18 closed by the County could be reached. So this road crosses onto private
19 property.

20 The applicant proposes to mine approximately 7.63 acres of the
21 total 16 acres of the property. This proposal...this site plan reflects the
22 requirement for a minimum separation of 125 feet from existing residences as
23 well as 30 feet from the canal. There is no onsite crushing or processing with
24 this application. The entrance to the site near the terminus of 29-3/4 Road will
25 be asphalted and gated. The entire site needs to be fenced as well. As material

1 is removed the slopes will be graded inward and this is the grading plan. As
2 material is removed, the slopes will be graded inward which will mitigate the
3 effects of storm water runoff as well as provide a buffer to the operation as it
4 continues mining downward. This is where the resultant storm water would
5 collect.

6 This exhibit shows a cross section and approximate site lines from
7 different residential sites surrounding the operation. As you can see from these
8 pictures, the proposed final elevations...this is the existing hillside and this is the
9 final elevation in relation to both the homes and the canal. The proposed final
10 elevation will be reduced by 75 to 90 feet. The landscaping buffers have been
11 designed by a landscape architect to help mitigate some of the visual affects of
12 the operation. The landscaping will be irrigated with water trucked in from
13 outside the site.

14 The applicant has proposed to remove material from the property
15 over the next five years with the option of a two year administrative extension.
16 Once the material is removed, the property will be reclaimed with native grasses.
17 The reclamation plan must be approved by the State of Colorado. The applicant
18 has requested a Conditional Use Permit for a gravel extraction facility within a
19 Residential Rural zone. The requested C-U-P is for five years with the option of
20 an administrative extension for two years pursuant to section 4.3.K.3.w. Access
21 is provided via 29-3/4 Road which has been determined to be a suitable haul
22 route with a condition that maintenance and repairs to be done...with a condition
23 that maintenance and repairs necessary are to be done by the operator during
24 the duration of the permit per section 4.3.K.3.g.

1 CDOT will grant access to Highway 50 for a period of three years
2 subject to construction of improvements including extended acceleration in the
3 acceleration lanes. A notice to proceed must be issued by CDOT for this work.
4 The maximum number of trips anticipated by the use is 300 per day and to clarify
5 when we measure trips a...a trip is a coming or a going.

6 The applicant has proposed hours of operation beginning at 6 a.m.
7 to 6 p.m. on weekdays only. Section 4.3.K.3.i. allows this range of time. This is
8 the maximum amount of time allowed and in fact it doesn't address weekends. It
9 simply says 6 to 6 is the maximum length. However, alternative hours may be
10 authorized under this section. Other gravel pits that have been approved within
11 the valley range from start times of 6 a.m. to 8 a.m. There was a question raised
12 regarding residential garbage service. Most of the providers in the valley start at
13 7 a.m.; however, commercial pickup begins as early as 3 a.m.

14 There will be no onsite crushing or processing. So there are some
15 sections of 4.3.K. that don't apply. Pursuant to 4.3.K.3.c., the noise from the
16 operation cannot exceed 65 decibels at the property line when adjacent to
17 residential which is equivalent to an air conditioning unit or a noisy restaurant.
18 The reclamation plan must be approved by the state as was mentioned. All
19 storm water management must be done pursuant to 5.2.1 - - drainage authority
20 regulations. There are mechanisms in place through our Code Enforcement
21 Department. This is...the property is in the City so it would be...any code
22 enforcement violations would be enforced by the City. So there are mechanisms
23 in place to address potential issues of noise, dust, as well as storm water issues
24 and that would be through the 5.2.1 that may arise from the operation.

1 The proposed landscaping meets the criteria of section 6.5. and
2 provides a visual buffer from adjacent residences. The minimum separation
3 from residences of 125 feet has been exceeded that the proposed mining area
4 at least 200 feet from adjacent residences. This application is subject to the
5 criteria of section 2.1.3.c. of the 2000 Zoning and Development Code, and that's
6 the rules for Conditional Use Permits, as well as section 4.3.K., which is the
7 standards for mineral extraction. It is my opinion that the criteria of both of these
8 sections have been met. Are there any questions?

9 CHAIRMAN ABBOTT: I do have a question but I can't find
10 where...you referenced there would be 300 trips per day. Is that correct?

11 MR. RUSCHE: Yes.

12 CHAIRMAN ABBOTT: I guess my confusion is that on page 2
13 of the letter from Huddleston Berry, an engineering firm, in paragraph 3 of that
14 page states that they had been told there would be 100 loaded trucks per day. I
15 presume that would equate to 200 trips per day. So where is the discrepancy
16 with now all of a sudden we're coming up with 300? Are they not giving their
17 own engineering firm the...the information that we're getting tonight? What has
18 changed to make that happen? I believe that's on page 93 of the report that we
19 have.

20 MR. RUSCHE: 93, that's a...

21 CHAIRMAN ABBOTT: I'm trying to get back down to 93.

22 MR. RUSCHE: I have a letter from Huddleston Berry and
23 that's regarding the pavement evaluation. Is that the right one?

24 CHAIRMAN ABBOTT: There's....there's...it's on page 2 of
25 the...of that letter from Huddleston Berry and it is...it is page 3. It's under 29-3/4

1 Road pavement evaluation. Under paragraph 3 it states with regard to additional
2 traffic loading associated with the gravel resource, H-B-E-T understands that up
3 to 100 loaded trucks per day may leave the site.

4 MR. RUSCHE: Okay.

5 CHAIRMAN ABBOTT: And they are also stating that it's
6 estimated that it's gonna take three to five years. What I've heard is that again,
7 you know, we're talking it's gonna be three to five years. Where does...where
8 does 300 come into this and why is there a discrepancy?

9 MR. RUSCHE: I know that the 300 was in the traffic study. I
10 also know that there is some methods regarding how much a truck counts as
11 part of weighting limits or what have you. I'll let the applicant address some of
12 those questions regarding the discrepancy.

13 CHAIRMAN ABBOTT: Okay.

14 MR. RUSCHE: Note too that a trip is a coming and
15 going and in the discussion of trips it doesn't mention whether they be
16 exclusively trucks.

17 CHAIRMAN ABBOTT: Okay, well if there's...

18 MR. RUSCHE: Whether they be other traffic generated.

19 CHAIRMAN ABBOTT: I...I can't imagine there'd be a
20 whole lot of other traffic and we're...we're talking about a three-fold increase
21 over what they've told their own engineering firm. Again I'm confused and would
22 like some explanation as to how that came about and what the...what the affects
23 are...what the affects would be. I don't know if the engineering firm is present to
24 address this issue or if...if anybody can short of them address it properly.

1 MR. RUSCHE: I think the applicant's engineer can address
2 your question.

3 CHAIRMAN ABBOTT: Okay.

4 MR. RUSCHE: Are there any other questions at this time?

5 COMMISSIONER SCHOENRADT: Yes, you did mention
6 hours of operation that some commercial operations began at 3 a.m. but this is
7 not a commercial operation. Is that correct?

8 MR. RUSCHE: The question posed to me was what...how the
9 refuse services that operate in the valley, what times they start. They begin
10 picking up at commercial locations, garbage, prior to 6 a.m. That in no way has
11 any connection to what this request is. It's simply made for reference.

12 COMMISSIONER SCHOENRADT: Except it's Residential
13 Rural compared to Residential.

14 CHAIRMAN ABBOTT: I think what he'd like to know is what
15 time do they start for residential neighborhoods.

16 MR. RUSCHE: 7 a.m.

17 CHAIRMAN ABBOTT: Okay.

18 MR. RUSCHE: 7 a.m. the majority of the operators in
19 the valley that I could get a hold of.

20 COMMISSIONER ESLAMI: By choice, right?

21 MR. RUSCHE: The majority of the providers are
22 private. The City obviously provides service as well but it's done as a non-
23 enterprise fund so it operates much like a business. I'm not aware of any
24 ordinance. For reference...for reference, the noise ordinance has a 6 a.m. time
25 as well.

1 CHAIRMAN ABBOTT: Are there any other questions for the
2 staff? Hearing none, would the applicant like to come forward?

3 MR. JONES: Good evening, Mr. Chair, Commission
4 members. My name's Robert Jones II. I'm with Vortex Engineering. Our office
5 address is 2394 Patterson Drive in Grand Junction. I'm the applicant's
6 representative and tonight I'll be presenting the Schooley-Weaver C-U-P project.
7 Quickly I have prepared a...a Google fly by which may help to get some
8 perspective in regards to its location relative to the subdivision, 30 Road and its
9 access going on 29-3/4 Road. This...traveling along Highway 50, the
10 fairgrounds are noted. Traveling farther east to the entrance here is 29-3/4
11 Road, the Kia dealership is on the left. The subject site located here with the
12 Burns Subdivision here. This is a view looking south from Highway 50. You can
13 see the topographical relief relative to the subdivision to the north and Orchard
14 Mesa Canal in this area.

15 I would like to enter into the record the following documents and
16 exhibits - nine individual PowerPoint presentations which I'll be pulling various
17 slides from during the course of the presentation and rebuttal period. A hard
18 copy of all these presentations has been provided to City staff. A letter from the
19 director of the Mesa County landfill to the Regional Transportation Planning
20 Office of Mesa County, a Notice of Intent to Issue an Access Permit from the
21 Regional Transportation Planning Office of Mesa County and the State of
22 Colorado statute, specifically statutes 34-1-301 through 305.

23 I'll try and keep this brief since staff has done an excellent job
24 providing the background and the history of this application in the staff report and
25 presentation. To reiterate, the applicant is requesting a Conditional Use Permit

1 to extract gravel per sections 2.2.D.4 and 4.3.K. of the City of Grand Junction
2 Zoning and Development Code. There will be approximately 7.63 acres of the
3 16-acre site disturbed. There will be no on-site crushing or processing of the
4 material. The top soil will be used to supplement landscape areas and will not
5 be stockpiled on site. The pit run gravel will be extracted and removed from the
6 site via excavators and dump trucks. Water for dust control and irrigation will be
7 hauled to the site. When the extraction process is completed, top soil will be
8 imported as needed and distributed evenly over the disturbed area and covered
9 with a native seed mix approved through the State Reclamation Program.

10 In addition to the Conditional Use Permit applied for with the City,
11 the following applications have also been made to the State of Colorado.
12 Construction materials limit impact 110, operation reclamation permit, a storm
13 water discharge permit associated with sand and gravel mining, an A-PEN or air
14 pollution emission notice, and a CL and access permit from the Colorado
15 Department of Transportation's region 3 office.

16 UNIDENTIFIED FEMALE SPEAKER: Can we get the
17 volume turned up? (Inaudible)

18 CHAIRMAN ABBOTT: Staff, is there a way to turn the volume
19 up?

20 MR. JONES: It may help if I lift this up a little bit. I'll go
21 ahead and take this opportunity to answer your question, Mr. Chairman. The
22 Huddleston Berry supplemental report was required at the staff level to
23 determine and verify the adequacy of the 29-3/4 Road. The review of page 2
24 does indicate the Huddleston Berry report has 100 loaded trucks per day when
25 the intent was 150. However, if you read page 2 at 100 loaded trucks per day

1 over a 5-year period results in a...an ESAL value of 120,000. Now an ESAL
2 is...stands for an equivalent single axle load. The report further states that the
3 ESAL value of 29-3/4 Road, which is 8 to 9 inches thick of asphalt over
4 approximately 12 inches of road base, gives you an ESAL value of two million.
5 So to further take this out, Huddleston Berry extended the operational life of the
6 gravel pit to 30 years just to see what an equivalent single axle load would be
7 which is 720,000 - - still one-third of the ESAL value currently for 29-3/4 Road.
8 So the difference between 100 and 150 trucks per day is...is nominal when
9 you're looking at an order of magnitude of three even if the gravel pit was
10 operating for 30 years.

11 The Schooley-Weaver Conditional Use Permit meets or can meet
12 all applicable sections of the Grand Junction Zoning and Development Code and
13 the goals and policies of the Comprehensive Plan and we would respectfully
14 request your approval of the Conditional Use Permit as presented and with that
15 I'll open up the questions or take my seat.

16 CHAIRMAN ABBOTT: Does staff have any questions?

17 COMMISSIONER ESLAMI: Mr. Jones, Ebe Eslami, the
18 first.

19 MR. JONES: Hello, Mr. Eslami.

20 COMMISSIONER ESLAMI: I was wondering why do
21 you call it gravel extraction and stuff (inaudible). What's the difference, please?

22 MR. JONES: Merely because the Zoning and Development
23 Code classifies the use of gravel extraction and this more closely defines what
24 we're doing. The material...I can...this is actually the material natively that was
25 excavated. It's a...a combination of two to three inch minus rock and sand.

1 Formally what's known in the Grand Valley as pit run and this is what they're
2 after.

3 COMMISSIONER ESLAMI: Now, next question is if
4 they are allowed to build three houses over there if I'm correct. Is there R-4 or...

5 MR. JONES: Oh, I see.

6 COMMISSIONER ESLAMI: Five acres per...

7 MR. JONES: Per the zoning, yes, sir.

8 COMMISSIONER ESLAMI: If they build houses, they have to
9 move this dirt anyhow or can they do it without moving the dirt?

10 MR. JONES: I guess it would depend upon the lot
11 configuration. There's significant topographical relief on the site.

12 COMMISSIONER ESLAMI: My question is that in
13 order to build houses there you have to flatten some of that (inaudible).

14 MR. JONES: Yes, sir.

15 COMMISSIONER CARLOW: Will there be any drilling or
16 blasting involved with this?

17 MR. JONES: No, sir.

18 COMMISSIONER What if you hit cap rock?

19 MR. JONES: I'm sorry?

20 COMMISSIONER CARLOW: What if you hit cap rock?

21 COMMISSIONER ESLAMI: You have to stop.

22 COMMISSIONER CARLOW: I mean how are you gonna...how
23 you gonna deal with it if you get down there and there's cap rock?

1 MR. JONES: Obviously we'd try and use conventional
2 equipment – dozers with rippers - to remove cap rock. Our preliminary
3 investigation didn't show any cap rock.

4 COMMISSIONER CARLOW: How far or time-wise how
5 long is a round trip to the crushing facility?

6 MR. JONES: There hasn't been a...a...a single crushing
7 facility chosen so I wouldn't be able to answer that question.

8 COMMISSIONER CARLOW: Any how many...how
9 many gravel trucks do you anticipate involved in this whole operation?

10 MR. JONES: In a...in a peak capacity would be 300 which is
11 150 and 150 out.

12 COMMISSIONER CARLOW: But how many trucks are
13 you gonna need to accomplish that many trips? How many trucks are gonna be
14 working on this project?

15 MR. JONES: Oh, I see what you're saying - - probably 20
16 trucks. I haven't done the calculations for that.

17 COMMISSIONER SCHOENRADT: Mr. Chairman, I
18 have a question.

19 CHAIRMAN ABBOTT: Go ahead.

20 COMMISSIONER SCHOENRADT: And I apologize if
21 this is somewhere in the materials that we have but I do want to ask the reasons
22 for the private...DuCray...the DuCrays that own the private road back there. But
23 what are the reasons they gave for not allowing you to cross their...use their
24 road?

1 MR. JONES: I personally did not have conversations with
2 Mr. and Mrs. DuCray. It was the owner and from what he indicated to me, again
3 this is secondhand, is they wanted no involvement whatsoever with allowing a
4 mining operation here. So I could only guess at their reasons.

5 COMMISSIONER SCHOENRADT: Well, I mean
6 everything has a price so I'm just wondering if it's cost prohibitive or, you know,
7 in the...in the owners' viewpoint or is there...are there other reasons other than
8 the Mesa County landfill has closed access that way? And I'm talking just the
9 private road right now.

10 MR. JONES: Again, I...I don't even think that monetary
11 terms were discussed based upon the initial meeting. There's...the southern
12 entrance or, excuse me, the southern haul route has obviously a crossing of
13 private property as one complication but the other complication is that of the
14 crossing of the Mesa County landfill. The...this option traveling south through
15 the Mesa County landfill we actually submitted for through Mesa County and it
16 was...it was denied and I can read you a letter if you have not read it already. It
17 is not in your packets.

18 COMMISSIONER SCHOENRADT: It is but it's
19 extremely hard to read.

20 MR. JONES: Permit me to, please. This is a letter from
21 Robert Edmiston, who's the director of the Mesa County landfill at the time, to
22 Ken Simms, with the Regional Transportation Planning Office in Mesa County.
23 And he says, Dear Mr. Simms, per our discussion it is my understanding United
24 Companies is entertaining the idea of accessing the gravel pit near the southern
25 end of the 29-3/4 Road via road traversing the solid waste management campus.

1 I am opposed to this idea for several reasons. Through this letter I will
2 summarize my thoughts within a bullet format. The access road as proposed off
3 31 Road is the main entrance to the organic materials composting facility. After
4 hours security of this facility as well as the northern boundary of the landfill must
5 be maintained. The proposal would involve the use of private property owned by
6 Mountain Region Construction. This is a lousy copy. The license agreement
7 through which the Mountain Region Construction accesses their gravel permit is
8 temporary and will expire on December 1st of 2007. Mountain Region
9 Construction and Mesa County have worked jointly on the provision of access to
10 their facilities as a function of the area's previous ownership by the Bureau of
11 Land Management. Mountain Region Construction understands that access to
12 their facilities is based on conditions existing prior to Mesa County obtaining a
13 patent to the property and that their right of access is temporary. The idea is
14 inconsistent with County Commission Resolution Number M-C-M-96-24 outlining
15 the County's process of granting easements and that it is contrary to the Board's
16 designation of the area as open space and it could would negatively influence
17 access to and control of County facilities. The natural and our most efficient
18 route of access to the property is 29-3/4 Road. Thank you for inviting me to
19 comment on this idea.

20 Subsequent to that...the receiving that letter, the Mesa County
21 Regional Transportation Planning Office issued a denial of an access permit. So
22 combining the fact that you have private property and property that's owned,
23 controlled and maintained by Mesa County, who is unwilling to entertain the idea
24 of a haul route, we looked to 29-3/4 Road.

1 COMMISSIONER SCHOENRADT: How recent was
2 that denial?

3 MR. JONES: Many years ago - - approximately five
4 years ago. Although I doubt their opinions have changed.

5 COMMISSIONER SCHOENRADT: Thank you.

6 MR. JONES: Sure.

7 CHAIRMAN ABBOTT: Are there any other questions for
8 the applicant? Hearing none, I will open up this hearing to the public comment
9 section. Again I would request that you restrict your comments to three to five
10 minutes. Try to prioritize your comments to what you think is most important and
11 what needs to be said. So at this time, I would like to hear from anyone that is in
12 favor of this proposal. Seeing none, I will open up the hearing to those opposed
13 to this proposal. Please when you come forward, please state your name and
14 address for the record.

15 MR. BAIR: My name is Carter Bair. I live at 2966 A-1/4
16 Road. I've been a Grand Junction resident for about...well, 11 years now. I've
17 been at the property site...this property site for about eight years. I have five
18 children. The oldest is 14; I have an 11 year old; a 9 year old; a 7 year old; and
19 a 5 year old. My concerns about this are that if we're looking at 300 trucks a day
20 going down that road, that's every two and a half minutes that there is a big truck
21 coming by. I have kids, they go down to 29-3/4 Road every morning for bus
22 stops at 6:30 in the morning, 7 o'clock in the morning, 8:30 in the morning, and
23 come back at the end of the day and there are kids from all over the
24 neighborhood doing that. I live right along this bus route and I think that if you
25 would think about your own families and think about these huge trucks coming

1 down this residential road every two and a half minutes all day long from 6 in the
2 morning until 6 at night. I think you would think a little bit more about whether
3 29-3/4 Road really should be the access for this gravel pit. That's my comments.
4 Thank you.

5 CHAIRMAN ABBOTT: Thank you, sir.

6 MS. COX: Mr. Chairman, Lisa Cox, Planning Manager. If
7 we could just remind citizens to please sign in. There's an opportunity to sign in
8 at the back of the room and also at the podium just to make sure we have an
9 accurate record of those providing testimony. Thank you.

10 CHAIRMAN ABBOTT: Thank you.

11 MR. PARROTT: I'm Gary Parrott. I live at 2960 Great
12 Plains Drive here in beautiful downtown Grand Junction. I'm also the president
13 of the Red Tail Ridge Homeowners' Association. Red Tail Ridge Subdivision is
14 approximately one block off of 29-3/4 Road; however, 29-3/4 Road is one of only
15 two ways we can get into or out of the subdivision so it impacts us because we'll
16 be competing with the increase in traffic. I personally drive along 29-3/4 Road
17 every day to get to and from my house so I'm very, very familiar with the...the
18 road. You may have read the letter that I sent. You may have that. I'm not
19 gonna repeat everything that I wrote in there.

20 Our major concern is that we have no grief or we don't want to
21 interfere with the free enterprise system or with the exercise of property rights.
22 However, the utilization of that must be done safely, legally and responsibly.
23 With the increase in truck traffic that's gonna incur, you have to look at what type
24 of truck traffic it is. Dump trucks...I don't know if it's gonna be a single or a set of
25 doubles or a dump truck with a trailer that's pulling behind so that makes a

1 difference on how big of trucks we're talking about. But typically the dump trucks
2 they're gonna use even the 3 axle ones with a dump bed, there's gonna be 102
3 inches wide and at least 40 feet wide. The roadway is narrow. It's only a 20 foot
4 roadway with no curb and gutter. The dump trucks are like I mentioned before
5 with (inaudible) vehicles there are to deal with. You see it...you travel behind
6 them and they say stay away 50 feet because things are always falling off.

7 We are going to have a fluid trail going up the center of the road
8 from radiator fluid, transmission fluid, you name it, hydraulic fluid. There's also
9 going to be a dirt field, debris field on either side where the gravel's falling off, the
10 dirt's falling off. It's going to accumulate to the point when it does rain or it's
11 gonna be moved off the side of the road, it's going to go into the shoulder area.
12 Right now there is no...it's just inadequate drainage. There's not a ditch along
13 either side. That's gonna mean that we're gonna have environmental concerns
14 with the collection of uncontrolled quantities along the side of the road of these
15 hazardous materials. Now remember you get 50 gallons or more of a hazardous
16 material, it's a hazardous incident. You're gonna have to respond and there's
17 gonna be liability.

18 Also they talk about the...the road is physically designed to carry
19 the weight of an 80,000 pound gravel truck. However, those are not the only
20 concerns. To do what they're doing, they're gonna have to bring in some heavy
21 duty equipment. They're gonna be oversized. You're gonna have to issue an
22 oversize permit. They will either be too...very wide or very high. Unfortunately
23 you have telephone poles that are 20 feet apart on that road - - 29-3/4. There's
24 no way to move those telephone poles or cables. So you've got to negotiate
25 around those if you're gonna bring in a huge piece of equipment to do your

1 excavation. Also, height - - you put a big...one of those hydraulic machines on
2 the back of a flatbed, low bed trailer, it's going to exceed 14 feet in height and
3 you look at that road there's telephone wires, there's cable wires, they're just
4 above 14 feet so you got to consider that.

5 Then also in reality that intersection at 29-3/4 and 50, it's operating
6 under a waiver that was given to the City and the County years ago because it
7 does not meet current intersection standards when it comes to trucks. That's
8 why it's a three-way stop at the frontage road and 29-3/4 because you can't have
9 a truck and trailer pull and stop otherwise its tail end will be out into Highway 50.

10 So the...the issues we have...the Red Tail Ridge Homeowners'
11 Association if you upgrade the road - 29-3/4 - to a full truck route with curb and
12 gutter and adequate drainage and signage, we have no problem with it. And a
13 full...full intersection, you know, signalized intersection at 29-3/4 and 50. I'm not
14 even gonna mention the part about their crossing over Ditch Number 2 of
15 Orchard Mesa Irrigation Canal. They're gonna have to have some signs or
16 stripes or reflectors or guardrails or something otherwise a truck is going to go
17 into that canal. So unless the remedies that we have suggested in our letter are
18 met, we respectfully request that you deny the...the permit for this operation.

19 CHAIRMAN ABBOTT: Thank you.

20 MR. SCHUERGAR: How you doing?

21 CHAIRMAN ABBOTT: Good.

22 MR. SCHUERGAR: My name is Joe Schuergar. I live at the
23 end of Hayden. If you look at your little picture there where the canal comes,
24 that's my fence. So they're talking about right on the other side of my fence.
25 Okay? Which they put in the landfill where they do the recycling and all that stuff

1 and if you ever go up there in the morning time there's always a breeze coming
2 from up there so that's not very pleasant to begin with but, you know, that's
3 tolerable. I work on trucks for a living so I know what they're like as far as like
4 the prior gentleman was talking about leaking, all that kind of stuff. Not starting
5 in the wintertime. I deal with that stuff all the time. Okay?

6 The biggest other concern is the dust because if you've ever been
7 to a gravel pit, I don't care what they do with the water. If they water it enough,
8 then they get stuck so then they chain up to get out anyway. There's gonna be a
9 lot of dust, all this other stuff and with Mr. Bair talking about the kids, my kid also
10 walks down to the end of the street everyday - - back and forth. Wintertime
11 there's...there's no lights on the street. There's no sidewalks and the kids are
12 walking both directions. Okay? And the noise as well. I mean you're talking 6
13 o'clock in the morning until 6 o'clock at night. Most places, you know, 7 o'clock
14 'til 5, 8 o'clock 'til 5. They access 29-3/4 Road up through the landfill. That
15 makes much more sense as there is already truck traffic coming down from the
16 landfill. There's not adequate road for 29-3/4 Road and it runs right through the
17 middle of a residential neighborhood. And also the canal is another issue. I
18 mean what about the stuff that goes into the canal. It screws up the canal farther
19 down the road. But that's about all I have to say and I...I don't want any part of
20 it.

21 CHAIRMAN ABBOTT: Thank you, sir.

22 MR. SCHUERGAR: Thank you.

23 MR. McGEE: Hello, my name is Tom McGee and I live at
24 2976 Meeker Street and I've lived in this neighborhood for 35 years and I
25 remember when that road was part of the dump and the traffic was terrible.

1 That's why we finally got the County to move the road is because of the traffic.
2 And if they come in there and cut down that hill the prevailing winds always blow
3 from the south right into our neighborhood so any dust is gonna come right
4 directly over our homes. And we don't really want the...all the dust. My wife,
5 she's on oxygen and, you know, it could really bother her a lot. And also my
6 grandson, he catches the bus right there at 29-3/4 and Meeker and it's just very
7 dangerous with heavy trucks. In the past they have clocked vehicles coming
8 from the top of that hill by the time they got down there to the highway they was
9 doing 60 mile an hour, you know. It...it does cause a big problem trying to stop
10 one of those big vehicles and I just hope you don't allow this. Thank you.

11 CHAIRMAN ABBOTT: Thank you.

12 MR. EDSTROM: Gentlemen. My name's Scott Edstrom.
13 I live at 2977 Meeker Street, across from Tom there. I'm a first time homebuyer
14 over there on Meeker Street and I bought there 'cuz it's quiet. I live two houses
15 away from 29-3/4 Road and I'm on swing shifts out there at the hospital and so
16 at 6 o'clock in the morning, that's halfway through my sleep period. Now I know
17 that the rest of the world turns, you know, on whatever they turn on but...but so
18 far it's been okay. You know, the trash trucks that they were talking about
19 earlier, they don't get there until a little bit later in the morning. I manage to sleep
20 through that but I can't imagine sleeping through big old trucks, you know,
21 barreling down through there early in the morning. All the dust, all the noise, all
22 the children, you know, going through there so I hope that...I hope we can find
23 an alternative. Because I'm not opposed to free enterprise, you know. There's
24 got to be a way to make a living out there and certainly we can use the...the
25 economic boost but that's a residential neighborhood. Thank you very much.

1 CHAIRMAN ABBOTT: Thank you, sir.

2 MS. ZEHNER: Hi.

3 CHAIRMAN ABBOTT: Hello.

4 MS. ZEHNER: My name's Carrol Zehner and I live at
5 114 29-3/4 Road and my house sits probably on the narrowest spot of this road
6 and I'm having to back up to it. I'm actually across from Mountain Region and
7 constantly when I read in their paper they keep mentioning this trucking
8 company. It's not a trucking company. It's a construction company that their
9 trucks are out working. The only time they bring those trucks in is when they're
10 working on them. And if you have them pull up their map to where the other
11 gravel pit is, it's clear on the other side of the ridge. We are not hindered by their
12 gravel pit. They were denied in '94 to using 29-3/4 Road because of safety
13 issues. That's the reason why the landfill has denied use of that. If you start at
14 the highway I have pictures.

15 They're saying the number of lanes add up to 93 feet. That there's
16 four through lanes and they're counting one median, three turn lanes. Start off
17 with if...if you read further up it says the existing 76 foot wide roadway can
18 accommodate the temporary alterations. They're counting 93 feet and the
19 existing alterations. They don't have that. You can look, they're counting an
20 extra lane that's not even there. They're narrowing the lanes. My husband's a
21 truck driver. He'll tell you that you cannot make that turn safely. We're gonna
22 end up with accidents. You talk about the kids. There's another safety issue
23 there. Our neighborhood had a picnic on one of the windiest days that we've
24 had - 54 signatures - and I'd like to give that to you asking for that not to be put
25 there.

1 If you go back...County, you know, they sent a letter asking for this
2 to be stopped so they could re-look at it. The reason why is because it shouldn't
3 be there. That road should not be used. They say what it should be...if they're
4 gonna use it, is they should make them finish 30 Road out so they can go
5 through the non-residential and even to the point they...they had said to turn it
6 back to 29-3/4, there's no reason to do that. They can send it out to the east
7 more toward the landfill road and not even hit the residential. If you go...City
8 papers and I understand that they say this...it's originally development and they
9 say it only has to do with development. It reads though the City recognizes the
10 values of its visual resources and amenities. The purpose of the ridgeline
11 development standards is to preserve the character of the identified ridgelines
12 and to minimize soil and slope instabilities and...and erosion. With doing this,
13 they're taking that ridgeline. They're taking the barrier that's been there for years
14 to help barrier from the landfill.

15 If you go on into I'm just gonna kind of go through my papers - 12
16 people that were within 200 feet of where they're moving dirt. That's just a little
17 bit more than half of a football field that these people are gonna be moving dirt.
18 Me and my neighbors are gonna have to sit and breath this. I look out of my
19 upstairs window. That's what my picture's gonna be of. That's what I'm gonna
20 be breathing every single day. When they're going by my house, you're gonna
21 be hearing their...their Jake brakes going drrrrrrrrrrrrrr all the way down the
22 road. It's a five percent grade. Again, I...I understand that part because my
23 husband's a truck driver. It...it makes no sense.

24 Orchard Mesa neighborhood plan - a basic issue of the residents of
25 Orchard Mesa is the image of Orchard Mesa. Many residents have referred to

1 Orchard Mesa as a dumping ground for the County and the City stepchild. A
2 feeling that equitable capital improvements have not been made by the City or
3 County on Orchard Mesa is also prevalent. Highway 50 Corridor – a major
4 entryway to the Grand Junction area and offers visitors and residents their first
5 view of our urban areas. Their view's gonna be this gravel pit taking down the
6 hill. Again, you know, I'm not the one that wrote this. This is an Orchard Mesa
7 neighborhood plan. City stepchild, dumping ground for the County. Image and
8 character issues. Threaten future views of Grand Mesa, Bookcliffs and plateau.
9 That was one of their issues - - their...their concerns. Their goals and
10 objectives. Zoning standards should require buffering between different uses to
11 ensure new commercial business development is compatible with residential and
12 other adjacent uses. This is not compatible with our neighborhood. We bought
13 there again for the quiet and if you guys approve it, we're stuck with your
14 decision. We're stuck with the safety issues. It's supposed to minimize
15 incompatible uses. No additional industrial zones on Orchard Mesa. This is an
16 industrial zone. Have...have any of you even went out and looked at what our
17 neighborhood is is my concern because people...

18 COMMISSIONER ESLAMI: We are not here to
19 approve this. We are here to just recommend to the City Council.

20 MS. ZEHNER: My understanding is that if it's approved here,
21 it goes through. It does not go to City Council. This is our last step.

22 COMMISSIONER SCHOENRADT: That's correct.

23 COMMISSIONER ESLAMI: Oh, I didn't...

24 MS. ZEHNER: That's alright. Again on 29-3/4 Road I
25 have people constantly walking up the street, riding their bikes up the street,

1 riding their horses so they can get up to the trail that's up on the BLM. You have
2 these trucks going down. That takes that away not just from my neighborhood
3 but all the surrounding neighborhoods there. And I'm asking, I am pleading that
4 you guys deny this. It's not what's good for our neighborhood. They can find a
5 better place to put it. Thank you.

6 CHAIRMAN ABBOTT: I...I do have a couple questions
7 for you.

8 MS. ZEHNER: Sure.

9 CHAIRMAN ABBOTT: We will absolutely take a look at
10 your petition with the signed signatures. How many are there on that again and
11 then how many are in the neighborhood?

12 MS. ZEHNER: There's 54 there and again this is how
13 many showed up - 54 signatures. That's how many people showed up to the
14 picnic would have been two Saturdays...the Saturday before Memorial Day.
15 Windy day. In order to even talk you had to scream because you could not hear
16 one another.

17 CHAIRMAN ABBOTT: I understand. So you...you can't
18 tell me like this is 75 percent of the...the people in the neighborhood or 25
19 percent. I'm...and trust me I'm not...I'm not taking any sides. I'm just trying to
20 get information.

21 MS. ZEHNER: Okay. I can tell you out of and I've been
22 through our neighborhood. We've also been talking with the mining and
23 reclamation. I have found one person that is for this gravel pit there and the only
24 reason why is he has a job with the man.

25 CHAIRMAN ABBOTT: Okay.

1 MS. ZEHNER: Everybody else...

2 CHAIRMAN ABBOTT: A couple other...other comments

3 I have in regards to your comments was as I understand it the zoning
4 requirements state that this operation needs only to be 125 feet from the
5 property line. So in...in effect the 200 feet in reality is...is to your benefit and
6 again I'm not taking sides. I'm just trying to make clarification. And then as far
7 as the runoff goes as I understand what I have seen, this activity will actually
8 help the runoff because the...the drainage and the way they're gonna grade this
9 is actually gonna keep more of the runoff on site rather than allowing it to go off.
10 So and...and again I'm not taking sides. I'm just pointing out clarifications.

11 MS. ZEHNER: Can I...would you guys like these
12 pictures? Would you like to see how close this is to our homes?

13 CHAIRMAN ABBOTT: Well, trust me. I...I presume
14 most of us have been up there. We'll take a look at your pictures. I was up
15 there just today so...

16 MS. ZEHNER: And again if you would look at the
17 highway because they're not...they're not measuring the highway and counting
18 the lanes and they even have it in their own documentation - 76 feet. There's no
19 93. Thank you. Do I need to sign both?

20 MS. COX: No, just sign once.

21 RYAN: My name's Ryan. I live at 122 29-3/4 - - pretty
22 much on the corner of 29 and Meeker. That's gonna be 55 signatures. I had to
23 work that day so I wasn't able to make it - - my wife did. It's kind of a reiteration
24 of everything that everyone else has already said. We also have two children.
25 One that does go to school and waits at the bus stop and another that will be

1 pretty soon. I've been there for the better part of four years and my wife's been
2 there longer. We like the quiet. About the most noise we hear is the occasional
3 dirt bike coming up that direction - - four-wheeler, which is great. You know,
4 that's the family life that we like in Grand Junction. That's the whole idea of living
5 in a small town atmosphere. Knowing people that live around you and feeling
6 safe. As a parent, you kinda think about this whether you like it or not whether it,
7 be through a daydream or a dream, but if you've ever asked yourself if it does
8 get approved say two months down the road from now somebody's kid gets hit
9 and killed. Will it fall back on your conscience? Will it fall back on anybody's
10 conscience thinking that this could have been prevented? Whether it be through
11 another alternate route or not doing it at all. Thanks.

12 CHAIRMAN ABBOTT: Thank you.

13 MS. FELMLEE: My name is Vicki Felmlee. I live at 178 Glory
14 View Drive on Orchard Mesa. I do not live in the neighborhood but I am one of
15 the people who signed that petition. I will tell you that. I represent two groups
16 this evening – OMNIA - - Orchard Mesa Neighbors in Action in which I am the
17 president - - as well as the National O-S-T-A – Old Spanish Trails Association.
18 Just recently this Planning Commission and the City Council as well as the
19 County Commissioners and their Planning Commission signed off on, approved
20 the master plan for Mesa County and Grand Junction. The words in that
21 document or those documents...those co-documents are pretty clear. The goal
22 of that master plan is to make Grand Junction the best place to live between
23 Denver and Salt Lake City. I'm paraphrasing but it's something to that effect.

24 We were told on Orchard Mesa that our...our bonus...our thing to
25 look forward to was the village center on Orchard Mesa that would be patterned

1 somewhat after the First and Patterson village center but would be a really great
2 addition to our neighborhoods, our community. This gravel pit is right across the
3 highway from our wonderful proposed village center. That land was just
4 annexed a few weeks ago by this body. How does a gravel pit right across the
5 street from a village center fit your vision? That's not a rhetorical question. I'd
6 really like to know the answer to that because so far from city staff I haven't got
7 an answer yet on that one. That gravel pit will be visible from Highway 50.

8 Mrs. Zehner referenced the Orchard Mesa neighborhood plan
9 which I understand is sunset. By the way I was president of the group that put
10 together that plan 20 years ago. I'm pretty familiar with it and I'm pretty familiar
11 with the goals. I'm pretty familiar with what we said. This gravel pit does not
12 represent your master plan...your goals of your master plan nor does it represent
13 what Orchard Mesa wants. What hasn't been discussed verbally at this meeting
14 is that this ridgeline will be taken down 70 feet. It is the only buffer this
15 neighborhood has between the landfill and the highway and Orchard Mesa by
16 proxy.

17 Mr....I...I don't want to mangle your name...Mr. Eslami?

18 COMMISSER ESLAMI: Ebe.

19 MS. FELMLEE: Is that correct? You asked a very good
20 question about housing developments. How this would compare to a housing
21 development if and when that is put into this area. Now, please City staff, please
22 correct me if I'm wrong because I want to be corrected if I am wrong but my
23 understanding is that the ridgeline protection policy only pertains to housing
24 developments. It does not pertain to an industrial or in this case the gravel pit.
25 Is that correct?

1 If that is correct, my understanding is correct, that housing
2 development would have to respect the ridgeline protection. This does not. I
3 hope that answers your question a little bit better. At least that's my
4 understanding of how this works.

5 We market our area based on (inaudible). We...we market our
6 area based on policies. We market our area based on our decisions. We
7 market our area as a great place to vacation. We market it for its open space
8 and for its accessibility to open space. At the end of 29-3/4 Road there is a sign
9 that says this road from here on end is accessible for the Old Spanish Trail users
10 -- hiking, biking, walking, horseback riding. OSTA, the local chapter, is
11 supposedly a review agency for anything pertaining to the Old Spanish Trail.
12 This pertains to access to the Old Spanish Trail. To my knowledge and I
13 talked...by the way I talked with the president of OSTA this evening. She could
14 not make the meeting. She asked me to represent her and the national
15 association as well. She never received a packet. OSTA never received a
16 review packet. It is a review agency at least according to City of Grand Junction.
17 It should have received one. It did not.

18 I have here a letter that was just received today and I apologize for
19 the lateness but because of this issue that came to the forefront of OSTA just
20 recently we did receive this letter. I did pass it on via e-mail to City planning
21 staff. I don't know if you've seen it. I do have copies that I'd like to give you. I
22 don't want to read all of it but it does reflect OSTA's concern about access to the
23 Old Spanish Trail. Minimizing it and indeed compromising it the safety of people
24 using 29-3/4 Road to access the Old Spanish Trail in that area. They do ask the
25 Planning Commission to deny this petition because the safety issue and it

1 does...it ...it does concern them. Yet another access point to the Old Spanish
2 Trail and public lands which again we market is being compromised by this
3 development or, excuse me, by this industrial plan. The president does say he
4 has asked the national association's president as well as preservation and
5 stewardship committee to discuss these issues further and to take appropriate
6 steps to further register and publicize their concerns including notification of the
7 National Historic Trail staff as a partnership of the National Trails System and
8 appropriate U.S. Department of Interior agencies. The Old Spanish Trail does
9 come under the jurisdiction of the Interior Department.

10 Any questions? And can I hand these to you?

11 MS. COX: Mr. Chairman, you do have copies of that...that letter
12 that she references.

13 MS. FELMLEE: You do have copies? Have you seen...have
14 you seen this letter like I said it just came in? One last thing, just a show of
15 hands, how many people here are against this? Thank you.

16 MR. STEVES: Good evening. My name's Peter Steves. I live
17 at 2982 Craig Street. I've been a resident there for 20 years now. I'd like to say
18 first of all that I agree with the speakers previous to me. I'd like to point out also
19 that the...our property values are gonna significantly suffer by this development.
20 It's...there's been two houses for sale on my street for over a year now and I
21 believe that something....it has to do with the proposed development of the
22 gravel pit. I do realize the economy has been slower lately but I would like to say
23 that if this goes through that there's not gonna be anyway most of us can...can
24 get out of there 'cuz our property values will be lowered. I also have a...several
25 children and I...that access the bus stops and the thought of having gravel trucks

1 that are approximately 11 feet wide going down a road side by side they're
2 gonna be off the road and...and that kinda scares me a little bit. Thank you.

3 CHAIRMAN ABBOTT: Thank you.

4 MS. SHIPLEY: I'm Mary Shipley. I live at 2981 Hayden.
5 We've lived there for just a little bit over six years. We moved to Orchard Mesa
6 and specifically...specifically to that property because my husband was wanting
7 to start...start a concrete countertop business and there's a shop there that
8 would be large enough to do that. The second reason we moved there was that
9 we had been living at 30 Road and almost the interstate and you know very well
10 that the racetrack's there. And we knew that the airport would be there and the
11 interstate traffic would be there but once the racetrack went in we couldn't even
12 be outside and talk to each other because the noise was so loud. So in order to
13 have a quieter life also we moved there to this Hayden address.

14 I'm sure you've been to the landfill lately and one of my concerns
15 about the gravel pit going in is that every time the wind blows if there's any loose
16 grocery bags or anything that can be loose no matter if there's that tall chain link
17 fence and whatever else it's made out of surrounding the landfill, the plastic bags
18 go everywhere. If the barrier between our subdivision and the landfill is
19 removed, we're gonna be the addition to that trashy area that hardly ever gets
20 picked up. And I want to say that I agree with about everything that's been said
21 here tonight. I do have health issues and I'm not sure that the air quality is
22 gonna be the quality that's been promised. So I would...I appreciate you giving
23 a second thought or a lot of thought into approving this subdivision. Keep us in
24 mind because the subdivision was there first and there's reasons we're each
25 there. Thank you.

1 CHAIRMAN ABBOTT: Thank you.

2 MR. McELHINEY: Mr. Commissioner. I'm Steve
3 McElhiney. I live at 101 29-3/4 Road, directly across from this project. I agree
4 with everything everybody said tonight. The road's too narrow. Safety issues for
5 the children. I haven't got any anymore but...and I like access to the trail. My
6 wife and I both got health issues and being that close to this thing and the hours
7 they're gonna keep it just...just this whole thing makes no sense. A little tiny
8 road they're gonna go down with these big trucks. I drive truck for a living too so
9 I know all about them. Worked around gravel pits quite a bit of my life and I
10 know about that and I just hope you guys say no to this project. I'd really
11 appreciate it. Thank you.

12 CHAIRMAN ABBOTT: Thank you.

13 MR. GORDON: Ladies and gentlemen.

14 CHAIRMAN ABBOTT: Good evening.

15 MR. GORDON: Jerry Gordon. I live at 2975 Craig Street. You
16 can kinda hear everybody's emotional. It is. It's kind of a different thing. You
17 live in a real nice little quiet neighborhood like that and you look at all this as
18 being planned. You say, just think about it going in by your houses. It really
19 kinda makes you think. One...one thing I have heard from Whitewater Gravel
20 and from DuCrays that they all drilled that area and looked for gravel and stuff
21 and then...and that's why DuCrays shut their pit down. There's only like 10, 12
22 feet of...of pit run there. And like I say it's hearsay. The DuCrays used...

23 COMMISSIONER SCHOENRADT: Sir, could you
24 speak into the microphone?

1 MR. GORDON: Oh, I'm sorry. The DuCrays used
2 to...they hauled their material over to the dump like you have said, sir. And he
3 said I talked to Mr. DuCray. He has concerns. They own about half a mile of
4 private property there. His concerns are that he has it already reseeded and
5 everything then if somebody else did it that they would disturb that and one thing
6 I thought maybe they need to get a bond. I think they really need to look at that
7 if they are gonna do this. You know, I can't see it being passed tonight. That
8 just seems kinda lame to me. But, you know, it seems like you guys still have
9 questions and we have concerns that, you know, it...it really needs to be looked
10 at long and hard. They need to look at different avenues than 29-3/4 Road like
11 you say.

12 It...it's really kinda scary that's a downhill grade. The trucks are
13 coming in empty and they're going out full so it's a downhill grade. They're
14 gonna go down. I measured out from the stop sign to the little frontage road. It's
15 like 63 feet and you always have to stay back 10 feet from a stop sign. So it's
16 gonna be 53 feet. If one of these trucks...two of them happen to get down there,
17 they're gonna block...block that frontage road. You're not gonna have a place
18 for an ambulance or anything to get into our little subdivision. The next road is
19 quite aways down. We look at...I call that it's gonna be Mertle's road - - 29-3/4
20 Road is. It ends up we're gonna have to exit out on the road down by the dump
21 there (inaudible).

22 All the traffic's gonna be re-rerouting kind of that one guy was
23 saying. It's gonna go through that other subdivision. So it's gonna just...it's
24 gonna be interesting, real interesting. So they...they really need to know how
25 much gravel is up there. I...I kind of wonder if they're not doing it to a good

1 subdivision and that's fine. Like I said we want to see things going to and...one
2 thing I see about the landscape and they're talking about putting that into the
3 base of a hill. The hill's like a hundred feet above it so you're gonna have a
4 hundred feet tall landscaping? I doubt that. So the landscaping doesn't really
5 mean much to us.

6 Usually when you see a gravel pit it seems like it's out in a flat area.
7 They dig a dip and then you've got a berm around it so the noise stays in there
8 and stuff. This is gonna be up on top of a mountain. So it's gonna
9 be...everybody's gonna be able to see it. You're gonna hear it. You hear that
10 beep, beep, beep of the backup alarms going and stuff. It's gonna be
11 interesting.

12 The existing pit of DuCrays is like that one said it is to the...to the
13 south and it's at the ridgeline. It's down underneath. It's like 50 foot deep so
14 it's...you really don't even see it from our...our area so that's...and the Mountain
15 Region, they...I live right there on the corner. They're about 75 feet from me.
16 They have...they have a few trucks that go by and that's it.

17 One thing everybody says about kids and adults and people
18 walking on the roads, is that the trucks are gonna take up the road. It...it...if it
19 ever did go through it'd seem wise to have curbs and sidewalks 'cuz I seen
20 tonight in some of the rebuttals that oh, kids shouldn't be playing in the street.
21 These kids gotta walk to their friends' house down this road. Adults gotta walk
22 down this road to walk their dog and stuff. With these trucks you're not gonna be
23 able to walk on the road so...One thing I think about is that they have to truck all
24 the water in to keep that vegetation growing, keep all the dirt down so there's
25 more trucks. It's kind of a...I couldn't believe they didn't have a city water tap or I

1 guess you can't use water out of...of the irrigation canal for this. So it's...there's
2 another...and that's kinda lame having to haul water into drop dust. That's kind
3 of (inaudible).

4 Like I say usually gravel pits make a pond. That was one of my
5 things. It seems like a poor spot for a gravel pit and dangerous so, something to
6 think about. Twenty-five miles an hour. I drive a sedan, pickup. Twenty-five
7 miles an hour is going right along on that little road. That's what these guys can
8 do. You think you have a load of gravel pit going downhill at 25 miles an hour.
9 That's kinda...there needs to be...if it ever does through they're needs to be
10 stipulations. They need to...we have way too many trucks...that's...300 trucks –
11 that's crazy. I bet there's probably you guys saying the road's steady. I bet
12 there's probably not 60 vehicles going down that or that...that road in a day.
13 You're just...it's totally gonna change that. They said they looked at different
14 things and like I say if...if that...that little road next to the frontage road gets
15 blocked that would be really kinda scary. Thank you very much. God bless you.

16 MS. SMITH: My name is Shelley Smith. I live at 135 29-3/4
17 Road. I'm just gonna call a spade what it is. They're taking that ridge down.
18 They're asking for a C-U-P on that permit to put houses up there. The first time
19 they...they approached the City for that, they were denied. The reasons are still
20 the same. The area hasn't changed other than the fact that Red Tail Ridge
21 Subdivision has been in there. The amount of gravel that they've
22 sold...they...they claim that they need for their first pretense was the 29 Road
23 overpass. They're not using that for that. I noticed that they just kindly didn't
24 mention that today.

1 In the new proposals from City staff it states that Mr. Weaver and
2 Schooley have to be in charge of maintenance for 29-3/4 Road. They're not
3 gonna do that. They're taking the easy way out here and our neighborhood is
4 going to have to pay for it. We purchased our home ten years ago. It was bare
5 land. We have horses. There are several other...other neighbors have horses.
6 We live right on the corner. Right there at...at the highway. There has been
7 eight accidents within the last year there. It's blind when you come out of 29-3/4
8 Road to the highway. They can extend it, yes. But when a big truck comes in
9 and they're turning up...up 29-3/4 Road, we all know how those little cars are
10 gonna come out and dart out and there's gonna be more collisions there. If
11 they're going to maintain this gravel extraction, then they need to take it out a
12 different area. Don't take the cheap way out here because somebody's life is
13 worth money. Thank you.

14 CHAIRMAN ABBOTT: Thank you.

15 MS. KELCHNER: Okay, hi. My name is Jennifer Kelchner and
16 I'm hearing impaired and I live at number 105 (inaudible). And the one thing
17 that's (inaudible) probably because I live so close to the hill. (Inaudible) the road
18 that we have is so thin. You've got the canal right across the road. That's the
19 last thing that we need to worry about is going in and out to our property. And I
20 have four kids. I have three of them here with me and they love to ride their
21 bikes down the road. Because there's no park close by that they're gonna go
22 play. I can't keep them off the road. The last thing that I have to worry about is
23 all the trucks going down the road from 6 o'clock in the morning 'til 6 o'clock at
24 night.

1 I'm not always going to be able to keep an eye on them. Okay? I
2 can't stop them from going on the hill because they like to go for a walk up there.
3 They see people going horseback riding. They're gonna want to follow them up
4 there and I'm thinking they're kids. They want to have fun. (Inaudible) up there
5 and on the road because it's so close. The last thing that we have to worry
6 about is the trash coming over, the smell of the canal. I don't want to worry
7 about (inaudible) across from my property. So I...I know I read the papers
8 (inaudible) is quiet. It is peaceful but to have a truck coming down the road 300
9 times a day from 6 in the morning until 6 o'clock. I think it's just plum crazy. I'm
10 sure all of us like our privacy. So we have a young family that we have to raise.
11 (Inaudible) if something happened to them. And I'm sure all of us have horses
12 and dogs. We go for a bike ride. We go horseback riding. We ride our bikes up
13 there. In the wintertime there's snow up there. That's the perfect place to go
14 sledding. So I'm only here for them. I'm speaking on their behalf because they
15 don't want to come up here and talk. Okay? Thank you.

16 CHAIRMAN ABBOTT: Thank you.

17 MR. WEBER: Hi. My name is Ed Weber. I live at 2976 Craig
18 Street and to let you all know I agree a hundred percent. Also come wintertime
19 different times of the year of course you all...everybody knows the ice and
20 everything and it's not good that way. The roads are not acceptable.
21 Everybody's gotta go out. Wants to walk, play, got kids, grandkids. Just I hope
22 you don't let it go. It's not a safe place to be with trucks coming down. It's all
23 downhill – 100 percent. Down there, there's no room like has been made before
24 for...on the frontage road and everything for the trucks to stop. It blocks off

1 emergency access if they double up. And so, that's pretty much what it is there.

2 Thank you for your time. I appreciate it.

3 CHAIRMAN ABBOTT: Thank you.

4 MS. ROCKOW: Hi. My name is Melanie Rockow. I live at 122
5 29-3/4 Road. I grew up in this neighborhood. I moved to Glenwood Springs.
6 Six years ago I chose to move back to Grand Junction to raise my young son
7 and I chose to move to this neighborhood because it's where I have my father's
8 memories where I played and I know all the neighbors. We don't have to lock
9 our doors at night. We don't have to worry about leaving things in the driveway.
10 Most of all, we don't have to worry about our children going back and forth from
11 neighbor's houses to greet each other and play and ride their bikes. My son
12 rides the elementary school bus. He's picked up at 8:30 in the morning. The
13 bus stop is on the west side of 29-3/4 Road across from Meeker Street. Children
14 come both from the west and the south side of 29-3/4 Road. The children on the
15 east side are going to have to cross 29-3/4 Road to get to the bus stop. They're
16 also standing on a spot of dirt that's about two feet wide before they're in a field
17 waiting for the bus.

18 During the winter...we had a terrible winter this year. The snow
19 was built up from the plow that did come by. The children were standing in the
20 road. My front door is 20 feet from this road and my concern is that if there's
21 snow and there's ice and there's children standing out there, they play. You
22 know what happens if one of these trucks is coming too fast? What happens if
23 their brakes go out? There's no safe place for these children to stand out there
24 and wait for the school bus five days a week. So I hope that you guys take into
25 consideration not only the safety issues but also the quality of life and the

1 community that we have in this neighborhood. You know, everybody is...knows
2 everybody. Everybody knows their kids. Everybody knows each other's dogs.
3 And I just hope that the quality of life and the safety and the health issues aren't
4 sold to make somebody else rich. Thank you for your time.

5 CHAIRMAN ABBOTT: Thank you.

6 MR. JACOBS: Good evening, sir. My name is Lacey Jacobs.
7 I live at 3-0-0-9 Highway 50. I haven't seen these people in many, many years.
8 I moved into Grand Junction and into Orchard Mesa back in 1993 and I stayed
9 here until about 1999. I left the area and went to the Front Range. I came back
10 just last year and this whole area has changed dramatically. The demographics
11 of this...the community has changed - - younger people. And what's really
12 interesting is is that I can't add any more than that which you've already listened
13 to - - the emotion of these people tonight.

14 I think their greatest concern is their children and the operation
15 of...of what they will see as certainly a turn down to the general condition of the
16 neighborhood. I'm a little bit to the south of these people and one of the greatest
17 pleasures I've had being a 66 year old man and which is one of the reasons what
18 brought me back was that I always enjoyed watching horses and watching the
19 kids play. And I don't have children that are of that age so they're not affected.
20 They live in...in other areas and other states. But I certainly agree with these
21 people that the general...the general feeling would be that the...the conditions
22 that this operation might be would certainly hinder what the very purpose of
23 these people coming into Orchard Mesa was.

24 And if anything I could ask that what you might do is certainly
25 consider one and two other facts is...is that Grand Junction Pipe when they

1 made an application for their operation, their hours of operation were certainly
2 restricted and not allowed to be presented at 6 o'clock in the morning. They
3 were forced to take their trucks and...and send their operations out almost into
4 Fruita and come down the highway that way. So that would not disturb the
5 general neighborhood. There's other trucking operations in this neighborhood
6 and they are also under a restriction as far as time is concerned. So whatever
7 your decision is, I ask that you certainly consider maybe amending if in fact you
8 do agree that you should grant these people a conditional permit. Certainly I
9 would ask that you consider giving them and asking them to change their hours
10 of operation so that it...it meets the general needs of the people a little more
11 personal. And that's pretty much all I have. Thank you very much.

12 CHAIRMAN ABBOTT: Thank you.

13 RYAN: Sorry. I just wanted to add something kind of
14 in defense of all the trucking issues that we have in the neighborhood. Those
15 people live there, you know. So it's not like we're talking about people that don't
16 know any better that want to make a lot of money or anything, you know. We're
17 talking about our homes not just a gravel pit and, you know, those people that's
18 their home also - whether it's their place of business as well. So if we're talking
19 about people that are going to be living on the gravel pit, then cool. But, you
20 know, they know...they...they keep their respect and boundaries because they
21 live there as well.

22 MS. BISHOP: Good evening. My name is Jackie Bishop. I
23 live right where they're going to take the hill down. I'm probably one of the very
24 closest. My husband, Jim Bishop, has written two letters that you both have
25 gotten lately. I can't...I don't have graphs and I don't have pictures and I don't...I

1 can't tell you everything that's good and bad. All I can tell you is I agree with all
2 of my neighbors and I would like each of you to look at each of these people.
3 Each one of these people represent a home that lives in one of these three
4 subdivisions that is going to be affected by a gravel pit. I'm...I'm wondering how
5 much we have to lose.

6 Everybody that lives there knows that we have more wind up there
7 than anything. When we had our picnic I would say maybe 20 percent of all of
8 the people that could have come, came. The wind was so strong that we
9 couldn't even talk. We were yelling. We have that a lot and with that great big
10 beautiful barrier hill that kids climb, horses go, we've done this for years. Our
11 home has been there for 30 years. We live right on the canal – right on it. And
12 (inaudible) pick my house...my...my kitchen window is the barrier hill. I walk up
13 there with dogs and neighbors everyday. Everyday the wind has blown tons of
14 refuse from the...the dump and sometimes the smell is horrible and there isn't a
15 windy day that goes by that all of us don't say thank God that barrier hill is there
16 so that we don't have the wind and the smell, the dust and everything.

17 I understand about free enterprise. I think that's wonderful but can
18 you tell me is there another gravel pit in this whole area that is in a subdivision
19 that is going to affect hundreds of homes? And these hundreds of homes are
20 going to have...everything is going to go against them, okay? Our property
21 values are going to just drop. We're going to have bad environmental issues.
22 We're gonna have tremendous safety issues - - all for what? We don't get
23 anything but devalued in our lovely neighborhoods and we will not get anything
24 for expenses. We're not gonna make any money on this. All we are gonna do is
25 lose. And I know that times are hard and there are folks that have come in here

1 that are first time homebuyers and there are people that are retiring thinking they
2 have a lovely little neighborhood to live in. Granted, we have not been asked to
3 go on a home tour of our neighborhood or anything like that but we love our
4 homes as well as anybody else does in any part of this town. And I think putting
5 a project like this in a small quiet subdivision is absolutely ludicrous. Thank you.

6 CHAIRMAN ABBOTT: Thank you. Is there anyone else
7 from the public who would like to comment?

8 MS. MANGELS: Hello. I'm Donna Mangels. I live at 105
9 29-3/4 - - right across the street from where this is happening. That was...

10 is my daughter, my grandkids up there minus my grandson and I'm up
11 here pleading on behalf of my grandkids. When John and Jennifer bought the
12 property on a dead end street up against BLM land they figured safe, quiet. The
13 dogs can run, the kids can run. Any given day...yesterday's paper - - that's the
14 way it is. Front page. Kids are on the road with their bikes, with the dogs, with
15 their skateboards, playing basketball. Horses are up and down the road. In
16 wintertime they're on the hill on their sleds. In the...in the summertime they take
17 their bikes up there and they have their little ramps. It's very safe. It's very...it's
18 a lot of fun up there for the kids and there's kids on that road constantly.

19 So I'm here as a grandmother pleading for the safety of my
20 grandkids as well of all the safety of all the other kids and people. There's
21 people that come in on horseback that don't even live in the neighborhood or for
22 their dirt bikes or whatever, their four-wheelers. There's a lot at stake here. So
23 I'm...I'm pleading, please deny this petition. Thank you.

24 CHAIRMAN ABBOTT: Thank you.

1 MS. ZEHNER: I just want to make sure that I could give this to
2 you and who do I need to hand it to – the petition?

3 CHAIRMAN ABBOTT: That's fine.

4 MS. ZEHNER: And then I also want to say my mom and sister
5 couldn't be here and they both own homes up there as well. It's not just a
6 neighborhood. It's our...it's our family up there and I want to thank all the
7 neighbors. We've gotten to know each other very well because of this. So if
8 anything else there's one good thing that's happened. And again I do plead that
9 you guys do deny this. Thank you.

10 MR. KERBY: Hello. My name is Frank Kerby. I live at 130
11 29-3/4 Road and I'd just like to add one thing to my letter that I don't think
12 enough of an effort was made to communicate with the DuCrays. So that's all I
13 have to say. You might be interested in speaking to them. Thank you.

14 CHAIRMAN ABBOTT: Thank you. Would anyone else
15 from the public like to comment? Seeing no one else...okay.

16 UNIDENTIFIED MALE SPEAKER: My wife already
17 spoke but I'm just wondering if...if you let them take the barrier hill down and find
18 all these problems that are true that all these people are talking about, how you
19 gonna solve that problem? How can you put that hill back up? Because the
20 smell and the environmental from that dump, all the issues will come right down
21 through there with the wind. Because it blows every single day from the north to
22 the south and once you make a decision, it's hard to put it back up then. It's too
23 late. Thank you very much.

24 CHAIRMAN ABBOTT: Thank you. Okay, once again
25 does anyone else from the public like to comment on this issue at this time?

1 Seeing none, I'm gonna close the public hearing and I would like the applicant to
2 come up and address some of the issues that have been stated here and then
3 we may have more questions for him.

4 MR. JONES: Thank you, Mr. Chair. The applicant has
5 worked diligently with staff to ensure that the proposal before you tonight is a
6 quality design. It provides the absolute best in access, phasing, screening and
7 reclamation. I'd like to spend some time going into more so than...than I had
8 previously what was entailed when analyzing the three options that were before
9 us for a haul route.

10 This is an overview map showing the proposed site. The three
11 options - - the 30 Road corridor, the southern route through the private property
12 and the Mesa County landfill which sits here and 29-3/4 Road. And this is the
13 culvert that was spoken about under 29-3/4 Road for the Orchard Mesa Canal.
14 A significant amount of time was spent at the beginning of this project analyzing
15 haul routes and utilizing the project team which consisted of a traffic engineer,
16 staff from Mesa County, R-T-P-O, the City of Grand Junction and Colorado
17 Department of Transportation to evaluate and determine the most appropriate
18 haul route for the application. Many different scenarios were explored and
19 discarded as it became evident that 29-3/4 Road was the most viable route.

20 The 30 Road connection was evaluated and this is a access road
21 plan. What you're looking at is Highway 50 here, the frontage road, 30 Road. I'll
22 just briefly explain the...the different scenarios that we went through. This is an
23 existing street right-of-way. It's a...it's a half right-of-way for 30 Road in this
24 section before it accesses the Schooley-Weaver site. The difficulty of this option
25 as you can see from the slide is the elevation difference between the site and the

1 short distance to Highway 50. This resulted in design grades for a truck haul
2 route of nearly 12 percent with 9 to 15 foot high retaining walls required in order
3 to construct a haul route within the half through driveway. It basically looked like
4 a highway overpass if it were to be constructed. Not to mention some
5 constructability and safety concerns of bringing loaded trucks off of a 12 percent
6 haul route into an intersection directly adjacent to Highway 50. I heard mention
7 of a 5 percent from some of the neighbors of 29-3/4 Road. Well you can
8 certainly imagine what 12 percent would look like.

9 This also resulted in approximately 8 to 9 feet of fill at the
10 intersection of the frontage road and when you combine S-curves to bring the
11 horizontal alignment of the frontage road back to the existing grade, you're
12 looking at S-curves of somewhere in the neighborhood of 300 feet plus to the
13 east and to the west of the intersection of the frontage road.

14 We also looked at another scenario with lowering the...utilizing a
15 siphon for the Orchard Mesa Canal to lower the grade of the haul route closer to
16 10 percent. The Orchard Mesa Irrigation District did not seem willing to allow a
17 siphon for the canal. And the other problems that I just went through regarding
18 retaining walls, fill and the frontage road and still something close to the 10
19 percent haul route still exists even with this option.

20 The traffic engineer of City staff and CDOT concurred that the 29-
21 3/4 Road route was the most viable. Such an option is that through the Mesa
22 County landfill which I had spoken about. The problems of private property and
23 Mesa County owned property.

24 And the third option was 29-3/4 Road. A thorough evaluation of the
25 road section completed with supplemental borings of the road and as I

1 mentioned the...the asphalt's 8 to 9 inches thick. Most of your roads are 3 and 4
2 inches thick. Our measurements of the road resulted in something closer to 24
3 feet but nonetheless a level 3 traffic study was completed for the project as a
4 requirement of the CDOT access permit. The traffic study was conservative in
5 its approach and actually evaluated 29-3/4 Road and Highway 50 at nearly twice
6 the number of trucks than were proposed with this application; however, it was
7 reduced to 300 trucks...trips per day working with staff.

8 I also heard a comment from the...one neighbor, I believe, Mr.
9 Parrott. that the current 29-3/4 Road intersection didn't meet standards. As part
10 of a level 3 traffic study you're required to evaluate the intersection in a.m. and
11 p.m. hours. Traffic counts at eastbound, westbound, northbound, southbound
12 for both State Highway 50 and 29-3/4 Road was completed and as part of the
13 analysis a level of service review was completed. Now, there's basically five
14 categories of level of service when looking at a traffic study – A being the best
15 and then once you get down below D, it's...it's pretty much unacceptable. What
16 the study concluded was that these intersections are operating almost all of them
17 within the level A or B. There's only two or three at a level C - - so well above a
18 level of service D. I felt that was important to note given the comment that the
19 intersection didn't meet current standards.

20 Improvements to Highway 50 will be completed as well. There's
21 approximately 1,182 lineal feet of re-striping that's to be completed in Highway
22 50 to add a left-turn acceleration lane and extending the current right turn
23 deceleration lane. So if anything, these improvements are going to be a...a
24 benefit to the existing intersection - not only for trucks but for the existing

1 residences in the neighborhood. A CDOT access permit was granted for this
2 application on May 17th.

3 I'd like to talk a little bit about buffering. There was quite a few
4 comments about landscaping and...and buffering. This is an exhibit which I
5 believe was in your packets and it takes the four closest residence and cuts
6 cross-sections through them. This is a profile view of section 1 - - this is 29-3/4
7 Road. The residence is on the west side of 29-3/4 Road and an approximate
8 site line has been taken from that home. The...the dash line represents the
9 existing grade and the dashed line here is the approximate intermediate grade
10 now and...and the final grade being that solid black line here. Now what...what
11 the approximate intermediate grade line shows is that the method proposed with
12 this gravel pit is one that is going to start on the back side and work its way in
13 here thus leaving this barrier to the residences until the end. In addition to that,
14 a landscape area consisting of pods was proposed and we worked with
15 a...a...Barry Tompkins, landscape architect, who came up with some very good
16 concepts as proposed in the landscape plans that you have in your packets.

17 This residence on the other side of the canal accordingly will have
18 no sight into it once it's finally graded and again you can see the concept with the
19 intermediate grade. This is the section 2 which shows the home on to the north.
20 This is the Orchard Mesa Canal. And again the...the landscape area with a
21 berm. Now there's gonna be a combination of berming with the landscape again
22 as it was proposed on the landscape plan. And then this is the final profile.
23 Again, a home on the north side of the canal with its view here and then
24 landscape area with a berm that will drop down into the proposed final grade.

1 The intermediate grade design is such that it leaves this section until the end
2 to...to take out.

3 Noise and impact - - as I understand it, quite a bit of the noise and
4 dust problems associated with a gravel mining pit's operations are associated
5 with the type of processing, crushing and stockpiling that's done. If you stand
6 and...and watch a...a gravel mine, the great deal of the noise and dust problems
7 that are associated with it come from that. And this application is not proposing
8 any of those items.

9 Additionally, in order to further mitigate neighboring property
10 concerns, the applicant is prepared to revise the hours of operation from 6 a.m.
11 to 6 p.m. to 8:30 a.m. to 5 p.m. I believe it was mentioned that the three bus
12 stop times...of the three bus stop times the...the latest was 8:30 a.m. So a start
13 up of the operation would be 8:30 to coincide such that that concern can be
14 further mitigated. It would essentially place the activities of the operation
15 completely within the workday and avoid that morning bus schedule.

16 Regarding the concern of children and the bus stop at the
17 intersection of 29-3/4 Road...this isn't a very good slide for this but...I believe the
18 current bus stop is located here at the intersection of the frontage road and 29-
19 3/4 Road.

20 UNIDENTIFIED FEMALE SPEAKER: It's on the corner of
21 (inaudible) and Meeker is where the elementary (inaudible). On the west side.
22 High school...

23 MR. JONES: Right here?

24 UNIDENTIFIED FEMALE SPEAKER: (Inaudible) highway.

25 UNIDENTIFIED MALE SPEAKER: Down a little.

1 MR. JONES: Right here? Right here? Okay. On the west
2 side here on this corner?

3 UNIDENTIFIED FEMALE SPEAKER: So the children will
4 be walking across that road to get to the bus stop.

5 MR. JONES: Okay, thank you for the clarification.

6 UNIDENTIFIED FEMALE SPEAKER: They also have to
7 walk (inaudible).

8 MR. JONES: We attempted to contact the Mesa County
9 School District 51 transportation coordinator, Mr. Dave Montoya. We've worked
10 with Dave Montoya in the...in the past when designing subdivisions and bus
11 shelters and things of that nature. And we specifically contacted Dave Montoya
12 to suggest a relocation of the bus stop potentially to something to the east
13 maybe even to the intersection of Whitehead Drive. The applicant's also willing
14 to construct a bus stop shelter - - be it a raid shelter, a covered shelter - - to
15 further mitigate some of the concerns we've heard from the neighbors.

16 I heard mention of the ridgeline development standards. I'm
17 somewhat familiar with the ridgeline development standards given the
18 subdivision designs we've done in the past in the City of Grand Junction that
19 have implemented the ridgeline development standards. If you read the ridgeline
20 development standards in the zoning ordinance, the intent and purpose of this
21 section is to mitigate the construction of buildings, fences and walls. Almost
22 everyone of those items in bold points in the ridgeline development standards
23 specifically references that. This application is proposing none of these items.

24 There was also reference made to the Mesa County review
25 comments. This review comment letter dated May 26, 20-10 and I'd just like to

1 take a moment to go through these. They were broken up into three different
2 sections. The first section was general comments. The first comment was that
3 the operation should be compatible with Mesa County land development
4 standards, hours of operations and be in compliance with sections 5.2.13 c.
5 through j. We analyzed our application and compared it to these sections - c.
6 through j.- and we meet all of them. As a matter of fact the hours of operation in
7 c. through j. under Mesa County's land development code allow the operation to
8 go ahead to 7 p.m.

9 The next comment was a signal on Highway 50. That wasn't
10 warranted with the proposal. And that a notice of permit and an access will be
11 required if the County still has partial jurisdiction to 29-3/4 Road. It is my
12 understanding that the City is intending to annex the other half of 29-3/4 Road so
13 that basically makes that comment not applicable.

14 There were comments about 29-3/4 Road right-of-way about
15 maintenance. And again the applicant is signing a maintenance agreement for
16 29-3/4 Road. And then they talked about the 30 Road alignment and I believe
17 even a...a southern route through the solid waste facility was mentioned which is
18 somewhat comical considering they - - Mesa County - - are the ones who denied
19 the notice of intent to issue an access permit for that exact route.

20 The 30 Road alignment comments talk a little bit about grade and
21 the needs for a gate if it were to be developed but I don't believe that there was a
22 whole lot of time spent looking at the cross sections and some of the
23 constructability and safety concerns that I have gone over with you tonight.

24 I'd like to take a moment to read a section from the Colorado State
25 Statute - section 34-1-301. And this was a legislative declaration that was

1 enacted in 1973. The general assembly hereby declares that the state's
2 commercial mineral deposits are essential to the state's economy. The populous
3 counties of the state face a critical shortage of such deposits. Such deposits
4 should be extracted according to a rational plan, calculated to avoid waste of
5 such deposits and cause the least practicable disruption of the ecology and
6 quality of life of the citizens of the populous counties of the state. The general
7 assembly further declares that, for the reasons stated in subsection 1 of this
8 section, the regulation of commercial mineral deposits, the preservation of
9 access to and extraction of such deposits, and the development of a rational
10 plan for extraction of such deposits are matters of concern in the populous
11 counties of the state. It is the intention of the general assembly that the
12 provisions of this part 3 have full force and effect throughout such populous
13 counties, including, but not limited to, the city and county of Denver and any
14 other home rule city or town within each such populous county but shall have no
15 application outside such populous counties.

16 The statute was first adopted in 1963 and it has been in effect
17 since 1973 as I mentioned. Clearly the state sees the importance and the values
18 of preserving and utilizing our natural resources and gravel is a natural resource
19 that's used in nearly every construction that we do in the city and the county and
20 the state.

21 The C-U-P process in my opinion is as much about maintaining
22 municipal control and...and jurisdiction over the use as it is in making sure the
23 applicant is making every effort possible to be a good neighbor. I...I believe
24 you'd have to agree that this has been done and that we would respectfully

1 request your approval of the C-U-P application. And with that, I'll take any
2 questions that you may have.

3 COMMISSIONER CARLOW: This is pretty basic but
4 where do...where do you measure the 125 feet from? Your property line to
5 the...

6 MR. JONES: It's difficult to tell. But the...from this picture,
7 but it's basically measured from the residence and so it's a 200 foot buffer in
8 this...in this area around the limits of grading that will be preserved.

9 COMMISSIONER CARLOW: Well, my next question
10 would probably be more to the city staff, but are there any undeveloped lots
11 nearby that will be precluded from building because of this limit?

12 MS. COX: Lisa Cox, Planning Manager. I don't believe
13 there would be any vacant lots that would be precluded from...from building.
14 This...assuming they would be built after the...the gravel mining operations had
15 begun. But I...I don't believe there'd be any...

16 COMMISSIONER CARLOW: No I know that but what if
17 in the next five years they decide they want to build, are they precluded then?
18 Well, if they violate the 125 feet?

19 MS. BEARD: Jamie Beard, Assistant...

20 COMMISSIONER CARLOW: ...build on that lot is closer
21 than that, what do you do?

22 MS. BEARD: Jamie Beard, the Assistant City Attorney, and
23 it's not gonna preclude somebody else from building on their lot. That
24 requirement is specifically for the gravel pit in our approval of allowing them to go
25 forward. So they can go ahead and go forward if you approve it and somebody

1 comes in later and they choose to put their house closer, then that's gonna be by
2 their choice rather than by the gravel pit. But they would be allowed to still come
3 and build if there is an actual vacant lot that's available for purposes of putting on
4 a residence.

5 MR. JONES: There's only one vacant lot and it's
6 located right here.

7 MS. BEARD: But it's basically they come...come to the lot
8 then with the knowledge that there is a gravel pit back there and where they
9 choose to put their house then would be by their choice as long as they
10 otherwise meet the requirements for I believe that that's still in Mesa County then
11 their land code or if it is part of the city, then they'll still have to meet our
12 requirements for putting a house in. But it's not going to have an affect based on
13 the gravel pit.

14 COMMISSIONER SCHOENRADT: Mr. Chairman, I
15 have a question.

16 CHAIRMAN ABBOTT: Sure.

17 COMMISSIONER SCHOENRADT: Mr. Jones, when
18 you asked Mr. Montoya, what was his response to moving the school bus stop?

19 MR. JONES: Unfortunately we tried contacting him last week
20 and we simply played phone tag for three or four days. Although in past
21 experience with Mr. Montoya, he's very good to work with and I...I personally
22 don't see that it would be an issue. If you look at the ground, there's adequate
23 area at the intersection of Whitehead and the frontage road to accommodate a
24 bus shelter.

1 UNIDENTIFIED FEMALE SPEAKER: I'm sorry but by the
2 frontage road it's very close to the highway where there are big trucks going. I
3 don't want my 8-year old child standing there where I can't see him. Where I'm
4 at now on the corner across from the bus stop I can watch him and all the
5 neighbors' children as opposed to look and see the bus stop from the inside of
6 our community down to the frontage road by the highway where not only there's
7 traffic but the potential for somebody to abduct one of our children because
8 they're so far...

9 CHAIRMAN ABBOTT: Okay, well, thank you for the
10 input. Keep in mind that this is not an open forum at this time. Does anybody
11 else have questions?

12 COMMISSIONER BURNETT: I do. I...how big are
13 these? What are the sizes of these trucks and will they be pulling additional
14 trailers behind them?

15 MR. JONES: As I understand it, it's gonna be a mixture of
16 medium sized trucks and large sized trucks. Medium sized trucks being the
17 simple tandem axle and then larger trucks being your belly dumps. So I don't
18 believe that you're gonna have any like double trailers being hauled.

19 CHAIRMAN ABBOTT: I've...I've got a couple of
20 questions for you then. As I understand it the...by the agreement the applicant
21 is gonna be responsible for maintaining the...the road. What plans are in effect
22 for I guess I'll call it dropage from the trucks as they spill out of the trucks and,
23 you know, how's that gonna be addressed?

24 MR. JONES: Well, every load is required by law to be
25 covered so obviously that is first and foremost is done before any hauling is

1 completed and before it leaves the site. As part of the safety program I imagine
2 there would be monitoring on a...on a periodic basis of 29-3/4 Road. An initial
3 evaluation on 29-3/4 Road in terms of its condition would be completed and then
4 periodically be reviewed. And then obviously if there was any complaints or code
5 enforcement issues relative to a pothole or something like that.

6 CHAIRMAN ABBOTT: No, I'm...I'm talking about gravel
7 escaping from the truck and then being on the side of the road or being in the
8 middle of the road. Are there plans for doing regular street sweeping or
9 what...what is the thoughts of the applicant?

10 MR. JONES: A weekly monitoring program to review any
11 spilled material. Street sweeping is as you mentioned is certainly an option to
12 accommodate that. But we don't anticipate a lot of spillage out of the trucks.
13 We certainly hope to minimize that.

14 CHAIRMAN ABBOTT: Okay. Maybe I was hearing
15 something weird I...I don't know. Did I hear you say that the start probably
16 wouldn't happen until 8:30? Did I hear that wrong or...?

17 MR. JONES: Well, given some of the comments from the
18 neighborhood, we feel it would be better to move the 6 a.m. start time to 8:30 to
19 accommodate that morning bus schedule.

20 CHAIRMAN ABBOTT: So how would you feel about we
21 as a Commission amending this to have the start time from 8:30 til 6?

22 MR. JONES: Amending the start time from 6 to 8:30?

23 CHAIRMAN ABBOTT: The operation from...from 8:30 in
24 the morning 'til 6 in the evening.

25 COMMISSIONER SCHOENRADT: 5.

1 CHAIRMAN ABBOTT: Oh, 5?

2 MR. JONES: 5, yeah. Absolutely.

3 CHAIRMAN ABBOTT: Okay.

4 UNIDENTIFIED MALE SPEAKER: (Inaudible).

5 CHAIRMAN ABBOTT: I'm sorry. We're...we're not
6 having a public comment at this time. Have you given any...any thought to the
7 potential loss of access to the Old Spanish Trail and...and any way to mitigate
8 that?

9 MR. JONES: We have and that's...that's difficult because
10 there's no parking lot.

11 CHAIRMAN ABBOTT: I understand.

12 MR. JONES: Yeah. The road basically dead ends.

13 CHAIRMAN ABBOTT: Right.

14 MR. JONES: And our...our...our current operations and the
15 proposed plan before you, we're really not going to be impacting the access to
16 the Old Spanish Trail. What I mean by that is, you know, we're not going out into
17 the right-of-way beyond the point that the road is closed. In terms of mitigating
18 that, the only thing I can think of is if the DuCrays were of mind, then
19 parking...some sort of parking lot could be developed there on their property at
20 the end of the road to accommodate those who wish desired access to the trail.

21 CHAIRMAN ABBOTT: Okay.

22 COMMISSIONER WILLIAMS: Mr. Chairman, in regards
23 to that, I would like to look at Brian's staff's report on the page looking east and I
24 would like to see where that trail access is on that photo if that's possible. I
25 believe it was titled looking east.

1 MS. COX: You can pull it up. Is the overhead working?

2 MR. RUSCHE: Commissioner Williams, the photo that
3 you're referring to actually doesn't go out far enough to show the trail but I have
4 another photograph. I need to zoom out I guess. This is the...the site is outlined
5 in yellow and the trail is on the far side of the map in brown. According to
6 the...the city's G-I-S, the distance between this property and the trail is
7 approximately 4100 feet and that's...I measured that as the crow flies. So I'm
8 not sure how access is gained to the trail via 29-3/4 Road.

9 CHAIRMAN ABBOTT: Are you...is the brown you're
10 talking about down in the lower left-hand corner of this? Is that what you're
11 talking about?

12 MR. RUSCHE: That's...that's the Old Spanish Trail.

13 CHAIRMAN ABBOTT: Okay. I just wanted clarification
14 on that. Do we have any other questions for the applicant at this time? Hearing
15 no other questions for the applicant, I do have a request for a five minute break.
16 We will resume at 8:15. We're in recess.

17 *** A recess was taken between 8:10 p.m. and 8:15 p.m. ***

18 CHAIRMAN ABBOTT: And are there any other
19 questions for the applicant? Hearing no other questions for the applicant or staff,
20 I am going to close this hearing right now and we will have a discussion amongst
21 the Planning Commission members. So we're open for comment.

22 COMMISSIONER SCHOENRADT: I guess I'll go first.
23 Mr. Chairman, the way I see things the primary role of a governing body is to
24 protect the public welfare and safety. I'm torn because there's...there's a
25 balancing act here between private property rights that are a foundation of our

1 country but a public safety issue which is the role...the primary role of any
2 government...government, excuse me. And because of that, I am going to be
3 unable to support the approval of this permit the way it is proposed with its
4 ingress and egress route being 29-3/4 Road.

5 CHAIRMAN ABBOTT: Thank you.

6 COMMISSIONER CARLOW: Yes. I'm...I'm opposed to it also.
7 I think the 29-3/4 Road has the potential to become a bottleneck whether
8 through accidents, breakdowns, weather, school-related issues or whatever. I
9 think access onto Highway 50 is gonna be a bigger problem because as I
10 understand it everything turns left onto the project. Although it wasn't discussed,
11 I've got a problem with the discrepancy between the CDOT permit and the City
12 permit of two years' gap. So I...I cannot support this.

13 COMMISSIONER BURNETT: I also for safety reasons
14 alone am opposed to this.

15 CHAIRMAN ABBOTT: Okay.

16 COMMISSIONER ESLAMI: For the property right, I am
17 for it.

18 COMMISSIONER WILLIAMS: Mr. Chairman, while I
19 appreciate the effort of the time zone change, there are still too many questions
20 – the biggest one being safety on that road. And also the...being the three year
21 period for CDOT's portion of the permit and then the City giving five, I can't
22 understand why that is. So at this time I'm gonna have to say no also.

23 CHAIRMAN ABBOTT: Ebe, did you want to continue?

24 COMMISSIONER ESLAMI: No.

1 CHAIRMAN ABBOTT: You know, frankly to be real
2 honest with you, I started out opposing this measure as it kept going and kept
3 going and then to be honest with you the applicant has offered to change his
4 hours of operation from 8:30 to...to 5 p.m. It sounds to me like the applicant is
5 doing everything they can to mitigate the impact of this project. And again, you
6 know, while I guess I would not necessarily like to have this in my neighborhood,
7 I do find that it fits the zoning code. It fits all the requirements that the City has
8 asked for it. As a strictly a property rights issue, I'm going to have to probably
9 vote for this measure. So at this time I will entertain a motion on this motion.
10 Let's find it here. One second here.

11 COMMISSIONER SCHOENRADT: You got it? Alright.
12 I got it. Ready?

13 CHAIRMAN ABBOTT: Yep.

14 COMMISSIONER SCHOENRADT: Mr. Chairman, on
15 the request for a Conditional Use Permit for the Schooley-Weaver gravel pit
16 application, Number C-U-P 20-10, excuse me, 2-0-1-0 – 0-0-8, to be located at
17 104 29-3/4 Road, I move that the Planning Commission approve the Conditional
18 Use Permit with the findings of fact, conclusions and conditions listed in the staff
19 report.

20 CHAIRMAN ABBOTT: Okay, all those in favor of this say so by
21 saying aye.

22 COMMISSIONER ESLAMI: Aye.

23 CHAIRMAN ABBOTT: Aye. And opposed?

24 COMMISSIONER CARLOW: Aye.

25 COMMISSIONER SCHOENRADT: Aye.

1 COMMISSIONER BURNETT: Aye.

2 COMMISSIONER WILLIAMS: Aye.

3 CHAIRMAN ABBOTT: Okay.

4 MS. COX: Mr. Chairman, for purposes of clarification,
5 could we just do a...a count of those for and against, please?

6 CHAIRMAN ABBOTT: Sure. For – is myself and Ebe.

7 Is that right? And then opposed? And with that, I am going to call this session of
8 the Grand Junction Planning Commission to a close. Thank you for your time.

MOTION: (Commissioner Schoenrad) “Mr. Chairman, on the request for a Conditional Use Permit for the Schooley-Weaver gravel pit application, number CUP-2010-008, to be located at 104 29-3/4 Road, I move that the Planning Commission approve the Conditional Use Permit with the findings of fact, conclusions and conditions listed in the staff report.”

Commissioner Eslami seconded the motion. A vote was called and the motion failed by a vote of 2 – 4. Chairman Abbott and Commissioner Eslami for and Commissioners Schoenrad, Carlow, Burnett and Williams opposed.

General Discussion/Other Business

None.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 8:20 p.m.