

**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 exception  
7 of the three that are on 29-3/4 Road, sit below the elevation of the canal. The  
8 property itself, here, rises approximately 100 feet in elevation, measured from  
9 property line to peak. As mentioned, the adjacent residential neighborhood sits  
10 lower in elevation than that of the canal as well as the proposed operation  
11 making any sort of extraction of material from this property noticeable. The  
12 applicant has proposed landscaping along the canal to mitigate some of the  
13 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 common  
16 boundary. The property line is somewhere in here. However, no mutual  
17 agreement regarding the shared use of the former landfill road which was closed  
18 by the County could be reached. So this road crosses onto private property.

19           The applicant proposes to mine approximately 7.63 acres of the  
20 total 16 acres of the property. This proposal...this site plan reflects the  
21 requirement for a minimum separation of 125 feet from existing residences as  
22 well as 30 feet from the canal. There is no onsite crushing or processing with  
23 this application. The entrance to the site near the terminus of 29-3/4 Road will be  
24 asphalted and gated. The entire site needs to be fenced as well. As material is  
25 removed the slopes will be graded inward and this is the grading plan. As

1 material is removed, the slopes will be graded inward which will mitigate the  
2 effects of storm water runoff as well as provide a buffer to the operation as it  
3 continues mining downward. This is where the resultant storm water would  
4 collect.

5 This exhibit shows a cross section and approximate site lines from  
6 different residential sites surrounding the operation. As you can see from these  
7 pictures, the proposed final elevations...this is the existing hillside and this is the  
8 final elevation in relation to both the homes and the canal. The proposed final  
9 elevation will be reduced by 75 to 90 feet. The landscaping buffers have been  
10 designed by a landscape architect to help mitigate some of the visual affects of  
11 the operation. The landscaping will be irrigated with water trucked in from  
12 outside the site.

13 The applicant has proposed to remove material from the property  
14 over the next five years with the option of a two year administrative extension.  
15 Once the material is removed, the property will be reclaimed with native grasses.  
16 The reclamation plan must be approved by the State of Colorado. The applicant  
17 has requested a Conditional Use Permit for a gravel extraction facility within a  
18 Residential Rural zone. The requested C-U-P is for five years with the option of  
19 an administrative extension for two years pursuant to section 4.3.K.3.w. Access  
20 is provided via 29-3/4 Road which has been determined to be a suitable haul  
21 route with a condition that maintenance and repairs to be done...with a condition  
22 that maintenance and repairs necessary are to be done by the operator during  
23 the duration of the permit per section 4.3.K.3.g.

24 CDOT will grant access to Highway 50 for a period of three years  
25 subject to construction of improvements including extended acceleration in the

1 acceleration lanes. A notice to proceed must be issued by CDOT for this work.  
2 The maximum number of trips anticipated by the use is 300 per day and to clarify  
3 when we measure trips a... a trip is a coming or a going.

4           The applicant has proposed hours of operation beginning at 6 a.m.  
5 to 6 p.m. on weekdays only. Section 4.3.K.3.i. allows this range of time. This is  
6 the maximum amount of time allowed and in fact it doesn't address weekends. It  
7 simply says 6 to 6 is the maximum length. However, alternative hours may be  
8 authorized under this section. Other gravel pits that have been approved within  
9 the valley range from start times of 6 a.m. to 8 a.m. There was a question raised  
10 regarding residential garbage service. Most of the providers in the valley start at  
11 7 a.m.; however, commercial pickup begins as early as 3 a.m.

12           There will be no onsite crushing or processing. So there are some  
13 sections of 4.3.K. that don't apply. Pursuant to 4.3.K.3.c., the noise from the  
14 operation cannot exceed 65 decibels at the property line when adjacent to  
15 residential which is equivalent to an air conditioning unit or a noisy restaurant.  
16 The reclamation plan must be approved by the state as was mentioned. All  
17 storm water management must be done pursuant to 5.2.1 - - drainage authority  
18 regulations. There are mechanisms in place through our Code Enforcement  
19 Department. This is...the property is in the City so it would be...any code  
20 enforcement violations would be enforced by the City. So there are mechanisms  
21 in place to address potential issues of noise, dust, as well as storm water issues  
22 and that would be through the 5.2.1 that may arise from the operation.

23           The proposed landscaping meets the criteria of section 6.5. and  
24 provides a visual buffer from adjacent residences. The minimum separation from  
25 residences of 125 feet has been exceeded that the proposed mining area at least

1 200 feet from adjacent residences. This application is subject to the criteria of  
2 section 2.1.3.c. of the 2000 Zoning and Development Code, and that's the rules  
3 for Conditional Use Permits, as well as section 4.3.K., which is the standards for  
4 mineral extraction. It is my opinion that the criteria of both of these sections have  
5 been met. Are there any questions?

6 CHAIRMAN ABBOTT: I do have a question but I can't find  
7 where...you referenced there would be 300 trips per day. Is that correct?

8 MR. RUSCHE: Yes.

9 CHAIRMAN ABBOTT: I guess my confusion is that on page 2  
10 of the letter from Huddleston Berry, an engineering firm, in paragraph 3 of that  
11 page states that they had been told there would be 100 loaded trucks per day. I  
12 presume that would equate to 200 trips per day. So where is the discrepancy  
13 with now all of a sudden we're coming up with 300? Are they not giving their own  
14 engineering firm the...the information that we're getting tonight? What has  
15 changed to make that happen? I believe that's on page 93 of the report that we  
16 have.

17 MR. RUSCHE: 93, that's a...

18 CHAIRMAN ABBOTT: I'm trying to get back down to 93.

19 MR. RUSCHE: I have a letter from Huddleston Berry and that's  
20 regarding the pavement evaluation. Is that the right one?

21 CHAIRMAN ABBOTT: There's....there's...it's on page 2 of  
22 the...of that letter from Huddleston Berry and it is...it is page 3. It's under 29-3/4  
23 Road pavement evaluation. Under paragraph 3 it states with regard to additional  
24 traffic loading associated with the gravel resource, H-B-E-T understands that up  
25 to 100 loaded trucks per day may leave the site.



1 MR. RUSCHE: Okay.

2 CHAIRMAN ABBOTT: And they are also stating that it's  
3 estimated that it's gonna take three to five years. What I've heard is that again,  
4 you know, we're talking it's gonna be three to five years. Where does...where  
5 does 300 come into this and why is there a discrepancy?

6 MR. RUSCHE: I know that the 300 was in the traffic study. I  
7 also know that there is some methods regarding how much a truck counts as part  
8 of weighting limits or what have you. I'll let the applicant address some of those  
9 questions regarding the discrepancy.

10 CHAIRMAN ABBOTT: Okay.

11 MR. RUSCHE: Note too that a trip is a coming and  
12 going and in the discussion of trips it doesn't mention whether they be exclusively  
13 trucks.

14 CHAIRMAN ABBOTT: Okay, well if there's...

15 MR. RUSCHE: Whether they be other traffic generated.

16 CHAIRMAN ABBOTT: I...I can't imagine there'd be a  
17 whole lot of other traffic and we're...we're talking about a three-fold increase over  
18 what they've told their own engineering firm. Again I'm confused and would like  
19 some explanation as to how that came about and what the...what the affects  
20 are...what the affects would be. I don't know if the engineering firm is present to  
21 address this issue or if...if anybody can short of them address it properly.

22 MR. RUSCHE: I think the applicant's engineer can address  
23 your question.

24 CHAIRMAN ABBOTT: Okay.

25 MR. RUSCHE: Are there any other questions at this time?

1 COMMISSIONER SCHOENRADT: Yes, you did mention  
2 hours of operation that some commercial operations began at 3 a.m. but this is  
3 not a commercial operation. Is that correct?

4 MR. RUSCHE: The question posed to me was what...how the  
5 refuse services that operate in the valley, what times they start. They begin  
6 picking up at commercial locations, garbage, prior to 6 a.m. That in no way has  
7 any connection to what this request is. It's simply made for reference.

8 COMMISSIONER SCHOENRADT: Except it's Residential  
9 Rural compared to Residential.

10 CHAIRMAN ABBOTT: I think what he'd like to know is what  
11 time do they start for residential neighborhoods.

12 MR. RUSCHE: 7 a.m.

13 CHAIRMAN ABBOTT: Okay.

14 MR. RUSCHE: 7 a.m. the majority of the operators in  
15 the valley that I could get a hold of.

16 COMMISSIONER ESLAMI: By choice, right?

17 MR. RUSCHE: The majority of the providers are private.  
18 The City obviously provides service as well but it's done as a non-enterprise fund  
19 so it operates much like a business. I'm not aware of any ordinance. For  
20 reference...for reference, the noise ordinance has a 6 a.m. time as well.

21 CHAIRMAN ABBOTT: Are there any other questions for the  
22 staff? Hearing none, would the applicant like to come forward?

23 MR. JONES: Good evening, Mr. Chair, Commission  
24 members. My name's Robert Jones II. I'm with Vortex Engineering. Our office  
25 address is 2394 Patterson Drive in Grand Junction. I'm the applicant's

1 representative and tonight I'll be presenting the Schooley-Weaver C-U-P project.  
2 Quickly I have prepared a...a Google fly by which may help to get some  
3 perspective in regards to its location relative to the subdivision, 30 Road and its  
4 access going on 29-3/4 Road. This...traveling along Highway 50, the fairgrounds  
5 are noted. Traveling farther east to the entrance here is 29-3/4 Road, the Kia  
6 dealership is on the left. The subject site located here with the Burns Subdivision  
7 here. This is a view looking south from Highway 50. You can see the  
8 topographical relief relative to the subdivision to the north and Orchard Mesa  
9 Canal in this area.

10 I would like to enter into the record the following documents and  
11 exhibits - nine individual PowerPoint presentations which I'll be pulling various  
12 slides from during the course of the presentation and rebuttal period. A hard  
13 copy of all these presentations has been provided to City staff. A letter from the  
14 director of the Mesa County landfill to the Regional Transportation Planning  
15 Office of Mesa County, a Notice of Intent to Issue an Access Permit from the  
16 Regional Transportation Planning Office of Mesa County and the State of  
17 Colorado statute, specifically statutes 34-1-301 through 305.

18 I'll try and keep this brief since staff has done an excellent job  
19 providing the background and the history of this application in the staff report and  
20 presentation. To reiterate, the applicant is requesting a Conditional Use Permit  
21 to extract gravel per sections 2.2.D.4 and 4.3.K. of the City of Grand Junction  
22 Zoning and Development Code. There will be approximately 7.63 acres of the  
23 16-acre site disturbed. There will be no on-site crushing or processing of the  
24 material. The top soil will be used to supplement landscape areas and will not be  
25 stockpiled on site. The pit run gravel will be extracted and removed from the site

1 via excavators and dump trucks. Water for dust control and irrigation will be  
2 hauled to the site. When the extraction process is completed, top soil will be  
3 imported as needed and distributed evenly over the disturbed area and covered  
4 with a native seed mix approved through the State Reclamation Program.

5 In addition to the Conditional Use Permit applied for with the City,  
6 the following applications have also been made to the State of Colorado.  
7 Construction materials limit impact 110, operation reclamation permit, a storm  
8 water discharge permit associated with sand and gravel mining, an A-PEN or air  
9 pollution emission notice, and a CL and access permit from the Colorado  
10 Department of Transportation's region 3 office.

11 UNIDENTIFIED FEMALE SPEAKER: Can we get the  
12 volume turned up? (Inaudible)

13 CHAIRMAN ABBOTT: Staff, is there a way to turn the volume  
14 up?

15 MR. JONES: It may help if I lift this up a little bit. I'll go  
16 ahead and take this opportunity to answer your question, Mr. Chairman. The  
17 Huddleston Berry supplemental report was required at the staff level to determine  
18 and verify the adequacy of the 29-3/4 Road. The review of page 2 does indicate  
19 the Huddleston Berry report has 100 loaded trucks per day when the intent was  
20 150. However, if you read page 2 at 100 loaded trucks per day over a 5-year  
21 period results in a...an ESAL value of 120,000. Now an ESAL is...stands for an  
22 equivalent single axle load. The report further states that the ESAL value of 29-  
23 3/4 Road, which is 8 to 9 inches thick of asphalt over approximately 12 inches of  
24 road base, gives you an ESAL value of two million. So to further take this out,  
25 Huddleston Berry extended the operational life of the gravel pit to 30 years just to

1 see what an equivalent single axle load would be which is 720,000 - - still one-  
2 third of the ESAL value currently for 29-3/4 Road. So the difference between 100  
3 and 150 trucks per day is...is nominal when you're looking at an order of  
4 magnitude of three even if the gravel pit was operating for 30 years.

5 The Schooley-Weaver Conditional Use Permit meets or can meet  
6 all applicable sections of the Grand Junction Zoning and Development Code and  
7 the goals and policies of the Comprehensive Plan and we would respectfully  
8 request your approval of the Conditional Use Permit as presented and with that  
9 I'll open up the questions or take my seat.

10 CHAIRMAN ABBOTT: Does staff have any questions?

11 COMMISSIONER ESLAMI: Mr. Jones, Ebe Eslami, the  
12 first.

13 MR. JONES: Hello, Mr. Eslami.

14 COMMISSIONER ESLAMI: I was wondering why do  
15 you call it gravel extraction and stuff (inaudible). What's the difference, please?

16 MR. JONES: Merely because the Zoning and Development  
17 Code classifies the use of gravel extraction and this more closely defines what  
18 we're doing. The material... I can... this is actually the material natively that was  
19 excavated. It's a... a combination of two to three inch minus rock and sand.  
20 Formally what's known in the Grand Valley as pit run and this is what they're  
21 after.

22 COMMISSIONER ESLAMI: Now, next question is if  
23 they are allowed to build three houses over there if I'm correct. Is there R-4 or...

24 MR. JONES: Oh, I see.

25 COMMISSIONER ESLAMI: Five acres per...

1 MR. JONES: Per the zoning, yes, sir.

2 COMMISSIONER ESLAMI: If they build houses, they have to  
3 move this dirt anyhow or can they do it without moving the dirt?

4 MR. JONES: I guess it would depend upon the lot  
5 configuration. There's significant topographical relief on the site.

6 COMMISSIONER ESLAMI: My question is that in  
7 order to build houses there you have to flatten some of that (inaudible).

8 MR. JONES: Yes, sir.

9 COMMISSIONER CARLOW: Will there be any drilling or  
10 blasting involved with this?

11 MR. JONES: No, sir.

12 COMMISSIONER What if you hit cap rock?

13 MR. JONES: I'm sorry?

14 COMMISSIONER CARLOW: What if you hit cap rock?

15 COMMISSIONER ESLAMI: You have to stop.

16 COMMISSIONER CARLOW: I mean how are you gonna...how  
17 you gonna deal with it if you get down there and there's cap rock?

18 MR. JONES: Obviously we'd try and use conventional  
19 equipment – dozers with rippers - to remove cap rock. Our preliminary  
20 investigation didn't show any cap rock.

21 COMMISSIONER CARLOW: How far or time-wise how  
22 long is a round trip to the crushing facility?

23 MR. JONES: There hasn't been a...a...a single crushing  
24 facility chosen so I wouldn't be able to answer that question.

1 COMMISSIONER CARLOW: Any how many...how  
2 many gravel trucks do you anticipate involved in this whole operation?

3 MR. JONES: In a...in a peak capacity would be 300 which is  
4 150 and 150 out.

5 COMMISSIONER CARLOW: But how many trucks are  
6 you gonna need to accomplish that many trips? How many trucks are gonna be  
7 working on this project?

8 MR. JONES: Oh, I see what you're saying - - probably 20  
9 trucks. I haven't done the calculations for that.

10 COMMISSIONER SCHOENRADT: Mr. Chairman, I  
11 have a question.

12 CHAIRMAN ABBOTT: Go ahead.

13 COMMISSIONER SCHOENRADT: And I apologize if  
14 this is somewhere in the materials that we have but I do want to ask the reasons  
15 for the private... DuCray... the DuCrays that own the private road back there. But  
16 what are the reasons they gave for not allowing you to cross their... use their  
17 road?

18 MR. JONES: I personally did not have conversations with  
19 Mr. and Mrs. DuCray. It was the owner and from what he indicated to me, again  
20 this is secondhand, is they wanted no involvement whatsoever with allowing a  
21 mining operation here. So I could only guess at their reasons.

22 COMMISSIONER SCHOENRADT: Well, I mean  
23 everything has a price so I'm just wondering if it's cost prohibitive or, you know, in  
24 the...in the owners' viewpoint or is there... are there other reasons other than the

1 Mesa County landfill has closed access that way? And I'm talking just the private  
2 road right now.

3 MR. JONES: Again, I... I don't even think that monetary  
4 terms were discussed based upon the initial meeting. There's... the southern  
5 entrance or, excuse me, the southern haul route has obviously a crossing of  
6 private property as one complication but the other complication is that of the  
7 crossing of the Mesa County landfill. The... this option traveling south through  
8 the Mesa County landfill we actually submitted for through Mesa County and it  
9 was... it was denied and I can read you a letter if you have not read it already. It  
10 is not in your packets.

11 COMMISSIONER SCHOENRADT: It is but it's  
12 extremely hard to read.

13 MR. JONES: Permit me to, please. This is a letter from  
14 Robert Edmiston, who's the director of the Mesa County landfill at the time, to  
15 Ken Simms, with the Regional Transportation Planning Office in Mesa County.  
16 And he says, Dear Mr. Simms, per our discussion it is my understanding United  
17 Companies is entertaining the idea of accessing the gravel pit near the southern  
18 end of the 29-3/4 Road via road traversing the solid waste management campus.  
19 I am opposed to this idea for several reasons. Through this letter I will  
20 summarize my thoughts within a bullet format. The access road as proposed off  
21 31 Road is the main entrance to the organic materials composting facility. After  
22 hours security of this facility as well as the northern boundary of the landfill must  
23 be maintained. The proposal would involve the use of private property owned by  
24 Mountain Region Construction. This is a lousy copy. The license agreement  
25 through which the Mountain Region Construction accesses their gravel permit is



1 temporary and will expire on December 1<sup>st</sup> of 2007. Mountain Region  
2 Construction and Mesa County have worked jointly on the provision of access to  
3 their facilities as a function of the area's previous ownership by the Bureau of  
4 Land Management. Mountain Region Construction understands that access to  
5 their facilities is based on conditions existing prior to Mesa County obtaining a  
6 patent to the property and that their right of access is temporary. The idea is  
7 inconsistent with County Commission Resolution Number M-C-M-96-24 outlining  
8 the County's process of granting easements and that it is contrary to the Board's  
9 designation of the area as open space and it could would negatively influence  
10 access to and control of County facilities. The natural and our most efficient  
11 route of access to the property is 29-3/4 Road. Thank you for inviting me to  
12 comment on this idea.

13                   Subsequent to that...the receiving that letter, the Mesa County  
14 Regional Transportation Planning Office issued a denial of an access permit. So  
15 combining the fact that you have private property and property that's owned,  
16 controlled and maintained by Mesa County, who is unwilling to entertain the idea  
17 of a haul route, we looked to 29-3/4 Road.

18                   COMMISSIONER SCHOENRADT:                   How recent was  
19 that denial?

20                   MR. JONES:                   Many years ago - - approximately five  
21 years ago. Although I doubt their opinions have changed.

22                   COMMISSIONER SCHOENRADT:                   Thank you.

23                   MR. JONES:                   Sure.

24                   CHAIRMAN ABBOTT:                   Are there any other questions for  
25 the applicant? Hearing none, I will open up this hearing to the public comment

1 section. Again I would request that you restrict your comments to three to five  
2 minutes. Try to prioritize your comments to what you think is most important and  
3 what needs to be said. So at this time, I would like to hear from anyone that is in  
4 favor of this proposal. Seeing none, I will open up the hearing to those opposed  
5 to this proposal. Please when you come forward, please state your name and  
6 address for the record.

7 MR. BAIR: My name is Carter Bair. I live at 2966 A-1/4  
8 Road. I've been a Grand Junction resident for about...well, 11 years now. I've  
9 been at the property site...this property site for about eight years. I have five  
10 children. The oldest is 14; I have an 11 year old; a 9 year old; a 7 year old; and a  
11 5 year old. My concerns about this are that if we're looking at 300 trucks a day  
12 going down that road, that's every two and a half minutes that there is a big truck  
13 coming by. I have kids, they go down to 29-3/4 Road every morning for bus  
14 stops at 6:30 in the morning, 7 o'clock in the morning, 8:30 in the morning, and  
15 come back at the end of the day and there are kids from all over the  
16 neighborhood doing that. I live right along this bus route and I think that if you  
17 would think about your own families and think about these huge trucks coming  
18 down this residential road every two and a half minutes all day long from 6 in the  
19 morning until 6 at night. I think you would think a little bit more about whether 29-  
20 3/4 Road really should be the access for this gravel pit. That's my comments.  
21 Thank you.

22 CHAIRMAN ABBOTT: Thank you, sir.

23 MS. COX: Mr. Chairman, Lisa Cox, Planning Manager. If  
24 we could just remind citizens to please sign in. There's an opportunity to sign in

1 at the back of the room and also at the podium just to make sure we have an  
2 accurate record of those providing testimony. Thank you.

3 CHAIRMAN ABBOTT: Thank you.

4 MR. PARROTT: I'm Gary Parrott. I live at 2960 Great  
5 Plains Drive here in beautiful downtown Grand Junction. I'm also the president  
6 of the Red Tail Ridge Homeowners' Association. Red Tail Ridge Subdivision is  
7 approximately one block off of 29-3/4 Road; however, 29-3/4 Road is one of only  
8 two ways we can get into or out of the subdivision so it impacts us because we'll  
9 be competing with the increase in traffic. I personally drive along 29-3/4 Road  
10 every day to get to and from my house so I'm very, very familiar with the...the  
11 road. You may have read the letter that I sent. You may have that. I'm not  
12 gonna repeat everything that I wrote in there.

13 Our major concern is that we have no grief or we don't want to  
14 interfere with the free enterprise system or with the exercise of property rights.  
15 However, the utilization of that must be done safely, legally and responsibly.  
16 With the increase in truck traffic that's gonna incur, you have to look at what type  
17 of truck traffic it is. Dump trucks...I don't know if it's gonna be a single or a set of  
18 doubles or a dump truck with a trailer that's pulling behind so that makes a  
19 difference on how big of trucks we're talking about. But typically the dump trucks  
20 they're gonna use even the 3 axle ones with a dump bed, there's gonna be 102  
21 inches wide and at least 40 feet wide. The roadway is narrow. It's only a 20 foot  
22 roadway with no curb and gutter. The dump trucks are like I mentioned before  
23 with (inaudible) vehicles there are to deal with. You see it...you travel behind  
24 them and they say stay away 50 feet because things are always falling off.

1                   We are going to have a fluid trail going up the center of the road  
2 from radiator fluid, transmission fluid, you name it, hydraulic fluid. There's also  
3 going to be a dirt field, debris field on either side where the gravel's falling off, the  
4 dirt's falling off. It's going to accumulate to the point when it does rain or it's  
5 gonna be moved off the side of the road, it's going to go into the shoulder area.  
6 Right now there is no...it's just inadequate drainage. There's not a ditch along  
7 either side. That's gonna mean that we're gonna have environmental concerns  
8 with the collection of uncontrolled quantities along the side of the road of these  
9 hazardous materials. Now remember you get 50 gallons or more of a hazardous  
10 material, it's a hazardous incident. You're gonna have to respond and there's  
11 gonna be liability.

12                   Also they talk about the...the road is physically designed to carry  
13 the weight of an 80,000 pound gravel truck. However, those are not the only  
14 concerns. To do what they're doing, they're gonna have to bring in some heavy  
15 duty equipment. They're gonna be oversized. You're gonna have to issue an  
16 oversize permit. They will either be too...very wide or very high. Unfortunately  
17 you have telephone poles that are 20 feet apart on that road - - 29-3/4. There's  
18 no way to move those telephone poles or cables. So you've got to negotiate  
19 around those if you're gonna bring in a huge piece of equipment to do your  
20 excavation. Also, height - - you put a big...one of those hydraulic machines on  
21 the back of a flatbed, low bed trailer, it's going to exceed 14 feet in height and  
22 you look at that road there's telephone wires, there's cable wires, they're just  
23 above 14 feet so you got to consider that.

24                   Then also in reality that intersection at 29-3/4 and 50, it's operating  
25 under a waiver that was given to the City and the County years ago because it

1 does not meet current intersection standards when it comes to trucks. That's  
2 why it's a three-way stop at the frontage road and 29-3/4 because you can't have  
3 a truck and trailer pull and stop otherwise its tail end will be out into Highway 50.

4           So the...the issues we have...the Red Tail Ridge Homeowners'  
5 Association if you upgrade the road - 29-3/4 - to a full truck route with curb and  
6 gutter and adequate drainage and signage, we have no problem with it. And a  
7 full...full intersection, you know, signalized intersection at 29-3/4 and 50. I'm not  
8 even gonna mention the part about their crossing over Ditch Number 2 of  
9 Orchard Mesa Irrigation Canal. They're gonna have to have some signs or  
10 stripes or reflectors or guardrails or something otherwise a truck is going to go  
11 into that canal. So unless the remedies that we have suggested in our letter are  
12 met, we respectfully request that you deny the...the permit for this operation.

13           CHAIRMAN ABBOTT:           Thank you.

14           MR. SCHUERGAR:           How you doing?

15           CHAIRMAN ABBOTT:           Good.

16           MR. SCHUERGAR:           My name is Joe Schuergar. I live at the  
17 end of Hayden. If you look at your little picture there where the canal comes,  
18 that's my fence. So they're talking about right on the other side of my fence.  
19 Okay? Which they put in the landfill where they do the recycling and all that stuff  
20 and if you ever go up there in the morning time there's always a breeze coming  
21 from up there so that's not very pleasant to begin with but, you know, that's  
22 tolerable. I work on trucks for a living so I know what they're like as far as like  
23 the prior gentleman was talking about leaking, all that kind of stuff. Not starting in  
24 the wintertime. I deal with that stuff all the time. Okay?

1           The biggest other concern is the dust because if you've ever been  
2 to a gravel pit, I don't care what they do with the water. If they water it enough,  
3 then they get stuck so then they chain up to get out anyway. There's gonna be a  
4 lot of dust, all this other stuff and with Mr. Bair talking about the kids, my kid also  
5 walks down to the end of the street everyday - - back and forth. Wintertime  
6 there's...there's no lights on the street. There's no sidewalks and the kids are  
7 walking both directions. Okay? And the noise as well. I mean you're talking 6  
8 o'clock in the morning until 6 o'clock at night. Most places, you know, 7 o'clock  
9 'til 5, 8 o'clock 'til 5. They access 29-3/4 Road up through the landfill. That  
10 makes much more sense as there is already truck traffic coming down from the  
11 landfill. There's not adequate road for 29-3/4 Road and it runs right through the  
12 middle of a residential neighborhood. And also the canal is another issue. I  
13 mean what about the stuff that goes into the canal. It screws up the canal farther  
14 down the road. But that's about all I have to say and I...I don't want any part of  
15 it.

16           CHAIRMAN ABBOTT:     Thank you, sir.

17           MR. SCHUERGAR:         Thank you.

18           MR. McGEE:           Hello, my name is Tom McGee and I live at  
19 2976 Meeker Street and I've lived in this neighborhood for 35 years and I  
20 remember when that road was part of the dump and the traffic was terrible.  
21 That's why we finally got the County to move the road is because of the traffic.  
22 And if they come in there and cut down that hill the prevailing winds always blow  
23 from the south right into our neighborhood so any dust is gonna come right  
24 directly over our homes. And we don't really want the...all the dust. My wife,  
25 she's on oxygen and, you know, it could really bother her a lot. And also my

1 grandson, he catches the bus right there at 29-3/4 and Meeker and it's just very  
2 dangerous with heavy trucks. In the past they have clocked vehicles coming  
3 from the top of that hill by the time they got down there to the highway they was  
4 doing 60 mile an hour, you know. It...it does cause a big problem trying to stop  
5 one of those big vehicles and I just hope you don't allow this. Thank you.

6 CHAIRMAN ABBOTT: Thank you.

7 MR. EDSTROM: Gentlemen. My name's Scott Edstrom.  
8 I live at 2977 Meeker Street, across from Tom there. I'm a first time homebuyer  
9 over there on Meeker Street and I bought there 'cuz it's quiet. I live two houses  
10 away from 29-3/4 Road and I'm on swing shifts out there at the hospital and so at  
11 6 o'clock in the morning, that's halfway through my sleep period. Now I know  
12 that the rest of the world turns, you know, on whatever they turn on but...but so  
13 far it's been okay. You know, the trash trucks that they were talking about  
14 earlier, they don't get there until a little bit later in the morning. I manage to sleep  
15 through that but I can't imagine sleeping through big old trucks, you know,  
16 barreling down through there early in the morning. All the dust, all the noise, all  
17 the children, you know, going through there so I hope that...I hope we can find  
18 an alternative. Because I'm not opposed to free enterprise, you know. There's  
19 got to be a way to make a living out there and certainly we can use the...the  
20 economic boost but that's a residential neighborhood. Thank you very much.

21 CHAIRMAN ABBOTT: Thank you, sir.

22 MS. ZEHNER: Hi.

23 CHAIRMAN ABBOTT: Hello.

24 MS. ZEHNER: My name's Carrol Zehner and I live at  
25 114 29-3/4 Road and my house sits probably on the narrowest spot of this road

1 and I'm having to back up to it. I'm actually across from Mountain Region and  
2 constantly when I read in their paper they keep mentioning this trucking  
3 company. It's not a trucking company. It's a construction company that their  
4 trucks are out working. The only time they bring those trucks in is when they're  
5 working on them. And if you have them pull up their map to where the other  
6 gravel pit is, it's clear on the other side of the ridge. We are not hindered by their  
7 gravel pit. They were denied in '94 to using 29-3/4 Road because of safety  
8 issues. That's the reason why the landfill has denied use of that. If you start at  
9 the highway I have pictures.

10           They're saying the number of lanes add up to 93 feet. That there's  
11 four through lanes and they're counting one median, three turn lanes. Start off  
12 with if...if you read further up it says the existing 76 foot wide roadway can  
13 accommodate the temporary alterations. They're counting 93 feet and the  
14 existing alterations. They don't have that. You can look, they're counting an  
15 extra lane that's not even there. They're narrowing the lanes. My husband's a  
16 truck driver. He'll tell you that you cannot make that turn safely. We're gonna  
17 end up with accidents. You talk about the kids. There's another safety issue  
18 there. Our neighborhood had a picnic on one of the windiest days that we've had  
19 - 54 signatures - and I'd like to give that to you asking for that not to be put there.

20           If you go back...County, you know, they sent a letter asking for this  
21 to be stopped so they could re-look at it. The reason why is because it shouldn't  
22 be there. That road should not be used. They say what it should be...if they're  
23 gonna use it, is they should make them finish 30 Road out so they can go  
24 through the non-residential and even to the point they...they had said to turn it  
25 back to 29-3/4, there's no reason to do that. They can send it out to the east



1 more toward the landfill road and not even hit the residential. If you go... City  
2 papers and I understand that they say this...it's originally development and they  
3 say it only has to do with development. It reads though the City recognizes the  
4 values of its visual resources and amenities. The purpose of the ridgeline  
5 development standards is to preserve the character of the identified ridgelines  
6 and to minimize soil and slope instabilities and...and erosion. With doing this,  
7 they're taking that ridgeline. They're taking the barrier that's been there for years  
8 to help barrier from the landfill.

9           If you go on into I'm just gonna kind of go through my papers - 12  
10 people that were within 200 feet of where they're moving dirt. That's just a little  
11 bit more than half of a football field that these people are gonna be moving dirt.  
12 Me and my neighbors are gonna have to sit and breath this. I look out of my  
13 upstairs window. That's what my picture's gonna be of. That's what I'm gonna  
14 be breathing every single day. When they're going by my house, you're gonna  
15 be hearing their...their Jake brakes going drrrrrrrrrrrrrr all the way down the  
16 road. It's a five percent grade. Again, I...I understand that part because my  
17 husband's a truck driver. It...it makes no sense.

18           Orchard Mesa neighborhood plan - a basic issue of the residents of  
19 Orchard Mesa is the image of Orchard Mesa. Many residents have referred to  
20 Orchard Mesa as a dumping ground for the County and the City stepchild. A  
21 feeling that equitable capital improvements have not been made by the City or  
22 County on Orchard Mesa is also prevalent. Highway 50 Corridor – a major  
23 entryway to the Grand Junction area and offers visitors and residents their first  
24 view of our urban areas. Their view's gonna be this gravel pit taking down the  
25 hill. Again, you know, I'm not the one that wrote this. This is an Orchard Mesa

1 neighborhood plan. City stepchild, dumping ground for the County. Image and  
2 character issues. Threaten future views of Grand Mesa, Bookcliffs and plateau.  
3 That was one of their issues - - their...their concerns. Their goals and objectives.  
4 Zoning standards should require buffering between different uses to ensure new  
5 commercial business development is compatible with residential and other  
6 adjacent uses. This is not compatible with our neighborhood. We bought there  
7 again for the quiet and if you guys approve it, we're stuck with your decision.  
8 We're stuck with the safety issues. It's supposed to minimize incompatible uses.  
9 No additional industrial zones on Orchard Mesa. This is an industrial zone.  
10 Have...have any of you even went out and looked at what our neighborhood is is  
11 my concern because people...

12 COMMISSIONER ESLAMI: We are not here to  
13 approve this. We are here to just recommend to the City Council.

14 MS. ZEHNER: My understanding is that if it's approved here, it  
15 goes through. It does not go to City Council. This is our last step.

16 COMMISSIONER SCHOENRADT: That's correct.

17 COMMISSIONER ESLAMI: Oh, I didn't...

18 MS. ZEHNER: That's alright. Again on 29-3/4 Road I  
19 have people constantly walking up the street, riding their bikes up the street,  
20 riding their horses so they can get up to the trail that's up on the BLM. You have  
21 these trucks going down. That takes that away not just from my neighborhood  
22 but all the surrounding neighborhoods there. And I'm asking, I am pleading that  
23 you guys deny this. It's not what's good for our neighborhood. They can find a  
24 better place to put it. Thank you.

1 CHAIRMAN ABBOTT: I...I do have a couple questions  
2 for you.

3 MS. ZEHNER: Sure.

4 CHAIRMAN ABBOTT: We will absolutely take a look at  
5 your petition with the signed signatures. How many are there on that again and  
6 then how many are in the neighborhood?

7 MS. ZEHNER: There's 54 there and again this is how  
8 many showed up - 54 signatures. That's how many people showed up to the  
9 picnic would have been two Saturdays...the Saturday before Memorial Day.  
10 Windy day. In order to even talk you had to scream because you could not hear  
11 one another.

12 CHAIRMAN ABBOTT: I understand. So you...you can't  
13 tell me like this is 75 percent of the...the people in the neighborhood or 25  
14 percent. I'm...and trust me I'm not...I'm not taking any sides. I'm just trying to  
15 get information.

16 MS. ZEHNER: Okay. I can tell you out of and I've been  
17 through our neighborhood. We've also been talking with the mining and  
18 reclamation. I have found one person that is for this gravel pit there and the only  
19 reason why is he has a job with the man.

20 CHAIRMAN ABBOTT: Okay.

21 MS. ZEHNER: Everybody else...

22 CHAIRMAN ABBOTT: A couple other...other comments  
23 I have in regards to your comments was as I understand it the zoning  
24 requirements state that this operation needs only to be 125 feet from the property  
25 line. So in...in effect the 200 feet in reality is...is to your benefit and again I'm

1 not taking sides. I'm just trying to make clarification. And then as far as the  
2 runoff goes as I understand what I have seen, this activity will actually help the  
3 runoff because the...the drainage and the way they're gonna grade this is  
4 actually gonna keep more of the runoff on site rather than allowing it to go off.  
5 So and...and again I'm not taking sides. I'm just pointing out clarifications.

6 MS. ZEHNER: Can I...would you guys like these  
7 pictures? Would you like to see how close this is to our homes?

8 CHAIRMAN ABBOTT: Well, trust me. I...I presume  
9 most of us have been up there. We'll take a look at your pictures. I was up there  
10 just today so...

11 MS. ZEHNER: And again if you would look at the  
12 highway because they're not...they're not measuring the highway and counting  
13 the lanes and they even have it in their own documentation - 76 feet. There's no  
14 93. Thank you. Do I need to sign both?

15 MS. COX: No, just sign once.

16 RYAN: My name's Ryan. I live at 122 29-3/4 - - pretty  
17 much on the corner of 29 and Meeker. That's gonna be 55 signatures. I had to  
18 work that day so I wasn't able to make it - - my wife did. It's kind of a reiteration  
19 of everything that everyone else has already said. We also have two children.  
20 One that does go to school and waits at the bus stop and another that will be  
21 pretty soon. I've been there for the better part of four years and my wife's been  
22 there longer. We like the quiet. About the most noise we hear is the occasional  
23 dirt bike coming up that direction - - four-wheeler, which is great. You know,  
24 that's the family life that we like in Grand Junction. That's the whole idea of living  
25 in a small town atmosphere. Knowing people that live around you and feeling

1 safe. As a parent, you kinda think about this whether you like it or not whether it,  
2 be through a daydream or a dream, but if you've ever asked yourself if it does get  
3 approved say two months down the road from now somebody's kid gets hit and  
4 killed. Will it fall back on your conscience? Will it fall back on anybody's  
5 conscience thinking that this could have been prevented? Whether it be through  
6 another alternate route or not doing it at all. Thanks.

7 CHAIRMAN ABBOTT: Thank you.

8 MS. FELMLEE: My name is Vicki Felmlee. I live at 178 Glory  
9 View Drive on Orchard Mesa. I do not live in the neighborhood but I am one of  
10 the people who signed that petition. I will tell you that. I represent two groups  
11 this evening – OMNIA - - Orchard Mesa Neighbors in Action in which I am the  
12 president - - as well as the National O-S-T-A – Old Spanish Trails Association.  
13 Just recently this Planning Commission and the City Council as well as the  
14 County Commissioners and their Planning Commission signed off on, approved  
15 the master plan for Mesa County and Grand Junction. The words in that  
16 document or those documents...those co-documents are pretty clear. The goal  
17 of that master plan is to make Grand Junction the best place to live between  
18 Denver and Salt Lake City. I'm paraphrasing but it's something to that effect.

19 We were told on Orchard Mesa that our...our bonus...our thing to  
20 look forward to was the village center on Orchard Mesa that would be patterned  
21 somewhat after the First and Patterson village center but would be a really great  
22 addition to our neighborhoods, our community. This gravel pit is right across the  
23 highway from our wonderful proposed village center. That land was just annexed  
24 a few weeks ago by this body. How does a gravel pit right across the street from  
25 a village center fit your vision? That's not a rhetorical question. I'd really like to

1 know the answer to that because so far from city staff I haven't got an answer yet  
2 on that one. That gravel pit will be visible from Highway 50.

3 Mrs. Zehner referenced the Orchard Mesa neighborhood plan  
4 which I understand is sunset. By the way I was president of the group that put  
5 together that plan 20 years ago. I'm pretty familiar with it and I'm pretty familiar  
6 with the goals. I'm pretty familiar with what we said. This gravel pit does not  
7 represent your master plan...your goals of your master plan nor does it represent  
8 what Orchard Mesa wants. What hasn't been discussed verbally at this meeting  
9 is that this ridgeline will be taken down 70 feet. It is the only buffer this  
10 neighborhood has between the landfill and the highway and Orchard Mesa by  
11 proxy.

12 Mr....I...I don't want to mangle your name...Mr. Eslami?

13 COMMISSIONER ESLAMI: Ebe.

14 MS. FELMLEE: Is that correct? You asked a very good  
15 question about housing developments. How this would compare to a housing  
16 development if and when that is put into this area. Now, please City staff, please  
17 correct me if I'm wrong because I want to be corrected if I am wrong but my  
18 understanding is that the ridgeline protection policy only pertains to housing  
19 developments. It does not pertain to an industrial or in this case the gravel pit. Is  
20 that correct?

21 If that is correct, my understanding is correct, that housing  
22 development would have to respect the ridgeline protection. This does not. I  
23 hope that answers your question a little bit better. At least that's my  
24 understanding of how this works.

1                   We market our area based on (inaudible). We...we market our  
2 area based on policies. We market our area based on our decisions. We market  
3 our area as a great place to vacation. We market it for its open space and for its  
4 accessibility to open space. At the end of 29-3/4 Road there is a sign that says  
5 this road from here on end is accessible for the Old Spanish Trail users - - hiking,  
6 biking, walking, horseback riding. OSTA, the local chapter, is supposedly a  
7 review agency for anything pertaining to the Old Spanish Trail. This pertains to  
8 access to the Old Spanish Trail. To my knowledge and I talked...by the way I  
9 talked with the president of OSTA this evening. She could not make the meeting.  
10 She asked me to represent her and the national association as well. She never  
11 received a packet. OSTA never received a review packet. It is a review agency  
12 at least according to City of Grand Junction. It should have received one. It did  
13 not.

14                   I have here a letter that was just received today and I apologize for  
15 the lateness but because of this issue that came to the forefront of OSTA just  
16 recently we did receive this letter. I did pass it on via e-mail to City planning staff.  
17 I don't know if you've seen it. I do have copies that I'd like to give you. I don't  
18 want to read all of it but it does reflect OSTA's concern about access to the Old  
19 Spanish Trail. Minimizing it and indeed compromising it the safety of people  
20 using 29-3/4 Road to access the Old Spanish Trail in that area. They do ask the  
21 Planning Commission to deny this petition because the safety issue and it  
22 does...it ...it does concern them. Yet another access point to the Old Spanish  
23 Trail and public lands which again we market is being compromised by this  
24 development or, excuse me, by this industrial plan. The president does say he  
25 has asked the national association's president as well as preservation and

1 stewardship committee to discuss these issues further and to take appropriate  
2 steps to further register and publicize their concerns including notification of the  
3 National Historic Trail staff as a partnership of the National Trails System and  
4 appropriate U.S. Department of Interior agencies. The Old Spanish Trail does  
5 come under the jurisdiction of the Interior Department.

6 Any questions? And can I hand these to you?

7 MS. COX: Mr. Chairman, you do have copies of that...that letter  
8 that she references.

9 MS. FELMLEE: You do have copies? Have you seen...have  
10 you seen this letter like I said it just came in? One last thing, just a show of  
11 hands, how many people here are against this? Thank you.

12 MR. STEVES: Good evening. My name's Peter Steves. I live  
13 at 2982 Craig Street. I've been a resident there for 20 years now. I'd like to say  
14 first of all that I agree with the speakers previous to me. I'd like to point out also  
15 that the...our property values are gonna significantly suffer by this development.  
16 It's...there's been two houses for sale on my street for over a year now and I  
17 believe that something...it has to do with the proposed development of the  
18 gravel pit. I do realize the economy has been slower lately but I would like to say  
19 that if this goes through that there's not gonna be anyway most of us can...can  
20 get out of there 'cuz our property values will be lowered. I also have a...several  
21 children and I...that access the bus stops and the thought of having gravel trucks  
22 that are approximately 11 feet wide going down a road side by side they're gonna  
23 be off the road and...and that kinda scares me a little bit. Thank you.

24 CHAIRMAN ABBOTT: Thank you.



1 MS. SHIPLEY: I'm Mary Shipley. I live at 2981 Hayden.  
2 We've lived there for just a little bit over six years. We moved to Orchard Mesa  
3 and specifically... specifically to that property because my husband was wanting  
4 to start... start a concrete countertop business and there's a shop there that  
5 would be large enough to do that. The second reason we moved there was that  
6 we had been living at 30 Road and almost the interstate and you know very well  
7 that the racetrack's there. And we knew that the airport would be there and the  
8 interstate traffic would be there but once the racetrack went in we couldn't even  
9 be outside and talk to each other because the noise was so loud. So in order to  
10 have a quieter life also we moved there to this Hayden address.

11 I'm sure you've been to the landfill lately and one of my concerns  
12 about the gravel pit going in is that every time the wind blows if there's any loose  
13 grocery bags or anything that can be loose no matter if there's that tall chain link  
14 fence and whatever else it's made out of surrounding the landfill, the plastic bags  
15 go everywhere. If the barrier between our subdivision and the landfill is removed,  
16 we're gonna be the addition to that trashy area that hardly ever gets picked up.  
17 And I want to say that I agree with about everything that's been said here tonight.  
18 I do have health issues and I'm not sure that the air quality is gonna be the  
19 quality that's been promised. So I would... I appreciate you giving a second  
20 thought or a lot of thought into approving this subdivision. Keep us in mind  
21 because the subdivision was there first and there's reasons we're each there.  
22 Thank you.

23 CHAIRMAN ABBOTT: Thank you.

24 MR. McELHINEY: Mr. Commissioner. I'm Steve  
25 McElhiney. I live at 101 29-3/4 Road, directly across from this project. I agree

1 with everything everybody said tonight. The road's too narrow. Safety issues for  
2 the children. I haven't got any anymore but...and I like access to the trail. My  
3 wife and I both got health issues and being that close to this thing and the hours  
4 they're gonna keep it just...just this whole thing makes no sense. A little tiny  
5 road they're gonna go down with these big trucks. I drive truck for a living too so  
6 I know all about them. Worked around gravel pits quite a bit of my life and I know  
7 about that and I just hope you guys say no to this project. I'd really appreciate it.  
8 Thank you.

9 CHAIRMAN ABBOTT: Thank you.

10 MR. GORDON: Ladies and gentlemen.

11 CHAIRMAN ABBOTT: Good evening.

12 MR. GORDON: Jerry Gordon. I live at 2975 Craig Street. You  
13 can kinda hear everybody's emotional. It is. It's kind of a different thing. You  
14 live in a real nice little quiet neighborhood like that and you look at all this as  
15 being planned. You say, just think about it going in by your houses. It really  
16 kinda makes you think. One...one thing I have heard from Whitewater Gravel  
17 and from DuCrays that they all drilled that area and looked for gravel and stuff  
18 and then...and that's why DuCrays shut their pit down. There's only like 10, 12  
19 feet of...of pit run there. And like I say it's hearsay. The DuCrays used...

20 COMMISSIONER SCHOENRADT: Sir, could you  
21 speak into the microphone?

22 MR. GORDON: Oh, I'm sorry. The DuCrays used  
23 to...they hauled their material over to the dump like you have said, sir. And he  
24 said I talked to Mr. DuCray. He has concerns. They own about half a mile of  
25 private property there. His concerns are that he has it already reseeded and

1 everything then if somebody else did it that they would disturb that and one thing  
2 I thought maybe they need to get a bond. I think they really need to look at that if  
3 they are gonna do this. You know, I can't see it being passed tonight. That just  
4 seems kinda lame to me. But, you know, it seems like you guys still have  
5 questions and we have concerns that, you know, it...it really needs to be looked  
6 at long and hard. They need to look at different avenues than 29-3/4 Road like  
7 you say.

8                   It...it's really kinda scary that's a downhill grade. The trucks are  
9 coming in empty and they're going out full so it's a downhill grade. They're  
10 gonna go down. I measured out from the stop sign to the little frontage road. It's  
11 like 63 feet and you always have to stay back 10 feet from a stop sign. So it's  
12 gonna be 53 feet. If one of these trucks...two of them happen to get down there,  
13 they're gonna block...block that frontage road. You're not gonna have a place  
14 for an ambulance or anything to get into our little subdivision. The next road is  
15 quite aways down. We look at...I call that it's gonna be Mertle's road - - 29-3/4  
16 Road is. It ends up we're gonna have to exit out on the road down by the dump  
17 there (inaudible).

18                   All the traffic's gonna be re-rerouting kind of that one guy was  
19 saying. It's gonna go through that other subdivision. So it's gonna just...it's  
20 gonna be interesting, real interesting. So they...they really need to know how  
21 much gravel is up there. I...I kind of wonder if they're not doing it to a good  
22 subdivision and that's fine. Like I said we want to see things going to and...one  
23 thing I see about the landscape and they're talking about putting that into the  
24 base of a hill. The hill's like a hundred feet above it so you're gonna have a

1 hundred feet tall landscaping? I doubt that. So the landscaping doesn't really  
2 mean much to us.

3 Usually when you see a gravel pit it seems like it's out in a flat area.  
4 They dig a dip and then you've got a berm around it so the noise stays in there  
5 and stuff. This is gonna be up on top of a mountain. So it's gonna  
6 be...everybody's gonna be able to see it. You're gonna hear it. You hear that  
7 beep, beep, beep of the backup alarms going and stuff. It's gonna be interesting.

8 The existing pit of DuCrays is like that one said it is to the...to the  
9 south and it's at the ridgeline. It's down underneath. It's like 50 foot deep so  
10 it's...you really don't even see it from our...our area so that's...and the Mountain  
11 Region, they...I live right there on the corner. They're about 75 feet from me.  
12 They have...they have a few trucks that go by and that's it.

13 One thing everybody says about kids and adults and people  
14 walking on the roads, is that the trucks are gonna take up the road. It...it...if it  
15 ever did go through it'd seem wise to have curbs and sidewalks 'cuz I seen  
16 tonight in some of the rebuttals that oh, kids shouldn't be playing in the street.  
17 These kids gotta walk to their friends' house down this road. Adults gotta walk  
18 down this road to walk their dog and stuff. With these trucks you're not gonna be  
19 able to walk on the road so...One thing I think about is that they have to truck all  
20 the water in to keep that vegetation growing, keep all the dirt down so there's  
21 more trucks. It's kind of a...I couldn't believe they didn't have a city water tap or I  
22 guess you can't use water out of...of the irrigation canal for this. So it's...there's  
23 another...and that's kinda lame having to haul water into drop dust. That's kind  
24 of (inaudible).

1                   Like I say usually gravel pits make a pond. That was one of my  
2 things. It seems like a poor spot for a gravel pit and dangerous so, something to  
3 think about. Twenty-five miles an hour. I drive a sedan, pickup. Twenty-five  
4 miles an hour is going right along on that little road. That's what these guys can  
5 do. You think you have a load of gravel pit going downhill at 25 miles an hour.  
6 That's kinda...there needs to be...if it ever does through they're needs to be  
7 stipulations. They need to...we have way too many trucks...that's...300 trucks –  
8 that's crazy. I bet there's probably you guys saying the road's steady. I bet  
9 there's probably not 60 vehicles going down that or that...that road in a day.  
10 You're just...it's totally gonna change that. They said they looked at different  
11 things and like I say if...if that...that little road next to the frontage road gets  
12 blocked that would be really kinda scary. Thank you very much. God bless you.

13                   MS. SMITH:           My name is Shelley Smith. I live at 135 29-3/4  
14 Road. I'm just gonna call a spade what it is. They're taking that ridge down.  
15 They're asking for a C-U-P on that permit to put houses up there. The first time  
16 they...they approached the City for that, they were denied. The reasons are still  
17 the same. The area hasn't changed other than the fact that Red Tail Ridge  
18 Subdivision has been in there. The amount of gravel that they've  
19 sold...they...they claim that they need for their first pretense was the 29 Road  
20 overpass. They're not using that for that. I noticed that they just kindly didn't  
21 mention that today.

22                   In the new proposals from City staff it states that Mr. Weaver and  
23 Schooley have to be in charge of maintenance for 29-3/4 Road. They're not  
24 gonna do that. They're taking the easy way out here and our neighborhood is  
25 going to have to pay for it. We purchased our home ten years ago. It was bare

1 land. We have horses. There are several other...other neighbors have horses.  
2 We live right on the corner. Right there at...at the highway. There has been  
3 eight accidents within the last year there. It's blind when you come out of 29-3/4  
4 Road to the highway. They can extend it, yes. But when a big truck comes in  
5 and they're turning up...up 29-3/4 Road, we all know how those little cars are  
6 gonna come out and dart out and there's gonna be more collisions there. If  
7 they're going to maintain this gravel extraction, then they need to take it out a  
8 different area. Don't take the cheap way out here because somebody's life is  
9 worth money. Thank you.

10 CHAIRMAN ABBOTT: Thank you.

11 MS. KELCHNER: Okay, hi. My name is Jennifer Kelchner and  
12 I'm hearing impaired and I live at number 105 (inaudible). And the one thing  
13 that's (inaudible) probably because I live so close to the hill. (Inaudible) the road  
14 that we have is so thin. You've got the canal right across the road. That's the  
15 last thing that we need to worry about is going in and out to our property. And I  
16 have four kids. I have three of them here with me and they love to ride their  
17 bikes down the road. Because there's no park close by that they're gonna go  
18 play. I can't keep them off the road. The last thing that I have to worry about is  
19 all the trucks going down the road from 6 o'clock in the morning 'til 6 o'clock at  
20 night.

21 I'm not always going to be able to keep an eye on them. Okay? I  
22 can't stop them from going on the hill because they like to go for a walk up there.  
23 They see people going horseback riding. They're gonna want to follow them up  
24 there and I'm thinking they're kids. They want to have fun. (Inaudible) up there  
25 and on the road because it's so close. The last thing that we have to worry about

1 is the trash coming over, the smell of the canal. I don't want to worry about  
2 (inaudible) across from my property. So I...I know I read the papers (inaudible)  
3 is quiet. It is peaceful but to have a truck coming down the road 300 times a day  
4 from 6 in the morning until 6 o'clock. I think it's just plum crazy. I'm sure all of us  
5 like our privacy. So we have a young family that we have to raise. (Inaudible) if  
6 something happened to them. And I'm sure all of us have horses and dogs. We  
7 go for a bike ride. We go horseback riding. We ride our bikes up there. In the  
8 wintertime there's snow up there. That's the perfect place to go sledding. So I'm  
9 only here for them. I'm speaking on their behalf because they don't want to  
10 come up here and talk. Okay? Thank you.

11 CHAIRMAN ABBOTT: Thank you.

12 MR. WEBER: Hi. My name is Ed Weber. I live at 2976 Craig  
13 Street and to let you all know I agree a hundred percent. Also come wintertime  
14 different times of the year of course you all...everybody knows the ice and  
15 everything and it's not good that way. The roads are not acceptable.  
16 Everybody's gotta go out. Wants to walk, play, got kids, grandkids. Just I hope  
17 you don't let it go. It's not a safe place to be with trucks coming down. It's all  
18 downhill – 100 percent. Down there, there's no room like has been made before  
19 for...on the frontage road and everything for the trucks to stop. It blocks off  
20 emergency access if they double up. And so, that's pretty much what it is there.  
21 Thank you for your time. I appreciate it.

22 CHAIRMAN ABBOTT: Thank you.

23 MS. ROCKOW: Hi. My name is Melanie Rockow. I live at 122  
24 29-3/4 Road. I grew up in this neighborhood. I moved to Glenwood Springs. Six  
25 years ago I chose to move back to Grand Junction to raise my young son and I

1 chose to move to this neighborhood because it's where I have my father's  
2 memories where I played and I know all the neighbors. We don't have to lock  
3 our doors at night. We don't have to worry about leaving things in the driveway.  
4 Most of all, we don't have to worry about our children going back and forth from  
5 neighbor's houses to greet each other and play and ride their bikes. My son  
6 rides the elementary school bus. He's picked up at 8:30 in the morning. The bus  
7 stop is on the west side of 29-3/4 Road across from Meeker Street. Children  
8 come both from the west and the south side of 29-3/4 Road. The children on the  
9 east side are going to have to cross 29-3/4 Road to get to the bus stop. They're  
10 also standing on a spot of dirt that's about two feet wide before they're in a field  
11 waiting for the bus.

12                   During the winter...we had a terrible winter this year. The snow  
13 was built up from the plow that did come by. The children were standing in the  
14 road. My front door is 20 feet from this road and my concern is that if there's  
15 snow and there's ice and there's children standing out there, they play. You  
16 know what happens if one of these trucks is coming too fast? What happens if  
17 their brakes go out? There's no safe place for these children to stand out there  
18 and wait for the school bus five days a week. So I hope that you guys take into  
19 consideration not only the safety issues but also the quality of life and the  
20 community that we have in this neighborhood. You know, everybody is... knows  
21 everybody. Everybody knows their kids. Everybody knows each other's dogs.  
22 And I just hope that the quality of life and the safety and the health issues aren't  
23 sold to make somebody else rich. Thank you for your time.

24                   CHAIRMAN ABBOTT:     Thank you.



1                   MR. JACOBS:        Good evening, sir. My name is Lacey Jacobs.  
2 I live at 3-0-0-9 Highway 50. I haven't seen these people in many, many years. I  
3 moved into Grand Junction and into Orchard Mesa back in 1993 and I stayed  
4 here until about 1999. I left the area and went to the Front Range. I came back  
5 just last year and this whole area has changed dramatically. The demographics  
6 of this...the community has changed - - younger people. And what's really  
7 interesting is is that I can't add any more than that which you've already listened  
8 to - - the emotion of these people tonight.

9                   I think their greatest concern is their children and the operation  
10 of...of what they will see as certainly a turn down to the general condition of the  
11 neighborhood. I'm a little bit to the south of these people and one of the greatest  
12 pleasures I've had being a 66 year old man and which is one of the reasons what  
13 brought me back was that I always enjoyed watching horses and watching the  
14 kids play. And I don't have children that are of that age so they're not affected.  
15 They live in...in other areas and other states. But I certainly agree with these  
16 people that the general...the general feeling would be that the...the conditions  
17 that this operation might be would certainly hinder what the very purpose of these  
18 people coming into Orchard Mesa was.

19                  And if anything I could ask that what you might do is certainly  
20 consider one and two other facts is...is that Grand Junction Pipe when they  
21 made an application for their operation, their hours of operation were certainly  
22 restricted and not allowed to be presented at 6 o'clock in the morning. They  
23 were forced to take their trucks and...and send their operations out almost into  
24 Fruita and come down the highway that way. So that would not disturb the  
25 general neighborhood. There's other trucking operations in this neighborhood

1 and they are also under a restriction as far as time is concerned. So whatever  
2 your decision is, I ask that you certainly consider maybe amending if in fact you  
3 do agree that you should grant these people a conditional permit. Certainly I  
4 would ask that you consider giving them and asking them to change their hours  
5 of operation so that it...it meets the general needs of the people a little more  
6 personal. And that's pretty much all I have. Thank you very much.

7 CHAIRMAN ABBOTT: Thank you.

8 RYAN: Sorry. I just wanted to add something kind of  
9 in defense of all the trucking issues that we have in the neighborhood. Those  
10 people live there, you know. So it's not like we're talking about people that don't  
11 know any better that want to make a lot of money or anything, you know. We're  
12 talking about our homes not just a gravel pit and, you know, those people that's  
13 their home also - whether it's their place of business as well. So if we're talking  
14 about people that are going to be living on the gravel pit, then cool. But, you  
15 know, they know...they...they keep their respect and boundaries because they  
16 live there as well.

17 MS. BISHOP: Good evening. My name is Jackie Bishop. I  
18 live right where they're going to take the hill down. I'm probably one of the very  
19 closest. My husband, Jim Bishop, has written two letters that you both have  
20 gotten lately. I can't...I don't have graphs and I don't have pictures and I don't...I  
21 can't tell you everything that's good and bad. All I can tell you is I agree with all  
22 of my neighbors and I would like each of you to look at each of these people.  
23 Each one of these people represent a home that lives in one of these three  
24 subdivisions that is going to be affected by a gravel pit. I'm...I'm wondering how  
25 much we have to lose.

1                   Everybody that lives there knows that we have more wind up there  
2 than anything. When we had our picnic I would say maybe 20 percent of all of  
3 the people that could have come, came. The wind was so strong that we  
4 couldn't even talk. We were yelling. We have that a lot and with that great big  
5 beautiful barrier hill that kids climb, horses go, we've done this for years. Our  
6 home has been there for 30 years. We live right on the canal – right on it. And  
7 (inaudible) pick my house...my...my kitchen window is the barrier hill. I walk up  
8 there with dogs and neighbors everyday. Everyday the wind has blown tons of  
9 refuse from the...the dump and sometimes the smell is horrible and there isn't a  
10 windy day that goes by that all of us don't say thank God that barrier hill is there  
11 so that we don't have the wind and the smell, the dust and everything.

12                   I understand about free enterprise. I think that's wonderful but can  
13 you tell me is there another gravel pit in this whole area that is in a subdivision  
14 that is going to affect hundreds of homes? And these hundreds of homes are  
15 going to have...everything is going to go against them, okay? Our property  
16 values are going to just drop. We're going to have bad environmental issues.  
17 We're gonna have tremendous safety issues - - all for what? We don't get  
18 anything but devalued in our lovely neighborhoods and we will not get anything  
19 for expenses. We're not gonna make any money on this. All we are gonna do is  
20 lose. And I know that times are hard and there are folks that have come in here  
21 that are first time homebuyers and there are people that are retiring thinking they  
22 have a lovely little neighborhood to live in. Granted, we have not been asked to  
23 go on a home tour of our neighborhood or anything like that but we love our  
24 homes as well as anybody else does in any part of this town. And I think putting  
25 a project like this in a small quiet subdivision is absolutely ludicrous. Thank you.

1                   CHAIRMAN ABBOTT:                   Thank you. Is there anyone else  
2 from the public who would like to comment?

3                   MS. MANGELS:                   Hello. I'm Donna Mangels. I live at 105  
4 29-3/4 - - right across the street from where this is happening. That was... is my  
5 daughter, my grandkids up there minus my grandson and I'm up here pleading  
6 on behalf of my grandkids. When John and Jennifer bought the property on a  
7 dead end street up against BLM land they figured safe, quiet. The dogs can run,  
8 the kids can run. Any given day...yesterday's paper - - that's the way it is. Front  
9 page. Kids are on the road with their bikes, with the dogs, with their skateboards,  
10 playing basketball. Horses are up and down the road. In wintertime they're on  
11 the hill on their sleds. In the...in the summertime they take their bikes up there  
12 and they have their little ramps. It's very safe. It's very...it's a lot of fun up there  
13 for the kids and there's kids on that road constantly.

14                   So I'm here as a grandmother pleading for the safety of my  
15 grandkids as well of all the safety of all the other kids and people. There's  
16 people that come in on horseback that don't even live in the neighborhood or for  
17 their dirt bikes or whatever, their four-wheelers. There's a lot at stake here. So  
18 I'm...I'm pleading, please deny this petition. Thank you.

19                   CHAIRMAN ABBOTT:                   Thank you.

20                   MS. ZEHNER:                   I just want to make sure that I could give this to  
21 you and who do I need to hand it to – the petition?

22                   CHAIRMAN ABBOTT:                   That's fine.

23                   MS. ZEHNER:                   And then I also want to say my mom and sister  
24 couldn't be here and they both own homes up there as well. It's not just a  
25 neighborhood. It's our...it's our family up there and I want to thank all the

1 neighbors. We've gotten to know each other very well because of this. So if  
2 anything else there's one good thing that's happened. And again I do plead that  
3 you guys do deny this. Thank you.

4 MR. KERBY: Hello. My name is Frank Kerby. I live at 130  
5 29-3/4 Road and I'd just like to add one thing to my letter that I don't think  
6 enough of an effort was made to communicate with the DuCrays. So that's all I  
7 have to say. You might be interested in speaking to them. Thank you.

8 CHAIRMAN ABBOTT: Thank you. Would anyone else  
9 from the public like to comment? Seeing no one else...okay.

10 UNIDENTIFIED MALE SPEAKER: My wife already  
11 spoke but I'm just wondering if...if you let them take the barrier hill down and find  
12 all these problems that are true that all these people are talking about, how you  
13 gonna solve that problem? How can you put that hill back up? Because the  
14 smell and the environmentals from that dump, all the issues will come right down  
15 through there with the wind. Because it blows every single day from the north to  
16 the south and once you make a decision, it's hard to put it back up then. It's too  
17 late. Thank you very much.

18 CHAIRMAN ABBOTT: Thank you. Okay, once again  
19 does anyone else from the public like to comment on this issue at this time?  
20 Seeing none, I'm gonna close the public hearing and I would like the applicant to  
21 come up and address some of the issues that have been stated here and then  
22 we may have more questions for him.

23 MR. JONES: Thank you, Mr. Chair. The applicant has  
24 worked diligently with staff to ensure that the proposal before you tonight is a  
25 quality design. It provides the absolute best in access, phasing, screening and

1 reclamation. I'd like to spend some time going into more so than... than I had  
2 previously what was entailed when analyzing the three options that were before  
3 us for a haul route.

4           This is an overview map showing the proposed site. The three  
5 options - - the 30 Road corridor, the southern route through the private property  
6 and the Mesa County landfill which sits here and 29-3/4 Road. And this is the  
7 culvert that was spoken about under 29-3/4 Road for the Orchard Mesa Canal. A  
8 significant amount of time was spent at the beginning of this project analyzing  
9 haul routes and utilizing the project team which consisted of a traffic engineer,  
10 staff from Mesa County, R-T-P-O, the City of Grand Junction and Colorado  
11 Department of Transportation to evaluate and determine the most appropriate  
12 haul route for the application. Many different scenarios were explored and  
13 discarded as it became evident that 29-3/4 Road was the most viable route.

14           The 30 Road connection was evaluated and this is a access road  
15 plan. What you're looking at is Highway 50 here, the frontage road, 30 Road. I'll  
16 just briefly explain the... the different scenarios that we went through. This is an  
17 existing street right-of-way. It's a... it's a half right-of-way for 30 Road in this  
18 section before it accesses the Schooley-Weaver site. The difficulty of this option  
19 as you can see from the slide is the elevation difference between the site and the  
20 short distance to Highway 50. This resulted in design grades for a truck haul  
21 route of nearly 12 percent with 9 to 15 foot high retaining walls required in order  
22 to construct a haul route within the half through driveway. It basically looked like  
23 a highway overpass if it were to be constructed. Not to mention some  
24 constructability and safety concerns of bringing loaded trucks off of a 12 percent  
25 haul route into an intersection directly adjacent to Highway 50. I heard mention

1 of a 5 percent from some of the neighbors of 29-3/4 Road. Well you can  
2 certainly imagine what 12 percent would look like.

3 This also resulted in approximately 8 to 9 feet of fill at the  
4 intersection of the frontage road and when you combine S-curves to bring the  
5 horizontal alignment of the frontage road back to the existing grade, you're  
6 looking at S-curves of somewhere in the neighborhood of 300 feet plus to the  
7 east and to the west of the intersection of the frontage road.

8 We also looked at another scenario with lowering the...utilizing a  
9 siphon for the Orchard Mesa Canal to lower the grade of the haul route closer to  
10 10 percent. The Orchard Mesa Irrigation District did not seem willing to allow a  
11 siphon for the canal. And the other problems that I just went through regarding  
12 retaining walls, fill and the frontage road and still something close to the 10  
13 percent haul route still exists even with this option.

14 The traffic engineer of City staff and CDOT concurred that the 29-  
15 3/4 Road route was the most viable. Such an option is that through the Mesa  
16 County landfill which I had spoken about. The problems of private property and  
17 Mesa County owned property.

18 And the third option was 29-3/4 Road. A thorough evaluation of the  
19 road section completed with supplemental borings of the road and as I  
20 mentioned the...the asphalt's 8 to 9 inches thick. Most of your roads are 3 and 4  
21 inches thick. Our measurements of the road resulted in something closer to 24  
22 feet but nonetheless a level 3 traffic study was completed for the project as a  
23 requirement of the CDOT access permit. The traffic study was conservative in its  
24 approach and actually evaluated 29-3/4 Road and Highway 50 at nearly twice the

1 number of trucks than were proposed with this application; however, it was  
2 reduced to 300 trucks...trips per day working with staff.

3 I also heard a comment from the...one neighbor, I believe, Mr.  
4 Parrott. that the current 29-3/4 Road intersection didn't meet standards. As part  
5 of a level 3 traffic study you're required to evaluate the intersection in a.m. and  
6 p.m. hours. Traffic counts at eastbound, westbound, northbound, southbound for  
7 both State Highway 50 and 29-3/4 Road was completed and as part of the  
8 analysis a level of service review was completed. Now, there's basically five  
9 categories of level of service when looking at a traffic study – A being the best  
10 and then once you get down below D, it's...it's pretty much unacceptable. What  
11 the study concluded was that these intersections are operating almost all of them  
12 within the level A or B. There's only two or three at a level C - - so well above a  
13 level of service D. I felt that was important to note given the comment that the  
14 intersection didn't meet current standards.

15 Improvements to Highway 50 will be completed as well. There's  
16 approximately 1,182 lineal feet of re-striping that's to be completed in Highway  
17 50 to add a left-turn acceleration lane and extending the current right turn  
18 deceleration lane. So if anything, these improvements are going to be a...a  
19 benefit to the existing intersection - not only for trucks but for the existing  
20 residences in the neighborhood. A CDOT access permit was granted for this  
21 application on May 17<sup>th</sup>.

22 I'd like to talk a little bit about buffering. There was quite a few  
23 comments about landscaping and...and buffering. This is an exhibit which I  
24 believe was in your packets and it takes the four closest residence and cuts  
25 cross-sections through them. This is a profile view of section 1 - - this is 29-3/4



1 Road. The residence is on the west side of 29-3/4 Road and an approximate site  
2 line has been taken from that home. The...the dash line represents the existing  
3 grade and the dashed line here is the approximate intermediate grade now  
4 and...and the final grade being that solid black line here. Now what...what the  
5 approximate intermediate grade line shows is that the method proposed with this  
6 gravel pit is one that is going to start on the back side and work its way in here  
7 thus leaving this barrier to the residences until the end. In addition to that, a  
8 landscape area consisting of pods was proposed and we worked with  
9 a...a...Barry Tompkins, landscape architect, who came up with some very good  
10 concepts as proposed in the landscape plans that you have in your packets.

11 This residence on the other side of the canal accordingly will have  
12 no sight into it once it's finally graded and again you can see the concept with the  
13 intermediate grade. This is the section 2 which shows the home on to the north.  
14 This is the Orchard Mesa Canal. And again the...the landscape area with a  
15 berm. Now there's gonna be a combination of berming with the landscape again  
16 as it was proposed on the landscape plan. And then this is the final profile.  
17 Again, a home on the north side of the canal with its view here and then  
18 landscape area with a berm that will drop down into the proposed final grade.  
19 The intermediate grade design is such that it leaves this section until the end  
20 to...to take out.

21 Noise and impact - - as I understand it, quite a bit of the noise and  
22 dust problems associated with a gravel mining pit's operations are associated  
23 with the type of processing, crushing and stockpiling that's done. If you stand  
24 and...and watch a...a gravel mine, the great deal of the noise and dust problems

1 that are associated with it come from that. And this application is not proposing  
2 any of those items.

3           Additionally, in order to further mitigate neighboring property  
4 concerns, the applicant is prepared to revise the hours of operation from 6 a.m.  
5 to 6 p.m. to 8:30 a.m. to 5 p.m. I believe it was mentioned that the three bus stop  
6 times...of the three bus stop times the...the latest was 8:30 a.m. So a start up of  
7 the operation would be 8:30 to coincide such that that concern can be further  
8 mitigated. It would essentially place the activities of the operation completely  
9 within the workday and avoid that morning bus schedule.

10           Regarding the concern of children and the bus stop at the  
11 intersection of 29-3/4 Road...this isn't a very good slide for this but...I believe the  
12 current bus stop is located here at the intersection of the frontage road and 29-  
13 3/4 Road.

14           UNIDENTIFIED FEMALE SPEAKER:           It's on the corner of  
15 (inaudible) and Meeker is where the elementary (inaudible). On the west side.  
16 High school...

17           MR. JONES:           Right here?

18           UNIDENTIFIED FEMALE SPEAKER:           (Inaudible) highway.

19           UNIDENTIFIED MALE SPEAKER:           Down a little.

20           MR. JONES:           Right here? Right here? Okay. On the west  
21 side here on this corner?

22           UNIDENTIFIED FEMALE SPEAKER:           So the children will  
23 be walking across that road to get to the bus stop.

24           MR. JONES:           Okay, thank you for the clarification.

1 UNIDENTIFIED FEMALE SPEAKER: They also have to  
2 walk (inaudible).

3 MR. JONES: We attempted to contact the Mesa County  
4 School District 51 transportation coordinator, Mr. Dave Montoya. We've worked  
5 with Dave Montoya in the...in the past when designing subdivisions and bus  
6 shelters and things of that nature. And we specifically contacted Dave Montoya  
7 to suggest a relocation of the bus stop potentially to something to the east maybe  
8 even to the intersection of Whitehead Drive. The applicant's also willing to  
9 construct a bus stop shelter - - be it a raid shelter, a covered shelter - - to further  
10 mitigate some of the concerns we've heard from the neighbors.

11 I heard mention of the ridgeline development standards. I'm  
12 somewhat familiar with the ridgeline development standards given the  
13 subdivision designs we've done in the past in the City of Grand Junction that  
14 have implemented the ridgeline development standards. If you read the ridgeline  
15 development standards in the zoning ordinance, the intent and purpose of this  
16 section is to mitigate the construction of buildings, fences and walls. Almost  
17 everyone of those items in bold points in the ridgeline development standards  
18 specifically references that. This application is proposing none of these items.

19 There was also reference made to the Mesa County review  
20 comments. This review comment letter dated May 26, 20-10 and I'd just like to  
21 take a moment to go through these. They were broken up into three different  
22 sections. The first section was general comments. The first comment was that  
23 the operation should be compatible with Mesa County land development  
24 standards, hours of operations and be in compliance with sections 5.2.13 c.  
25 through j. We analyzed our application and compared it to these sections - c.

1 through j.- and we meet all of them. As a matter of fact the hours of operation in  
2 c. through j. under Mesa County's land development code allow the operation to  
3 go ahead to 7 p.m.

4           The next comment was a signal on Highway 50. That wasn't  
5 warranted with the proposal. And that a notice of permit and an access will be  
6 required if the County still has partial jurisdiction to 29-3/4 Road. It is my  
7 understanding that the City is intending to annex the other half of 29-3/4 Road so  
8 that basically makes that comment not applicable.

9           There were comments about 29-3/4 Road right-of-way about  
10 maintenance. And again the applicant is signing a maintenance agreement for  
11 29-3/4 Road. And then they talked about the 30 Road alignment and I believe  
12 even a...a southern route through the solid waste facility was mentioned which is  
13 somewhat comical considering they - - Mesa County - - are the ones who denied  
14 the notice of intent to issue an access permit for that exact route.

15           The 30 Road alignment comments talk a little bit about grade and  
16 the needs for a gate if it were to be developed but I don't believe that there was a  
17 whole lot of time spent looking at the cross sections and some of the  
18 constructability and safety concerns that I have gone over with you tonight.

19           I'd like to take a moment to read a section from the Colorado State  
20 Statute - section 34-1-301. And this was a legislative declaration that was  
21 enacted in 1973. The general assembly hereby declares that the state's  
22 commercial mineral deposits are essential to the state's economy. The populous  
23 counties of the state face a critical shortage of such deposits. Such deposits  
24 should be extracted according to a rational plan, calculated to avoid waste of  
25 such deposits and cause the least practicable disruption of the ecology and

1 quality of life of the citizens of the populous counties of the state. The general  
2 assembly further declares that, for the reasons stated in subsection 1 of this  
3 section, the regulation of commercial mineral deposits, the preservation of  
4 access to and extraction of such deposits, and the development of a rational plan  
5 for extraction of such deposits are matters of concern in the populous counties of  
6 the state. It is the intention of the general assembly that the provisions of this  
7 part 3 have full force and effect throughout such populous counties, including, but  
8 not limited to, the city and county of Denver and any other home rule city or town  
9 within each such populous county but shall have no application outside such  
10 populous counties.

11 The statute was first adopted in 1963 and it has been in effect since  
12 1973 as I mentioned. Clearly the state sees the importance and the values of  
13 preserving and utilizing our natural resources and gravel is a natural resource  
14 that's used in nearly every construction that we do in the city and the county and  
15 the state.

16 The C-U-P process in my opinion is as much about maintaining  
17 municipal control and...and jurisdiction over the use as it is in making sure the  
18 applicant is making every effort possible to be a good neighbor. I...I believe  
19 you'd have to agree that this has been done and that we would respectfully  
20 request your approval of the C-U-P application. And with that, I'll take any  
21 questions that you may have.

22 COMMISSIONER CARLOW: This is pretty basic but  
23 where do...where do you measure the 125 feet from? Your property line to the...

1 MR. JONES: It's difficult to tell. But the...from this picture,  
2 but it's basically measured from the residence and so it's a 200 foot buffer in  
3 this...in this area around the limits of grading that will be preserved.

4 COMMISSIONER CARLOW: Well, my next question  
5 would probably be more to the city staff, but are there any undeveloped lots  
6 nearby that will be precluded from building because of this limit?

7 MS. COX: Lisa Cox, Planning Manager. I don't believe  
8 there would be any vacant lots that would be precluded from...from building.  
9 This...assuming they would be built after the...the gravel mining operations had  
10 begun. But I...I don't believe there'd be any...

11 COMMISSIONER CARLOW: No I know that but what if  
12 in the next five years they decide they want to build, are they precluded then?  
13 Well, if they violate the 125 feet?

14 MS. BEARD: Jamie Beard, Assistant...

15 COMMISSIONER CARLOW: ...build on that lot is closer  
16 than that, what do you do?

17 MS. BEARD: Jamie Beard, the Assistant City Attorney, and  
18 it's not gonna preclude somebody else from building on their lot. That  
19 requirement is specifically for the gravel pit in our approval of allowing them to go  
20 forward. So they can go ahead and go forward if you approve it and somebody  
21 comes in later and they choose to put their house closer, then that's gonna be by  
22 their choice rather than by the gravel pit. But they would be allowed to still come  
23 and build if there is an actual vacant lot that's available for purposes of putting on  
24 a residence.

1 MR. JONES: There's only one vacant lot and it's  
2 located right here.

3 MS. BEARD: But it's basically they come... come to the lot  
4 then with the knowledge that there is a gravel pit back there and where they  
5 choose to put their house then would be by their choice as long as they  
6 otherwise meet the requirements for I believe that that's still in Mesa County then  
7 their land code or if it is part of the city, then they'll still have to meet our  
8 requirements for putting a house in. But it's not going to have an affect based on  
9 the gravel pit.

10 COMMISSIONER SCHOENRADT: Mr. Chairman, I  
11 have a question.

12 CHAIRMAN ABBOTT: Sure.

13 COMMISSIONER SCHOENRADT: Mr. Jones, when  
14 you asked Mr. Montoya, what was his response to moving the school bus stop?

15 MR. JONES: Unfortunately we tried contacting him last week  
16 and we simply played phone tag for three or four days. Although in past  
17 experience with Mr. Montoya, he's very good to work with and I... I personally  
18 don't see that it would be an issue. If you look at the ground, there's adequate  
19 area at the intersection of Whitehead and the frontage road to accommodate a  
20 bus shelter.

21 UNIDENTIFIED FEMALE SPEAKER: I'm sorry but by the  
22 frontage road it's very close to the highway where there are big trucks going. I  
23 don't want my 8-year old child standing there where I can't see him. Where I'm  
24 at now on the corner across from the bus stop I can watch him and all the  
25 neighbors' children as opposed to look and see the bus stop from the inside of

1 our community down to the frontage road by the highway where not only there's  
2 traffic but the potential for somebody to abduct one of our children because  
3 they're so far...

4 CHAIRMAN ABBOTT: Okay, well, thank you for the  
5 input. Keep in mind that this is not an open forum at this time. Does anybody  
6 else have questions?

7 COMMISSIONER BURNETT: I do. I...how big are  
8 these? What are the sizes of these trucks and will they be pulling additional  
9 trailers behind them?

10 MR. JONES: As I understand it, it's gonna be a mixture of  
11 medium sized trucks and large sized trucks. Medium sized trucks being the  
12 simple tandem axle and then larger trucks being your belly dumps. So I don't  
13 believe that you're gonna have any like double trailers being hauled.

14 CHAIRMAN ABBOTT: I've...I've got a couple of  
15 questions for you then. As I understand it the...by the agreement the applicant is  
16 gonna be responsible for maintaining the...the road. What plans are in effect for  
17 I guess I'll call it dropage from the trucks as they spill out of the trucks and, you  
18 know, how's that gonna be addressed?

19 MR. JONES: Well, every load is required by law to be  
20 covered so obviously that is first and foremost is done before any hauling is  
21 completed and before it leaves the site. As part of the safety program I imagine  
22 there would be monitoring on a...on a periodic basis of 29-3/4 Road. An initial  
23 evaluation on 29-3/4 Road in terms of its condition would be completed and then  
24 periodically be reviewed. And then obviously if there was any complaints or code  
25 enforcement issues relative to a pothole or something like that.



1 CHAIRMAN ABBOTT: No, I'm... I'm talking about gravel  
2 escaping from the truck and then being on the side of the road or being in the  
3 middle of the road. Are there plans for doing regular street sweeping or  
4 what... what are the thoughts of the applicant?

5 MR. JONES: A weekly monitoring program to review any  
6 spilled material. Street sweeping is as you mentioned is certainly an option to  
7 accommodate that. But we don't anticipate a lot of spillage out of the trucks. We  
8 certainly hope to minimize that.

9 CHAIRMAN ABBOTT: Okay. Maybe I was hearing  
10 something weird I... I don't know. Did I hear you say that the start probably  
11 wouldn't happen until 8:30? Did I hear that wrong or...?

12 MR. JONES: Well, given some of the comments from the  
13 neighborhood, we feel it would be better to move the 6 a.m. start time to 8:30 to  
14 accommodate that morning bus schedule.

15 CHAIRMAN ABBOTT: So how would you feel about we  
16 as a Commission amending this to have the start time from 8:30 til 6?

17 MR. JONES: Amending the start time from 6 to 8:30?

18 CHAIRMAN ABBOTT: The operation from... from 8:30 in  
19 the morning 'til 6 in the evening.

20 COMMISSIONER SCHOENRADT: 5.

21 CHAIRMAN ABBOTT: Oh, 5?

22 MR. JONES: 5, yeah. Absolutely.

23 CHAIRMAN ABBOTT: Okay.

24 UNIDENTIFIED MALE SPEAKER: (Inaudible).

1                   CHAIRMAN ABBOTT:                   I'm sorry. We're...we're not  
2 having a public comment at this time. Have you given any...any thought to the  
3 potential loss of access to the Old Spanish Trail and...and any way to mitigate  
4 that?

5                   MR. JONES:                   We have and that's...that's difficult because  
6 there's no parking lot.

7                   CHAIRMAN ABBOTT:                   I understand.

8                   MR. JONES:                   Yeah. The road basically dead ends.

9                   CHAIRMAN ABBOTT:                   Right.

10                  MR. JONES:                   And our...our...our current operations and the  
11 proposed plan before you, we're really not going to be impacting the access to  
12 the Old Spanish Trail. What I mean by that is, you know, we're not going out into  
13 the right-of-way beyond the point that the road is closed. In terms of mitigating  
14 that, the only thing I can think of is if the DuCrays were of mind, then  
15 parking...some sort of parking lot could be developed there on their property at  
16 the end of the road to accommodate those who wish desired access to the trail.

17                  CHAIRMAN ABBOTT:                   Okay.

18                  COMMISSIONER WILLIAMS:                Mr. Chairman, in regards  
19 to that, I would like to look at Brian's staff's report on the page looking east and I  
20 would like to see where that trail access is on that photo if that's possible. I  
21 believe it was titled looking east.

22                  MS. COX:                    You can pull it up. Is the overhead working?

23                  MR. RUSCHE:                   Commissioner Williams, the photo that  
24 you're referring to actually doesn't go out far enough to show the trail but I have  
25 another photograph. I need to zoom out I guess. This is the...the site is outlined

1 in yellow and the trail is on the far side of the map in brown. According to  
2 the...the city's G-I-S, the distance between this property and the trail is  
3 approximately 4100 feet and that's...I measured that as the crow flies. So I'm  
4 not sure how access is gained to the trail via 29-3/4 Road.

5 CHAIRMAN ABBOTT: Are you...is the brown you're  
6 talking about down in the lower left-hand corner of this? Is that what you're  
7 talking about?

8 MR. RUSCHE: That's...that's the Old Spanish Trail.

9 CHAIRMAN ABBOTT: Okay. I just wanted clarification  
10 on that. Do we have any other questions for the applicant at this time? Hearing  
11 no other questions for the applicant, I do have a request for a five minute break.  
12 We will resume at 8:15. We're in recess.

13 \*\*\* A recess was taken between 8:10 p.m. and 8:15 p.m. \*\*\*

14 CHAIRMAN ABBOTT: And are there any other  
15 questions for the applicant? Hearing no other questions for the applicant or staff,  
16 I am going to close this hearing right now and we will have a discussion amongst  
17 the Planning Commission members. So we're open for comment.

18 COMMISSIONER SCHOENRADT: I guess I'll go first.  
19 Mr. Chairman, the way I see things the primary role of a governing body is to  
20 protect the public welfare and safety. I'm torn because there's...there's a  
21 balancing act here between private property rights that are a foundation of our  
22 country but a public safety issue which is the role...the primary role of any  
23 government...government, excuse me. And because of that, I am going to be  
24 unable to support the approval of this permit the way it is proposed with its  
25 ingress and egress route being 29-3/4 Road.

1 CHAIRMAN ABBOTT: Thank you.

2 COMMISSIONER CARLOW: Yes. I'm... I'm opposed to it also.  
3 I think the 29-3/4 Road has the potential to become a bottleneck whether through  
4 accidents, breakdowns, weather, school-related issues or whatever. I think  
5 access onto Highway 50 is gonna be a bigger problem because as I understand  
6 it everything turns left onto the project. Although it wasn't discussed, I've got a  
7 problem with the discrepancy between the CDOT permit and the City permit of  
8 two years' gap. So I... I cannot support this.

9 COMMISSIONER BURNETT: I also for safety reasons  
10 alone am opposed to this.

11 CHAIRMAN ABBOTT: Okay.

12 COMMISSIONER ESLAMI: For the property right, I am  
13 for it.

14 COMMISSIONER WILLIAMS: Mr. Chairman, while I  
15 appreciate the effort of the time zone change, there are still too many questions –  
16 the biggest one being safety on that road. And also the... being the three year  
17 period for CDOT's portion of the permit and then the City giving five, I can't  
18 understand why that is. So at this time I'm gonna have to say no also.

19 CHAIRMAN ABBOTT: Ebe, did you want to continue?

20 COMMISSIONER ESLAMI: No.

21 CHAIRMAN ABBOTT: You know, frankly to be real  
22 honest with you, I started out opposing this measure as it kept going and kept  
23 going and then to be honest with you the applicant has offered to change his  
24 hours of operation from 8:30 to... to 5 p.m. It sounds to me like the applicant is  
25 doing everything they can to mitigate the impact of this project. And again, you

1 know, while I guess I would not necessarily like to have this in my neighborhood,  
2 I do find that it fits the zoning code. It fits all the requirements that the City has  
3 asked for it. As a strictly a property rights issue, I'm going to have to probably  
4 vote for this measure. So at this time I will entertain a motion on this motion.  
5 Let's find it here. One second here.

6 COMMISSIONER SCHOENRADT: You got it? Alright.  
7 I got it. Ready?

8 CHAIRMAN ABBOTT: Yep.

9 COMMISSIONER SCHOENRADT: Mr. Chairman, on  
10 the request for a Conditional Use Permit for the Schooley-Weaver gravel pit  
11 application, Number C-U-P 20-10, excuse me, 2-0-1-0 – 0-0-8, to be located at  
12 104 29-3/4 Road, I move that the Planning Commission approve the Conditional  
13 Use Permit with the findings of fact, conclusions and conditions listed in the staff  
14 report.

15 CHAIRMAN ABBOTT: Okay, all those in favor of this say so by  
16 saying aye.

17 COMMISSIONER ESLAMI: Aye.

18 CHAIRMAN ABBOTT: Aye. And opposed?

19 COMMISSIONER CARLOW: Aye.

20 COMMISSIONER SCHOENRADT: Aye.

21 COMMISSIONER BURNETT: Aye.

22 COMMISSIONER WILLIAMS: Aye.

23 CHAIRMAN ABBOTT: Okay.

24 MS. COX: Mr. Chairman, for purposes of clarification,  
25 could we just do a... a count of those for and against, please?

1                           CHAIRMAN ABBOTT:                    Sure. For – is myself and Ebe.  
2    Is that right? And then opposed? And with that, I am going to call this session of  
3    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.