



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

**TUESDAY, SEPTEMBER 14, 2010, 6:00 P.M.**

**Call to Order**

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

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

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

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

**Consent Agenda**

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

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

**1. Minutes of Previous Meetings**

**[Attach 1](#)**

Approve the minutes of the June 22 and August 10, 2010 Regular Meetings.

2. **Southern Nevada Park Homes – Preliminary Subdivision Plan** [Attach 2](#)  
Request approval of the Preliminary Subdivision Plan to develop 80.34 acres into 31 lots in an I-1 (Light Industrial) zone district and develop 20.08 acres into 72 lots in an R-4 (Residential 4 du/ac) in 8 phases.

**FILE #:** PP-2010-026  
**PETITIONER:** Art Pastel – Northwest G.J. LLC  
**LOCATION:** 860 21 Road  
**STAFF:** Lori Bowers

3. **McConnell 12<sup>th</sup> Street Vacation – Vacation of Right-of-Way** [Attach 3](#)  
Request a recommendation of approval to City Council to vacate an unused portion of South 12<sup>th</sup> Street Right-of-Way, adjacent to 1101 Winters Avenue.

**FILE #:** VR-2010-093  
**PETITIONER:** James R. McConnell  
**LOCATION:** 1101 Winters Avenue  
**STAFF:** Lori Bowers

4. **Buescher G 1/2 Road Partial Vacation – Vacation of Right-of-Way** [Attach 4](#)  
Request a recommendation of approval to City Council to vacate a portion of the G 1/2 Road right-of-way west of Golfmore Drive.

**FILE #:** VR-2010-105  
**PETITIONER:** Louis A. Buescher  
**LOCATION:** 749 Golfmore Drive  
**STAFF:** Scott Peterson

5. **Cris-Mar Enclave – Zone of Annexation** [Attach 5](#)  
Request a recommendation of approval to City Council to zone 265 enclaved parcels totaling 86.68 acres, more or less, to be zoned R-5 (Residential 5 du/ac).

**FILE #:** ANX-2010-110  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 265 parcels North & East of 29 Road and F Road  
**STAFF:** Brian Rusche

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



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

**Public Hearing Items**

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

**6. Schooley-Weaver Partnership – Conditional Use Permit [Attach 6](#)**

Request approval of a Conditional Use Permit to establish a Gravel Pit on 16 acres in an R-R (Residential Rural) zone district. The City Council remanded this request to the Planning Commission for further consideration.

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

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 1  
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION  
JUNE 22, 2010 MINUTES  
6:00 p.m. to 6:05 p.m.**

Lisa Cox, Planning Manager, announced that due to scheduling conflicts neither the regular Chairman nor Vice Chair were able to attend the hearing this evening. Therefore, the Planning Commissioners would have to decide who would act as the Chairperson this evening. Commissioner Carlow nominated Commissioner Schoenradt, seconded by Commissioner Eslami. A vote was taken and Commissioner Schoenradt was nominated to serve as Chairman.

The regularly scheduled Planning Commission hearing was then called to order at 6:01 p.m. by Acting Chairman Schoenradt. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Pat Carlow, Ebe Eslami, Richard Schoenradt, Rob Burnett, and Gregory Williams (Alternate). Commissioners Reginald Wall (Chairman), Lynn Pavelka-Zarkesh (Vice-Chairman) and Mark Abbott were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Division Manager) and Senta Costello (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There was 1 interested citizen representing the Full Hearing item present during the course of the hearing.

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

**Consent Agenda**

**1. Minutes of Previous Meetings**

There were no minutes available for review.

Planning Manager Lisa Cox advised that because there were no citizens in the attendance that evening the Full Hearing Item could be moved to the Consent Agenda at the discretion of the Planning Commission.

**MOTION: (Commissioner Williams) "So moved."**

Commissioner Burnett seconded the motion to move the Gentleman's Club CUP, Item Number CUP-2010-050, to the Consent Agenda. A vote was called and the motion passed unanimously by a vote of 5 - 0.

**MOTION: (Commissioner Williams) "I make a motion that we accept the Consent Agenda as amended."**

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

### **Public Hearing Items**

**2. Gentleman's Club CUP – Conditional Use Permit – Continued from June 8, 2010 Planning Commission Hearing**

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

### **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 6:05 p.m.

**GRAND JUNCTION PLANNING COMMISSION**  
**August 10, 2010 MINUTES**  
**6:00 p.m. to 8:20 p.m.**

Commissioner Schoenradt announced that it was necessary to elect a substitute chair in the absence of both the regular Chairman and Vice Chairman. The Commission unanimously elected Commissioner Schoenradt who called the regularly scheduled Planning Commission hearing to order at 6:00 p.m. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Pat Carlow, Ebe Eslami, Richard Schoenradt, Rob Burnett, and Gregory Williams (Alternate). Commissioners Reginald Wall (Chairman), Lynn Pavelka-Zarkesh (Vice-Chairman) and Mark Abbott were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Greg Moberg (Planning Services Supervisor) and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 8 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 June 8, 2010 Regular Meeting.

**2. St. Martin's Place - Rezone**

Request a recommendation of approval to City Council to rezone 0.287 acres from C-1 (Light Commercial) to B-2 (Downtown Business) zone district.

**FILE #:** RZ-2010-073

**PETITIONER:** Sister Karen Bland – Grand Valley Catholic Outreach Inc.

**LOCATION:** 415 South 3<sup>rd</sup> Street

**STAFF:** Scott Peterson

**3. Vodopich Subdivision – Preliminary Subdivision Plan**

Request approval of an extension of the Preliminary Subdivision Plan to develop 10 lots on 3.22 acres in an R-4 (Residential 4 du/ac) zone district.

**FILE #:** PFP-2006-243

**PETITIONER:** Bill Nesheim – JBB Corporation

**LOCATION:** 3023 F ½ Road

**STAFF:** Greg Moberg

Chairman Schoenradt 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 any of the Consent Agenda items.

**MOTION: (Commissioner Eslami) “Mr. Chairman, I move that we approve the Consent Agenda.”**

Commissioner Burnett seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

**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 6:06 p.m.

**Attach 2**  
**Southern Nevada Park Homes**

CITY OF GRAND JUNCTION  
 PLANNING COMMISSION

MEETING DATE: September 14, 2010  
 STAFF PRESENTATION: Lori V. Bowers

AGENDA TOPIC: Southern Nevada Park Homes - PP-2010-026

ACTION REQUESTED: Preliminary Subdivision Plan Approval

BACKGROUND INFORMATION					
Location:		860 21 Road			
Applicants:		Northwest GJ, LLC, owner and developer; Austin Civil Group, Inc., representative			
Existing Land Use:		Vacant land, single family residence and sheds			
Proposed Land Use:		Industrial and residential subdivision			
Surrounding Land Use:	North	Vacant large lot			
	South	Vacant large lot			
	East	Residential large lots			
	West	Fruita Buffer Zone a.k.a. Cooperative Planning Area			
Existing Zoning:		I-1 (Light Industrial) and R-4 (Residential – 4 units per acre)			
Proposed Zoning:		No change			
Surrounding Zoning:	North	RSF-R (Residential Single Family – Rural) County			
	South	I-1(Light Industrial) and County RSF-R (R			
	East	RSF-R (Residential Single Family – Rural) County			
	West	RSF-R (Residential Single Family – Rural) County			
Future Land Use Designation:		Commercial Industrial and Residential Medium			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request approval of the Preliminary Subdivision Plan to develop 80.34 acres into 31 lots in an I-1 (Light Industrial) zone district and develop 20.08 acres into 72 lots in an R-4 (Residential 4 du/ac) in eight phases.

RECOMMENDATION: Approval of the proposed Preliminary Subdivision Plan and Phasing Schedule.

## ANALYSIS

### 1. Jurisdiction

The Planning Commission has jurisdiction over this matter by virtue of the fact that the application was submitted on March 10, 2010 and is therefore governed by the 2000 Zoning and Development Code.

### 2. Background

The property was annexed into the City in 2009 as the Kapushion / Northwest GJ Annexations, consisting of 100.73 acres on two parcels. The Applicant's seeks approval to develop 80.34 acres into 31 lots in an I-1 (light industrial) zone district and develop 20.08 acres into 72 lots in an R-4 (Residential 4 du/ac) in eight phases.

### Density

The plan proposes to develop the 80.34 acres of industrial zoned land into thirty-one industrial lots that range in size from 3.30 acres to 1.79 acres in size. The 20.08 acre residential portion of the project will provide 72 single family lots resulting in a density of 3.58 dwelling units per acre, just under the maximum density for an R-4 zoning district.

### Access

Primary access to the subdivision will be obtained from 21 and 21 ½ Roads. Access to the residential portion of the subdivision will be from Cicada Avenue (in alignment with H ¾ Road). A new major collector street will be provided in alignment with H ½ Road. Within the industrial area there will be three industrial streets and one court street to provide access to the various industrial lots. A stub street (Magnum Street) will be provided from the industrial section to Cicada Avenue to provide inter-connectivity but it will be "bottle necked" to discourage industrial traffic from entering the residential area. The residential area will provide a stub street (Mayfly Street) to the property to the north on the west end of the project.

### Road Design

Construction of H ½ Road will include 20-feet of pavement and will primarily be constructed within a 40-foot right-of-way along the eastern end of the site, except where it becomes its full right-of-way width of 60-feet. No curb, gutter or sidewalk is proposed with the exception of curb and gutter along the north side of H ½ Road for stormwater drainage purposes. The residential portion of the project will be constructed in accordance with TEDS residential street sections. With Phase One of the project the Applicant shall provide half-street access along the western boundary of the proposed two lots. The second half of the street will be completed when Phase Two is recorded.

### Open Space / Park

There is no open space proposed for this project. The residential portion of the subdivision will be required to contribute to the open space acquisition fee and each residential lot will be assessed the current parks user fee of \$225.00 per lot. The applicants will also be required to pay a 10% land acquisition fee for future parks based on an MAI appraisal for the residential portion of the subdivision.

### Lot Layout

There are four blocks proposed in this subdivision. A detention pond is proposed in the southwestern most corner of the residential area. An irrigation tract is provided in the southeastern most portion of the residential area. All Lots meet the minimum 75-foot width at the edge of the right-of-way. The minimum square footage in an R-4 subdivision is 8,000 square feet. Residential lots will range in size from 10,665 to 8,022 square feet.

### Landscaping

In order to buffer the proposed industrial uses from the existing residential homes constructed along the east side of 21 ½ Road, the Plan calls for a 55-foot landscape buffer with a six-foot tall landscaped berm to be located along the west side of 21 ½ Road. The applicant prefers to use the six foot berm in lieu of a six foot wall because the landscape berm will help mitigate noise from industrial lots and will provide a better aesthetic buffer to the existing homes along 21 ½ Road. Staff supports this aspect of the Plan. A 25-foot landscape buffer will also be provided along the Cicada Avenue alignment to provide additional buffering between the proposed industrial and proposed R-4 residential development. The Zoning and Development Code allows a berm with landscaping as an alternative for a required fence or wall if the total height is a minimum of six feet.

### Phasing

Construction for the project and platting of the first phase is anticipated to start as soon as 2011 or immediately after receiving "Final Subdivision Approval". The project is anticipated to be completed in eight phases and is anticipated to require six (6) years to be built out. A copy of the phasing Plan is included in this report.

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

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

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

The zoning of Southern Nevada Park Homes development is in accordance with the Comprehensive Plan's Future Land Use Map with the zoning designation of I-1 in the area designated as Commercial/Industrial, and the R-4 zoning is consistent with the Residential Medium designation. The Blended Residential Map shows this area capable of developing in the range of four to sixteen units per acre. The street plan for this subdivision provides dedicated public right-of-way and is consistent with the City of Grand Junction's road standards and the Grand Valley Circulation Plan by providing connectivity for future development.

- b. The Subdivision standards of Chapter Six.

The lot layout has been designed to provide constructible lots. All lots have direct access to internal streets which will meet City standards. There will be no direct access to 21 and 21 ½ Road by individual lots. There are no Hazard Areas within the Subdivision. Two (2) separate detention ponds will be provided to control post-developed stormwater runoff that will discharge to historic collection points.



- c. The Zoning standards contained in Chapter Three.

Southern Nevada Park Homes development has been designed to meet all standards outlined in Chapter Three.

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

Southern Nevada Park Homes development is in compliance with all standards, requirements and policies adopted by the City of Grand Junction.

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

An existing 8-inch sanitary sewer line will be extended north in 21 ½ Road that will service the property. All the residential lots and industrial lots with the exception of the western side of the industrial lot will gravity feed directly to the 8-inch sanitary sewer line in 21 ½ Road. Due to elevation conflicts the western lots of the industrial subdivision will gravity feed to a new lift station located along H ½ Road and be lifted to a point to gravity feed out to 21 ½ Road. Adequate potable water supply is available to the development and hydraulic water models have been prepared to analyze and evaluate the existing water distribution system and what improvements are necessary to provide adequate fire flow. These improvements will be made by the Applicant. Irrigation water service is currently provided by a concrete ditch that returns its water to the Kapushion Drain. Development will utilize the irrigation water and require the concrete ditch to be piped and other improvements provided to allow adequate service to the individual lots. Stormwater drainage will be addressed with the use of an underground storm sewer network and two (2) detention ponds working independently of each other for the residential and industrial lots.

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

The industrial subdivision portion of the development will provide a 55-foot wide landscape tract along 21 ½ Road, a 25-foot wide landscaping tract along Cicada Avenue and a 14-foot wide landscaping tract along 21 Road and H ½ Road to buffer industrial uses from adjacent residential uses. The residential subdivision portion of the development will provide a 25-foot wide landscape tract along 21 ½ Road to buffer development from the adjacent residential uses.

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

Current zoning is consistent and compatible with adjacent zoning in the area. To mitigate industrial uses to adjacent residential uses landscaping tracts have been incorporated into the design of the subdivisions.

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

No adjacent agricultural properties will be negatively impacted by the proposed development.

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

No agricultural land or unique areas exist on the subject property. The majority of the property is pasture land consisting of native grasses and weeds.

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

Southern Nevada Park Homes development will dedicated adequate land for the provision of public services. Preliminary plan review shows that there is adequate room for easements for public utilities, detention facilities and buffering requirements.

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

Southern Nevada Park Homes development will be developed using the City of Grand Junction standards for streets, access, utilities and stormwater management. The proposed sanitary sewer lift station will be maintained by a property owner's association (POA).

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Southern Nevada Park Homes Industrial and Residential Subdivision application, file number PP-2010-026, for preliminary subdivision plan approval, I make the following findings of fact and conclusions:

1. The proposed Preliminary Subdivision Plan is consistent with the goals and policies of the Comprehensive Plan.
2. The Preliminary Subdivision Plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8.B.2 of the Zoning and Development Code.
3. The proposed phasing plan is in conformance with the Zoning and Development Code by completing final platting of the subdivision within six years. The first phase is to be platted by the end of year, 2011.

## STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the proposed preliminary subdivision plan and phasing plan, PP-2010-026 with the findings, conclusions and conditions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for Southern Nevada Park Home, and the proposed phasing schedule found in file number PP-2010-026, with the findings, conclusions and conditions listed in the staff report.

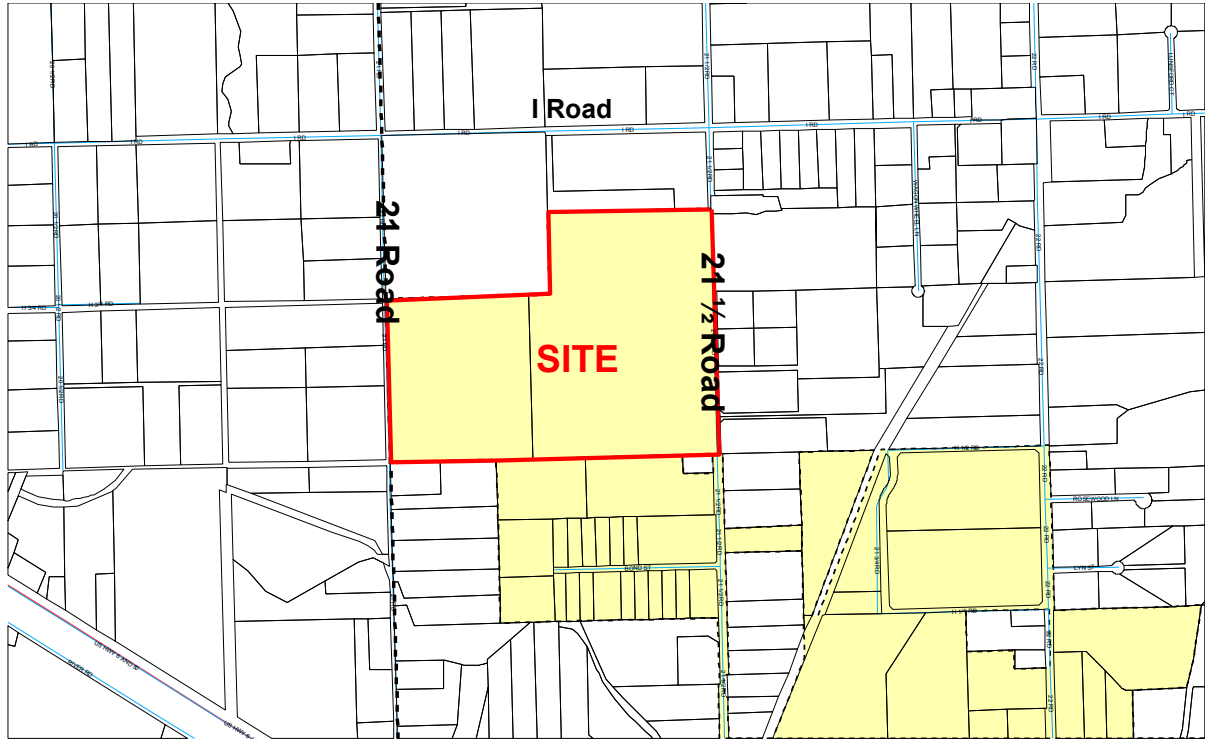
Attachments:

Site Location Map / Aerial Photo  
Comprehensive Plan Map / Existing City and County Zoning Map  
Blended Residential Map  
Preliminary Subdivision Plan  
Phasing Plan

# Site Location Map

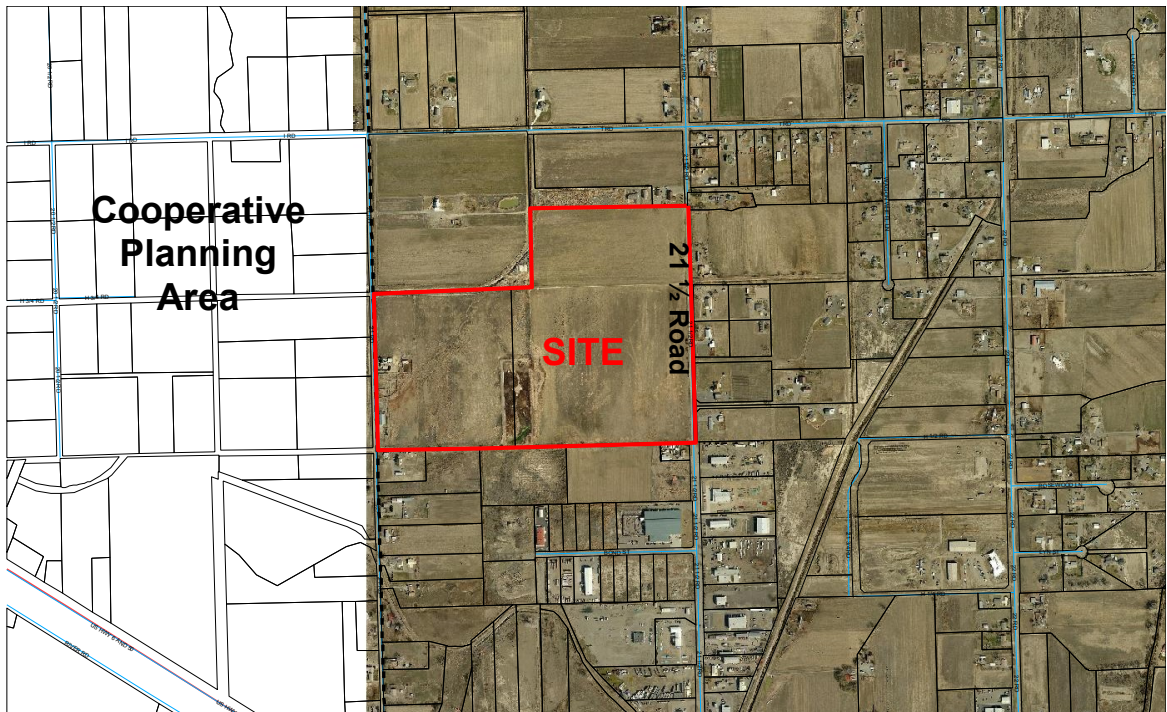
City limits shown in yellow

860 21 Road



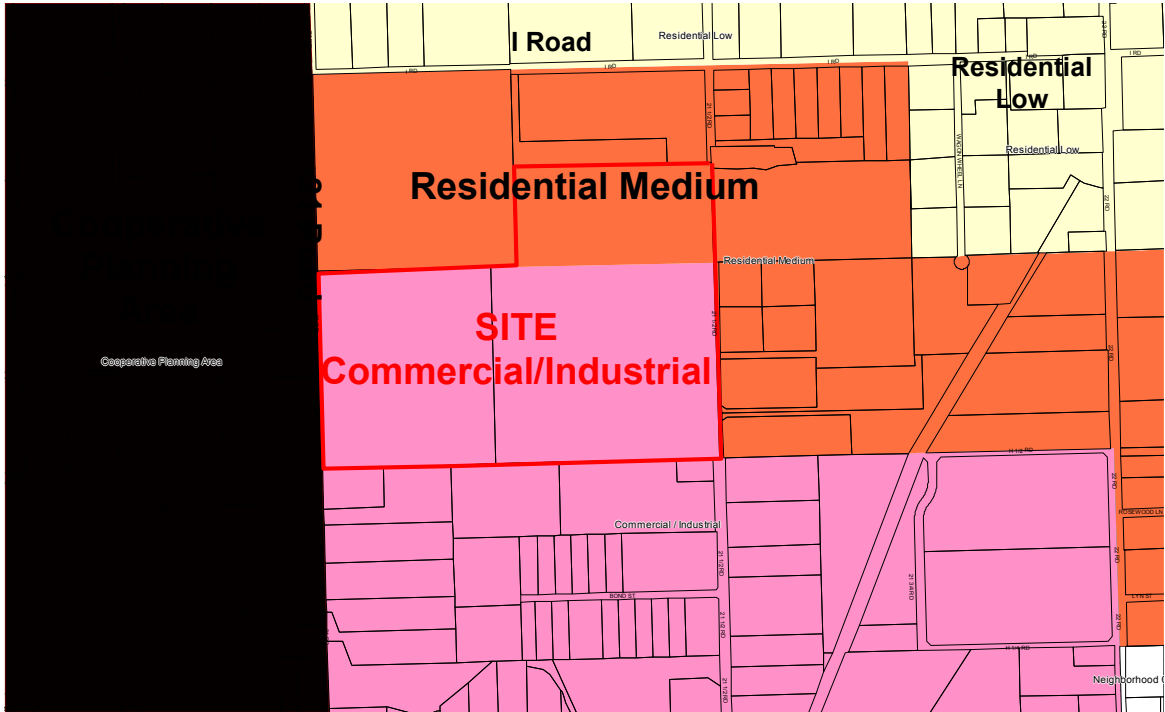
# Aerial Photo Map

860 21 Road



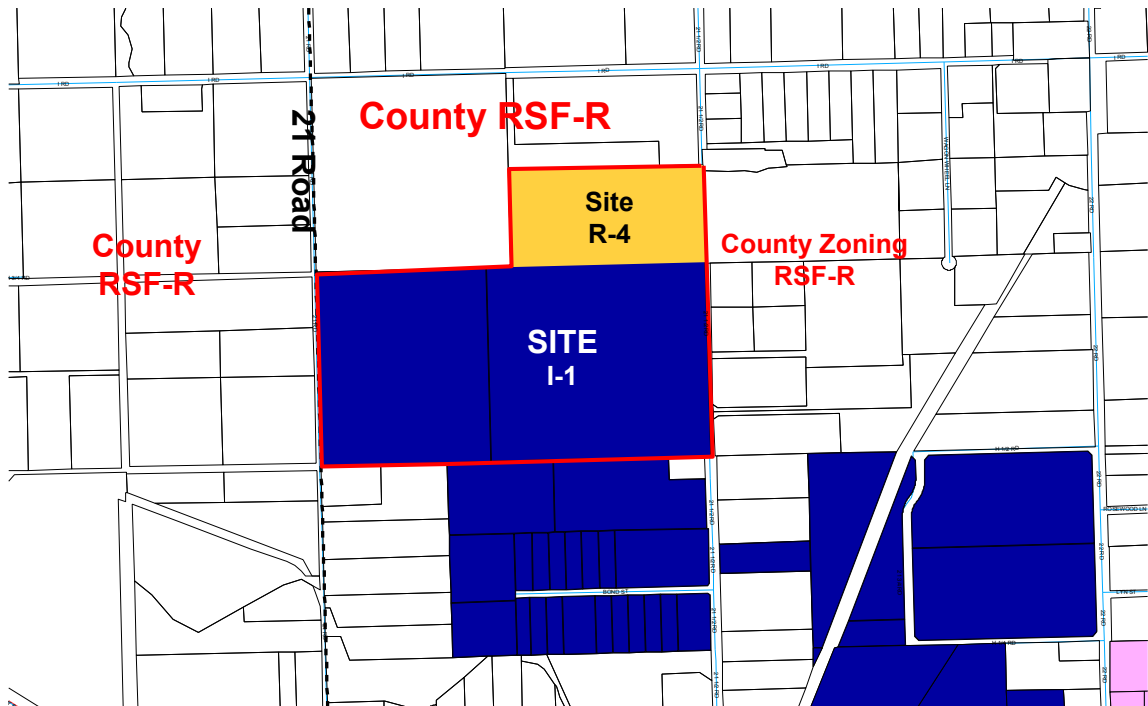
# Comprehensive Plan Map

860 21 Road



# Existing City and County Zoning Map

860 21 Road

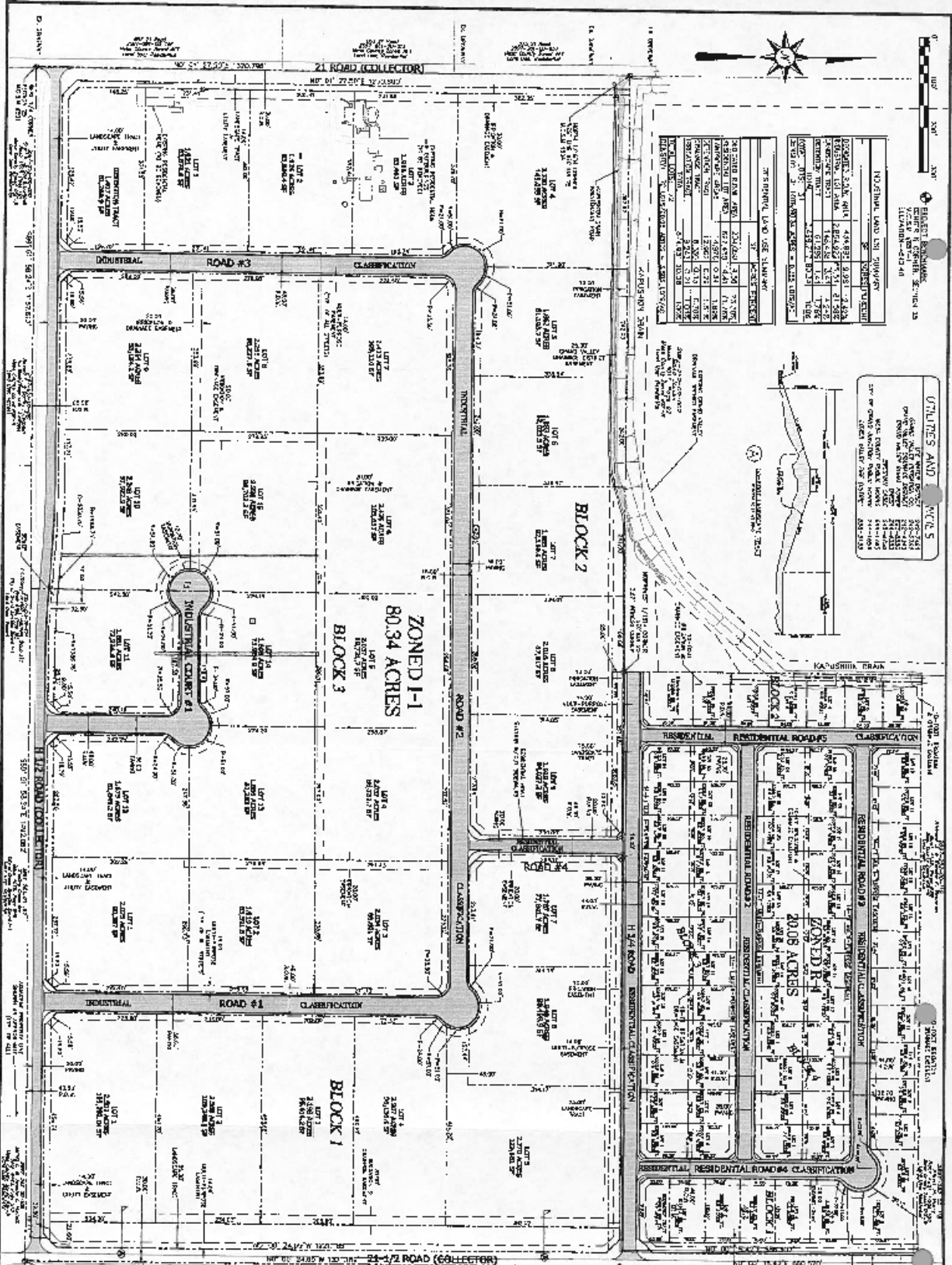


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

# Blended Residential Map

860 21 Road





PROJECT INFORMATION  
 PROJECT NO. 2010-001  
 DATE: 10/15/10

UTILITIES AND NOTES  
 1. ALL UTILITIES TO BE LOCATED AND DEPTH TO BE DETERMINED BY THE APPLICANT.  
 2. ALL UTILITIES TO BE DEEPER THAN THE PROPOSED FOUNDATION.  
 3. ALL UTILITIES TO BE DEEPER THAN THE PROPOSED DRIVEWAY.  
 4. ALL UTILITIES TO BE DEEPER THAN THE PROPOSED SIDEWALK.

PROPERTY	ACRES	AREA	PERCENTAGE
LOT 1	0.10	0.10	0.125
LOT 2	0.10	0.10	0.125
LOT 3	0.10	0.10	0.125
LOT 4	0.10	0.10	0.125
LOT 5	0.10	0.10	0.125
LOT 6	0.10	0.10	0.125
LOT 7	0.10	0.10	0.125
LOT 8	0.10	0.10	0.125
LOT 9	0.10	0.10	0.125
LOT 10	0.10	0.10	0.125
LOT 11	0.10	0.10	0.125
LOT 12	0.10	0.10	0.125
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LOT 97	0.10	0.10	0.125
LOT 98	0.10	0.10	0.125
LOT 99	0.10	0.10	0.125
LOT 100	0.10	0.10	0.125



SOUTHERN NY PARK HOMES  
 PRELIMINARY SUBDIVISION PLAN  
 24 1/2 ROAD  
 PRELIMINARY SITE SUBMITTAL  
 NORTHWEST GI LLC

A-C-G  
 AUSTIN CIVIL GROUP, INC.  
 Land Planning Civil Engineering Development Services  
 2414 West 24th Street, Suite 200, Dallas, Texas 75219  
 (972) 242-7300

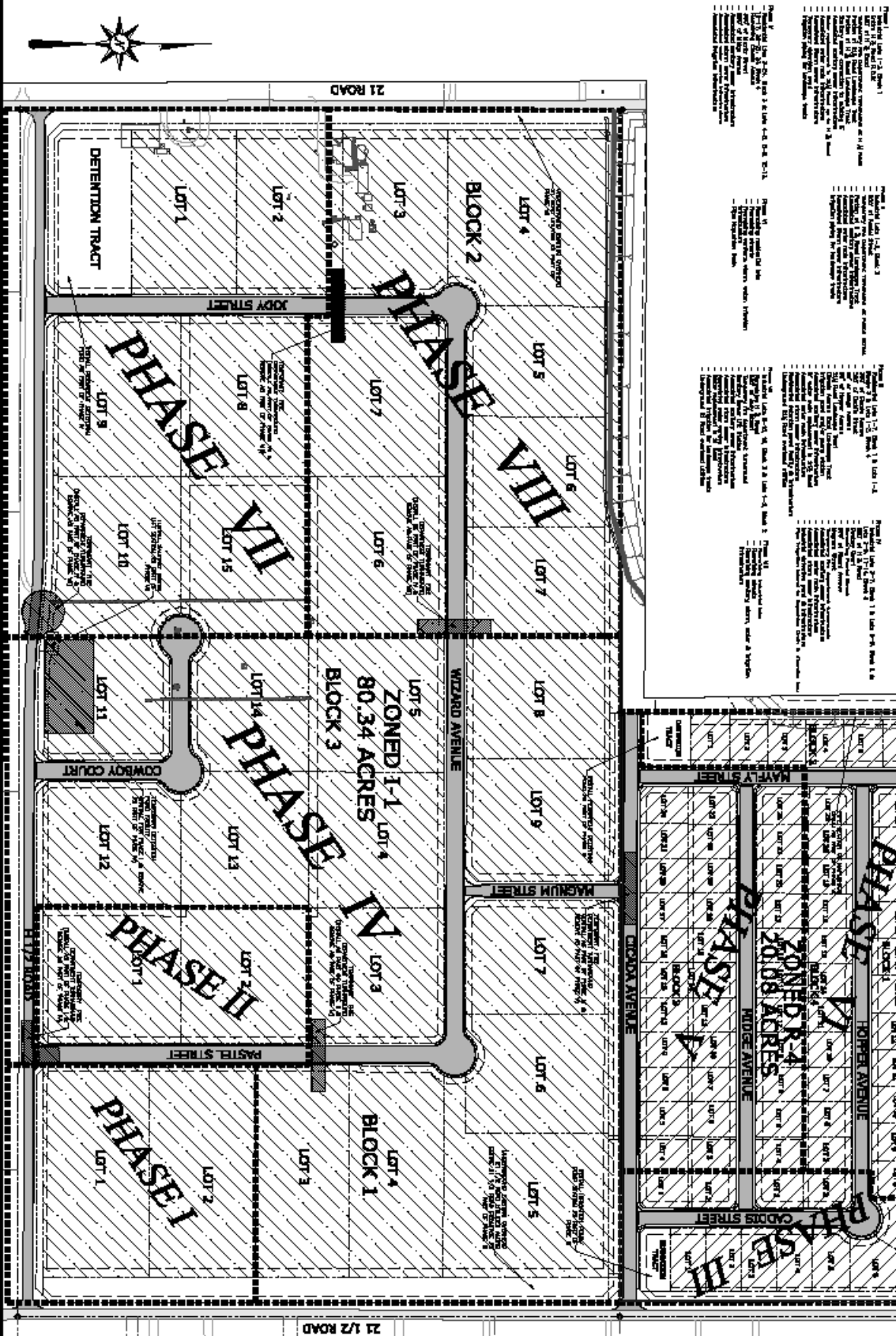
NO.	REVISION	DATE
1	ISSUED FOR PERMITS	10/15/10
2	REVISED PER PERMITS	10/15/10
3	REVISED PER PERMITS	10/15/10
4	REVISED PER PERMITS	10/15/10
5	REVISED PER PERMITS	10/15/10
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**SCHEDULE AND PHASING**  
 enhanced to begin and be finished during 2017 or after meeting "hard approval" from the City of Grand Junction. The entire eight (8) phases is intended to be built-out and finished within 80 (80) years or the year 2077. The following is a more detailed construction phasing and schedule for the eight (8) phases:

- Phase I: Lot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



<b>SOUTHERN WY PARK HOMES</b> PRELIMINARY PHASING PLAN AT 1/2 ROAD PRELIMINARY SITE SUBMITTAL NORTHWEST GJ LLC		<b>A · C · G</b> <b>AUSTIN CIVIL GROUP, INC</b> Land Planning • Civil Engineering • Development Services 800 South Second Street, Suite 800 • Grand Junction, Colorado 81505 (970) 241-0000		<b>REVISIONS</b> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> <tr> <td>1</td> <td>CITY REVIEW COMMENTS - ROLLER 1</td> <td>6-12-16</td> <td>STW</td> </tr> <tr> <td>2</td> <td>CITY REVIEW COMMENTS - ROLLER 2</td> <td>6-9-16</td> <td>STW</td> </tr> </table>	NO.	DESCRIPTION	DATE	BY	1	CITY REVIEW COMMENTS - ROLLER 1	6-12-16	STW	2	CITY REVIEW COMMENTS - ROLLER 2	6-9-16	STW	<b>OWNER'S RECORD</b> 1-800-922-1987 <b>SCALE VERIFICATION</b> DATE: 06/12/16 BY: STW I HAVE VERIFIED THE SCALE OF THIS PLAN AND IT IS CORRECT. I HAVE VERIFIED THE SCALE OF THIS PLAN AND IT IS CORRECT.
NO.	DESCRIPTION	DATE	BY														
1	CITY REVIEW COMMENTS - ROLLER 1	6-12-16	STW														
2	CITY REVIEW COMMENTS - ROLLER 2	6-9-16	STW														



**Attach 3  
McConnell 12<sup>th</sup> Street Vacation**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: September 14, 2010  
PRESENTER: Lori V. Bowers

AGENDA TOPIC: McConnell 12<sup>th</sup> Street Right-of-Way Vacation - VR-2010-093.

ACTION REQUESTED: Recommendation to City Council on the Requested Right-of-Way Vacation.

BACKGROUND INFORMATION			
Location:		1101 Winters Avenue	
Applicants:		James R. McConnell, owner; Austin Civil Group, representative.	
Existing Land Use:		Warehouse and storage yards	
Proposed Land Use:		No change	
Surrounding Land Use:	North	White Water Building Materials / Tumac Industries	
	South	Warehouse	
	East	Waste Management	
	West	Best Building Corporation Warehouse	
Existing Zoning:		I-2 (General Industrial)	
Proposed Zoning:		No change	
Surrounding Zoning:	North	I-2 (General Industrial)	
	South	I-2 (General Industrial)	
	East	I-2 (General Industrial)	
	West	I-2 (General Industrial)	
Future Land Use Designation:		Industrial	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: A request to vacate an unused portion of South 12<sup>th</sup> Street Right-of-Way, adjacent to 1101 Winters Avenue.

RECOMMENDATION: Recommendation of approval to City Council.

## ANALYSIS

### 1. Background

The purpose of Section 21.02.100 of the Grand Junction Municipal Codes (GJMC) is to permit the vacation of surplus rights-of-way (and/or easements). The Applicants are making such a request for the subject parcel located on the southwest corner of Winters Avenue and South 12<sup>th</sup> Street. It is approximately 4.79 acres and contains a warehouse building and storage yards. There is dedicated but unused right-of-way along the eastern most portion of this lot along South 12<sup>th</sup> Street. The applicant would like to fence the northeast and southeast corners of the lot to provide more secure storage for the Applicant's tenants. Because this is a corner lot, there are two front yard setbacks that must be met when installing a new fence. A six-foot fence must meet the setback requirements of the I-2 zoning district which is 15 feet.

The proposal is to vacate a maximum 16-foot wide strip of public right-of-way along South 12<sup>th</sup> Street. There is an existing concrete walk running along the west side of South 12<sup>th</sup> Street which flares out towards the northwest as it reaches Winters Avenue. To maintain a 1-foot separation between right-of-way and back of walk the requested right-of-way vacation follows the back of walk creating a varied width. It will be a maximum of 16-feet on the southern most end and 12.99-feet at the northern most end. The new site acreage would then be 4.91 acres. A 14-foot multi-purpose easement will also be dedicated in this area. The vacation will allow the Applicant to place the fence on what is now the existing property line, and they will be able to meet the required setback for the I-2 zoning district, which is 15 feet from the property line. The purpose of the 15-foot setback for a fence is to allow for a multi-purpose easement and any required landscaping on the street side of the fence.

### 2. Section 21.02.100 of the Grand Junction Municipal Code

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

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

The minimum street width for an industrial street is 48-feet. The total existing right-of-way is 100 feet. This allows the applicant to vacate 16 feet on the southern most end of the vacation, down to almost 13 feet on the northern end, and it will not impact the Grand Valley Circulation Plan, Comprehensive Plan and all other policies adopted by the City of Grand Junction and any future growth in the area. The City Engineer has confirmed that this keeps all public utilities within the public right-of-way with sufficient area for utility maintenance.

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

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

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

Access will not be restricted to any parcel.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

There will be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided will not be reduced.

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

No services or public facilities will be inhibited by the vacation of this portion of right-of-way because no services exist in the portion to be vacated. There is a 12 inch water line located in South 12<sup>th</sup> Street, but it is east of the existing sidewalk. If future utilities may need to be extended in this area, a 14-foot multi-purpose is being provided in the area of the vacation.

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

The portion of right-of-way requested to be vacated is excess right-of-way that the City does not expect to use or need in the future. The vacation will allow the City to transfer responsibility of the land to the residents adjacent to the right-of-way while not reducing the present use of the 12<sup>th</sup> Street right-of-way. South 12<sup>th</sup> Street ends approximately 260 feet south from the subject parcel, where it intersects with Kimball Avenue. Because the street dead ends, and because just south of Kimball Avenue is the recently constructed Riverside Parkway, the extra width of South 12<sup>th</sup> Street in this area is not now needed and will not be in the future. No connection is planned for this area to the Parkway.

## FINDINGS OF FACT/CONCLUSIONS/CONDITIONS

After reviewing the McConnell South 12<sup>th</sup> Street Right-of-Way Vacation application, file number VR-2010-093 for the vacation of a public right-of-way, I make the following findings of fact, conclusions and conditions:

1. The requested right-of-way vacation is consistent with the Comprehensive Plan.

2. The review criteria in Section 21.02.100 of the Grand Junction Municipal Code have all been met.
3. Applicant shall grant a 14-foot multi-purpose easement along South 12<sup>th</sup> Street, which shall be recorded with the Mesa County Clerk and Recorder.
4. The right-of-way vacation will be recorded with the Mesa County Clerk and Recorder. The applicant will pay for the required recordings.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested right-of-way vacation, VR-2010-093 to the City Council with the findings, conclusions and conditions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on item VR-2010-093, I move we forward a recommendation of approval to the City Council on the request to vacate 16-foot strip of South 12<sup>th</sup> Street Right-of-Way with the findings of fact, conclusions and conditions in the staff report.

**Attachments:**

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

# Site Location Map

1101 Winters Avenue



# Aerial Photo Map

1101 Winters Avenue



# Comprehensive Plan Map

1101 Winters Avenue



# Existing City Zoning Map

1101 Winters Avenue



## CITY OF GRAND JUNCTION

### Ordinance No.

### AN ORDINANCE VACATING RIGHT-OF-WAY FOR SOUTH 12<sup>TH</sup> STREET LOCATED AT 1101 WINTERS AVENUE

#### RECITALS:

A vacation of the dedicated right-of-way adjacent to 1101 Winters Avenue, along South 12<sup>th</sup> Street has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

The Planning Commission, having heard and considered the request, found the criteria of the Grand Junction Municipal Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, Multi-purpose Easement and any dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

#### **RIGHT OF WAY VACATION**

A strip of land situate in the SE 1/4 NE 1/4 of Section 23, Township 1 South, Range 1 West of the Ute Meridian and adjoining the east line of Lot 1, Winters Avenue Industrial Park as recorded in Plat Book 12 at Pages 305 & 306, City of Grand Junction, Mesa County, Colorado, being described as follows;

Beginning at the southeast corner of said Lot 1;  
thence N00°15'39"W a distance of 315.12 feet along the east line of said Lot 1;  
thence along the arc of a curve to the left 39.15 feet, having a central angle of 89°43'00"  
and a radius of 25.00 feet, the chord of which bears N45°07'09"W a distance of 35.27 feet  
along said Lot 1;  
thence S89°58'38"E a distance of 12.99 feet;

thence along the arc of a curve to the right 38.22 feet, having a central angle of 87°35'20" and a radius of 25.00 feet, the chord of which bears S46°10'58"E a distance of 34.60 feet;  
thence S02°23'18"E a distance of 81.68 feet;  
thence S00°15'39"E a distance of 234.36 feet;  
thence N89°44'21"W a distance of 16.00 feet to the point of beginning.  
Said strip contains 0.12 acres more or less.

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

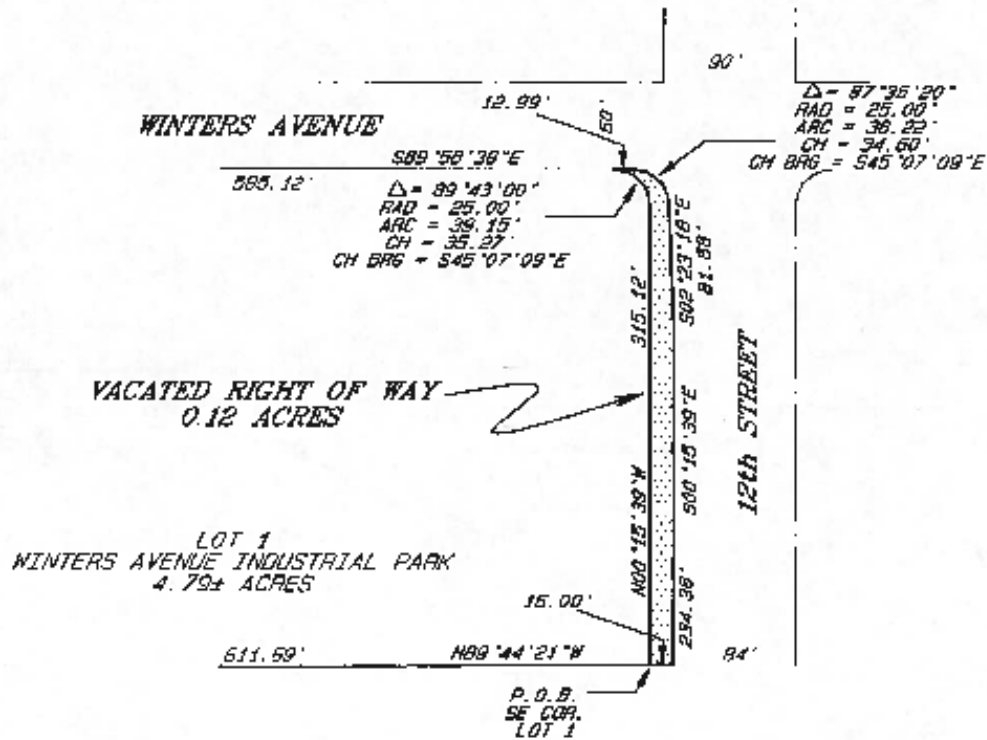
\_\_\_\_\_  
President of City Council

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



# EXHIBIT A

## RIGHT OF WAY VACATION



NOT TO SCALE  
 LINEAL UNITS = U.S. SURVEY FEET

D H SURVEYS, INC.  
 970-245-8749  
 JOB # 1158-09-01

**Attach 4  
Buescher G 1/2 Road Partial Vacation**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** September 14, 2010  
**PRESENTER:** Scott D. Peterson

**AGENDA TOPIC:** Buescher Right-of-Way Vacation - VR-2010-105

**ACTION REQUESTED:** Recommendation to City Council to vacate a portion of the G ½ Road right-of-way

BACKGROUND INFORMATION					
<b>Location:</b>		749 Golfmore Drive			
<b>Applicants:</b>		Louis A Buescher, Owner			
<b>Existing Land Use:</b>		Un-improved City Right-of-Way (G ½ Road)			
<b>Proposed Land Use:</b>		Single-family residence building addition			
<b>Surrounding Land Use:</b>	<b>North</b>	Bookcliff Country Club			
	<b>South</b>	Single-family residential			
	<b>East</b>	Single-family residential			
	<b>West</b>	Single-family residential			
<b>Existing Zoning:</b>		R-4, (Residential – 4 du/ac)			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	CSR, (Community Services and Recreation)			
	<b>South</b>	R-4, (Residential – 4 du/ac)			
	<b>East</b>	R-4, (Residential – 4 du/ac)			
	<b>West</b>	R-4, (Residential – 4 du/ac)			
<b>Future Land Use Designation:</b>		Residential Medium (4 – 8 du/ac)			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** A request to vacate a portion of unimproved G ½ Road right-of-way located adjacent to 749 Golfmore Drive in anticipation of proposed single-family residence building addition.

**RECOMMENDATION:** Recommendation of conditional approval.

## ANALYSIS

### 1. **Background:**

The applicant, Louis A. Buescher, wishes to vacate a portion of the unimproved G ½ Road right-of-way located to the north, adjacent to his property to accommodate a proposed addition to the single-family residence located at 749 Golfmore Drive. The right-of-way requested to be vacated has never been constructed or utilized as right-of-way and does not affect any other adjacent parcel other than the applicants.

Grand Valley Water Users' Association maintains an irrigation line located within this right-of-way that serves properties within the Fairway Park Subdivision. As a condition of approval, the City is requiring the applicant to obtain consent from GVWUA and reserve an easement for the irrigation line (Lateral 6A pipeline).

In 1989, the Mesa County Board of County Commissioners vacated G ½ Road to the west of the applicant's property. The applicant is now requesting the vacation of the remaining portion of G ½ Road adjacent to his property with the exception of a hammerhead turnaround at the end of Golfmore Drive that will remain as City right-of-way for the purpose of a Fire vehicle and public turn-around. The Fire Department has approved the turn-around dimensions.

### 2. **Title 21.02.100 of the Grand Junction Municipal Code:**

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

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

Granting the request to vacate a portion of the existing G ½ Road right-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. The City will reserve a separate irrigation easement in favor of the Grand Valley Water Users' Association for the conveyance of irrigation water (Lateral 6A Pipeline) to several properties within the Fairway Park Subdivision. As a condition of approval, the Applicant must obtain written consent from GVWUA for the easement reservation.

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

No parcel will be landlocked as a result of this proposed vacation request. All parcels abutting this right-of-way have other access to public streets.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

Access will not be restricted to any parcel as a result of the proposed vacation. The proposed vacation does not affect any other parcel other than the applicant's.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

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

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

Adequate public facilities and services will not be inhibited to any property. The only existing utility located within this right-of-way is an irrigation line which will be covered by the reservation of an irrigation easement as described in the vacation ordinance. No other adverse comments were received from the utility review agencies during the staff review process.

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

Maintenance requirements for the City will not change as a result of the proposed vacation since this was an unimproved right-of-way.

#### **FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:**

After reviewing the Buescher Right-of-Way application, VR-2010-105 for the vacation of a portion of G ½ Road Right-of-Way, I make the following findings of fact, conclusions and conditions:

1. The requested right-of-way vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.100 (c) of the Grand Junction Municipal Code have all been met.
3. Approval of the right-of-way vacation is conditioned upon the written consent of the Grand Valley Water Users' Association to the easement reserved in the vacation ordinance.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of conditional approval of the requested right-of-way vacation, VR-2010-105 to the City Council with the findings, conclusions and conditions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

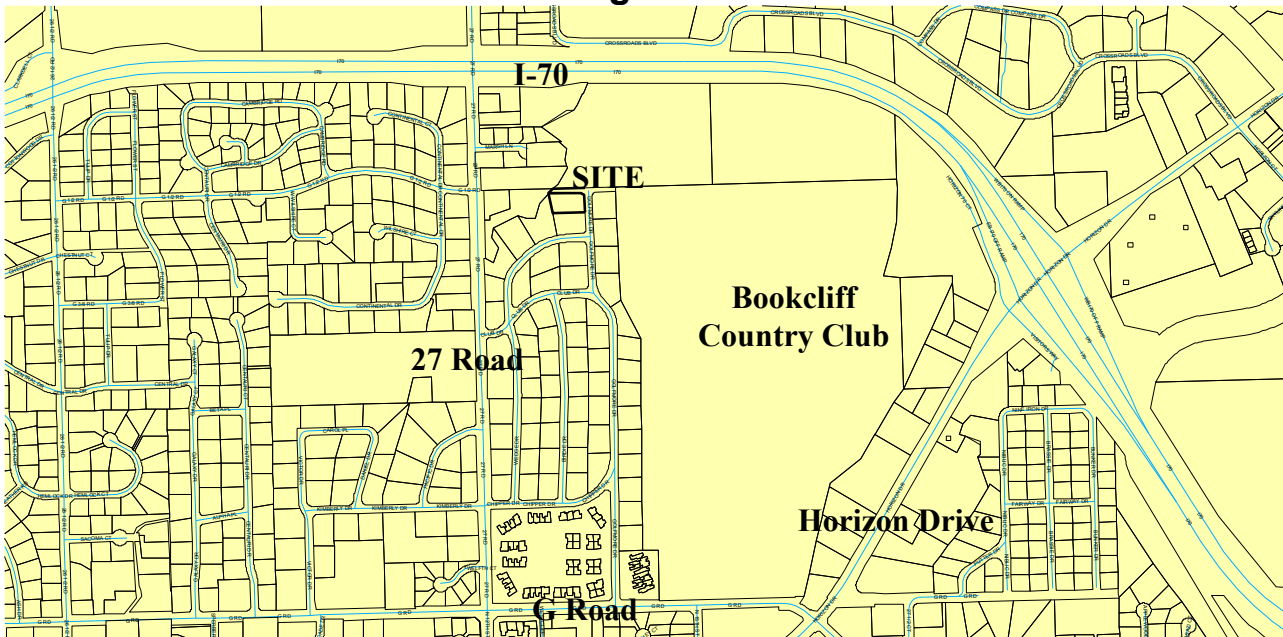
Mr. Chairman, on item VR-2010-105, I move we forward a recommendation of conditional approval to the City Council on the request to vacate a portion of the G ½ Road Right-of-Way with the findings of fact, conclusions and conditions as identified in the staff report.

Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Plan / Blended Residential Map  
Existing City Zoning  
DRAFT Ordinance

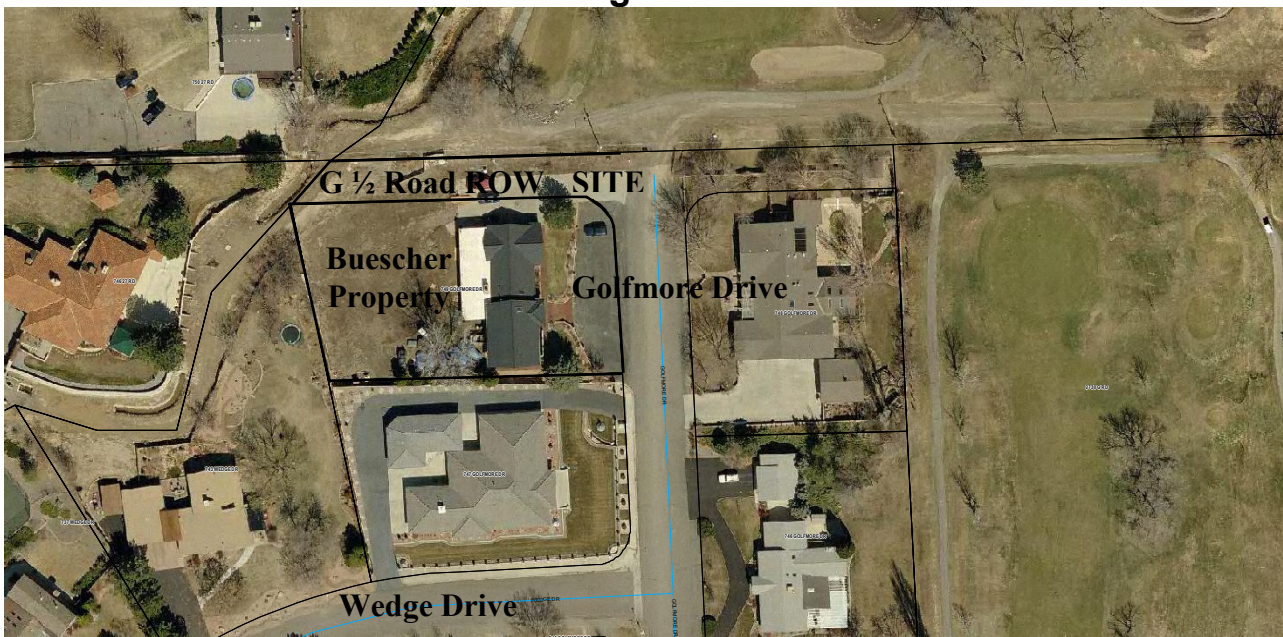
# Site Location Map

Figure 1



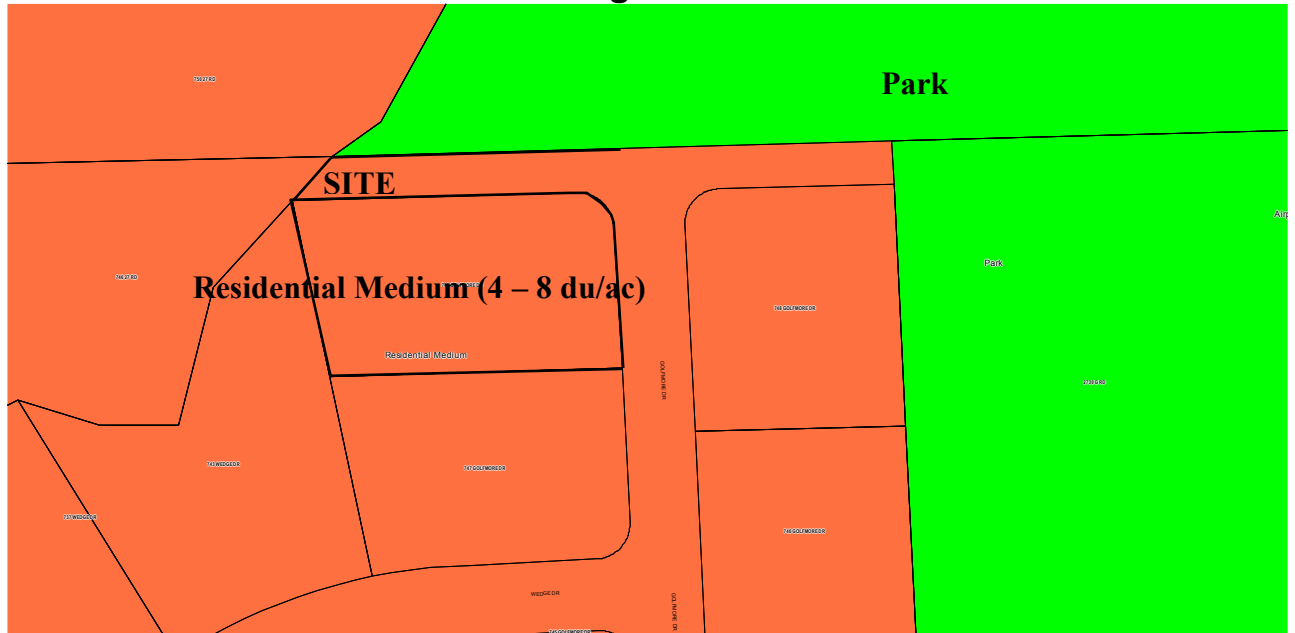
# Aerial Photo Map

Figure 2



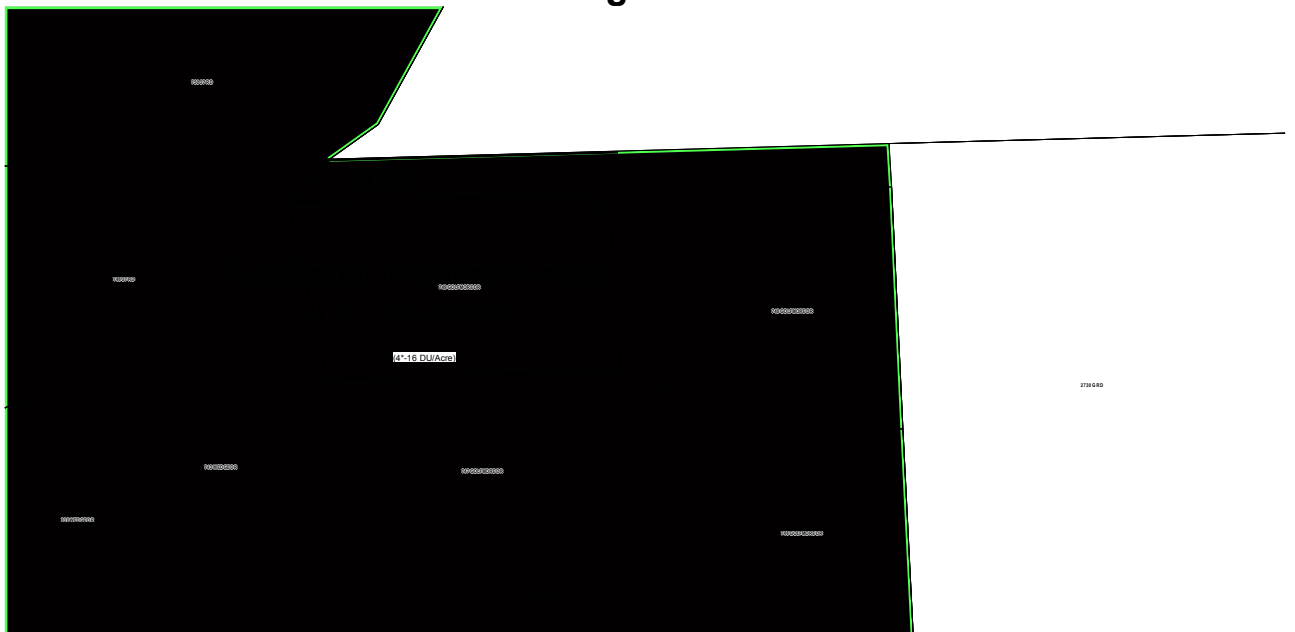
# Comprehensive Plan

Figure 3



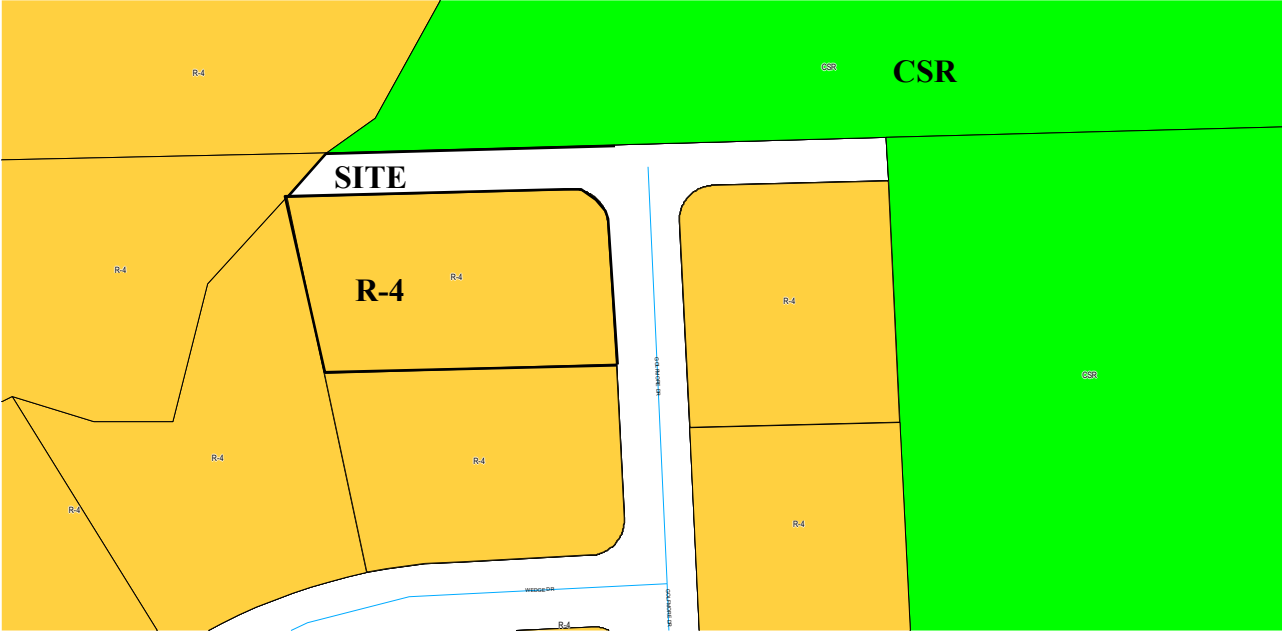
# Blended Residential Map

Figure 4



# Existing City Zoning

Figure 5





**CITY OF GRAND JUNCTION**

**Ordinance No.**

**AN ORDINANCE VACATING A PORTION OF G ½ ROAD FOR THE  
BUESCHER RIGHT-OF-WAY VACATION  
LOCATED AT 749 GOLFMORE DRIVE**

**RECITALS:**

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Title 21.02.100 of the Grand Junction Municipal Code.

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

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. Written consent of Grand Valley Water Users' Association for the reserved easement.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A portion of the G-1/2 Road right-of-way fronting Lot 7, Block No.1 of Fairway Park, as dedicated on the plat of same recorded at Reception No. 749186 of the Mesa County records, situated in the NW1/4 SW1/4 of Section 36, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; with said vacation parcel being more particularly described as follows:

Beginning at a #6 rebar at the Northwest corner of Fairway Park, whence the Mesa County survey marker for the West one-quarter corner of said Section 36 bears North 89°54'27" West, a distance of 482.19 feet, and with all bearings herein being relative to South 89°54'27" East on the North line of Fairway Park as defined by said West one-quarter corner and a rebar and cap PLS 10097 at the Northeast corner of Fairway Park; Thence along the North line of Fairway Park and the North right-of-way line of G-1/2 Road, South 89°54'27" East, a distance of 159.81 feet to a point which is North 89°54'27" West, a

distance of 60.00 feet from the centerline of Golfmore Drive at its intersection with the North right-of-way line of G-1/2 Road;  
Thence South 01°06'27" East, a distance of 30.01 feet to the South right-of-way line of G-1/2 Road;  
Thence along said right-of-way line, North 89°54'27" West, a distance of 189.36 feet to the Westerly right-of-way line of G-1/2 Road as defined by a previous vacation of a portion of G-1/2 Road (Book 1733, Page 537);  
Thence along said right-of-way line, North 44°02'34" East, a distance of 41.67 feet to the Point of Beginning.

Containing 5237.4 square feet (0.120 acres), more or less.

AND

Commencing at the aforesaid Northwest corner of Fairway Park;  
Thence along the North line of Fairway Park and the North right-of-way line of G-1/2 Road, South 89°54'27" East, a distance of 159.81 feet to a point which is North 89°54'27" West, a distance of 60.00 feet from the centerline of Golfmore Drive at its intersection with the North right-of-way line of G-1/2 Road;  
Thence South 01°06'27" East, a distance of 30.01 feet to the South right-of-way line of G-1/2 Road;  
Thence along the South right-of-way line of G-1/2 Road, South 89°54'27" East, a distance of 10.53 feet to the **Point of Beginning**;  
Thence South 89°54'27" East, a distance of 24.48 feet;  
Thence South 01°06'27" East, a distance of 24.48 feet to a point of cusp on a 25.00 foot radius non-tangent curve to the left;  
Thence 38.75 feet northwesterly along the arc of said curve, through a central angle of 88°48'00", with a chord bearing North 45°30'27" West, a distance of 34.98 feet to the Point of Beginning.

Containing 127.7 square feet (0.003 acres), more or less.

Reserving, however, a 15' wide perpetual, non-exclusive easement, for conveyance of irrigation water, maintenance, pipes and other irrigation facilities as shown on Exhibit A.

This description was prepared by: Dennis R. Shellhorn, Colorado P. L. S. 18478, 744 Horizon Court, Suite 110, Grand Junction, CO 81505

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

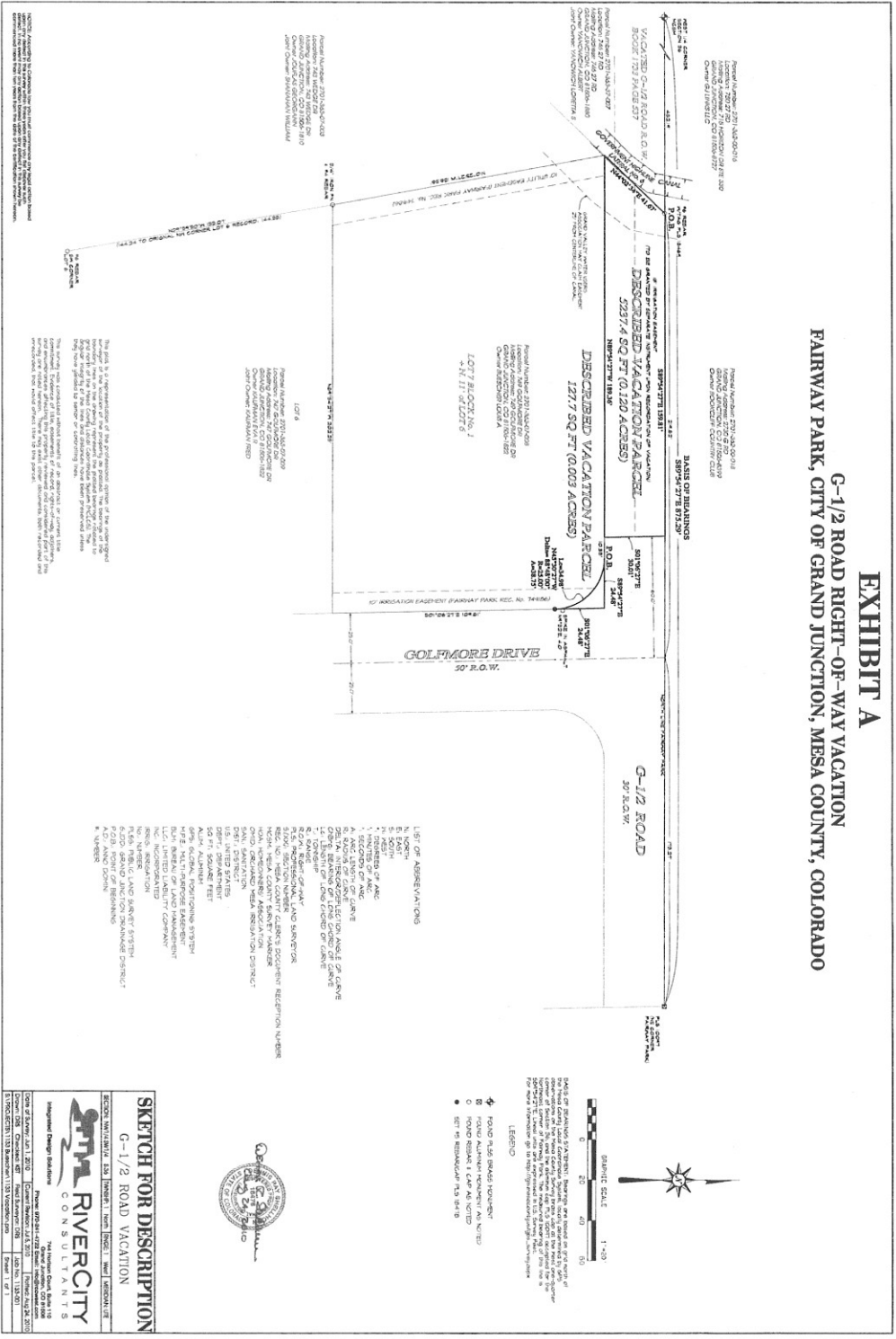
ATTEST:

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

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

# EXHIBIT A

## G-1/2 ROAD RIGHT-OF-WAY VACATION FAIRWAY PARK, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



Parcel Number: 2011-040-0018  
 Location: 442 WEST 2ND  
 GRAND JUNCTION, CO 81505-3810  
 Owner: SHAWNEEN WILLIAMS  
 City: Grand Junction

Parcel Number: 2011-040-0019  
 Location: 442 WEST 2ND  
 GRAND JUNCTION, CO 81505-3810  
 Owner: SHAWNEEN WILLIAMS  
 City: Grand Junction

Parcel Number: 2011-040-0020  
 Location: 442 WEST 2ND  
 GRAND JUNCTION, CO 81505-3810  
 Owner: SHAWNEEN WILLIAMS  
 City: Grand Junction

This map is a representation of the professional opinion of the preparer based on the information provided to him or her. The preparer does not warrant the accuracy of the information provided to him or her, nor does he or she warrant the accuracy of the information shown on this map. The preparer is not responsible for any errors or omissions on this map, and he or she is not liable for any damages, including reasonable attorney's fees, arising from the use of this map. The preparer is not responsible for any errors or omissions on this map, and he or she is not liable for any damages, including reasonable attorney's fees, arising from the use of this map.

### LIST OF ABBREVIATIONS

- A - AREA
- B - BAY
- C - CANAL
- D - DAM
- E - EASEMENT
- F - FENCE
- G - GROUND
- H - HIGHWAY
- I - INTERSECTION
- J - JUNCTION
- K - KILN
- L - LANE
- M - MOUND
- N - NATURE
- O - OCEAN
- P - POND
- Q - QUARRY
- R - ROAD
- S - SIDEWALK
- T - TANK
- U - UPRIVER
- V - VALLEY
- W - WATER
- X - XING
- Y - YARD
- Z - ZONE



- ◆ ROAD RISE BRIDGE HOUSING
- ROAD RESURF. C&E M/VOTD
- SET IN SEPARATE PL'S SH 18



**SKETCH FOR DESCRIPTION**  
 G-1/2 ROAD VACATION

**STPM RIVERCITY CONSULTANTS**  
 Registered Design Engineers  
 1000 West 1st Street, Suite 100  
 Grand Junction, CO 81505  
 Phone: 970.241.4122 Fax: 970.241.4123  
 Email: info@stpm.com Website: www.stpm.com

DATE: 08/11/2011  
 DRAWN BY: JLD  
 CHECKED BY: JLD  
 PROJECT NO: 11131  
 SHEET 1 OF 1

**Attach 5  
Cris-Mar Enclave**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: September 14, 2010  
PRESENTER: Brian Rusche, Senior Planner

**AGENDA TOPIC:** Cris-Mar Enclave Zone of Annexation – ANX-2010-110

**ACTION REQUESTED:** Recommendation to City Council on a Zone of Annexation.

<i>STAFF REPORT / BACKGROUND INFORMATION</i>				
<b>Location:</b>		North and east of 29 Road and F Road		
<b>Applicant:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Residential		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Residential		
	<b>East</b>	Residential		
	<b>West</b>	Residential / Commercial		
<b>Existing Zoning:</b>		County RSF-R (Residential Single Family Rural) County RSF-4 (Residential Single Family 4 du/ac) County RMF-5 (Residential Multifamily 5 du/ac) County PUD (Planned Unit Development)		
<b>Proposed Zoning:</b>		R-5 (Residential 5 du/ac)		
<b>Surrounding Zoning:</b>	<b>North</b>	R-5 (Residential 5 du/ac)		
	<b>South</b>	PD (Planned Development) R-4 (Residential 4 du/ac)		
	<b>East</b>	PD (Planned Development) R-5 (Residential 5 du/ac)		
	<b>West</b>	PD (Planned Development) R-5 (Residential 5 du/ac)		
<b>Future Land Use Designation:</b>		Residential Medium (4-8 du/ac)		
<b>Zoning within density range?</b>		X	<b>Yes</b>	<b>No</b>

**PROJECT DESCRIPTION:** A request to zone the 108.62 acre Cris-Mar Enclave Annexation, located north and east of 29 Road and F Road, which consists of 265 parcels, less 21.94 acres of public right-of-way, to an R-5 (Residential 5 du/ac) zone district.

**RECOMMENDATION:** Recommend approval to the City Council of the R-5 (Residential 5 du/ac) zone district.

## ANALYSIS:

### 1. Background:

The 108.62 acre Cris-Mar Enclave Annexation consists of 265 parcels, along with 21.94 acres of public right-of-way, located north and east of 29 Road and F Road. The Cris-Mar Enclave has been enclaved since March 2, 2005. The enclave consists of several platted subdivisions and some larger residential parcels; as such it has multiple existing zoning classifications, including County RSF-R (Residential Single Family Rural), County RSF-4 (Residential Single Family 4 du/ac), County RSF-5 (Residential Single Family 5 du/ac) and County PUD (Planned Unit Development). Refer to the County Zoning Map included in this report.

The enclave is designated as Residential Medium (4-8 du/ac) by the Comprehensive Plan - Future Land Use Map. The Blended Residential Map designates the area as Residential Medium (4-16 du/ac).

Under the 1998 Persigo Agreement with Mesa County, the City has agreed to zone newly annexed areas using either the current County zoning or conforming to the Comprehensive Plan - Future Land Use Map. The proposed zoning of R-5 (Residential 5 du/ac) conforms to the Future Land Use Map, which has designated the property as Residential Medium (4-8 du/ac).

### 2. Section 21.02.160 and 21.02.140 of the Grand Junction Municipal Code (GJMC):

Section 21.02.160 of the Grand Junction Municipal Code states: Land annexed to the City shall be zoned in accordance with GJMC Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth.

The requested zone of annexation to an R-5 (Residential 5 du/ac) zone district is consistent with the Comprehensive Plan – Future Land Use designation of Residential-Medium (4-8 du/ac), as well as the Blended Residential Map designation of Residential-Medium (4-16 du/ac).

Section 21.02.140(a) states: In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

- 1) Subsequent events have invalidated the original premises and findings; and/or

**Response:** The subject area has been enclaved by the City of Grand Junction for five (5) years and is in the process of annexation.

The existing County zoning reflects the use and development of the property as part of a larger, unincorporated set of subdivisions. Some of the County zones are similar to City zones (i.e. RSF-5 and R-5), but others do not anticipate future development (i.e. RSF-R or Residential Single Family Rural).

The City and County adopted a joint Comprehensive Plan for land within the Urban Development Area. This plan anticipates a density of four (4) to eight (8) dwelling

units per acre, though the existing density of the enclave area is roughly three (3) dwelling units to the acre.

Recent subdivision development(s) surrounding these existing neighborhoods utilize primarily R-4 and R-5 zoning classifications. It is necessary to provide some consistency in regulations in order to transition the enclaved area into the City. The proposed R-5 zone district would provide that consistency.

In addition, the proposed annexation and zoning furthers Goal #1 of the Comprehensive Plan: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

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

**Response:** The character of the neighborhoods within the enclaved area consists of a relatively stable variety of single-family, detached housing on a variety of lot sizes. The largest lots exist on the north side of F ½ Road, up to 4.2 acres. Two houses of worship also are located in the neighborhood. The character of the surrounding neighborhoods has primarily been new single-family development on 6,000 to 10,000 square foot lots.

Several Plans have been adopted recently, all encouraging increased density or mixed use in this area. The Transportation Plan classifies both 29 Road and F Road as a Principal Arterials, which provide access to other parts of the Grand Valley. The Comprehensive Plan identifies these corridors as Mixed Use Opportunity Corridors and the Future Land Use Map of the Comprehensive Plan along with the Blended Residential Map all indicate that increased density and a mix of housing types are a goal for the area.

The proposed R-5 zone district is consistent with the density of adjacent neighborhoods, provides minimum dimensional standards that will reduce the potential for nonconforming lots and/or structures within the enclaved area, and allow for housing variety on parcels that may undergo redevelopment in the future, while maintaining the consistency of established single-family platted subdivisions.

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

**Response:** The neighborhood is already served by public utilities, including sanitary sewer, domestic water, irrigation water, electric, gas, telecommunications, streets, etc. The majority of the existing services will remain unchanged, as they are provided for by utilities independent of the City of Grand Junction. Property owners in the neighborhood have been informed that certain maintenance responsibilities will be assumed by the City. The City already provides services in the developed subdivisions surrounding the enclaved area.

The enclaved area includes two (2) places of worship, one of which also has a school. Commercial uses, including a convenience store, supermarket, restaurant, and other retail and office uses located at the intersection of 29 road and F Road.

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

**Response:** The R-5 zone district is the predominant zoning designation of adjacent development to the north, west, and east of the enclave area. The property to the north of the enclave area is under development. Redevelopment could occur on existing larger lots north of F 1/2 Road adjacent to this development. The remainder of the enclaved area is built-out, as are adjacent subdivisions to the west and east.

There is a supply of R-5 designated land available adjacent to the enclave; therefore, this criteria is not met.

However, the purpose of the proposed R-5 zone district is to implement the Comprehensive Plan within an existing neighborhood. The R-5 zone establishes minimum lot dimensional standards that are met by all but two (2) lots within the enclaved area, as well as minimum setbacks that are conducive to expansion of structures on established lots.

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

**Response:** The annexation of enclaved areas is critical to providing efficient urban services to existing neighborhoods. The proposed zoning designation will ensure a consistent set of development standards without infringing on the existing built environment.

After reviewing the criteria for a zoning amendment, I find that four (4) out of five (5) criteria have been met. Section 21.02.140(a) requires that at least one (1) criterion be met. Therefore, I recommend approval of the R-5 Zone District.

Alternatives: The following zone districts would also be consistent with the Comprehensive Plan and Blended Residential designation(s) for the enclaved area:

1. R-4 (Residential 4 du/ac)
2. R-8 (Residential 8 du/ac)
3. R-12 (Residential 12 du/ac)
4. R-16 (Residential 16 du/ac)

If the Planning Commission chooses an alternative zone designation, specific alternative findings must be made.

## **FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the Cris-Mar Enclave Annexation, ANX-2010-110, for a Zone of Annexation, I recommend that the Planning Commission make the following Findings of Fact and Conclusions:

1. The R-5 (Residential 5 du/ac) zone district is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met.

## **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the R-5 (Residential 5 du/ac) zone district for the Cris-Mar Enclave Annexation, ANX-2010-110, to the City Council with the findings and conclusions listed above.

## **RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on the Cris-Mar Enclave Zone of Annexation, ANX-2010-110, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-5 (Residential 5 du/ac) zone district with the findings and conclusions listed in the staff report.

## **Attachments:**



Annexation Map  
Future Land Use Map  
Blended Residential Map  
Existing City Zoning Map  
Existing County Zoning Map  
Zoning Ordinance



# ANNEXATION MAP

## CRIS MAR ENCLAVE ANNEXATION

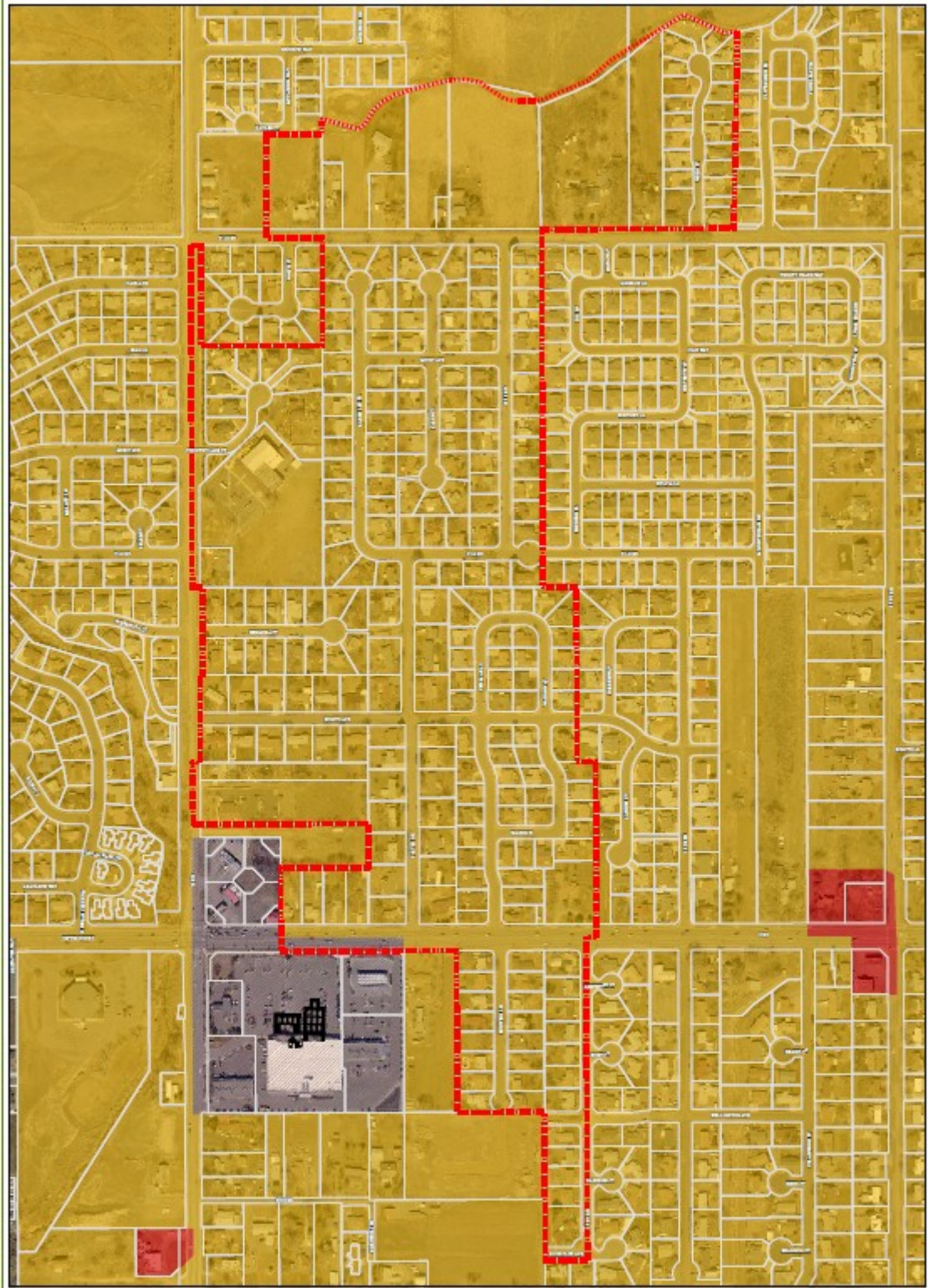


-  Grand Junction City Limits
-  Enclave Boundary



# FUTURE LAND USE MAP

## CRIS MAR ENCLAVE ANNEXATION



Enclave Boundary **FUTURE LAND USE**

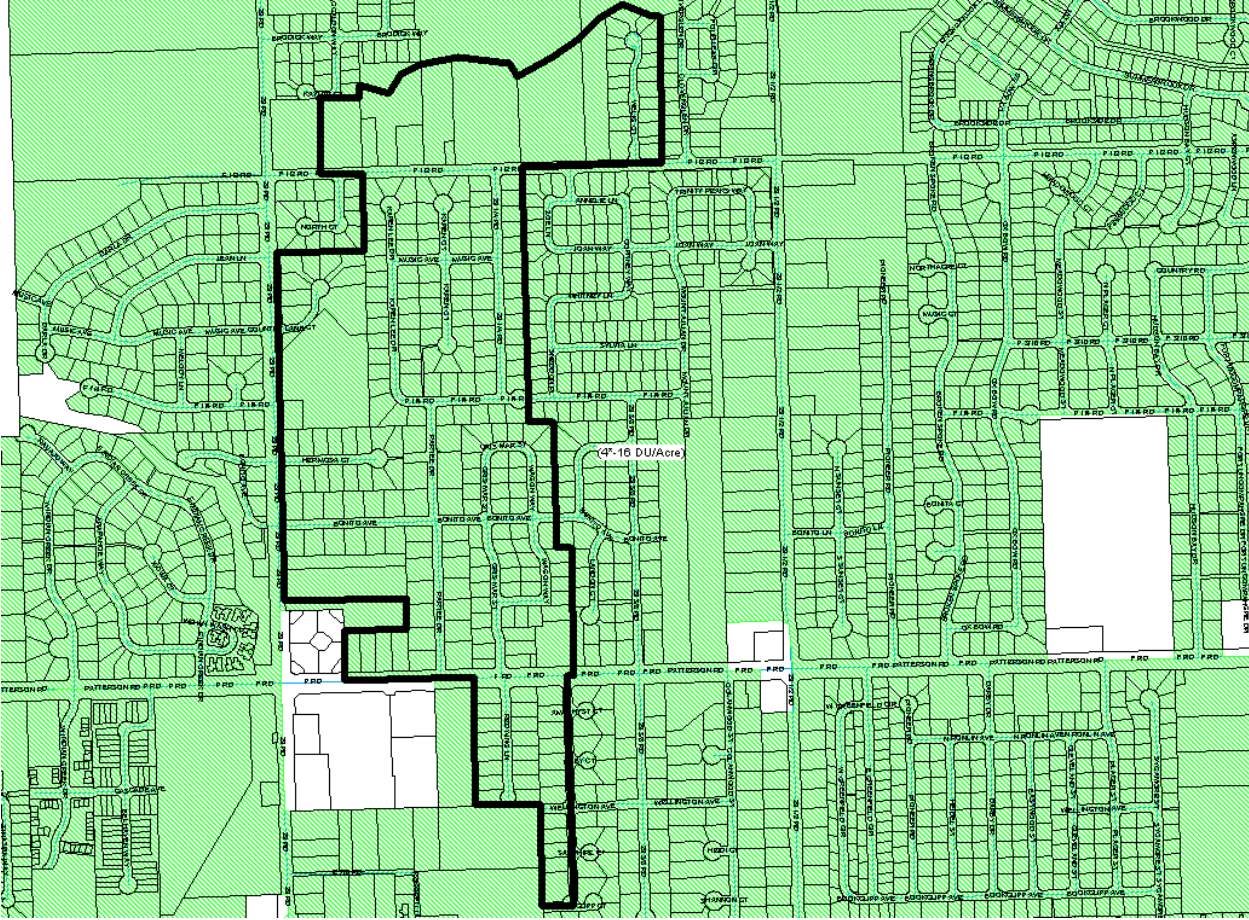
Residential Medium (RM) (4-8 DU/Acre)

Commercial (COM) (20 Jobs/Acre)

Neighborhood Center - MU (NC) (6 DU/Acre) (10 Jobs/Acre)



BLENDED RESIDENTIAL MAP



Blended Map indicates 4-16 du/ac for the enclave



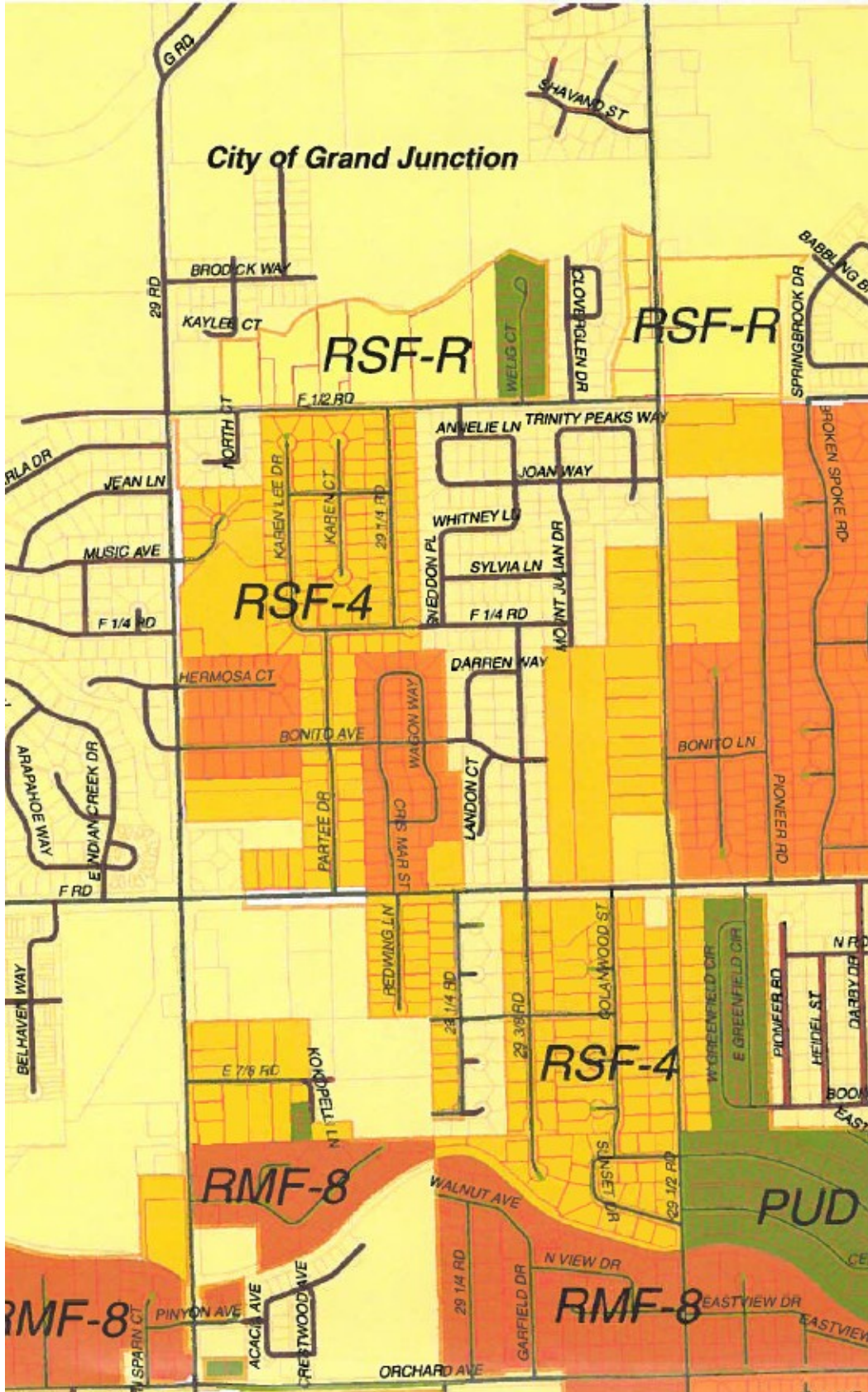
EXISTING CITY ZONING MAP

CRIS MAR ENCLAVE ANNEXATION





EXISTING COUNTY ZONING MAP



(ORANGE AREAS NOT DESIGNATED OTHERWISE ARE RMF-5)

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE CRIS-MAR ENCLAVE ANNEXATION  
TO R-5 (RESIDENTIAL 5 DU / AC)**

**LOCATED NORTH AND EAST OF 29 ROAD AND F ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Cris-Mar Enclave Annexation to the R-5 (Residential 5 du/ac) zone district, finding conformance with the recommended land use category as shown on the Future Land Use map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-5 (Residential 5 du/ac) zone district is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property be zoned R-5 (Residential 5 du/ac):

**CRIS-MAR ENCLAVE ANNEXATION**

A certain enclaved parcel of land lying in the West-Half (W 1/2) of Section 5 and the Northwest Quarter (NW 1/4) of Section 8, all in Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the enclaved lands bounded by the following City of Grand Junction Annexations:

1. Cloverglenn Annexation, Ordinance No. 3727, recorded in Book 3853, Page 663, Public Records of Mesa County, Colorado
2. Darla Jean Annexations No. 1 and No. 2, Ordinance No. 2774, recorded in Book 2103, Page 772, Public Records of Mesa County, Colorado
3. Marchun Annexation No. 1, Ordinance No. 3556, recorded in Book 3456, Page 155, Public Records of Mesa County, Colorado
4. Marchun Annexation No. 2, Ordinance No. 3557, recorded in Book 3456, Page 158, Public Records of Mesa County, Colorado and
5. North Meadows Annexation, Ordinance No. 2564, recorded in Book 1888, Page 794, Public Records of Mesa County, Colorado.

LESS HOWEVER, all public rights of way depicted on the Cris-Mar Enclave Annexation map.

CONTAINING 3,775,660 Square Feet or 86.68 Acres, more or less, as described.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2010 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
President of the Council

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

**Attach 6  
Schooley-Weaver Partnership**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** September 14, 2010  
**PRESENTER:** Brian Rusche, Senior Planner

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

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

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

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

**RECOMMENDATION:** Approval of the Conditional Use Permit



## **ANALYSIS:**

### 1. Background

The subject property was annexed in 2004 as the Fisher Annexation and zoned R-R (Residential Rural). The property consists of 16 acres, with a topography that rises approximately 100 feet above the Orchard Mesa Canal #2. Across the canal, north of the subject property is a residential neighborhood. Along 29 ¾ Road west of the site are three residences. Also along 29 ¾ Road is an existing construction and trucking operation on approximately 20 acres. An existing gravel extraction operation is located approximately 600 feet south of the subject property (approved by Mesa County in 1994). The primary access onto the subject property is from 29 ¾ Road, which terminates at the southern edge of the subject site. This road previously continued south and east through private property and the Mesa County Landfill, but this road has been closed by the County.

The applicant is requesting a Conditional Use Permit to operate a gravel extraction facility at this location. The applicant intends to remove material from the site over a five (5) year period with no onsite processing. Access to US Highway 50 has been granted for three (3) years, consistent with CDOT policy, subject to construction of improvements for traffic flow. These improvements include extended acceleration/deceleration lanes, with appropriate turning radii and asphalt overlay, as determined by CDOT. A maximum of 300 trips per day would be generated by the use, according to the traffic study. A trip equals one vehicle either coming to or leaving the project site. The posted speed limit on 29 ¾ Road is 25 mph. All truck traffic would use 29 ¾ Road, which has been evaluated by a geotechnical consulting firm and found suitable in strength for the proposed level of traffic. The type of truck used by the operation would vary, according to testimony from the applicant's representative. 29 ¾ Road is a local road with two travel lanes, approximately 21' to 22' of existing asphalt width and is currently maintained by Mesa County. Mesa County provided comments relative to the use of this road as well as other alternative access points. The applicant considered other accesses to and from the site but deemed these not to be viable alternatives, either because the roads did not have sufficient ROW, did not physically exist, or required crossing of private property. Since 29 ¾ Road is located within the Persigo 201 boundary, it will ultimately be incorporated into the City street network. The standards for gravel extraction facilities provide for improvements and maintenance of designated haul routes, as deemed necessary by the Public Works Director (Section 4.3.K.3.g of the 2000 Zoning and Development Code).

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

Landscaping buffers are proposed along 29 ¾ Road, along the Canal, and at the northeast corner of the property. These buffers are designed by a Landscape Architect to help mitigate some of the visual effects of the proposed gravel extraction operation by providing groupings of plants visible from the rear yards of the adjacent residences. An exhibit has been provided showing view cross sections and approximate sight lines from three different residential sites surrounding the operation. Given the difference in terrain between the residences, all but three of which sit below the canal, the existing elevation of the property, which rises approximately 100 feet from the property line to the peak, and the

proposed final elevations, which will be reduced by 75 to 90 feet, it is not feasible to create a buffer that will completely “hide” the proposed operation.

On June 8, 2010 a public hearing was held by the City of Grand Junction’s Planning Commission for review of a Conditional Use Permit for a gravel extraction facility at 104 29 ¾ Road. The Commission reviewed the contents of a written staff report; a presentation by Brian Rusche, Senior Planner; a presentation by the applicant’s representative; and public testimony taken during the Public Hearing. The Planning Commission denied the Conditional Use Permit by a vote of four to two, citing safety concerns.

The applicant appealed the Planning Commission’s decision in accordance with Section 2.18.E.1 of the 2000 Zoning and Development Code. The City Council conducted an appeal on the record on August 2, 2010, considering the following criteria:

- (1) Whether the decision maker may have acted in a manner inconsistent with the provisions of this Code or other applicable local, state or federal law; or
- (2) Whether the decision maker may have made erroneous findings of fact based on the evidence and testimony on the record; or
- (3) Whether the decision maker may have failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or
- (4) Whether the decision-maker may have acted arbitrarily, acted capriciously, and/or abused its discretion; or

In addition to the above, City Council was required to find that the appellant was present at the hearing during which the original decision was made or was otherwise on the official record concerning the development application.

On August 2, 2010 the City Council, after hearing the appeal and reviewing the record, voted to remand the Conditional Use Permit request back to the Planning Commission for further finding supporting its safety concerns, or in the absence of such further findings, a reconsideration of the requested use. The City Council minutes are included in this report.

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

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

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

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

### Section 2.2.D.4

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

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

2. Conditions of any prior approvals

There are no prior approvals on the site.

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

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

Use specific standards are addressed in Paragraph c below.

4. Quality site design practices

The proposal has been reviewed by staff for quality design. The proposed access, screening, phasing, and reclamation have been found to be consistent with adopted standards and address the site's existing topography, the proximity of residences, the existing canal, the boundaries of the property, and the underlying geology. The request meets all minimum applicable requirements and standards contained within SSID (Submittal Standards for Improvements and Development), TEDS (Transportation Engineering Design Standards) and SWMM (Stormwater Management Manual).

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

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

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

Section 4.3.K states the specific standards associated with Mineral Extraction. The proposed excavation area exceeds the minimum 125 foot

setback from existing residences by at least 75 feet. Landscaping buffers, as discussed in the background of this report, meet the requirement for operations adjacent to residential uses. The hours of operation, which by Code are 6 am to 6 pm, are proposed to be more restrictive as the applicant will not be conducting work on weekends. All State and Federal Permits will be obtained and the applicant is required to provide proof thereof to the City prior to commencement of operations.

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

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

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

The adjacent residential neighborhood sits significantly lower in elevation than the proposed operation, which necessarily means that the proposed operations will be noticeable to the neighboring residents. There are no feasible means to mitigate this fact. However, the applicant anticipates that all of the material that can be removed (given the regulatory constraints) will be removed within five (5) years, allowing the property to be reclaimed. The applicant seeks to reserve the right to request an extension of time after five years to continue the operation (see below) without requirement of a new Conditional Use Permit, as provided for in Section 4.3.K.3.w of the 2000 Zoning and Development Code.

During the operation, the applicant will be required to maintain the landscaping, provide noise and dust control, stormwater management, and other site upkeep practices, similar to those required for a construction site. These standards are spelled out in the Zoning and Development Code (landscaping), the Municipal Code (noise ordinance) and the SWMM (Stormwater Management Manual).

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

- 1. Protection of privacy

Proposed grades will be sloped into the site as the material is removed, according to the applicant. The landscaping around the site, along with the elevation cross section, including with this report, demonstrate the applicant's privacy mitigation proposals. As discussed above, it is not possible to mitigate the visibility of the operations from the residences because of the topography.

## 2. Protection of use and enjoyment

The applicant's representative, at the June 8 public hearing, proposed a modification of the hours of operation to 8:30am to 5pm on weekdays only. No on-site crushing or processing will take place. The applicant does not anticipate any blasting necessary to remove material from the site, based on testimony at the June 8 public hearing.

There are mechanisms already in place within the City, as well as with outside agencies, for handling noise, runoff, and mud tracking complaints about the proposed operation. These agencies include City Code Enforcement and the 5-2-1 Drainage Authority.

## 3. Compatible design and integration

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

## **FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:**

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

4. The requested Conditional Use Permit is consistent with the goals and policies of the Comprehensive Plan.
5. The review criteria in Section 2.13.C of the 2000 Zoning and Development Code have all been met.
6. Approval of the project being conditioned upon:
  - The Conditional Use Permit shall be approved for five (5) years, as outlined in the General Project Report, with the option of an administrative extension of two (2) years, pursuant to Section 4.3.K.3.w. utilizing the same criteria for conditional use approval.
  - All required local, state, and federal permits for the operation of the project shall be obtained and maintained. Copies shall be provided.

- No signage, except for emergency contact information, is allowed.
- Hours of operation shall be limited to 8:30 am to 5 pm weekdays only.
- The operator shall provide for necessary repairs and maintenance of 29 ¾ Road during the duration of the permit, upon request of the Public Works Department, pursuant to Section 4.3.K.3.g.

**STAFF RECOMMENDATION:**

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

**RECOMMENDED PLANNING COMMISSION MOTION:**

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

Attachments:

City Council Minutes – August 2, 2010  
 Site Location Map / Aerial Photo Map  
 Comprehensive Plan Map / Existing City and County Zoning Map  
 Blended Residential Map  
 Site Photos (Pictometry)  
 Section 4.3.K of the 2000 Zoning and Development Code  
 General Project Report  
 Site Plan  
 Grading Plan  
 Stormwater Management Plan  
 Haul Road Plan  
 Haul Road Letter  
 Geotechnical Analysis of 29 ¾ Road  
 Mesa County Review Comments  
 Adjacent Property Exhibit  
 Landscape Plan  
 Reclamation Plan  
 Letter(s) of Support  
 Letter(s) of Objection  
 Additional correspondence and items presented at June 8, 2010 public hearing  
 Minutes of June 8, 2010 Planning Commission Meeting

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

**August 2, 2010**

The City Council of the City of Grand Junction convened into regular session on the 2<sup>nd</sup> day of August 2010 at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Bruce Hill, Tom Kenyon, Gregg Palmer, Bill Pitts, Sam Susuras, and Council President Teresa Coons. Also present were City Manager Laurie Kadrach, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

**Appointments**

Councilmember Kenyon moved to reappoint Ken Henry from Fruita and Katie Steele for three year terms expiring June 2013 and appoint Leila Reilly and Mary Ann Cooper to serve three year terms to expire June 2013, all to the Riverfront Commission. Councilmember Palmer seconded the motion. Motion carried.

**Certificates of Appointment**

Craig Richardson was not present to receive his certificate of appointment to the Urban Trails Committee.

**Council Comments**

There were none.

**Citizen Comments**

There were none.

**CONSENT CALENDAR**

Councilmember Hill read the Consent Calendar and then moved that the Consent Calendar Items #1 through #5 be adopted. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meeting**

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

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

A request to rezone 1.6 acres, located at 606 ½ 29 Road, from R-4 (Residential – 4 units per acre) zone district to R-8 (Residential – 8 units per acre) zone district. The

proposed project is to provide a retirement village consisting of 10 units and a single family residence for the owner of the property.

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

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

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

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

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

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

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

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

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

5. **Construction Contract for Compressed Natural Gas Slow-Fill Station, Located at the Municipal Campus, 333 West Avenue**

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

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

## ITEMS NEEDING INDIVIDUAL CONSIDERATION

**Public Hearing—Mesa State College Right-of-Way Vacations** [File # VR-2010-068]



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

The public hearing was opened at 7:08 p.m.

Greg Moberg, Planning Services Supervisor, presented this item. The applicant is Mesa State College and they are present. The area in question was displayed by plat and by aerial photo. The Comprehensive Plan identifies the College as mixed use. The zoning is currently R-8, the Mesa State zoning is Community Services and Recreation (CSR). The area owned by Mesa State was displayed and the parcels not in Mesa State's ownership were identified. The vacations are along Houston, Texas, Elm, and Bunting Avenues. There will be reserved areas until access to the privately owned properties is provided. The additional areas requested to be vacated will be released by the City Manager when those access easements are no longer needed. The requested vacations are consistent with the Comprehensive Plan and the Zoning and Development Code criteria for right-of-way vacations has been met. The Planning Commission recommends approval.

Councilmember Palmer asked if the utility relocations are being paid for by Mesa State. Mr. Moberg said that is correct.

Councilmember Palmer asked if the temporary access is to provide access to the private homes. Mr. Moberg said what is being proposed is that access will be maintained along some of the areas requested until the access is no longer needed and then the City Manager can release those easements.

Council President Coons asked Mr. Moberg what the criteria would be for the City Manager to determine the access is no longer needed. Mr. Moberg said the property owners would make the determination and then present their agreement to the City Manager.

President of Mesa State College Tim Foster, 1100 North Avenue, provided a little history of the growth of the college. Over time, the College has been closing streets and acquiring properties in order to expand. The community and the College decided some time ago the College would expand from 7<sup>th</sup> Street to 12<sup>th</sup> Street and from North Avenue to Orchard Avenue. Mr. Foster said the College, the County, and the City have a unique and supportive relationship. The College has purchased 95 houses in the last five years which has allowed the institution to grow. They have worked very hard with the surrounding neighbors to provide access easements and informative meetings. They are currently in the process of building another residence hall. Mesa State believes that the details should be left to City Staff and the Council should look at the overall policy.

Kent Marsh, Director of Facility Services at Mesa State College, elaborated on locations of temporary parking, dust mitigation, and response to complaints from neighbors and citizens. Usually when homes are purchased and torn down, the lot is used for temporary parking but that is not their final use. Once Mesa State purchases a home they tear down the home and then prepare the site for temporary parking. The College's dust mitigation plan includes running a water truck through the parking lots, applying magnesium chloride to the temporary lots, brooms on college equipment that are used to sweep adjacent City

streets, and lastly traffic calming by adding signage, moveable rubber bumper blocks, and reducing the travel lanes.

Council President Coons asked if the overhead lighting is 24 hour lighting. Mr. Marsh said the lighting is on timers for the safety of the students and prevention of vandalism.

Mr. Foster stated that the lighting stays on all night because of public safety.

Darrell Miller, 1315 Houston Avenue, said he opposes the right-of-way vacations. He felt that the vacations violated City Code and he identified each of those specific violations. He felt that having only temporary access to his property devalues his property. He had plat drawings to show the areas in question. He noted that the proposed ordinance states the access easement will be asphalt or other surface materials. He questioned if dirt easements are allowed anywhere else in the City. He was also upset with the noise levels and demonstrated the noise with a video clip. He felt that Mesa State College had not been truthful in what they have said they will do. It makes it difficult for his son to ride his bike or his wife to wheel their stroller down the alley as gravel from the parking lots are dragged into the alley from traffic. He noted the loss of infrastructure in the removal of the streets. He asked that the vacations be postponed to reopen discussions to come to a safe and non code violating mutual agreement concerning all easements.

Clark Carroll, 1240 Cannell, said he discussed the matter with Derek Wagner of Mesa State College. He was told his idea wouldn't work because the College is planning a new building. He was just made aware of this most recent proposal. He asked the City Council to deny the request so it can be discussed with the private property owners. He read the following statement:

"Mesa State College has developed an exciting expanding campus that will serve benefits to the current and future administrators, students, faculty and staff. It will be a cornerstone of our community, indeed a diamond to be proud of. Our current President, Tim Foster has guided this expansion. Mr. Foster has been successful in competing for local, state, national and student dollars while successfully navigating through the political highway. His dedication and commitment is second to none other. His commitment to this community, the betterment of it is admirable. The benefits the college provides to the community both locally and regionally would be difficult to encompass, and many of us here today have received benefits from our participation after college. MSC (Mesa State College) has had challenges in this expansion process, Mesa has attempted to expand not necessarily knowing at what point what money will come to direct development so it may have been difficult for Mesa to develop what many may consider an organized development plan. This may also contributed to some levels of chaos for the college, neighborhoods, state and local governments often the pace of development being rapid may have contributed to some levels of chaos and disorganization experienced by more than a few. Planned acquisition and use for college expansion has had challenges for the College, private property owners, and the City. Discussions of development codes land use codes, etc. can become blurred due to the separation of City and State. Some may find it difficult to identify what codes are applicable for this type of development, even though the State, City, and County have adopted standardized codes, the enforcement of codes (which Darrell brings up a lot) and ordinances can remain long ranging problems contributing to additional costs and inconveniences to the City. Although this is impressed by Mesa College to acquire more land through street acquisition it may speak to a bigger issue regarding orderly growth and development that generate win win scenarios for all the community. The City, by declining this vacation as it is

written, speaks to the influence, to autonomous governing body not regulated by the contortion of colleges not necessarily subject to the policies of others. If approval vacation is granted, there is concern that once it becomes Mesa State property, they may or could invoke their autonomous philosophy. Basically, the City may or could lose some level of ability to govern, influence or enforce conditions of the proposed ordinance or the ability to influence future expansion to the west. Legal access and easement rights for both the City, College, and private property owners are in question and have not been resolved. Having consulted with others for more than a few hours regarding this vacation, I felt strongly that Mesa and I were close to an agreement until all the plans changed. Mesa State changed the plan last Thursday by the addition of the new dorm section north of my location, allowing for only ten feet of access to the back of my property for parking. Besides Mesa, no one I have talked to believes this is reasonable access. I request for Council to decline this vacation because we have a new deal. Local residents have not had an equal time to work on new agreements with the College coupled with the violations of public property takings by Mesa College, the residents affected and impacted have not had a reasonable time to even tackle the issues, let alone make intelligent decisions on important land access scenarios. Decline this request, send the parties back to the table to hash out the differences to present a complete workable plan that has not changed at the last minute for a next day vote. The proposed vacation does not take into account the totality of variables involved with this development and the affect upon impact on private property owners, the City, State, and the general public. A yes vote could indicate acceptance and approval of questionable developmental practices and ordinances. A no vote does not indicate Council is not on board with the College or in disagreement with current philosophy of our community. It does mean that Council stands firm on not building on public rights-of-ways until the established orderly planning process is used as intended. That pulling away, established easements from private property owners will not be tolerated until a meeting of the minds has occurred or acceptable formal process allows it. A no vote indicates it is time for the College to address and solve potential violations of federal clean air and water standards which the City may have some level of responsibility to ensure these standards are met. A no vote will indicate that future proposed ordinances presented to Council by Mesa State College should be complete and thorough thus supporting proper decisions based on reasonable fairness and a complete set of facts for the Council. The Planning Department has, in its assessment of facts, indicated an opinion in the financial impact budget section as not being applicable. If MSC has created traffic, air, and water issues, then the burden to fix these problems may become the financial responsibility of the City. This current or future burden may place stress on even tighter future budgets. The City should encourage while it has the chance that the issues be addressed now. Resolve by serving notice to the autonomous governing body of Mesa State College that they are subject to outside influences by others when it comes to property acquisition and federal standards. Mention is made by the Planning Department in the legal issues section conditions exist in regards to reservations in grants of the easements and access and I would agree. Planning perhaps should also indicate to Council that as it stands now, parties are not in agreement. Planning could have indicated, although resolution was forwarded to Council for hearing, that it lists three of the four Planning Commissioners expressed concerns for environmental factors, nature of easements while one Planning Commissioner indicated potential major league problems with this vacation. Planning also indicated in the other issue section that no other issues exist and I disagree with this evaluation. Planning in error has mentioned in the background analysis section that five impacted parcels are owned by one owner. A thorough analysis would have identified few other owners in this five parcel impacted area (and I think they brought that up). The Planning Department makes no indication of appropriate buffers between two differing zones of land. The Council should consider in its decision what is better for the general community while not forgetting our blurring property rights granted by the Constitution. I would suggest that autonomous developments that blight neighborhoods place residents in fear devalue

property, decrease enjoyment of private property, restrict access, invoke other methods of psychological stress that could encourage some of our community to just give up and conclude there is nothing they can do, cannot be tolerated at any level. A no vote will indicate agreement that these behaviors or attitudes are not acceptable and most likely not necessary in the first place.”

President of the Council Coons interjected and asked that Mr. Carroll sum up his presentation as some of what he read had already been spoken; she asked for Mr. Carroll to be more concise. Mr. Carroll continued.

“Before I begin my analysis I would like to paraphrase a quote from Jerry Garcia that states “when somebody has do to something, its just pathetic it has to be me.” Mr. Carroll said I think the important thing for me here is that this access that we’re talking about, this touches my property. I have the right to enter that alley and access Bunting, that was taken away from me. The access that was given to me was dictated to me by the College. If we would have at least had some discussions on that, now some of the proposal, at least not in this one, narrows me down to ten feet north of my residence. In other words, the access that I had was a permanent part and attached to my properties. Currently, the City Manager is going to be in control of the temporary access and easements. I’m comfortable with this City Council here, and the City Manager, but what about the new City Council, what about the new City Manager? What might they decide is temporary? Some discussion was made here tonight about that. Ok.....that’s basically what I had here. I’d like to bring this to your attention too. Although I have no concerns with Goal 12 with the Comprehensive Plan, I note that the goals 1, 2, 4, 5, 7, 9, and 11 are not included. Goal 7 suggests buffering between new development and existing development. Goal 9 asks for a recommendation for a vacation request, speaks to developing a well balanced transportation system. There has not been a traffic study performed in that area since 2005. If I were a developer and I went to double the use of the street by thousands of people, I’m sure or I think that Planning Department probably would require me to do a traffic study. In other words, I would have to fix these potential problems now, if I don’t fix those problems, then the burden to fix those problems is gonna fall upon the City. Planning also suggests in section C that access shall not be restricted and makes no mention to the devaluing of the property, let’s explore this more. First of all, I used to have a 40 foot wide paved street and a 20 foot wide paved alley to access the use of my property which formerly nobody was allowed to build upon. We looked at the access and that involved 20 feet”.

Mr. Carroll then asked Council if they had any questions in order to sum up his presentation. Councilmember Coons asked if he had any pictures. Mr. Carroll replied that he was not sure that he could bring them up on the overhead. He mentioned that at Council’s recent workshop on pollution in the City which is what he believes is happening with the Mesa State parking lots. He then showed on screen the dirt parking lots at Mesa State. The dirt parking lots contain a lot of dirt drainage which he believes goes straight into the river. Mr. Carroll showed a number of other pictures and talked about a letter from the Department of Public Health Clean Air Division.

President of the Council Coons again asked Mr. Carroll to sum up his presentation.

Mr. Carroll summed his presentation up by saying he would like to see this go back to Planning for more discussion.

There were no other public comments.

The public hearing was closed at 8:07 p.m.

Council President Coons asked the applicant if they would like to speak to any of the issues that were brought up.

Kent Marsh, Facilities Director, clarified that the letter referred to by Mr. Carroll from Ms. Marley Vain with the Department of Public Health Clean Air Division, was prior to the Health Departments review of all the facts and most of the issues have been corrected. He assured the Council that all private properties will have access.

Councilmember Pitts asked what the definition of temporary is. Mr. Marsh said it could be a couple of months up to a year, two years, or three years. There are other things planned for those lots.

Councilmember Palmer asked the City Attorney to explain Mesa State's exemption to following City regulations. City Attorney Shaver said as a State institution they are not subject to the City Codes and other jurisdictional requirements. The City and the College have a unique relationship because the College does voluntarily comply with the City's regulations.

Councilmember Hill asked City Manager Kadrich's opinion of the proposal before the City Council. He asked how the City and private property owners are protected.

City Manager Kadrich stated that the broader vacation was a request from Staff instead of piece-mealing the vacations and for Council to see the College's Master Plan. The City will ensure that the homeowners continue to have access.

Councilmember Beckstein said despite the great relationship with the College she would like to see a clear picture of how these homeowners will have access to their property, and how the other concerns will be addressed.

City Attorney Shaver said, as the author of the Ordinance, he and his Staff have tried to balance the rights of the two, the College and the property owners. Only specific areas will be vacated immediately to utility easements. The other grayed areas would be vacated but would have a reserved access easement and the property owners will continue to be able to use those streets and alleys to access their properties. The City Manager would need to determine if the access remains reasonable. They would need to comply with the other regulations to provide dust control, etc.

Councilmember Palmer asked about previous vacations that have limited access. He asked what guarantees there will be for the citizens if they are dissatisfied with the outcome. City Attorney Shaver said that with the help of the City planners and engineering, the City Manager would have the decision-making authority.

Council President Coons noted the citizen concerns about the loss of alley access. City Attorney Shaver stated the law says the jurisdiction cannot restrict reasonable access. If an owner disagrees with the reasonableness, he can file an action which is the reason for wanting to balance the rights of each. Alleys, like streets, are public property and the City Council determines the disposition of that property.

Councilmember Beckstein asked about taking without due process and noted Mesa State College has worked with the Planning Department but there is an expectation that these properties will have access, can the Council exercise that authority to ensure that these owners retain access?

City Attorney Shaver advised that is the purpose of the hearing. On one side there are private property owners in the middle of a college campus where there usually aren't public streets and alleys. There are six criteria of approving a vacation in the Zoning and Development Code and the Council can consider all of those criteria.

Councilmember Palmer noted in the past, the vacations have been done in incremental steps and he sees why Staff wanted to do an overall proposal, but asked if the most critical portions are known at this time. Greg Moberg, Planning Services Supervisor, did ask Mesa State for an entire request so they could see the whole plan. He noted that leaving the right-of-way in place at the Miller property would make it difficult for the College to continue with their development plan.

Councilmember Hill acknowledged that this proposal was to allow for a more global picture but it does create some clumsiness because the College does not own all the properties. However, the way the ordinance is written, it allows the City Manager to implement this under the guidelines of the City Code. He is comfortable with going forward.

Councilmember Pitts said it allows the City Manager to use balance and addresses the situation.

Councilmember Susuras agreed with Councilmember Hill that the ordinance is well written and the access will be provided.

Councilmember Beckstein said the Council has worked for years to develop a strong working relationship with the College and she is proud the City is part of that growth and development of the College. She is in favor of keeping students off of North Avenue and 12<sup>th</sup> Avenue by providing housing on campus. She asked that the lines of communications with these property owners stay open.

Councilmember Kenyon said the policy side is pretty easy as this is the direction decided long ago. The issues the existing homeowners are facing is unfortunate. He is not too concerned with the violations (dust, water, noise) as there are entities following up on the situation. He is in favor of moving forward.

Councilmember Palmer agreed with Councilmember Kenyon about the policy decision being clear. His concern is the timing. He would have preferred the incremental approach that allowed for more communication with the homeowners. It is disturbing to him about vacating access to private homes. He is also concerned about delegating decisions to someone else when they should be City Council's decision which leaves the door open to the citizens for redress. He says this is a big step and it isn't smooth.

Council President Coons compared the situation with the development of the Comprehensive Plan that avoided incremental and perhaps haphazard decisions. It gave

citizens a clear vision and the ability to plan for the future. She appreciated looking at the bigger picture.

City Attorney Shaver made a correction to the ordinance before the question was called.

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

Councilmember Hill moved to adopt Ordinance No. 4431, with the correction given to the Clerk by the City Attorney, and ordered it published. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

Council President Coons called a recess at 8:44 p.m.

The meeting reconvened at 8:55 p.m.

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

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

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

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

Council President Coons explained the City Council is acting as a court of appeals and the Council will not be looking at the merit of the decision but will be looking at the evidence that was presented at the Planning Commission meeting and determine if there was evidence sufficient for the decision the Planning Commission made.

City Attorney Shaver added that the letter of appeal is not part of the record and the arguments contained in that letter are not to be considered by the City Council.

Councilmember Kenyon noted that a number of Planning Commissioners talked about safety as their main reason of concern but he was not sure if the safety issues were clearly outlined. No safety concerns were found by the City Staff or City Engineers or outside agencies according to the Staff Report.

Brian Rusche, Senior Planner, noted that verbatim minutes were provided and that was the extent of the discussion.

Councilmember Kenyon wondered about bus stops and were there concerns in the record?

Mr. Rusche said that was relative to the time of operations and the applicant did offer a modification of those times. Regarding the bus stops there was nothing in the application and he does not recall any other information about bus stops.

Council President Coons asked if there were other questions to clarify the record.

There were no questions.

Councilmember Hill said that appeals are always interesting and little bit clumsy as the City Council convenes into what is perceived as a public hearing, but it's not really. Council is looking back on the record and what was given to the Planning Commission and the decisions they made. He said he has read it, listened to it, and the piece that he has concerns with, and he has seen it happen before, is where a Commissioner weighing the so called public safety versus private property rights. He didn't know where the public safety piece came in. It's a perception that having heavy industrial trucks in a residential neighborhood doesn't sound safe at all. He thinks it is forgotten that the driver of that vehicle has a family too. These are skilled and professional licensed drivers operating that piece equipment and whether they are on the interstate or on a smaller public road they have concerns about the public in their mind. He didn't see anything that was a foundation to create a safety criteria; that couldn't be mitigated or hadn't been addressed. He looked at the approval criteria, and said he did not see any foundation for a safety issue consideration but he could understand the thought process. He then addressed the approval criteria of the appeal and felt that one might accidentally make a decision that did not have a factual basis in the record. He therefore recommends the matter be remanded back to the Planning Commission to either find criteria to match the decision or make a decision based on the facts.

Councilmember Susuras stated that the Planning Commission did not ask the proper questions and agreed with Councilmember Hill that it should be remanded back to the Planning Commission.

Councilmember Kenyon said he agrees since safety issues were the basis for the denial but they did not provide a factual or informational basis so that the applicant could address those concerns.

Councilmember Palmer read from the record where one Planning Commissioner projected a discussion between a CDOT permit and the City that had not happened yet in making their decision so he agreed in remanding the matter back to the Planning Commission.

Councilmember Beckstein agreed, the discussions referred to are not in the record.

Councilmember Pitts stated the evidence presented doesn't support the reasons given and he agrees with sending the matter back to the Planning Commission.

Council President Coons agreed and did not think they acted arbitrarily or capriciously but rather projected their own emotions into the decision.



Councilmember Hill moved to remand the matter to the Planning Commission to rehear with the City Council's rationale as stated previously and direct the Planning Commission to provide a fact-based rationale on the safety concerns or redecide the matter based on the facts presented. Councilmember Beckstein seconded the motion. Motion carried.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

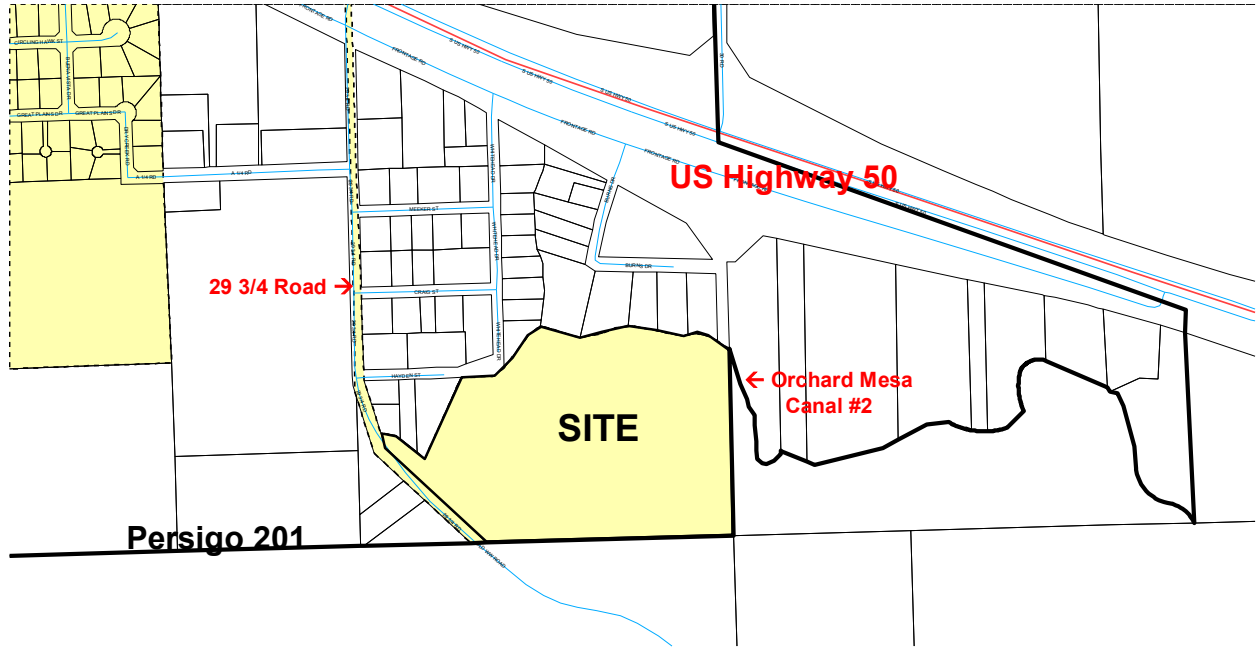
**Adjournment**

The meeting adjourned at 9:10 p.m.

Stephanie Tuin, MMC  
City Clerk

# Site Location Map

Figure 1



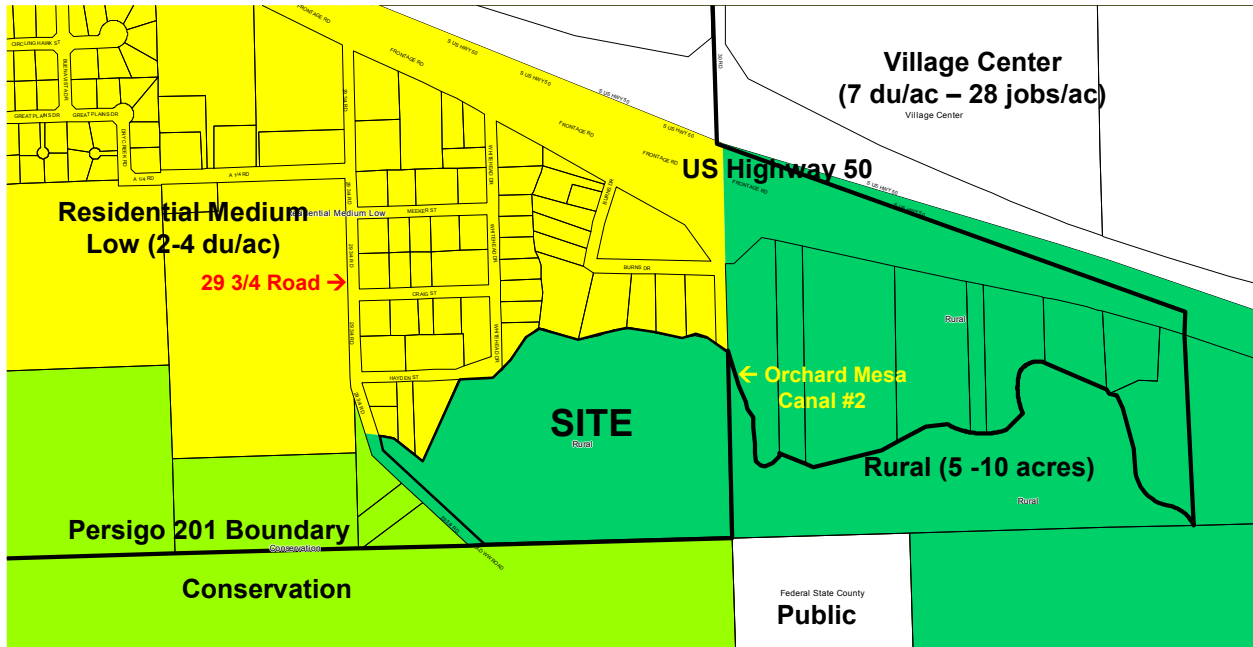
# Aerial Photo Map

Figure 2



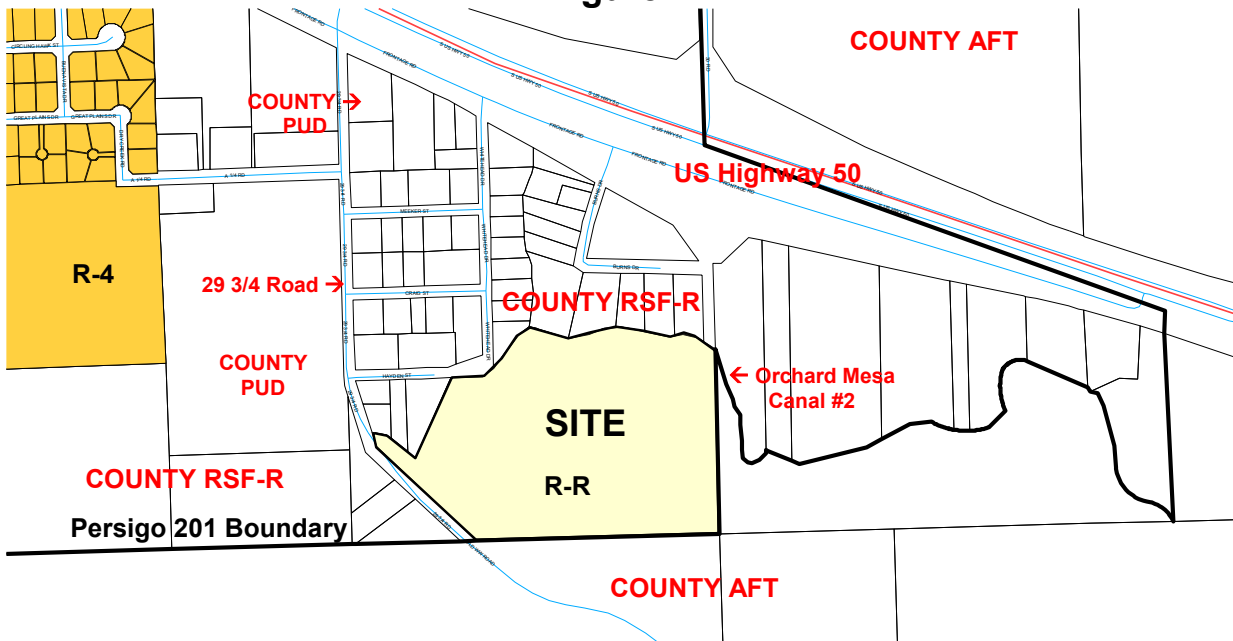
# Comprehensive Plan Map

## Figure 3



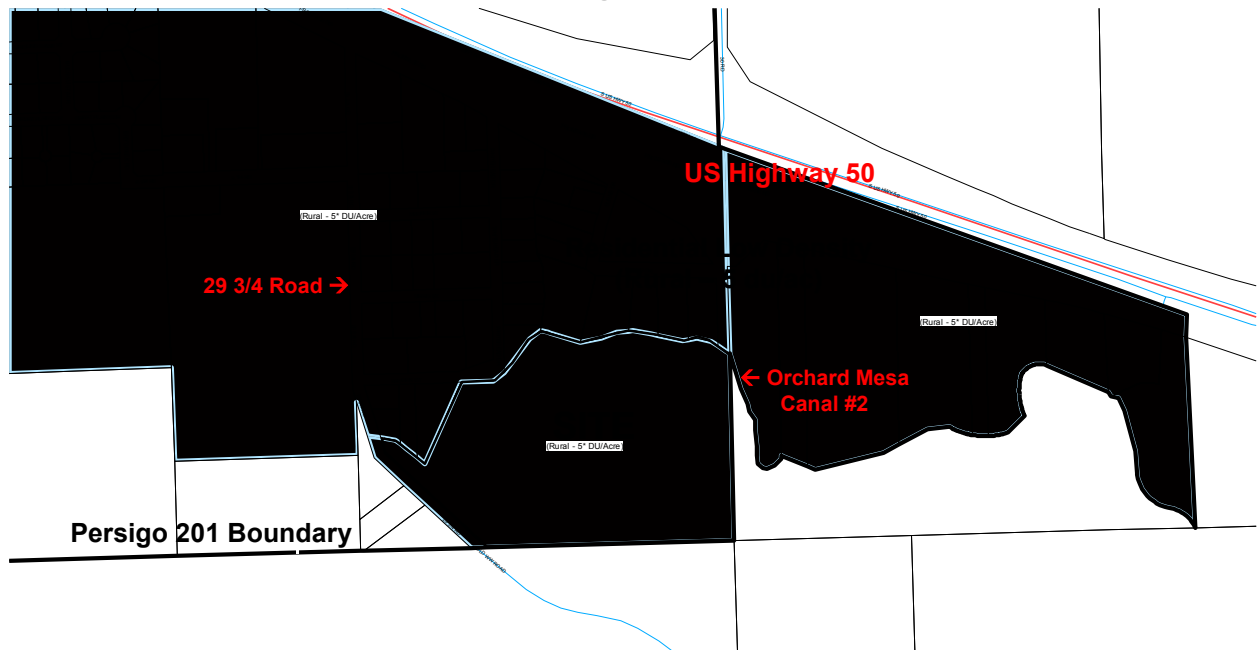
# Existing City and County Zoning

## Figure 4



# Blended Residential Map

Figure 5



# 29 3/4 Road





# Looking North



# Looking East





# Looking South





# Looking West



Section 4.3.K of the 2000 Zoning and Development Code

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

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

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

2. **Procedure.**

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

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

3. **Standards.**

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



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

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

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

the plan and to require reclamation of the land;

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

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

Date: December 1, 2009  
Revised March 31, 2010

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

Type of Design: Conditional Use Permit – Gravel Extraction

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

Property address: 104 29 <sup>3</sup>/<sub>4</sub> Rd.  
Orchard Mesa, CO 81505

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

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### Exhibit 'A' – Location Map



## **Project Description**

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

### **A. Property Location**

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

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

### **B. Legal and Acreage**

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

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

### **C. Proposed Use**

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

### **Public Benefit**

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

## **I. Project Compliance, Compatibility and Impact**

### **A. Adopted Plans**

#### **Orchard Mesa Neighborhood/ City of Grand Junction Growth Plan**

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

## B. Land Use

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

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

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

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

## C. Site Access and Traffic Patterns

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

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

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

Alternative #1 – 29 ¼ Road to SH-50.

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

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

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

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

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

The Traffic Impact Study is incorporated within this CUP application.

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

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

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

**EXISTING HIGHWAY 50 STRIPING:**

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

**PROPOSED HIGHWAY 50 STRIPING:**

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

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

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

#### **D. Effects on Utilities**

##### **Electric**

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

This CUP will not require electric service.

##### **Water**

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

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

##### **Sewer**

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

This CUP will not require sanitary sewer service.

##### **Storm Drainage**

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

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

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

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

This CUP will not require any offsite storm drainage improvements.

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

#### **Natural Gas**

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

This CUP will not require natural gas service.

#### **Telephone**

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

This CUP will not require telephone service.

#### **Cable Television**

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

This CUP will not require cable TV service.

#### **Irrigation**

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

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

### **E. Effects on Public Services**

#### **Fire Protection**

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

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



**Police Protection**

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

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

**School District**

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

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

**Parks/Trails**

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

This CUP does not propose any parks or trails.

**F. Site Soils**

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

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

**G. Site Geology**

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

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

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

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

## **H. Hours of Operation**

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

## **I. Number of Employees**

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

## **J. Signs**

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

## **K. Review Criteria**

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

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

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

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

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

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



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

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

#### 4. Availability of Complementary Uses

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

#### 5. Compatibility with Adjoining Uses

- **Protection of Privacy:** Proposed grades are sloped into the disturbed area concealing most of the extraction operations from the back yards of the neighbors to the north and east. The land to the south is vacant. The back yards of the three residences to the west face away from the site. An adjacent property exhibit with typical cross sections and sight lines is incorporated with this application to demonstrate how the natural topography of the site and the significant vertical drop below the canal screen and limit the visibility of mining operation by the closest neighbors.
- **Protection of Use & Enjoyment:** With the hours of operations limited to weekdays only, only minor disturbances are expected during the workday. No operations are allowed evenings, nights, weekends or holidays. No processing or crushing operations are proposed onsite. The extraction operations will be primarily during the construction of the 29 Road Overpass in 2010. The haul route will utilize 29 ¼ Road to SH-50. This road extends to the south and was used by truck traffic to the landfill for many years. It continues to be used for trucking operations by the DuCray construction facilities on 29 ¼ Road and others.
- **Compatible Design:** No structures or accessory structures are proposed by this CUP application. Only minimal equipment will remain onsite overnight. The site entrance will be paved to the edge of the right of way and an anti-tracking pad will be constructed at the entrance to minimize materials being carried onto 29 ¼ Road. No outdoor lighting is proposed. No noxious odors or emissions emanate from this type of extraction operation. With the proposed slopes graded inward, neighbors will not be subjected to the noise levels normally found on a construction site.

## II. Development Schedule & Phasing

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

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

## III. Limitations/Restrictions

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

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

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

## IV. References

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

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

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

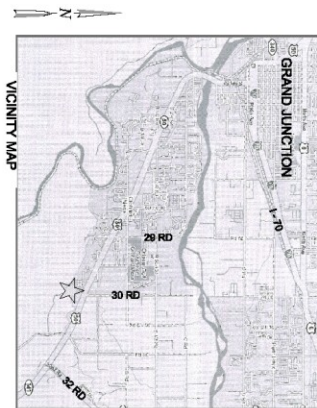
**EXHIBIT 'A'**  
**LOCATION MAP**

# Schooley / Weaver Gravel Pit

## 104 29 3/4 Road Grand Junction, Colorado

Prepared By  
**VORTEX**  
 ENGINEERING & ARCHITECTURE, INC.  
 1188 E. Via La Paz Drive  
 Fruita, Colorado 81521  
 (970) 246-9061

LEGEND	
---	EXISTING UTILITY LINE
---	PROPOSED UTILITY LINE
---	EXISTING CONTAIN LINE
---	PROPOSED CONTAIN LINE
---	EXISTING LOT LINE
---	PROPOSED LOT LINE
---	PROPOSED FENCE
X	PROPOSED ASPHALT




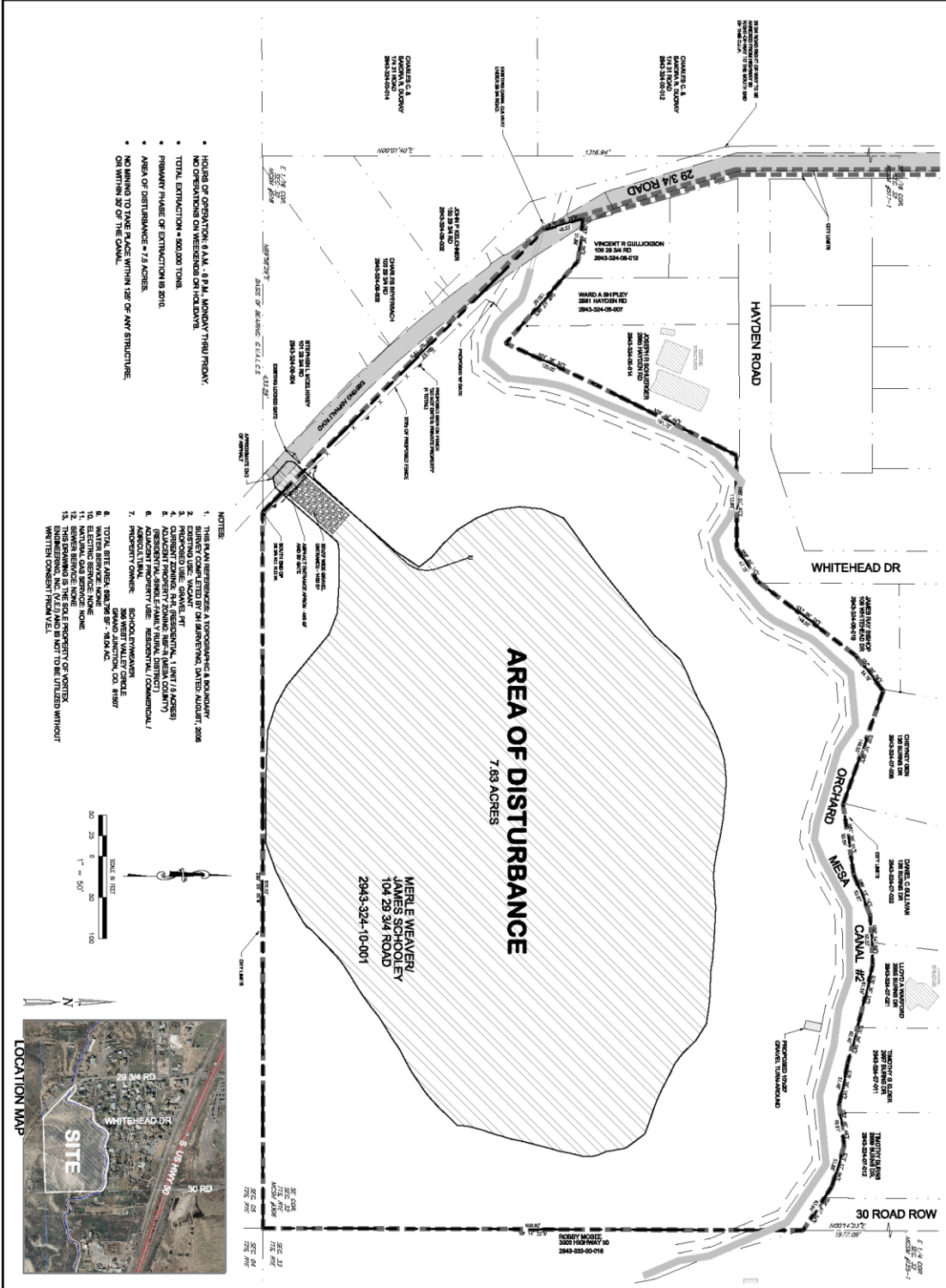
LOCATION OF UTILITIES SHOWN HEREON  
 WAS PROVIDED BY OTHERS. CONTRACTOR  
 UTILITIES PRIOR TO CONSTRUCTION.

1-800-922-1987  
 UTILITY NOTIFICATION  
 DIVISION OF SCHOOLEY

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

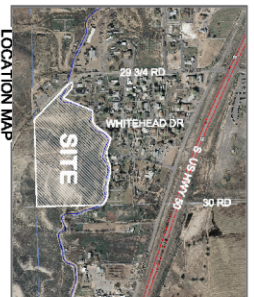
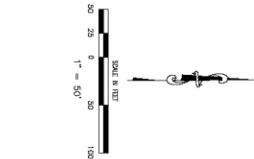
FOR REVIEW

 1 5	<b>Cover Sheet</b> <b>SCHOOLEY/WEAVER</b> <b>GRAVEL PIT</b> 104 29 3/4 ROAD GRAND JUNCTION, CO	<b>CONDITIONAL USE PERMIT</b> RELEASED FOR CITY COMMENTS & LETTERS OF COMMENT DATE: 11/10/10 COMMENTS:	Copyright 2010 by Vortex Engineering & Architecture, Inc. All rights reserved. This document is the property of Vortex Engineering & Architecture, Inc. and is to be used only for the project and location specified herein. No part of this document may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior written permission of Vortex Engineering & Architecture, Inc.	<b>LESS GRAMFORD</b> PROFESSIONAL ENGINEER	<b>R.W. JONES II</b> PROFESSIONAL ENGINEER	<b>VORTEX</b> ENGINEERING & ARCHITECTURE, INC. ENGINEERS, ARCHITECTS & SITE PLANNERS PROJECT MANAGERS CIVIL & CONCRETE ENGINEERS / ARCHITECTS
---	--	---	--	---	---	---



- HOURS OF OPERATION: 6 A.M. - 8 P.M. MONDAY THRU FRIDAY.
- NO OPERATIONS ON WEEDS OR HICKORIES.
- TOTAL EXTRACTON = 800,000 TONS.
- PRIMARY PHASE OF EXTRACTON IS 2010.
- AREA OF DISTURBANCE = 7.63 ACRES.
- NO MINING TO TAKE PLACE WITHIN 100' OF ANY STRUCTURE OR WITHIN 50' OF THE CANAL.

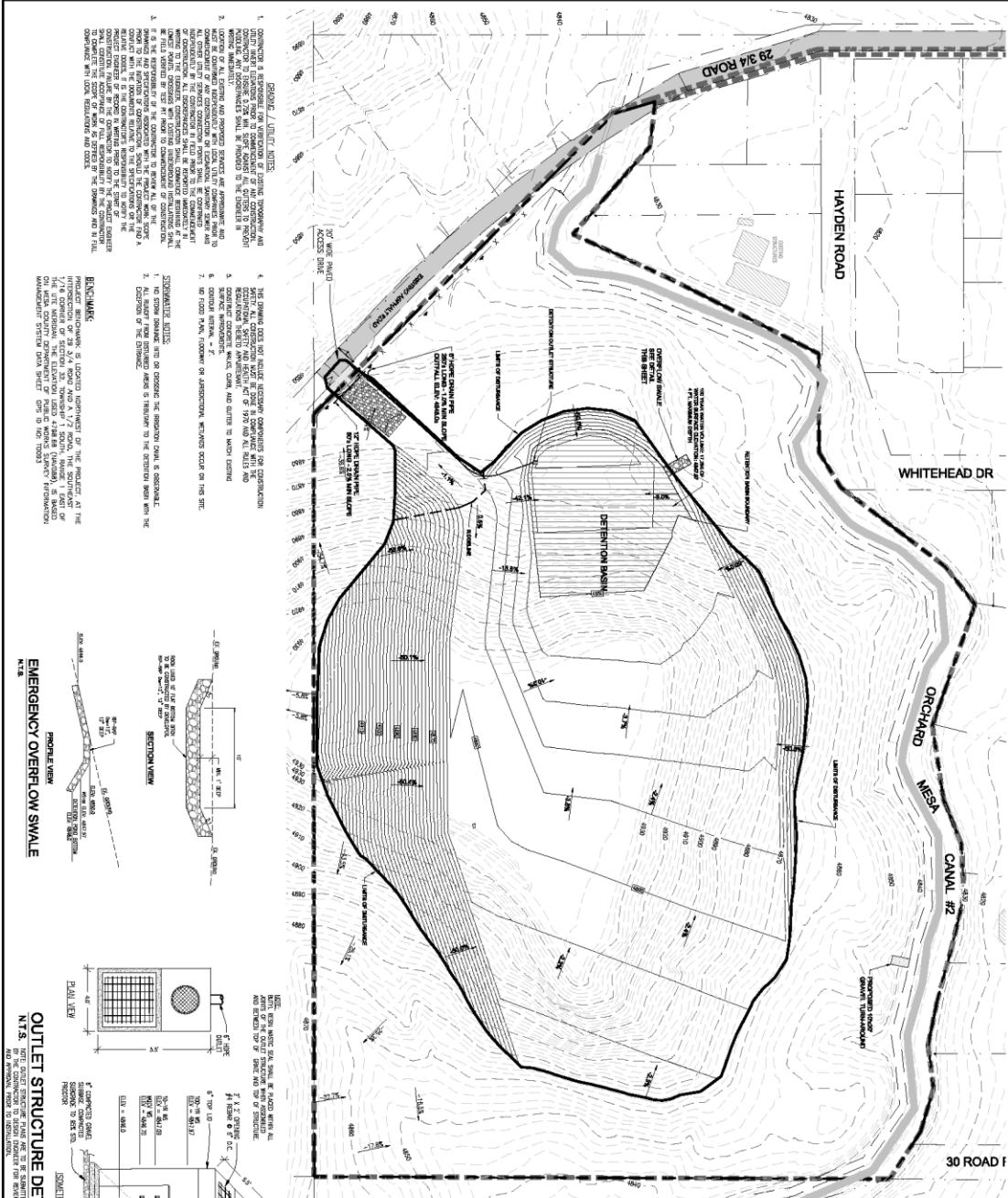
- NOTES:**
1. THIS PLAN REPRESENTS A TOPOGRAPHIC & BOUNDARY SURVEY COMPLETED BY THE SURVEYING FIRM OF AUGUST 2006.
  2. PROPOSED LIME GRAVEL PIT.
  3. ADJACENT PROPERTY IS OWNED BY JAMES SCHOOLEY.
  4. ADJACENT PROPERTY IS OWNED BY JAMES SCHOOLEY.
  5. ADJACENT PROPERTY IS OWNED BY JAMES SCHOOLEY.
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  13. ADJACENT PROPERTY IS OWNED BY JAMES SCHOOLEY.
  14. ADJACENT PROPERTY IS OWNED BY JAMES SCHOOLEY.



FOR REVIEW

	<b>2</b> 5	<b>Site Plan</b> <b>SCHOOLEY/WEAVER</b> <b>GRAVEL PIT</b> 104 29 3/4 ROAD GRAND JUNCTION, CO	<b>CONDITIONAL USE PERMIT</b>	Complete plans to the Planning & Zoning Commission for review and approval. The applicant shall be responsible for obtaining all necessary permits from other agencies. The applicant shall be responsible for obtaining all necessary permits from other agencies. The applicant shall be responsible for obtaining all necessary permits from other agencies.	<b>LESS GRAMFORD</b> PROFESSIONAL ENGINEER	<b>R.W. JONES II</b> PROFESSIONAL ENGINEER	<b>VORTEX</b> ENGINEERING & ARCHITECTURE, INC. CONSTRUCTION MANAGERS & SITE PLANNERS PROJECT MANAGERS CIVIL & CONSTRUCTION ENGINEERS / ARCHITECTS
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**1-800-922-1987**

LOCATION OF UTILITIES SHOWN HEREIN MUST BE VERIFIED PRIOR TO CONSTRUCTION.

UTILITY NOTIFICATION CENTER OF OREGON

SCALE IN FEET  
1" = 50'

FOR REVIEW

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

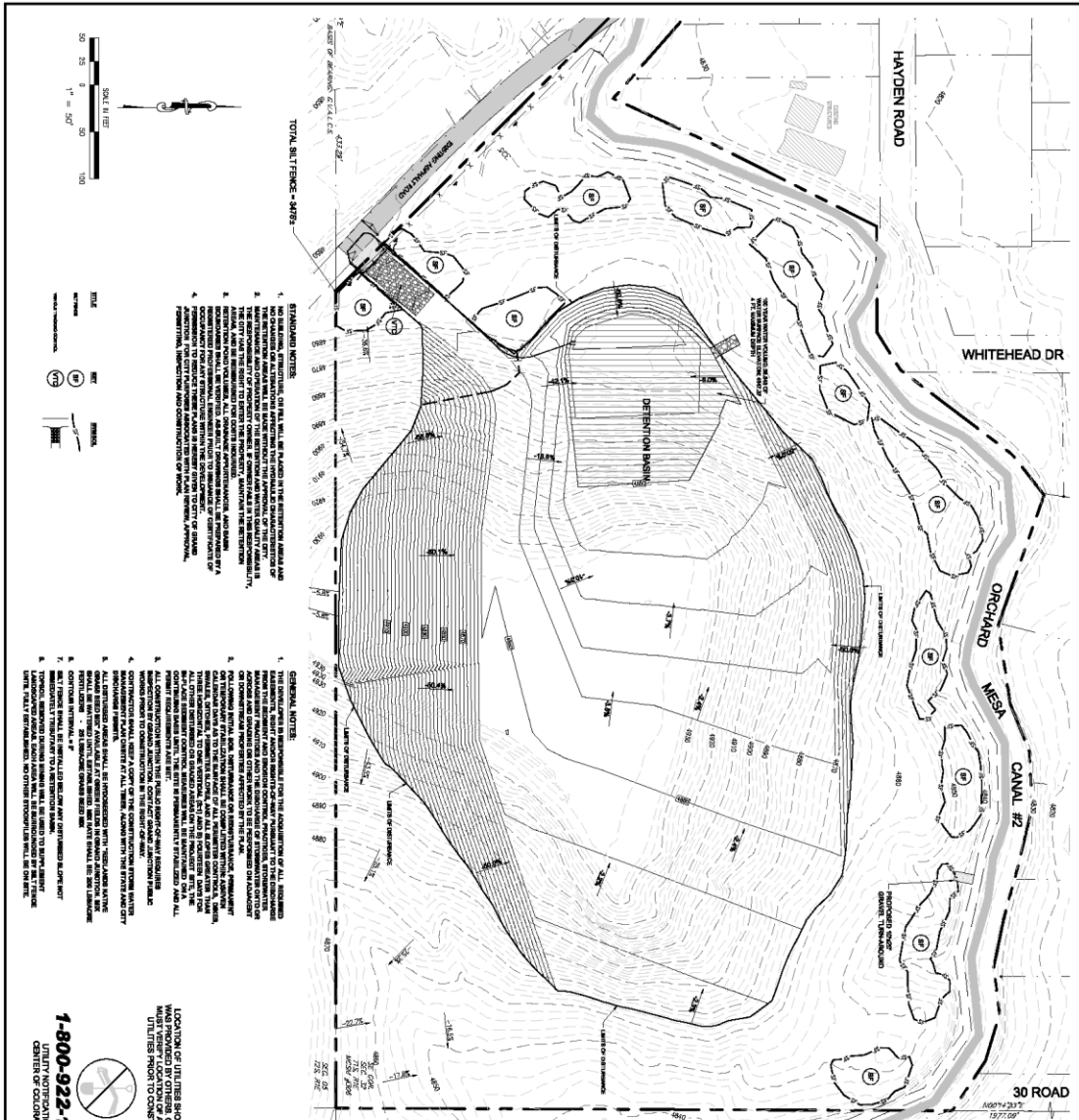
**CONDITIONAL USE PERMIT**

**LESS ORAMFORD**  
 PROFESSIONAL ENGINEER

**R.W. JONES II**  
 PROFESSIONAL ENGINEER

**VORTEX**  
 ENGINEERING & ARCHITECTURE, INC.  
 CONSTRUCTION MANAGERS & SITE PLANNERS  
 PROJECT MANAGERS  
 CIVIL & LANDSCAPE ARCHITECTS

- CONDUCT A SURVEY OF THE SITE TO DETERMINE THE EXISTING TOPOGRAPHY AND THE LOCATION OF ALL UTILITIES AND STRUCTURES. THE SURVEY SHOULD BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OREGON ENGINEERING BOARD AND THE OREGON SURVEYING BOARD.
  - DESIGN THE DETENTION BASIN TO ACCOMMODATE THE DESIGN FLOOD AND TO PROVIDE THE REQUIRED DETENTION TIME. THE DESIGN FLOOD SHOULD BE DETERMINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OREGON ENGINEERING BOARD AND THE OREGON SURVEYING BOARD.
  - DESIGN THE GRADING AND DRAINAGE SYSTEM TO ACCOMMODATE THE DESIGN FLOOD AND TO PROVIDE THE REQUIRED DETENTION TIME. THE GRADING AND DRAINAGE SYSTEM SHOULD BE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OREGON ENGINEERING BOARD AND THE OREGON SURVEYING BOARD.
  - DESIGN THE EROSION CONTROL MEASURES TO PREVENT SOIL EROSION AND TO STABILIZE THE SLOPES OF THE DETENTION BASIN. THE EROSION CONTROL MEASURES SHOULD BE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OREGON ENGINEERING BOARD AND THE OREGON SURVEYING BOARD.
  - DESIGN THE ACCESS ROAD TO THE DETENTION BASIN TO ACCOMMODATE THE DESIGN FLOOD AND TO PROVIDE THE REQUIRED DETENTION TIME. THE ACCESS ROAD SHOULD BE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OREGON ENGINEERING BOARD AND THE OREGON SURVEYING BOARD.
- BENCHMARK**
- PROPOSED BENCHMARK IS LOCATED NEARBY TO THE PROJECT AT THE CORNER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF CHESAPEAKE QUADRANT OF PUBLIC RANGE SURVEY. ELEVATION: 4523.00 FEET.
- EMERGENCY OVERFLOW SWALE**
- OUTLET STRUCTURE DETAIL**



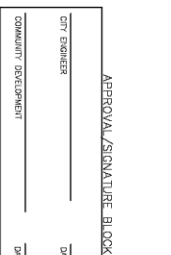
**1-800-922-1987**

LOCATION OF UTILITIES SHOWN HEREON  
MAY BE SUBJECT TO CHANGE AND SHOULD  
BE VERIFIED BY THE CONTRACTOR PRIOR TO  
UTILITIES PRIOR TO CONSTRUCTION.

**APPROVAL/SIGNATURE BLOCK**

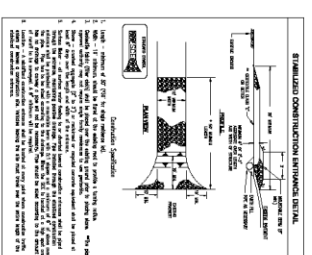
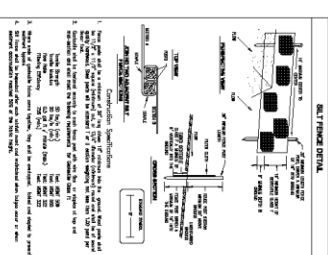
CITY ENGINEER: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMUNITY DEVELOPMENT: \_\_\_\_\_ DATE: \_\_\_\_\_



**GRAVEL PIT**

NO.	DESCRIPTION	AMOUNT	UNIT
1	GRAVEL	100	CU YD
2	GRAVEL	100	CU YD
3	GRAVEL	100	CU YD
4	GRAVEL	100	CU YD
5	GRAVEL	100	CU YD
6	GRAVEL	100	CU YD
7	GRAVEL	100	CU YD
8	GRAVEL	100	CU YD
9	GRAVEL	100	CU YD
10	GRAVEL	100	CU YD



**FOR REVIEW**

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

**CONDITIONAL USE PERMIT**

NO.	DESCRIPTION	AMOUNT	UNIT
1	GRAVEL	100	CU YD
2	GRAVEL	100	CU YD
3	GRAVEL	100	CU YD
4	GRAVEL	100	CU YD
5	GRAVEL	100	CU YD
6	GRAVEL	100	CU YD
7	GRAVEL	100	CU YD
8	GRAVEL	100	CU YD
9	GRAVEL	100	CU YD
10	GRAVEL	100	CU YD

**LES GRAMFORD**

PROFESSIONAL ENGINEER

104 29 3/4 ROAD  
GRAND JUNCTION, CO

**R.W. JONES II**

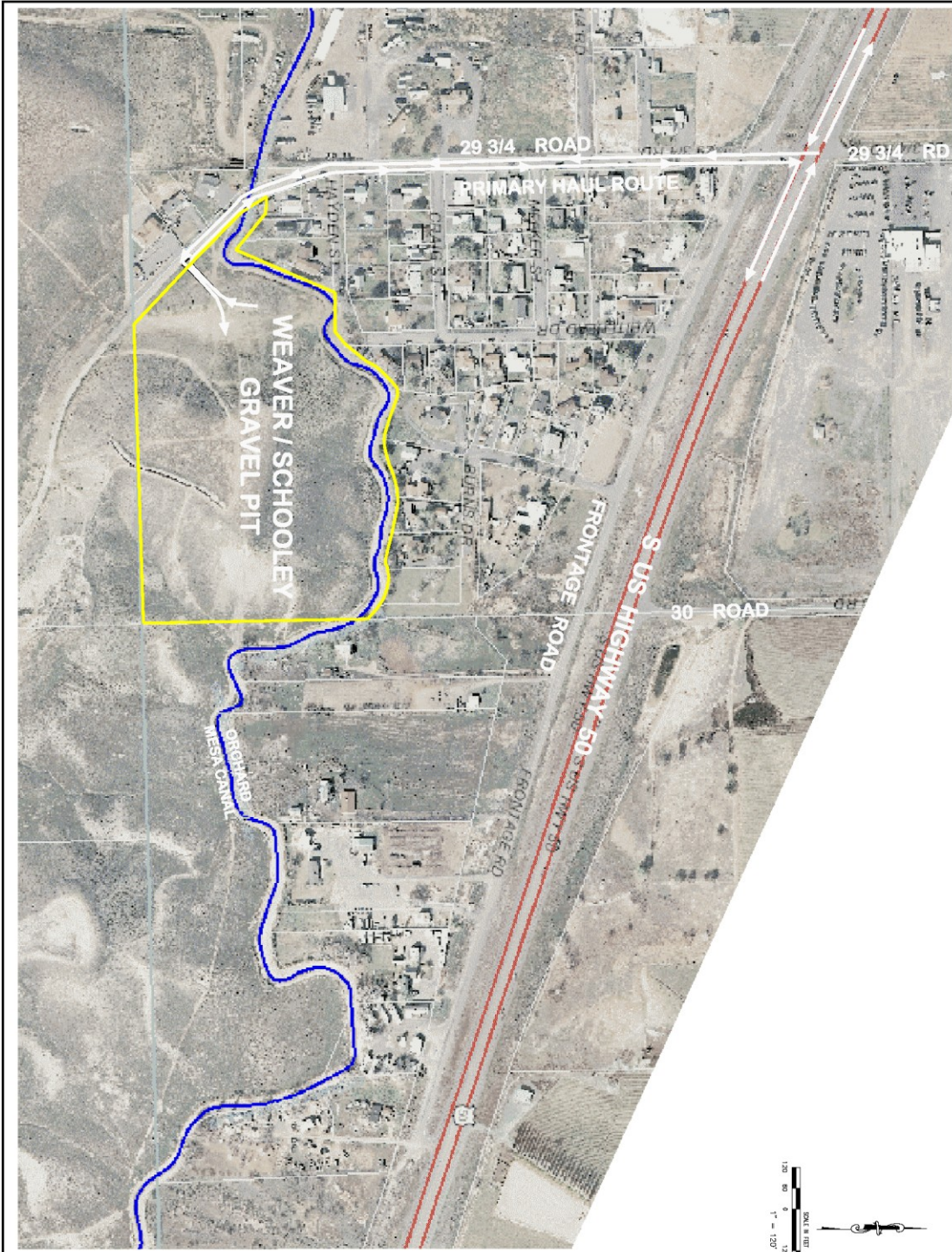
PROFESSIONAL ENGINEER

104 29 3/4 ROAD  
GRAND JUNCTION, CO

**VORTEX**  
ENGINEERING & ARCHITECTURE, INC.

CONSTRUCTION MANAGERS & SITE PLANNERS  
PROJECT MANAGERS  
CIVIL & CONSTRUCTION ENGINEERS / ARCHITECTS





FOR REVIEW

**Haul Route Plan  
SCHOOLLEY/WEAVER  
GRAVEL PIT**  
104 29 3/4 ROAD  
GRAND JUNCTION, CO

<b>CONDITIONAL USE PERMIT</b>			
1	5/20/12	TRUCKED PER CITY COMMENTS & LETTERS OF CONCERN	012
2	8/2/12	COMMIT	017

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**LES GRAMFORD**  
PROJECT MANAGER  
VORTEX ENGINEERING & ARCHITECTURE, INC.  
104 29 3/4 ROAD  
GRAND JUNCTION, CO 81505

**R.W. JONES II**  
PROJECT MANAGER  
VORTEX ENGINEERING & ARCHITECTURE, INC.  
104 29 3/4 ROAD  
GRAND JUNCTION, CO 81505

**VORTEX**  
ENGINEERING & ARCHITECTURE, INC.  
CONSTRUCTION MANAGERS & SITE PLANNERS  
PROJECT MANAGERS  
CIVIL & CONSTRUCTION ENGINEERS / ARCHITECTS

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

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

May 26, 2005

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

**COPY**

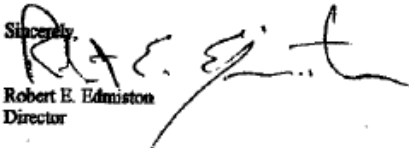
Dear Mr. Simms:

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

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

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

Sincerely,

  
 Robert E. Edmiston  
 Director

cc. Peter Baier, Mesa County Public Works Director

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

Letter regarding access through the County Landfill property.



**NOTICE OF INTENT (NOI) to Issue an Access Permit**

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

Case # or Pre-submittal # None		NOI #: 05-033
Applicant Name: Fisher Construction/Brian Fisher (Authorized Agent = Robert Jones II) Vortex Eng.		
Applicant Address: _____ City/State/ZIP: _____		
Representative Name: Vortex Engineering, Inc.		
Representative Address: 255 Vista Valley Drive City/State/ZIP: Fruita, Colorado 81521		
E-mail address: rjones@vortexeng.us	Phone: 858-4888	Cell: 260-9082
Project Name: United Companies Gravel Pit/Mining Operation		
Project Address: 104 29th Road City/State/ZIP: Grand Junction, CO 81505		
Tax Schedule Number(s): 2943-324-10-001		
Project Type: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Other:		
Land Use Action: <input type="checkbox"/> Residential/Agricultural Site Plan <input checked="" type="checkbox"/> Commercial Site Plan <input type="checkbox"/> Building Permit <input type="checkbox"/> Property Subdivision <input type="checkbox"/> Simple Land Division <input type="checkbox"/> Other		

**By Signing Below. The Applicant Accepts Responsibility For:**

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

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

Date

RTPO Signature

Date

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

Denial of access through County Landfill property.



**Huddleston-Berry**  
Engineering & Testing, LLC

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

March 22, 2010  
Project# 00695-0006

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

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

**RECEIVED**

APR 23 2010

**COMMUNITY DEVELOPMENT  
DEPT.**

Dear Mr. Crawford,

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

**Subsurface Investigation**

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

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

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

②

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

### **Laboratory Testing**

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

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

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

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

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

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

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

### **Conclusions**

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

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



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

Respectfully Submitted:  
**Huddleston-Berry Engineering and Testing, LLC**



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



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

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

General comments:

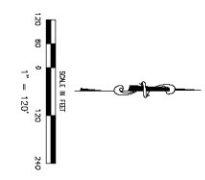
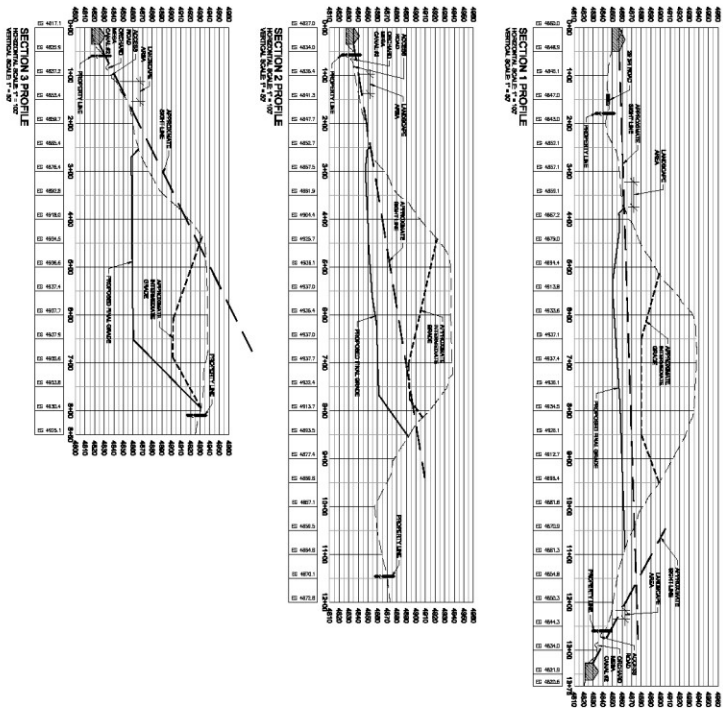
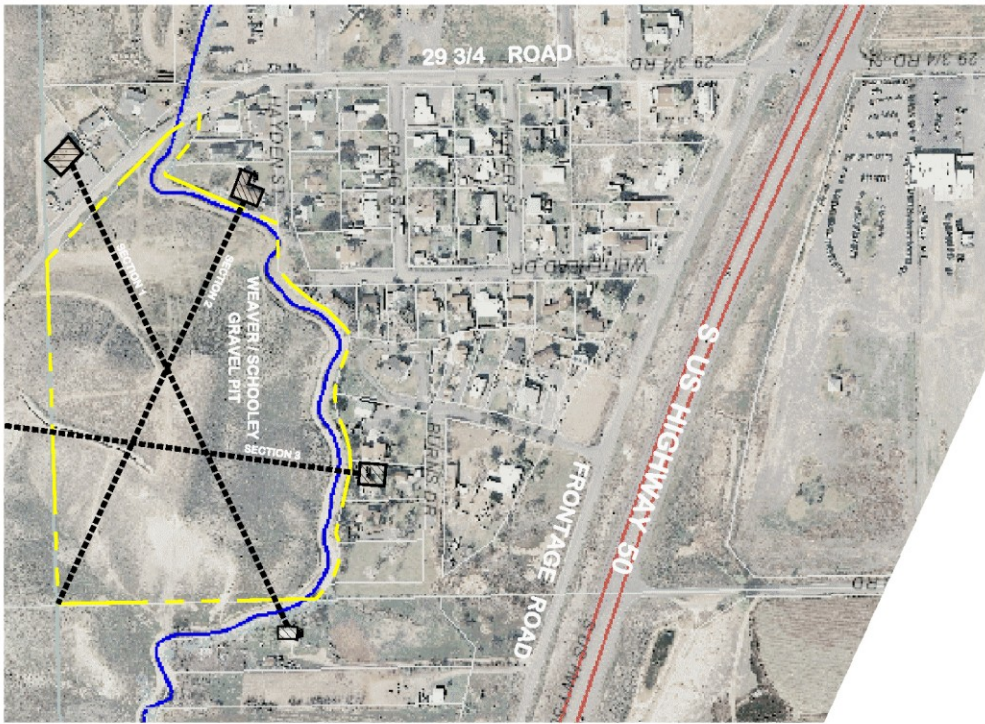
- The operation should be compatible with Mesa County Land Development standards (hours of operation/ distance from residences, right-of-way, etc.) in Sections 5.2.13.C-J.
- A signal on Highway 50 is not warranted with this proposal.
- A Notice of Intent (NOI) to Permit an access will be required if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

29 ¾ Road comments:

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

30 Road alignment comments:

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



FOR REVIEW

ADJACENT PROPERTY EXHIBIT  
**SCHOOLLEY/WEAVER  
 GRAVEL PIT**  
 104 29 3/4 ROAD  
 GRAND JUNCTION, CO

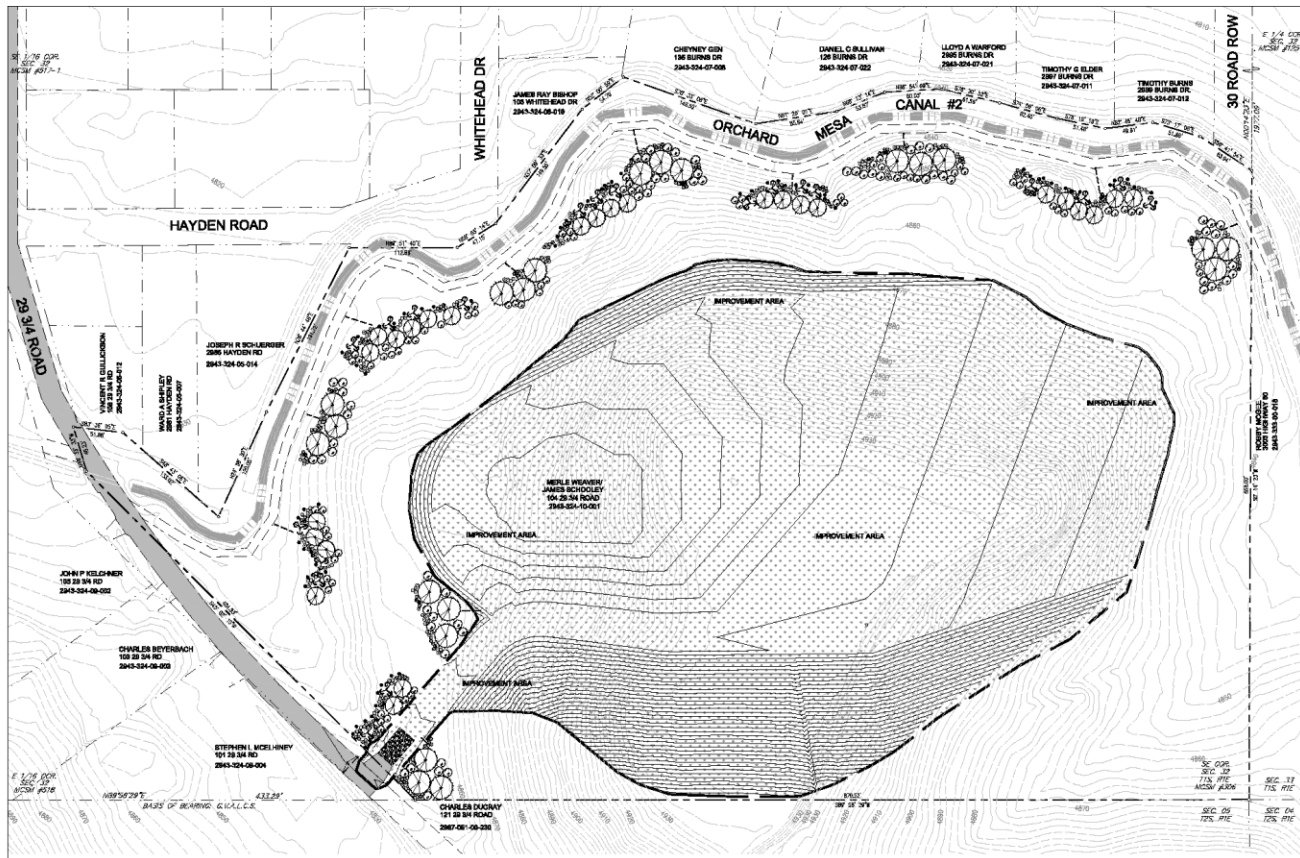
CONDITIONAL USE PERMIT	
NO. DATE	COMMENT
1	5/22/12 PREPARED FOR CITY COMMENTS & ISSUES OF CIRCULAR

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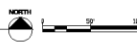
**LES GRAMFORD**  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 12122  
 VORTEXENGINEERING.COM

**R.W. JONES II**  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 12122





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



### LANDSCAPE LEGEND

- Evergreen Trees
- Large Deciduous Shrub
- Small Deciduous Shrub
- Native Seed

### LANDSCAPE REQUIREMENTS

Total Improved Area: 332,459 sq. ft.

- Required Trees: One (1) per 5,000 sq. ft. of improved area. 332,459 sq. ft. / 5,000 sq. ft. = 67 Trees. Trees Provided: 67 Trees.
- Required Shrubs: One (1) per 800 sq. ft. of improved area. 332,459 sq. ft. / 800 sq. ft. = 554 Shrubs. Shrubs Provided: 554 Shrubs.

**Native Seed Mix:**

5%	Special Common Name
25%	Oryzopsis hymenoides/ Solidi Ricgrass
25%	Elymus hystrix/ Cheatgrass
25%	Hibiscus trimaxill/ Oakleaf
25%	Atriplex confertifolia/ Four-wing Saltbush

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

All seed needs to be well mixed, broadcast seeded, followed by hand raking to cover seed, and then an application of 800 pounds/acre of biostimulant to improve germination. Hydroamulch the seeded area with 2500 lbs/acre of virgin wood fiber hydroamulch and 150 lbs/acre of organic tackifier. Do not hydroseed and do not seed if standing water or snow/frozen ground are present.

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

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

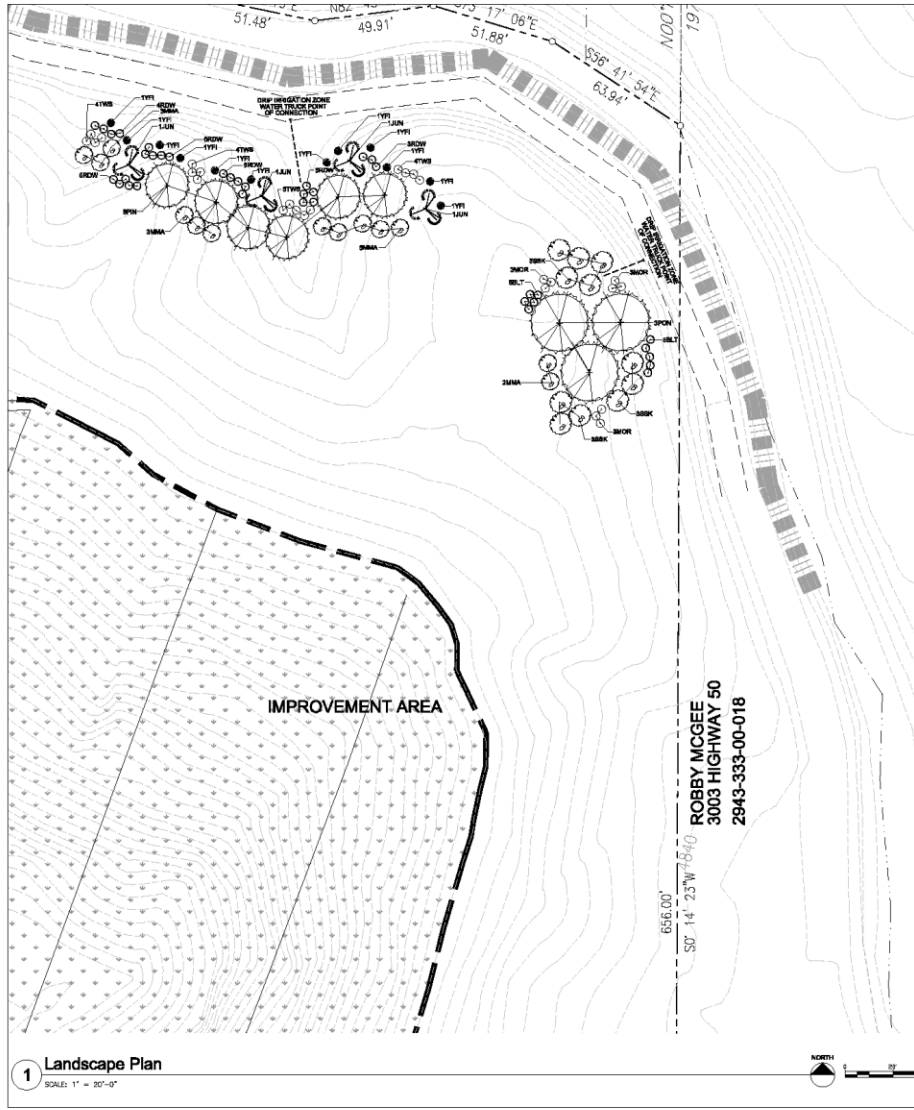
**MRLA** METRO RECLAMATION AND LANDSCAPE ARCHITECTURE AND PLANNING  
 366 34 1/2 Road  
 Fruita, Colorado 81529  
 (970) 564-1155

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

ISSUED FOR:		
No.	Date	Remarks

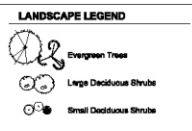
PROJECT NO: 13822  
 PHASE: CD  
 CONDITIONAL USE PERMIT  
 DRAWING TITLE: OVERALL RECLAMATION LANDSCAPE PLAN  
 SHEET NUMBER: L-1  
 DATE: 08/22/2019





ROBBY MCGEE  
3003 HIGHWAY 50  
2943-333-00-018  
656.00'  
S 07° 14' 23" W 75.40'

No.	Spec.	Common Name / Botanical Name	Planting Size / Quantity	Notes
28	PLN	Plant Primula pulchella	20" FL x 12" Spc	30 per plant
29	PLN	Plant Primula pulchella	20" FL x 12" Spc	30 per plant
30	PLN	Plant Primula pulchella	20" FL x 12" Spc	30 per plant
31	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
32	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
33	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
34	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
35	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
36	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
37	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
38	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant
39	SHR	Shrub Toyon (Nerthosaurus)	10" Spc	20 per plant



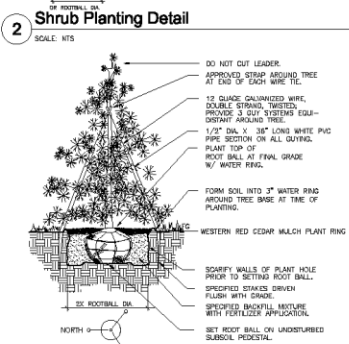
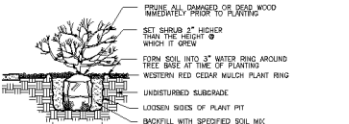
### LANDSCAPE AND IRRIGATION NOTES

- The goal of the landscape plan is to create a natural landscape buffer around the proposed green pit. Native and native plant materials are to be used in the landscape buffer.
- During seasonal periods of lowest flow, the irrigation system is to be used.
- Planting tags shall be installed around the base of all plants and shall contain: "I" of western red cedar.
- A fully irrigation system shall be provided for all plant material. Irrigation water is to be supplied by the site and a pump will pressure the irrigation system. Each irrigation zone will have a port or connection for the water truck to back into and deliver the necessary water to each drip zone.

### SOIL PREPARATION AND PLANTING SPECIFICATIONS

1.1 PREPARATION - GENERAL

- Layout individual trees and shrub locations and areas for multiple plantings. Stake locations and outline areas and secure Landscape Architect's site plan before start of planting work. Make minor adjustments as may be required.
- PREPARATION OF PLANTING SOIL
  - Before mixing, open topsoil, granite, stones, clay lumps, and other extraneous materials harmful or toxic to plant growth.
  - Mix specified soil amendments and fertilizers with topsoil at rates specified. Delay mixing of fertilizer if planting will not follow planting soil within a few days.
  - For pit and trench type basins, mix planting soil prior to backfilling, and straddle at site.
  - For planting beds mix planting soil after or apply an surface of topsoil and mix thoroughly before planting.
- PREPARATION OF PLANTING BEDS
  - Spread planting soil mixture to minimum depth required to meet lines, grades, and elevations shown, after light rilling and natural settlement. Place approximately 1/2 of total amount of planting soil required. Work into top of loosened subgrade to create a transition layer, then place remainder of the planting soil.
  - Remove 8 inches to 10 inches of soil and replace with prepared planting soil mixture. Backfill for each bed with three parts topsoil and one part soil mixture thoroughly mixed prior to planting.
- EXCAVATION FOR TREES AND SHRUBS
  - Excavate pits, beds, and trenches with vertical sides and with bottom of excavation slightly raised in center to provide proper drainage. Loosen hard subsoil in bottom of excavation.
    - For utility and landscape trees, make excavations at least half again as wide as the ball diameter and equal to the ball depth, plus minimum diameter of water pipe in a layer of compacted backfill.
    - Allow for 3 inch thick settling layer of planting soil mixture.
    - For container grown stock, excavate as specified for ball and burlapped stock, adjusted to size of container width and depth.
    - Discard all material removed from planting excavations. Do not mix with planting soil or use as backfill.
    - Fill excavation for trees and shrubs with water and allow water to penetrate soil prior to planting.
    - Backfill pits with three parts topsoil and one part 8-1 Compost thoroughly mixed prior to planting.
  - Place irrigation tubing in planting pit prior to backfilling at the following rate: three per each tree, one per each shrub.
- PLANTING TREES AND SHRUBS
  - Set burlapped and burlapped (B&B) stock on layer of compacted planting soil mixture, place in center of pit or trench with top of ball at same elevation as adjacent finished landscape grade. Remove burlap from sides of balls; reath on bottom. When set, place additional backfill around base and sides of ball, and work each layer to settle backfill and eliminate air pockets. Then excavation to approximately 2/3 full, water thoroughly before placing remainder of backfill. Repeat watering until no more is absorbed. Water again after placing final layer of backfill.
  - Set container grown stock, as specified, for balled and burlapped stock, except set one on 2 sides with an approved con outer on from diameter to an not to contact root balls.
  - Trim top of burlapped to allow for mulching.
  - Apply anti-desiccant, water preservative, to provide an adequate film over trunks, branches, stems, foliage and foliage.
  - If deciduous trees or shrubs are moved when in full-leaf, spray with anti-desiccant at nursery before moving and spray again 2 weeks after setting.
  - Remove and remove excessively pruned or weakened stock resulting from improper planting.
  - Wrap tree trunks of 2 inches diameter and larger, start at ground and cover trunk to height of first branches and securely attach. Repeat the entire process for larger, thicker diameter and insert identification and take corrective measures before wrapping.
  - Guy and stake trees immediately after planting, as indicated.

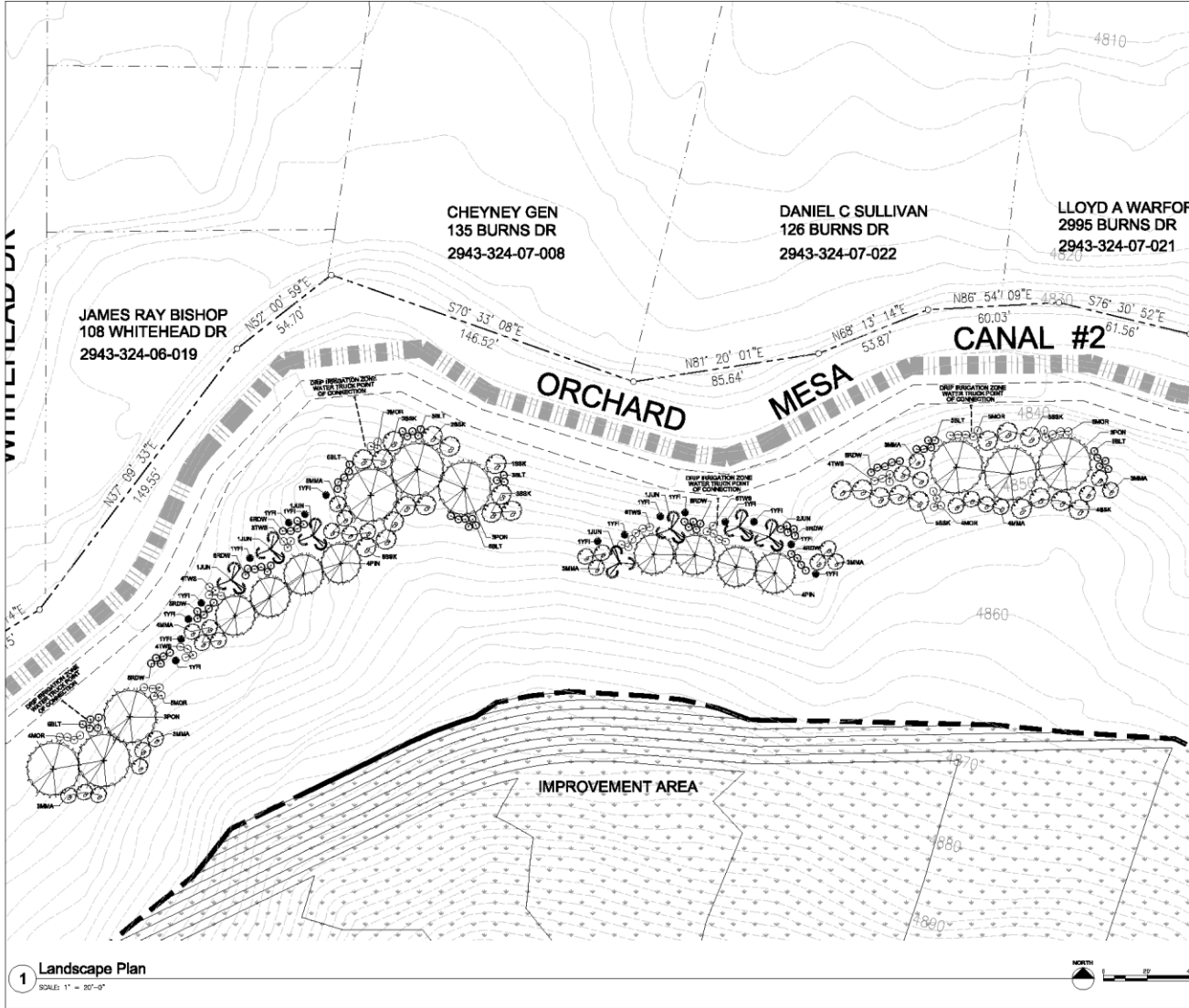


MRLA  
386 341 E Road  
Pueblo, Colorado 81023

**Schooley/Weaver Gravel Pit**  
104 293<sup>rd</sup> Road  
Grand Junction, Colorado

ISSUED FOR:
No. Date Remarks

PROJECT NO: 15002  
PHASE: DD  
CONDITIONAL USE PERMIT  
DRAWING TITLE: OVERALL RECLAMATION LANDSCAPE PLAN  
SHEET NUMBER: L-2  
DATE: 08/22/2019



**LANDSCAPE LEGEND**

- Evergreen Trees
- Large Deciduous Shrub
- Small Deciduous Shrub

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

**MRLA** ARCHITECTS, ENGINEERS AND PLANNERS  
LANDSCAPE ARCHITECTURE AND PLANNING  
386 24 1/2 Road  
Pueblo, Colorado 81008 (970) 944-1156

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

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ISSUED FOR:  
No. Date Remarks

No.	Date	Remarks

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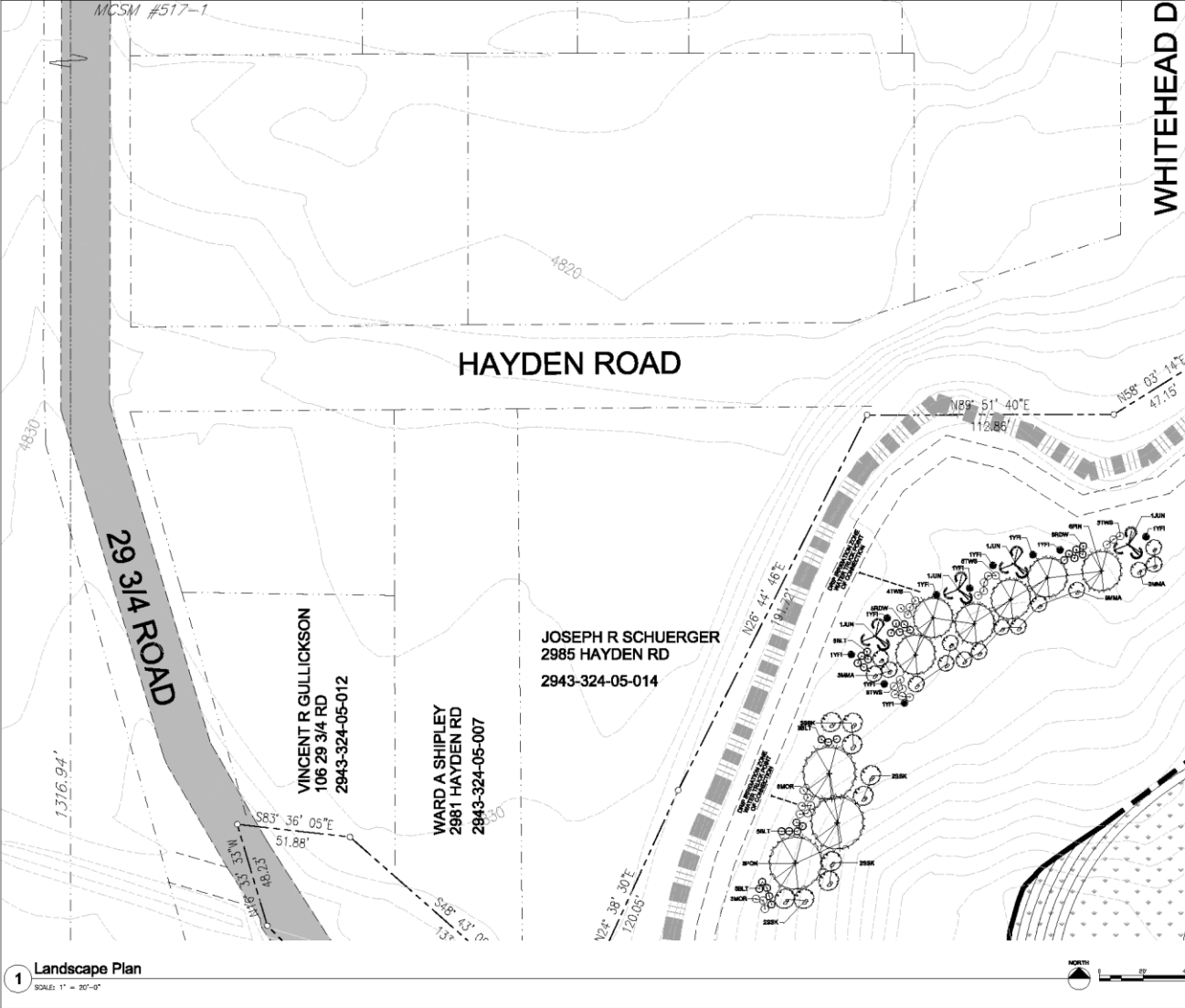
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PHASE: CD  
CONDITIONAL USE PERMIT

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DRAWING TITLE:  
OVERALL RECLAMATION LANDSCAPE PLAN

---

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



**LANDSCAPE LEGEND**

- Evergreen Trees
- Large Deciduous Shrub
- Small Deciduous Shrub

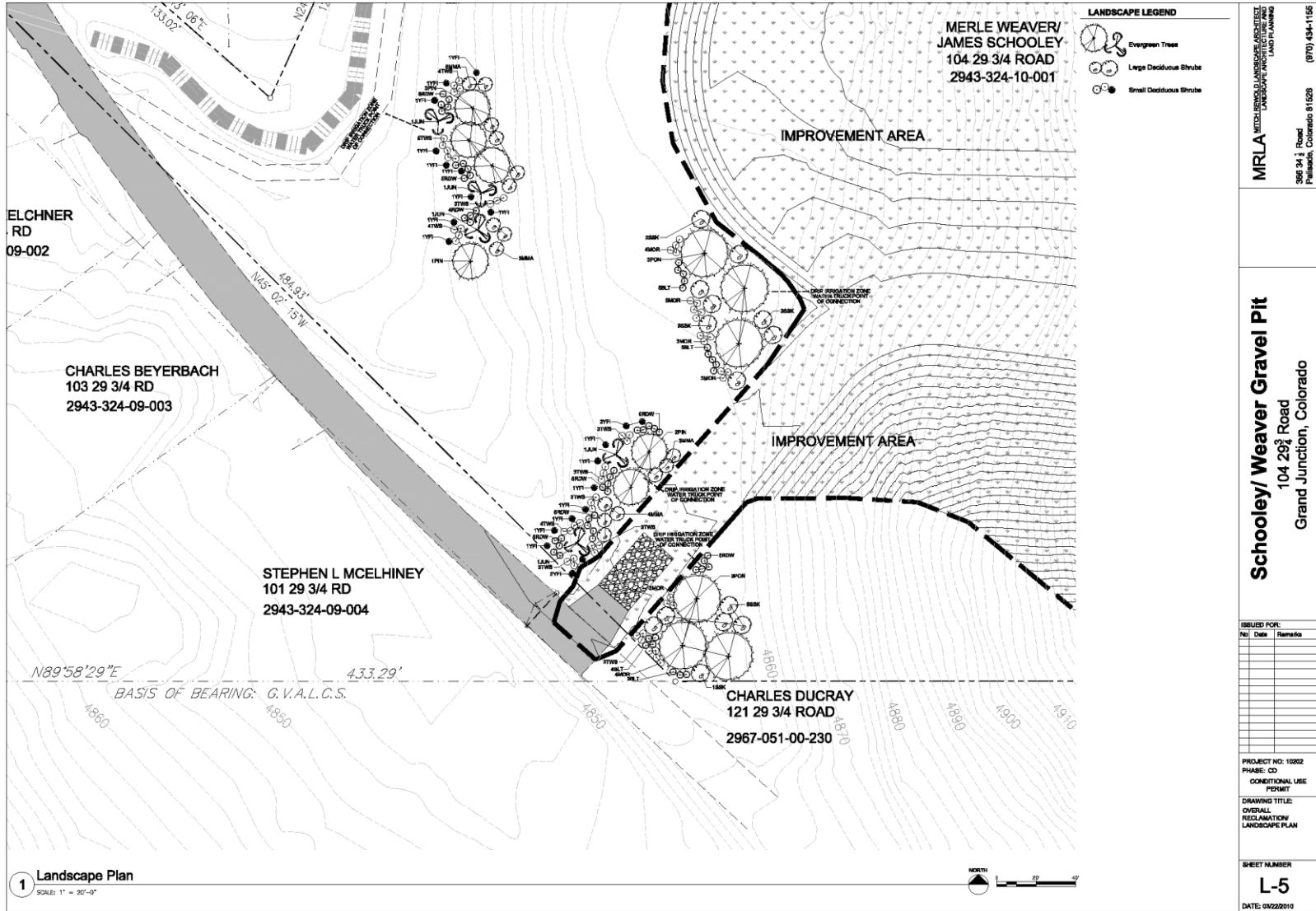
**MRLA** METRIC LANDSCAPE ARCHITECTURE AND LAND PLANNING  
 388 34 1/2 Road  
 Ft. Collins, Colorado 80526 (970) 564-1156

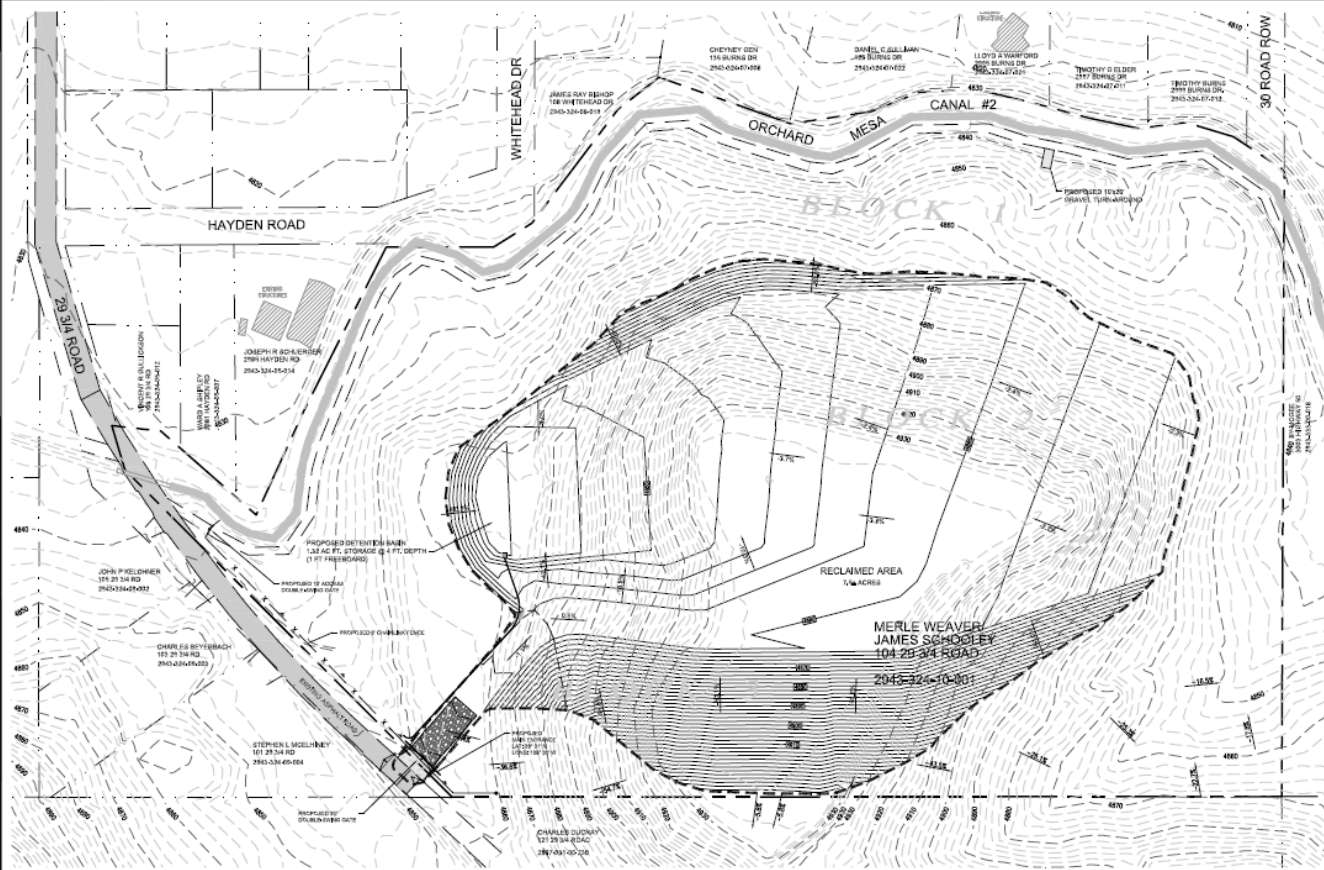
**Schooley/ Weaver Gravel Pit**  
 104 29 3/4 Road  
 Grand Junction, Colorado

ISSUED FOR:		
No.	Date	Remarks

PROJECT NO: 10002  
 PHASE: CD  
 CONDITIONAL USE PERMIT  
 DRAWING TITLE: OVERALL RECLAMATION LANDSCAPE PLAN  
 SHEET NUMBER: **L-4**  
 DATE: 08/22/2010







**GENERAL NOTES:**

1. THE RECLAIMER IS RESPONSIBLE FOR THE ACQUISITION OF ALL REQUIRED PERMITS, STATE AND FEDERAL, NECESSARY TO THE PROTECTION OF THE LAND AND OTHERS, AND TO THE PROTECTION OF THE PUBLIC. THE RECLAIMER SHALL BE RESPONSIBLE FOR THE ACQUISITION OF ALL NECESSARY PERMITS AND FOR THE PROTECTION OF THE PUBLIC. THE RECLAIMER SHALL BE RESPONSIBLE FOR THE ACQUISITION OF ALL NECESSARY PERMITS AND FOR THE PROTECTION OF THE PUBLIC.
2. FOLLOWING THE COMPLETION OF THE RECLAMATION, THE RECLAIMER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE RECLAIMED AREA. THE RECLAIMER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE RECLAIMED AREA.
3. ALL CONSTRUCTION WITHIN THE PUBLIC RIGHT-OF-WAY REQUIRES APPROVAL BY THE CITY OF GRAND JUNCTION. THE RECLAIMER SHALL BE RESPONSIBLE FOR THE ACQUISITION OF ALL NECESSARY PERMITS AND FOR THE PROTECTION OF THE PUBLIC.
4. CONTRACTOR SHALL KEEP A COPY OF THE CONSTRUCTION STAFF WORK UNDERGROUND PLAN SHOWN AT ALL TIMES ALONG WITH THE SITE AND CITY RECLAMATION PERMIT.
5. ALL DISTURBED AREAS TO BE RECLAIMED AT A RATE OF 1/2 ACRE / 1,000 SQ. FT. OR 25 LBS./ACRE. USE WASHING SIZES ARE FOR THE FOLLOWING:
  - 200 MESH RECLAMING
  - 200 STEELBAR RECLAMING
  - 200 SIZES
  - 200 PLUS-ONE SIZES
6. ALL NEW SIZES TO BE WASHING SIZES, FOLLOWED BY WASHING TO OTHER SIZES, AND THEN BY WASHING OF ALL SIZES OF WASHING TO OTHER SIZES, AND THEN BY WASHING OF ALL SIZES OF WASHING TO OTHER SIZES.
7. FILLING WITHIN THE RECLAIMED AREA SHALL BE LIMITED TO THE RECLAIMED AREA. THE RECLAIMER SHALL BE RESPONSIBLE FOR THE ACQUISITION OF ALL NECESSARY PERMITS AND FOR THE PROTECTION OF THE PUBLIC.
8. NO RECLAIMER UNDERGROUND ON THE SITE.
9. ANY OTHER RECLAMATION REQUIRES TO BE LESS THAN 3 INCHES.
10. SEE LANDSCAPE PLAN FOR ADDITIONAL DETAILS.
11. ALL DISTURBED AREAS SHALL BE RECLAIMED TO THE SITE.
12. WASHING SCHEDULE:
 

100 MESH	WASHING IN PER MESH
200 MESH	WASHING IN PER MESH
200 SIZES	WASHING IN PER MESH

**VORTEX**  
ENGINEERING & ARCHITECTURE, INC.  
1144 E. 1/2 Mile Rd.  
Grand Junction, Colorado 81501  
Phone: (970) 243-8889  
Fax: (970) 243-1606

**R.W. JONES II**  
PROFESSIONAL ENGINEER  
No. 10000  
1144 E. 1/2 Mile Rd.  
Grand Junction, CO 81501

**LES CRAWFORD**  
PROFESSIONAL ENGINEER  
No. 10000  
1144 E. 1/2 Mile Rd.  
Grand Junction, CO 81501

FOR REVIEW

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	10/20/2011	RWJ
2	REVISION		
3	REVISION		
4	REVISION		
5	REVISION		
6	REVISION		
7	REVISION		
8	REVISION		
9	REVISION		
10	REVISION		

**FOR REVIEW**

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

Scale: 1" = 50'  
North Arrow

1 1

Reclamation Plan

AVRR SOUTH PIT

# WHITWATER BUILDING MATERIALS CORPORATION

840 South 10th Street, P.O. Box 1783  
GRAND JUNCTION, COLORADO 81502



**SAND & GRAVEL PRODUCTS**  
Phone: (970) 242-7687



**READY MIXED CONCRETE**  
Phone: (970) 242-1843

February 15<sup>th</sup>, 2010

To Whom It May Concern:

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

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

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

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

Mark Gardner VP  
Whitewater Building Materials Corp.

## Letters of Objection

March 29, 2010

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

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

Dear Mr. Rusche,

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

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

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

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

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

Respectfully,

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

April 28, 2010

Planning Commission

Gentlemen:

I am writing to express my opposition to the request for a gravel pit off 29 ¼ Road on Orchard Mesa.

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

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

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

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

Sincerely,

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



**Brian Rusche - more information**

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

---

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

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

Thank you much,

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

Dana C. Forbes  
217 Brookcliff Drive  
King, NC 27021

May 9, 2010

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

Re: CUP-2010-008 - Schooley-Weaver Partnership – 104 29<sup>th</sup> Road

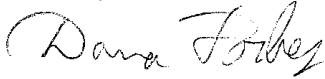
To Whom It May Concern:

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

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

Please do not allow this project to occur here.

Sincerely,



Dana Forbes  
970-986-9384

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

May 9, 2010

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

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

To Whom It May Concern:

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

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

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

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

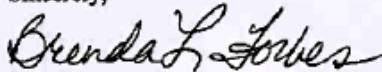
**Property values and significant reduction in quality of life:** This gravel pit would cause a reduction in the property values of this neighborhood. This is unfair to those who own there

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

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

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

Sincerely,



Brenda L. Forbes

Co-owner:

2977 Craig St

Grand Junction, CO 81503

970-986-9384

May 10, 2010

To Those Involved,

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

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

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

*Gary L. Davis*  
Gary L. Davis  
*Earlene A. Davis*  
Earlene A. Davis

243-6353

127 Whitehead Dr.  
A. J. Colo. 81503

a

RECEIVED  
MAY 10 2010  
COMMUNITY DEVELOPMENT  
DEPT.

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

Re: Schooley-Weaver Partnership  
104 29 ¼ Rd.  
Grand Junction, Co. 81503

**Areas of Concern:**

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

How will you control this dust?

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

**Noise and truck traffic:** operation (noise) and traffic at intersection of 29 ¼ road and highway 50.

How will you control?

- 1) Hours of operation.
- 2) Is highway compatible with truck traffic at this intersection without any improvements and ridiculous traffic lights such as 29 road .  
(just wait until one accident occurs).
- 3) Safety of occupants on 29 ¼ road and frontage road, children, driveways, school bus stop, (which is now at this intersection).
- 4) How many trucks daily will be involved.

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

(continued)

**RECEIVED**  
MAY 1 2010  
COMMUNITY DEVELOPMENT  
DEPT.



How will you control?

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

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

Dan and Mary Sullivan

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

---

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

---

Ms. Kane:

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

Steve Acquafresca  
Mesa County Commissioner

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

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

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

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

Thank You for your consideration.

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

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

---

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

---

Mr. and Mrs. Sebring:

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

Steven Acquafresca  
Mesa County Commissioner

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

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

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

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

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

Robert and Eleanor Sebring  
2964 A 1/4 Rd

May 11, 2010

Re: File # CUP 2010-008

Planning Commission  
City Hall  
250 5<sup>th</sup> St.  
Grand Junction, Co. 81501

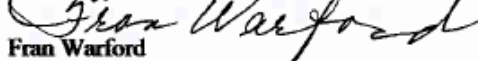
Dear Sirs:

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

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

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

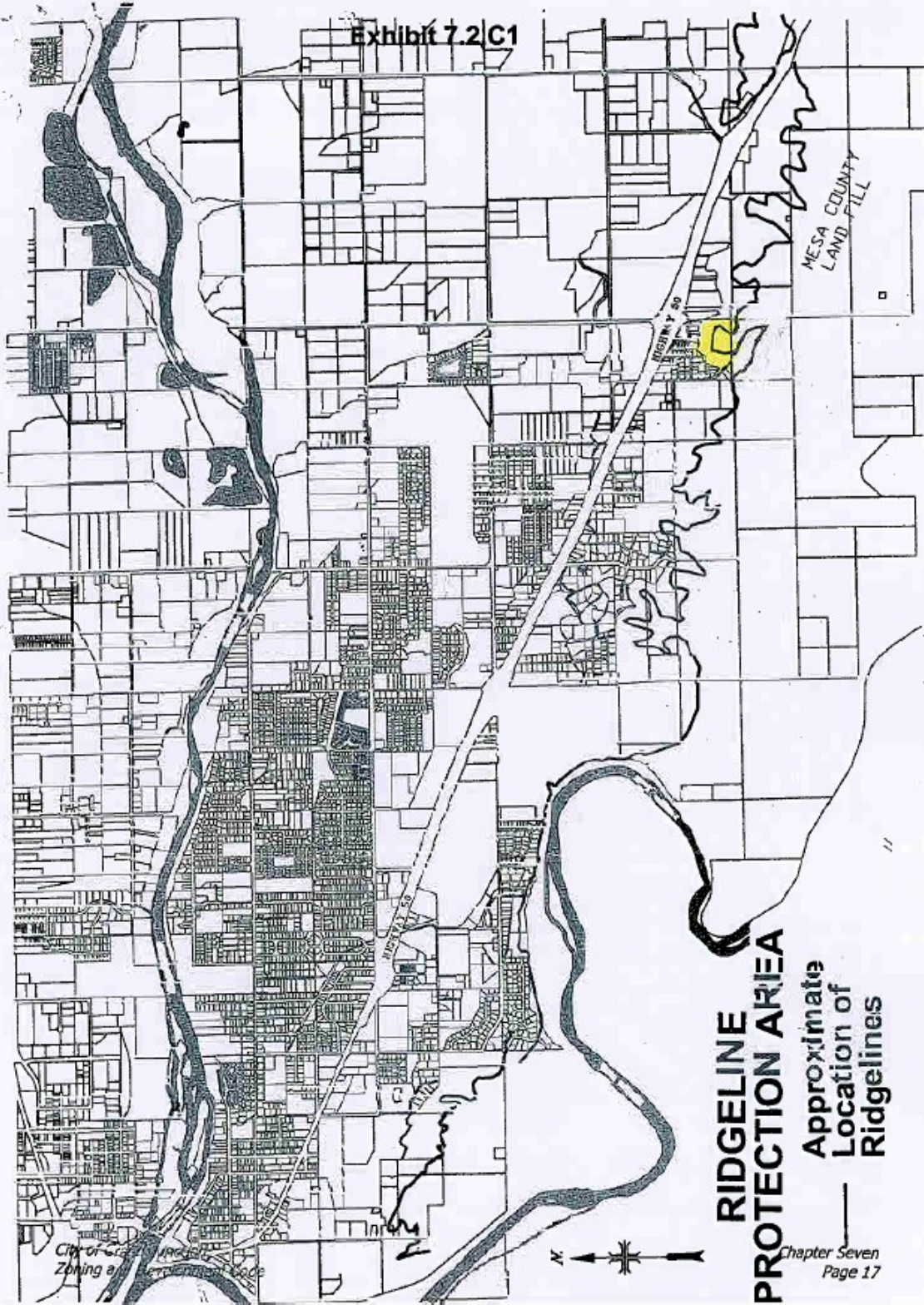
Sincerely,



Fran Warford  
2995 Burns Dr.  
Grand Junction, Co.



Exhibit 7.2C1



**RIDGELINE  
PROTECTION AREA**  
Approximate  
Location of  
Ridgelines

Chapter Seven  
Page 17

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

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

#### H. **Ridgeline Development.**

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

##### 1. **Ridgeline Development Standards.**

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



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

I am writing in regard to the Schooley - Weener Partnership - 104 29<sup>34</sup> Rd. The sand & gravel pit they want to make. I do not know how anyone could think it would be in the best interest of the Community bringing 100 to 300 Trucks a day in our small residential Area where 29<sup>34</sup> Rd is the only access to enter & 50. I could see accidents happening with out a street light here to protect entry & causing a bottle neck of traffic. Not to mention the threat on the children who play & catch Bussies in this Area. To continue that kind of traffic over the Canal Culvert I could see causing a break down causing flooding to the Community, which they just got fixed. We already have a small problem from the Dump & with the removal of this hill I could see those fumes coming straight down on us. Not counting the dust that is sure to follow. Many people have to back out of there yard to access 29<sup>34</sup> road which again will be a accident waiting to happen.

Since I've been told 2 Companies have been denied his access before with lesser damage to the Community, I do not understand why a Company with worse damage to the Community should be allowed to do so. Minus Jobs the noise, dust, & injury to the small 29<sup>34</sup> Rd.

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

Thank you

Rochelle Basick

112 Whithead Dr

Grand Jet CO 81503

To the planning Commission + all those involved with the CUP 2010-0008 Schooley Weaver Partnership - 104 29<sup>3</sup>/<sub>4</sub> Rd. The proposed sand + gravel at the end of 29<sup>3</sup>/<sub>4</sub>rd.

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

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

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

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

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

Thank you for considering  
it all

Rosalie Sosick

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

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

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  - (1) Earth-tone colors to blend with the surrounding area;
  - (2) The use of non-reflective materials;
  - (3) Vegetation to screen and soften the visual impact of the structure; and/or
  - (4) A reduction of building height or the "stepping" of the building height; or
  - (5) Other means that minimizes the appearance from the road corridor.
- c. In no case shall the setback be less than thirty (30) feet from the Ridgeline. This regulation shall not apply to existing structures or lots platted prior to the effective date of this Code or to fences constructed primarily of wire.

established at the time of platting.

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



**Brian Rusche - Fwd: Orchard Mesa Gravel Pit**

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

---

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

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

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

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

Thanks

Rich

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

Dear Grand Junction City Counsel.

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

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

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

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

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

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

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

file://C:\Documents and Settings\brianr\Local Settings\Temp\XPgrpwise\4BF126D8CityH... 5/17/2010



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

Regards,

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

May 10<sup>th</sup>, 2010

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

970-263-8032

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

970-244-1430


To Whom It May Concern:

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

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

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

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

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

Planning Comm.

I am writing this in  
objection, against the Schooby-Weaver  
Gravel Pit at 104 29<sup>3</sup>/<sub>4</sub> Rd

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

Donald Coulson  
124-29<sup>3</sup>/<sub>4</sub> Rd  
Ard Jct 91503

May 13, 2010

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

RECEIVED  
MAY 21 2010  
COMMUNITY DEVELOPMENT  
DEPT.

Re: File No. M-2010-030  
Schooley-Weaver Partnership  
Proposed Gravel Pit  
104 29 3/4 Road  
Grand Junction, CO 81503

Dear Mr. Marshall

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

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



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

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

Respectfully,

Matt & Carol Zehner  
114 29<sup>3</sup>/<sub>4</sub> Rd  
Grand Jct., CO 81503

Jim BEANERS  
2977 HAYDEN  
GRAND Jct CO 81503

Mary A. Shipley  
2981 Hayden  
GJct, Co 81503

Eric Shipley  
2981 Hayden  
Grand Junction Co 81503

Wendy A. Shipley  
2981 Hayden  
Grand Jct 81503

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

Stephen & Thelma McElhinney  
101 29<sup>3</sup>/<sub>4</sub> Rd  
Grand Jct, CO 81503

Charles & Sandra DeCray  
117 29<sup>3</sup>/<sub>4</sub> Rd  
GRAND Junction Co 81503

Donald & Beverly Ciesler  
124 29<sup>3</sup>/<sub>4</sub> Rd  
Hid get color  
Sabrina Bader  
2975 Melker St  
GJ, CO

Cecilia Bette  
2975 Melker St  
GJ, CO 81503

Jim Brady  
2984 Melker St  
GJ, CO 81503

Thomas & Violet M. See  
2976 Melker St  
Grand Jct, Co. 81503

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

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

Respectfully,

Robert & Shelley Smith  
135 29 1/2 Road  
Grand Junction, CO 81503

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

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

Cindy Wilson  
2978 Craig St  
Grand Junction, CO 81503

Cindy Wilson  
Nik Ross

2980 Craig St  
Grand Jct CO 81503

M. P.

Ann Anderson  
2977 Hwy 80  
Grand Junction, CO 81503

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

James Jackie Bishop  
108 Whitehead Dr  
Grand Jct CO 81503

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

Kevin Mye  
110 Whitehead Dr  
Grand Junction 81503

Angel & James Stern  
116 Whitehead Dr.  
81503



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

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

Respectfully,

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

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

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

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

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

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

Michele Elder  
2997 Burns Dr.  
Grand Jctn, CO  
81503

Michele  
Jose Flores  
Maria Flores 115 Burns Dr.

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

Kenneth L. Stadtman

120 Whitehead Dr.

GT, CO 81503

DEAN G SHARPE

124 1/2 WHITEHEAD DR

GRD JCT CO 81503

William & Helen Hoodby

2979 Hwy 50

Grand Jet. Co. 81503

Frank & Linda Kirley

130 29 3/4 Rd

Grand Junction, Co. 81503

Barbara J & Lewis J  
118 Whitehead Dr  
GT CO 81503

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

Attention: Brian Rusche – Senior Planner

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

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

Date: May 22, 2010

Sir,

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

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

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

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

#### **BACKGROUND INFORMATION ON PROPOSED CONDITIONAL USE PERMIT**

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

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

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

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

**ISSUES IN REGARD TO THE ISSUANCE OF THE CONDITIONAL USE PERMIT**

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

**1) LEGAL:**

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

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

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

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

**2) SAFETY:**

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

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

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

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

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



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

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

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

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

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

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

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

Miscellaneous:

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

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

3) ENVIRONMENTAL:

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

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

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

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

4) **LIABILITY:**

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

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

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

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

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

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

**PROPOSED REMEDIES**

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

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



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

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

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

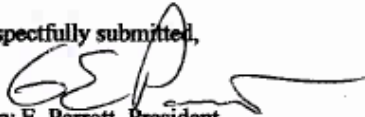
However, when an activity directly impacts the lives and property of RTR and/or its members, the Board is obligated to voice its concerns in an attempt to ensure, said activity is conducted - safely, responsibly and in accordance with law.

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

However, the Board respectfully brings to the attention of the City Planning Committee, if it so chooses to do so, it will be unnecessarily exposing the City (and possibly the Committee itself) to potential administrative, civil and/or criminal liability in the event a major incident occurs upon or along 29 $\frac{1}{4}$  Road as referenced above.

One final issue, the Board again respectfully brings to the attention of the City Planning Committee, if it decides to issue the permit, notwithstanding the objections of the residents in the effected area, it may tarnish its reputation and status enjoyed by all residents of the City of Grand Junction, in the event of an incident as described above.

Respectfully submitted,



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

cc: Teresa Coons - Mayor

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

---

**From:** "DAD" <weatherman\_1@brcsnan.net>  
**To:** "Brian Rusche" <Brianr@gjcity.org>  
**Date:** 5/25/2010 3:24 PM  
**Subject:** Rezoning Request Hearing 104, 293/4 Rd 2943-324-10-001

---

*I am opposed to the request to rezone this residential property presently zoned by the city in its annexation RR to allow a non-conforming land use as a gravel pit. My reasoning:*

1. *The owners bought the land in 2007 knowing it was zoned residential*
2. *The only access road to the property is narrow without curbes, sidewalks, or proper footing to withstand heavy equipment*
3. *Gravel trucks at the rate of one every two minutes traveling through residential neighborhoods should never be allowed in the city*
4. *The egress point for this truck traffic does not meet CDOT and Federal requirements*
5. *House values would be adversely affected*
6. *The watershed drainage systems ridgeline would be impacted adversely as well as subsoil infiltration*
7. *This land use does not fit well with the City Centre Zoning for neighborhood shopping on the North side of US50 where the trucks will exit*
8. *The noise, dust, and traffic will be continuous because of digging, sorting equipment and idling diesel trucks*
9. *Without water and sewer public health will be endangered*
10. *No current shortage of existing gravel pit operations in Mesa County*
11. *No resident that I know of views this as a positive change to the quiet, appealing, tranquility of this existing residential neighborhood and the newer R-4's which can see the property.*
12. *I suspect that the owners bought residential development land, paid too much, and are trying to recover the money in a way which works against the existing neighborhood of which they are not a part.*

*William D. and Jane E. Taylor  
2961 Great Plains Drive  
Grand Junction, Co 81503*

1.

To whom it may concern:

5-26-10

I am concerned about the proposed gravel pit on 29 ¾ rd. There are many children that ride bikes, play and walk these roads; I am concerned that a gravel truck could not stop in time if one of these kids ran out in the road. (This could be a liability for the city if they permit this.) I am also concerned about the intersection on highway 50, at times we get 2 or 3 cars stacked up trying to get out on highway 50 due to traffic coming from one direction or another. Trucks cannot take off as quickly as a car can, so we will need a traffic light there which I feel the gravel pit should have to pay for, as they are the ones that are profiting from this (why should my tax dollars pay for something that one or two people are actually going to profit from.) Our road is only 22' wide on the pavement and a gravel truck is 11' wide, this will make it almost impossible for 2 trucks to pass each other on this road without running into a mailbox or someone's yard or a car, this could be dangerous. I feel 29 ¾ road should not be the access for the gravel pit if it goes through, they should use the dump road.

I am against the gravel pit coming in as right now we have a nice quiet community and it would be nice to leave it this way. Maybe you should look at it the way we do, would you want gravel trucks running up and down your road all the time just so a couple of people could profit from it? Also I am concerned about the environmental issues this may cause for the people in our community. I am an environmental inspector so I will be watching this quite closely.

Sincerely,

Linda Gordon

May 26, 2010

City of Grand Junction  
Planning Commission  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

RE: File No. CUP-2010-008  
Schooley Weaver Partnership 114 29 ¾ Road  
Proposed Gravel Pit

We are writing to you with our many concerns and protests of the operation of this proposed pit. With the proximity of the Mesa County Landfill and Compost Facility, we as residence of this established neighborhood have concerns about the environmental hazards and damages that may occur. The length of the proposed haul road and the placement of the entrance have many safety concerns. There are a few liberties and untruths stated in the application for this permit.

In past years the operating county landfill was adjacent to this property and has since been reclaimed. If the natural filtration system of the gravel is removed, we have concerns of contaminated groundwater seepage, methane gas issues, surface runoff water, air quality and noise pollution. Our irrigation water is provided by the canal that is on the border of this property and is 100' lower than the elevation of this knoll. On moist cool days plus the wind circulation that is always present the odor from the landfill/compost facilities is very odorous. Add to that the magnitude heavy traffic and dust that will be generated the area quickly becomes intolerable. Several of the homes lie within a ravine just southwest of the entrance and where the air is the heaviest.

The proposal states that the load count would be 150 loads per day in a 12 our period. That puts a truck traveling in each direction every 2.4 minutes. With that amount of heavy truck traffic the exhaust fumes, dust and noise will be unbearable, the air quality will be hazardous and not to mention the added ground pollution from the trucks that will be washed into the waste water ditches. The proposed haul road is 29 ¾ Road which is only 4/10 of mile long and is the main travel road in and out of our rural residential neighborhood. There are not any sidewalks, street lights or curb and gutters. We have fear for the kids that have to walk on this road to get to and fro the bus stop. It is our understanding that the applicant will not have to provide any off site storm water management or other safeguards.

WE understand that with each agency involved, they are only concerned with what their own regulations, but you need to look at the whole picture before lending your support. We as residences will have to endure the whole picture. We ask that you take the time to truly investigate this proposal. Take the time to compare the many inconsistencies that appear in each of the applications. The owners have deliberately molded their responses to each proposal or applications. They have implied that the

DuCray's maintain a vibrant trucking and gravel pit operations while using 29 ¾ Road daily for many loads and that is simply not true. They do own the operations, but they do not by any stretch use 29 ¾ Road to the amount of trucking that is stated. They do respectfully observe that 29 ¾ Road, which is a Mesa County Road, was closed to heavy truck traffic many years ago. There are documents on file with the Mesa County Planning department.

Schooley-Weaver have taken liberties with the intended use of the pit run aggregates. More than once they were using it for the 29 Road Overpass project and when we spoke with the contractor for the project he said that there was not a purchase order written to any company for that project. Once it was mentioned that the aggregates were to be used for the county road projects. Since when is a private individual promised work by any government agency. It just simply is if they take this many liberties and exaggerations to get the pit, what are they really going to maintain after they get it. Who of any of the regulating agency are going to police this? Who is going to make sure that they only mine 7.63 acres and then just walk away and call that huge hole "rangeland"?

If you would like to visit with any of the residences, please feel free to contact us. Or better yet take a field trip and visit our neighborhood. Come see what all the concerns are about. We would be more than hospitable and share our front porch view with you.

Respectfully,  
Matt & Carrol Zehner  
114 29 ¾ Road  
Grand Junction, CO 81503  
(970) 314-2758

**Brian Rusche - RE: Proposal to Rezone Property 2943-324-10-001**

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**From:** Kimberly Hoyt <kdreher22@hotmail.com>  
**To:** <brianr@gjcity.org>  
**Date:** 5/26/2010 10:06 PM  
**Subject:** RE: Proposal to Rezone Property 2943-324-10-001

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Dear Mr. Rusche,

I am writing you in regards to the recent proposal to rezone the 16 acre parcel of land located at 104 29 3/4 Rd in Orchard Mesa. My husband and I live in the Red Tail Ridge subdivision just down the road. We are very concerned about this proposal. When we bought our house three years ago the reason we chose this neighborhood was because it was a quiet, family oriented community. Rezoning that property to allow a gravel pit to be developed will drive down our property values and create much unwanted traffic, noise and dust. The quiet, peaceful neighborhood that we live in will be transformed into a noisy, dirty, unappealing place to live. Rezoning a residential area to allow a gravel pit that will affect so many families is a gross misuse of government authority. It should not be allowed to happen.

This is a very family friendly neighborhood with lots of children. The only road that accesses that property will go through a residential area where kids are walking to and from the bus stop and playing. Currently there are no sidewalks to allow safe passage of children or pedestrians along that road. The large trucks that will be travel up and down that road all day long will pose a threat to the safety of our children.

Please take into consideration all the families that will be adversely affect by this decision. Thank you for time and consideration in this matter.

Kimberly Hoyt  
2957 Great Plains Dr.  
Grand Junction, CO 81503  
970-640-3624  
[kdreher22@hotmail.com](mailto:kdreher22@hotmail.com)

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Additional Letters of Objection provided prior to and/or during the public hearing

City of Grand Junction Planning Commission  
250 North 5<sup>th</sup> Street  
Grand Jct., Co. 81501

SUBJECT: CUP-2010-008 Schooley-Weaver Partnership  
104 29-3/4 Road  
Request approval of a Conditional Use Permit to establish  
A Gravel Pit on 16 acres in an Residential Rural zone district

We are 44 year residents of the neighborhood which holds great concern relative to the subject request..

We are in total agreement that a permit of this nature will thereby subject the neighborhood to endure numerous problems. The heavy truck traffic leaving this site and accessing 29-3/4 road to Highway 50, would most certainly result in a dangerous situation to all the neighborhood children, who use this roadway to be bused to and from school. It would also become a danger, not only to the children, but any resident who exit there homes directly on 29-3/4 Road. It is also questionable as to rather the current condition of the road could long withstand a multitude of truck traffic such as they are proposing.

We also believe that the noise and dust created by such an industrial operation would create a situation of noise levels and air quality, which would unavoidably filter into the neighborhood.

This is only a very few of the problems that would arise with your approval of this Permit on the subject property.

In view of the above, we strongly urge you to give every consideration to the citizens who reside in the area. Thanking you in advance, we remain,

Sincerely, *Dean Sharpe*  
*Kathy Sharpe*

Dean & Kathy Sharpe  
124 - 1/2 Whitehead Drive  
Grand Jct., Co. 81503  
Dated: June 3, 2010

**RECEIVED**

JUN - 4 2010

**COMMUNITY DEVELOPMENT  
DEPT.**

RECEIVED ✓

JUN - 3 2010

COMMUNITY DEVELOPMENT  
DEPT.

June 1, 2010  
Regarding: Schooley-Weaver Gravel Pit Proposal

150 trucks a DAY !! Almost 20 an hour, 160 in 8 hours approx. 1 truck every 3 min.. What Bumper to Bumper Trucks!! About the first time they hit me, my wife, or anyone visiting us backing out of our driveway or crossing or walking 29 ¾ Rd. or anyone else in the neighborhood for that matter much less run over a child we will sue their \_\_\_\_\_ off. There are no sidewalks or curbs along 29 ¾ Rd. This subdivision ( Burns ) is in the county not the city!

What Robert Jones II says about the type of operation, no crushers, no stock piling, less dust etc. is quite a concern. But not near as much as someone's life. Also tell me that small children are going to be able to think right and comprehend or mind for that matter to be able to avoid that much traffic. Are you CRAZY!! There is a good point about the children and the trucks ( 160 a day ) 20 an hour peak or no peak even close it is still ridiculous!! The odor from the "landfill" DUMP! Also if the buffer is removed what about the irrigation canal and OLD DUMP, seepage is another of my concerns because we have a water well. The seepage could get into my well water. Years ago people were allowed to dump paint and chemicals all forms of toxic waste at the OLD DUMP site that they now receive at a building at the current "landfill" DUMP site. What about the methane gases? You can dig up an old DUMP 50 years later and still be able to read the newspaper. This would cause major problems to our health. Do they want to reimburse me for the money spent on the well plus pay for a Ute water tap and pay any medical bills we may incur? I don't think so!! My wife and I and ALL of the neighbors in this and surrounding areas are TOTALLY against this project.

Back in the 80's the neighbors all got together because of the heavy trash truck traffic and brake noise and safety issues on 29 ¾ Rd. going to and from the OLD DUMP site. We met with the county commissioners and they finally seen the dangers and changes were made. The DUMP was moved to it's present location. More recent there was a request from the DuCray's to run their gravel trucks up and down 29 ¾ Rd. and that was denied by the county commissioners the city should look at the county's reasons.

What would this project due to our property values in this and surrounding areas? There is a mix of families here some older and some with children who catch the school bus at the end of 29 ¾ Rd. right where one of the stops for the trucks would be. Let's spare a life!! We are aware that the City and the State as well as Schooley and Weaver will benefit from this but what about the people living here some for over 30 years!

Mr. Frank J. Kirby  
Linda Kirby  
130 29 ¾ Rd. Grand Junction, Co. 81503 970-243-2730

*Frank J. Kirby*  
*Linda Kirby*

TO : GRAND JCT PUBLIC WORKS &  
PIANNING DEPARTMENT

% BRIAN RUSCHE

re: SCHOOLEY-WEAVER GRAVEL PIT  
PROPOSAL

I WAS WATCHING THE NEWS TODAY ABOUT  
THE OIL SPILL AND CAN'T HELP BUT THINK OF  
ALL THE DAMAGE THAT PUTTING A GRAVEL PIT,  
ON THE PROPOSED LAND, WOULD DO.

THE FIRST THING WE WILL HAVE TO DEAL WITH  
IS THE SMELL FROM THE LANDFILL AND ALL THE  
DUST + DIRT WE WOULD HAVE WITH OUT THE  
BARRIER HILL.

THE SECOND PROBLEM WOULD BE GRAVEL TRUCKS  
RUNNING THROUGH A SUBDIVISION FULL OF CHILDREN  
AND PETS THERE IS NO OTHER GRAVEL  
PIT THAT RUNS TRUCKS THROUGH A SUBDIVISION.

SO, IF YOU LET THEM TAKE THE BARRIER HILL  
DOWN AND FIND ALL THESE PROBLEMS ARE  
TRUE, HOW ARE YOU GOING TO SOLVE THE  
PROBLEM THEN? PUT THE HILL BACK OR  
RESIGN SO YOU DON'T HAVE TO TAKE  
THE PRESSURE.

IF YOU PASS THIS PROPOSAL  
ALL OF US WILL BE FORCED TO  
LIVE IN AN UNHEALTHY AND  
UNSAFE ENVIRONMENT . . .  
ADDED TO THAT IS THE LOSS OF  
PROPERTY VALUE TO OUR HOMES.

PLANNING DEPARTMENT, WHAT  
DO YOU HAVE TO LOSE? OR WILL  
YOU SAY "OH SORRY, WE MADE A BIG  
MISTAKE. IT WILL BE TOO LATE  
FOR US THEM.

JIM + JACKIE BISHOP  
108 WHITEHEAD DR

**Brian Rusche - Request for nonconforming land use 104 29 3/4rd Property 2943-324-10-001**

---

**From:** "DAD" <weatherman\_1@bresnan.net>  
**To:** "Teresa Coons" <teresac@gjcity.org>  
**Date:** 5/27/2010 12:59 PM  
**Subject:** Request for nonconforming land use 104 29 3/4rd Property 2943-324-10-001

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***As a resident I believe the owners request for a nonconforming use of residentially zoned land ( ie. gravel pit) should be denied for the following reasons:***

- *The owners bought the RR zoned property with >5 acre lots dividing the acreage knowing it was residential*
- *They overpaid, the economy collapsed, and they are now asking the residential neighborhood to help bail them out while destroying the value of their properties*
- *Residential development is the current predominate use of this area with new R4 developed and in development*
- *The only available road to the property does not have a sufficient width or engineered base to accomodate gravel trucks, neighborhood vehicles, and school busses*
- *Egress onto US50 does not meet federal or state requirements and does fit with a commercial town center development on the Master Plan*
- *Residents would be subjected to increased noise, dust, and traffic as a result of extraction, sorting, loading, and ideling diesels*
- *The owners will not protect the public health of residents downslope by building water and sewer llines for restrooms and washing facilities*
- *Disturbing the hill may allow methane to escape from the old landfill and berm which abuts the proposed gravel pit*
- *Mineral extraction, mining, drilling activities should never be sanctioned by any elected governmental unit in a residential neighborhood*
- *There already exist a surplus of gravel operations in the Grand Valley and Mesa County*
- *The City Council should not and must not allow the short term glitter of increased tax revenue turn the long term development dreams into a melange of terminally ugly scars and poorly integrated uses which will destroy the value of living in a planned City*





June 8, 2010

Grand Junction Planning Commission  
City of Grand Junction, Colorado

**RE: Schooley-Weaver Partnership's Proposed Orchard Mesa Mining Operation**

To Whom It May Concern:

The *Old Spanish Trail Association* (OSTA) wishes to register its concern about the proposed establishment of gravel mining operations in Orchard Mesa by the Schooley-Weaver Partnership.

First, OSTA appreciates the objections expressed recently by Orchard Mesa residents in regard to the mining operation's negative impact on the residential area located 200 feet from the proposed mining site. Their concerns about the operation's impact on traffic, noise, air quality, property values and other aspects of community life are highly relevant and seem to beg the question: "*Why establish a gravel mining operation next door to a residential community?*"

However, OSTA's *official* concern in this matter is the effect such a mining operation would have on existing public access (29 ¾ Road) to a known corridor of the Old Spanish National Historic Trail. Public appreciation of the OSNHT—officially established by Congress in 2002 as a valuable part of our nation's history—should not be compromised by allowing a new industrial operation to make access to the OSNHT more complicated and less enjoyable, as we believe this venture would do.

I have asked our national association's president, as well as its *Preservation and Stewardship Committee*, to discuss this issue further and to take appropriate steps to further register and publicize our concern, including notification of the national historic trails staff at the *Partnership for the National Trails System* and appropriate *U.S. Department of the Interior* agencies.

On behalf of OSTA's Board of Directors and its western Colorado chapter, I urge you to deny the conditional use permit application for the proposed mining operation.

Respectfully,

Don Mimms  
Association Manager

*Don Mimms, Manager; P.O. Box 11189; Pueblo, CO 81001  
Phone: 719-242-8619 E-Mail: manager@oldspanishtrail.org*

**Brian Rusche - Fwd: Schooley-Weaver Pit CUP**

**From:** <smthpurple@aol.com>  
**To:** <tinad@gjcity.org>, <laurik@gjcity.org>, <brianr@gjcity.org>, <boccc@mesa...>  
**Date:** 6/7/2010 1:56 PM  
**Subject:** Fwd: Schooley-Weaver Pit CUP

Teresa Cooms, Mayor City of Grand Junction  
 Laurie Kadrich, City Administrator  
 City of Grand Junction Planning Commissioners  
 Mesa County Commissioners  
 DMR, Mr. Travis Marshall

June 7, 2010

Re: Schooley-Weaver Property  
 104 29 3/4 Road  
 CUP -2010-008  
 DMR #M-2010-030

This matter is of importance to us, because of the impending planning meeting on June 8, 2010, we ask that you take some time to investigate further. We apologize for the trouble and ask that you help us understand why that this is the best use of this neighborhood at this time. We have a few questions, that are simply not being answered. We have been passed around from agency to agency and we would like the truth.

Why the 2-4 years difference in the permits? The City's CUP is 5-7 years, the CDOT is 3 years. Has anyone actually confirmed that the materials being pulled from this proposed pit is or is not going to be used on the "29 Road Overpass Project"? It is touted in most of the Vortex engineering report and all of the coordinating correspondence, except for the application to the DMRC, there it is stated that the anticipated use of material is for "county" road work. So which is it the county or the city project? The engineers report was finished before the project was bid, almost a full month. How would Mr. Weaver or Mr. Schooley have known that it was a guaranteed project? Did someone from the city or county promise to use this material if the pit was permitted? Is that why all of the required "red tape" has been so mysteriously overlooked or rushed through? We spoke with the project manager from Lawrence Construction, and Mike assured us that he would not use material from a pit that was not permitted by the state and because of the amount of testing that has to be done and the acceptance of submittals, he was likely going to use Parkerson Sand and Gravel. Did anyone check out the dates of the reports, submitted dates and the bid date of the project? Now where as the monies for this project is from the public coffers, it seems that the tax payers would want to know that there is no "under the table" dealings going on.

Why are not the same time and load restrictions placed on this pit that are on others in the city or county? Several other pits in the area have load limitations and different times of operations, depending on the school season. Did the applicants have to pay any development fees to the city or county? Who is going to police the operations? Which one of the agencies or their representatives will be on 29 3/4 Road, counting the amount of trucks, documenting the day to day practices of the operations or watching the streets for children. Did any one from the planning departments, go to the site and actually measure the width of the road? Did anyone actually measure the width of Highway 50 to see if the proposed stripping would really work? Did they travel the so called truck route, with the construction knowledge and trucking experience needed, to see if what the applicants have presented in the Vortex report is really existing and is the only inexpensive viable solution? Is the OMID canal crossing structure going to withstand the weight of 2 trucks passing at the same time? Is this bridge structure wide enough for that? Is it truly designed for the amount and weight of traffic that is proposed? Did anyone with trucking experience look at the entrance to the pit on site to see the angle and width of the road? It seems that most of the "common sense" approach did come from the county in their comments and they were admittedly not on site. Are any of the measurements true or did everyone just rely on the use of technology of the world wide web and GIS sites? Did anyone compare the HBET report to the Vortex report. The amount of

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truck loads are different in both reports, so which is 100 or 150? With the added amount of truck loads, are the traffic and structure stability computations correct? In the daily sentinel Mr. Jones is quoted saying "the 100-foot-ridge is coming down". (May 31, 2010 edition, page 2A) Does that not go against all the of the information they presented in the report on the disturbance area map and what about the ridge protection. Now, you have proposed to have the developer pay for the repairs. Really, they are taking the cheap way to begin with and you sincerely expect them to be respectful at that. Did anyone talk to the DMR to see if the same information has been presented? Why has the closure to heavy truck traffic on 29 3/4 Road changed? Did anyone talked to the DuCray's to see at what level they use the road for their "commerical trucking business"? Is this the one of the very last places to obtain gravel? It seems that they have baffled the pros with a lot of dead trees and a pile of paper for the landfill.

However petty this may seem to you, the fact is there have been a large amount of liberties, half-truths and/or assumptions presented by the applicants and their representatives. So it leads one to believe that, there will be more taken and responsibilities will not be meant. We the residences of 29 3/4 Road will live with the realities of all the inconveniences. However long it may take for the area to be incorporated into the city, it isn't at this point. Do you want to travel along Hwy 50 and look into the landfill? Just because it fits into a chip game, does not mean it is the best possible solution for an established neighborhood. With most of us, being county property owners, we are not being represented. We are not feeling the love of the "Most Livable Community". We ask that you resend your reccomendation of approval for this pit, this is a disaster in the making and you have the ability to stop it. At this time there are just to many questions and not enough answers.

Respectfully,

Robert and Shelley Smith

**Petition to Deny CUP-2010-008, Schooley Weaver Partnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road**

Petition summary and background  
 We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.  
 Action petitioned for We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
1	Carol Zehner	<i>C Zehner</i>	114 29 3/4 Rd Grand Jct, CO 81503	5/22/10
2	Fran Warford	<i>Fran Warford</i>	2995 Burnside St Apt 81503	5/22/10
3	Vicki Felhaber	<i>Vicki Felhaber</i>	178 Glen View	5/22/10
4	Carter Bair	<i>Carter Bair</i>	2966 A Rd, GJ, CO 81503	5/22/10
5	Amy Wiskon	<i>Amy Wiskon</i>	119 29 3/4 Rd unit 3	5/23/10
6	Ruth Gunnerson	<i>Ruth Gunnerson</i>	1016 29 3/4 Rd GJ, Co 81503	5/22/10
7	Lalita Stevens	<i>Lalita Stevens</i>	2982 Craig St. GJ, Co 81503	5/22/10
8	Brenda Lobach	<i>Brenda Lobach</i>	2975 Meeker St GJ, CO 81503	5/22/10
9	Roy D. Whollet	<i>Roy D. Whollet</i>	2975 Meeker St GJ, CO 81503	5/23/10
10	Charlene Clapper	<i>Charlene Clapper</i>	13 Whitehead de Grand Jct, Co. 81503	5/22/10
11	Brian Clapper	<i>Brian Clapper</i>	13 Whitehead de Grand Jct, Co 81503	5/22/10
12	Tim Bishop	<i>Tim Bishop</i>	108 Whitehead Dr GJ, CO 81503	5/23/10



**Petition to Deny CUP-2010-008, Schooley Weaver Partnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road**

Petition summary and background  
 We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.

Action petitioned for  
 We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
13	LINDA KIRBY	<i>Linda Kirby</i>	130 29 3/4 Rd. Hq Co 81503	5/22/10
14	Johnaig		Postman 119 29 3/4 Rd	5/22/10
15	FRANK KIRBY	<i>Frank Kirby</i>	130 29 3/4 Rd. Hq Co. 81503	5/22/10
16	THOMAS MCKER	<i>Thomas Mcker</i>	2976 MCKER ST G.T. CO. 81503	5/22/10
17	Melanie Rockow	<i>Melanie Rockow</i>	122 29 3/4 Rd GJ CO 81503	5/22/10
18	RANDO RAMOS	<i>Rando Ramos</i>	117 BUANS DR G.T. CO. 81503	05/22/10
19	VIMIE D. BEAVIS	<i>Vimie D. Beaver</i>	2977 HARPER RD, GJ CO 81503	5/22/10
20	WILLIAM TRAYLOR	<i>William Traylor</i>	2961 CESAR PLAINS DR GJ CO 81503	5-22-10
21	JANE TRAYLOR	<i>Jane Traylor</i>	2961 CESAR PLAINS DR GJ CO 81503	5-22-10
22	LORRAN PARROT	<i>Lorran Parrot</i>	2960 BRES PLAINS DR GJ CO 81503	5-22-10
23	GAARY E PARROT	<i>Garry E Parrot</i>	2960 GEAR PLAINS DR G.T CO 81503	5-22-10
24	Thelma Lynchling	<i>Thelma Lynchling</i>	101 2934 Rd Grand Jct, Co 81503	5-22-10

**Petition to Deny CUP-2010-008, Schooley Weaver Partnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road**

Petition summary and background  
 We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.

Action petitioned for  
 We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
25	Stephen McElhinney	<i>Stephen McElhinney</i>	101 29 3/4 Rd Grand Jct Co 81503	5-22-10
26	ELENAE SERRINO	<i>Elena Serrino</i>	2964 A 1/4 Rd G.J. Co 81503	05-22-10
27	Rosert E Seering	<i>Rosert E Seering</i>	2964 A 1/4 R G.S. Co 81503	05-22-10
28	Karen L. Stadman	<i>Karen L. Stadman</i>	180 Hwy Tehard Dr. GJ CO 81505	5/22/10
29	Gerald Gordon	<i>Gerald Gordon</i>	2975 Craig St GJ CO 81503	5/22/10
30	<i>[Signature]</i>	<i>[Signature]</i>	8976 Craig St Htto 81503	5/22/10
31	Kindy Wilson	<i>Kindy Wilson</i>	2978 Craig St Htto 81503	5/22/10
32	Linda Gordon	<i>Linda Gordon</i>	2975 Craig St Htto 81503	5/22/10
33	JOSEPH HAYES	<i>Joseph Hayes</i>	185 Rainbow Dr, GJ 81503	5-22-10
34	GARY L. DAVIS	<i>Gary L. Davis</i>	1879 WHITEHEAD DR G.J. 81503	5-22-10
35	Michelle Moran	<i>Michelle Moran</i>	128 Dry Creek Road G.J. CO 81503	5/22/10
36	SHIRLEY MORAN	<i>Shirley Moran</i>	128 DRY CREEK Rd. G.J. Co. 81503	5-22-10



**Petition to Deny CUP-2010-008, Schooley Weaver Partnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road**

Petition summary and background  
 We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.  
 Action petitioned for  
 We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
37	Joseph S. Schweitzer	<i>Joseph S. Schweitzer</i>	2985 Hayden St. Co 81503	5-29-10
38	ERLENE CAMPBELL	<i>Erlene Campbell</i>	2980 Hayden Hwy. Co 81503	5-22-10
39	Marilyn B. Basick	<i>Marilyn Basick</i>	1120 Michael Dr. J. Co 81503	5-22-10
40	Sandra Steves	<i>Sandra K. Steves</i>	2982 Craig Dr. CO 81503	5-22-10
41	Torrey Steves	<i>Torrey Steves</i>	2982 Craig St. Co. CO 81503	5-22-10
42	Sandra Dalbey	<i>Sandra Dalbey</i>	117 29 3/4 Rd, Grand Junction Co 81503	5-22-10
43	Cheryl Dalbey	<i>Cheryl Dalbey</i>	119 29 3/4 Rd Grand Junction CO 81503	5-22-10
44	Brent Dalbey	<i>Brent Dalbey</i>	119 29 3/4 Rd Co 81503	5-22-10
45	Matt Selmer	<i>Matt Selmer</i>	114 29 3/4 Rd Co 81503	5-22-10
46	<del>Vendra Setzer</del>	<del><i>Vendra Setzer</i></del>	288 Cherry Lane CO 81503	5/24/10
47	Doreen Setzer	<i>Doreen Setzer</i>	288 Cherry Lane Co 81504	5/24/10
48	Grace M. Dene	<i>Grace M. Dene</i>	307 N. Ash St Fruita Co 81521	5/29/10

**Petition to Deny CUP-2010-008, Schooley Weaver Partnership's request for a Conditional Use Permit to establish a gravel pit at 104 29 3/4 Road**

Petition summary and background We do not want the gravel pit to be allowed at 104 29 3/4, Grand Junction, CO as it will place an excessive burden on the residential area in safety issues, noise, pollution and road use. Mesa County closed 29 3/4 Road to heavier traffic usage from the landfill an we believe the closure should remain.

Action petitioned for We, the undersigned, are concerned citizens who urge our leaders to act now to deny the request for the conditional use permit CUP-2010-008 Schooley Weaver Partnership - 104 29 3/4 Road.

#	Printed Name	Signature	Address	Date
49	Dent Mary Sullivan	<i>Dent Mary Sullivan</i>	126 Burns Dr.	6-7-10
50	MARY A. SHIPLEY	<i>Mary A. Shipley</i>	2981 Hayden	6-8-10
51	Wend A. Shipley	<i>Wend A. Shipley</i>	2981 Hayden	"
52	Eric Shipley	<i>Eric Shipley</i>	2981 Hayden	6-8-10
53	Shelley Smith	<i>Shelley Smith</i>	135 2934 Rd	6-8-10
54	Robert Smith	<i>Robert Smith</i>	135 2934 Rd	6-8-10
55	SCOTT EDSTROM	<i>Scott Edstrom</i>	2917 WEEGER ST.	6-8-10
56	Ryan Roden	<i>Ryan Roden</i>	122 29 34 Rd.	6-8-10
57				
58				
59				
60				

# Schooley-Weaver Partnership

## Conditional Use Permit

CUP-2010-008

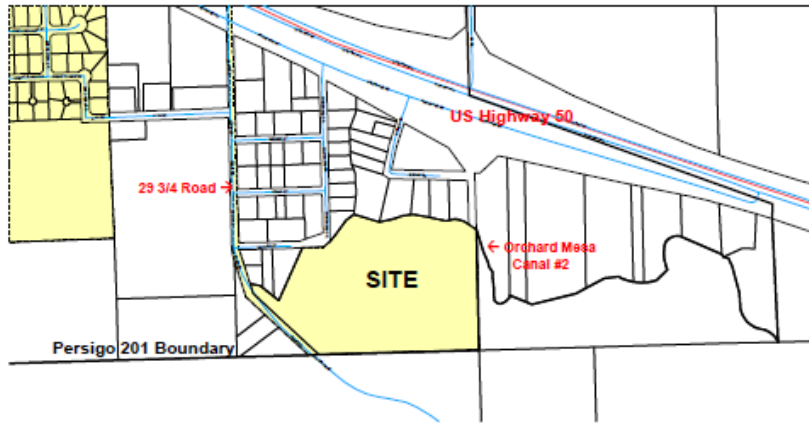
Planning Commission  
June 8, 2010



Public Works & Planning

# Site Location Map

Figure 1





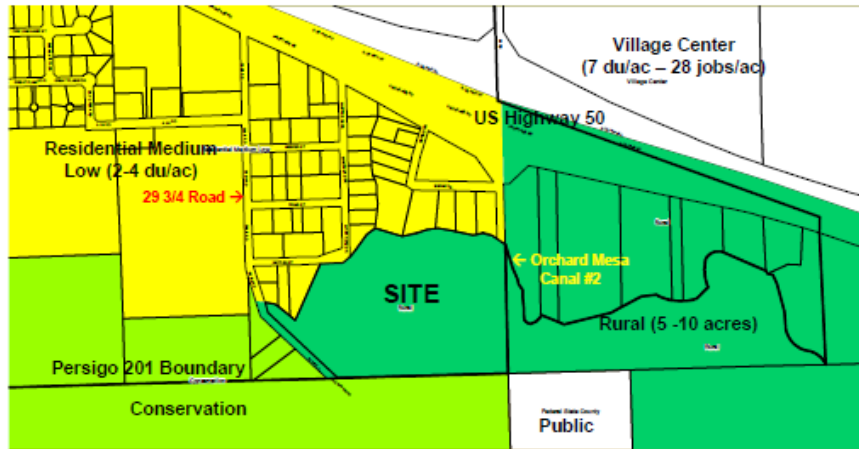
# Aerial Photo Map

Figure 2



# Comprehensive Plan Map

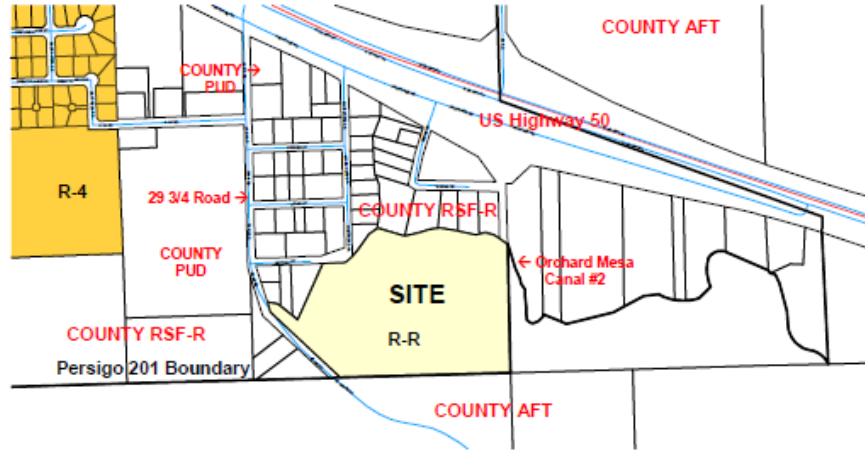
Figure 3





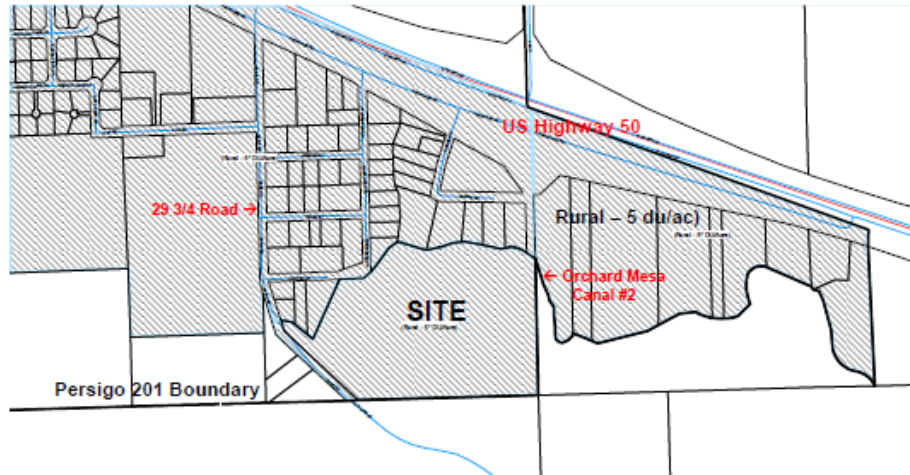
# Existing City and County Zoning

Figure 4



# Blended Residential Map

Figure 5

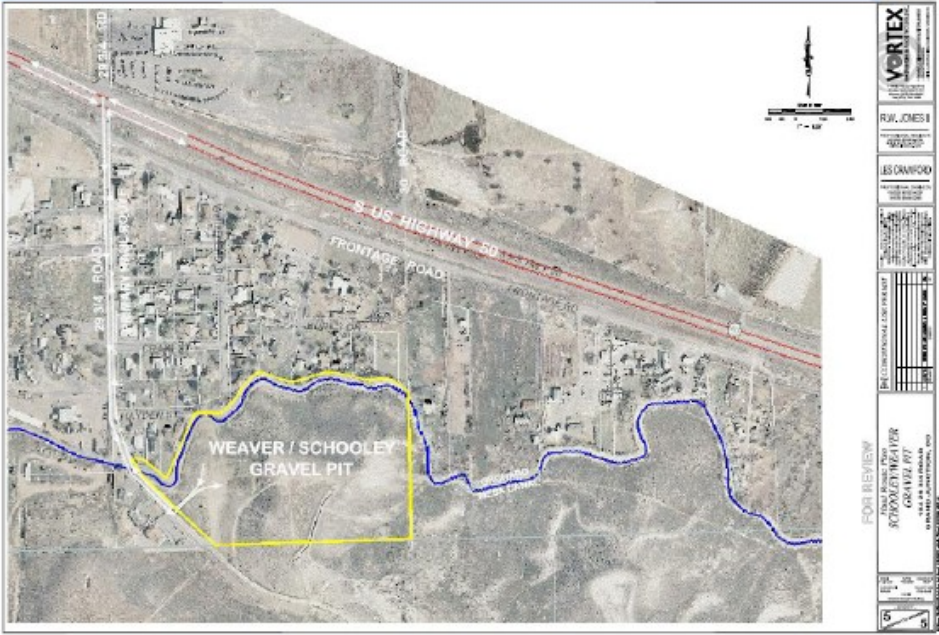


## 29 3/4 Road



CITY OF  
**Grand Junction**  
COLORADO

# Haul Route Plan



## Looking North



## Looking East





## Looking South

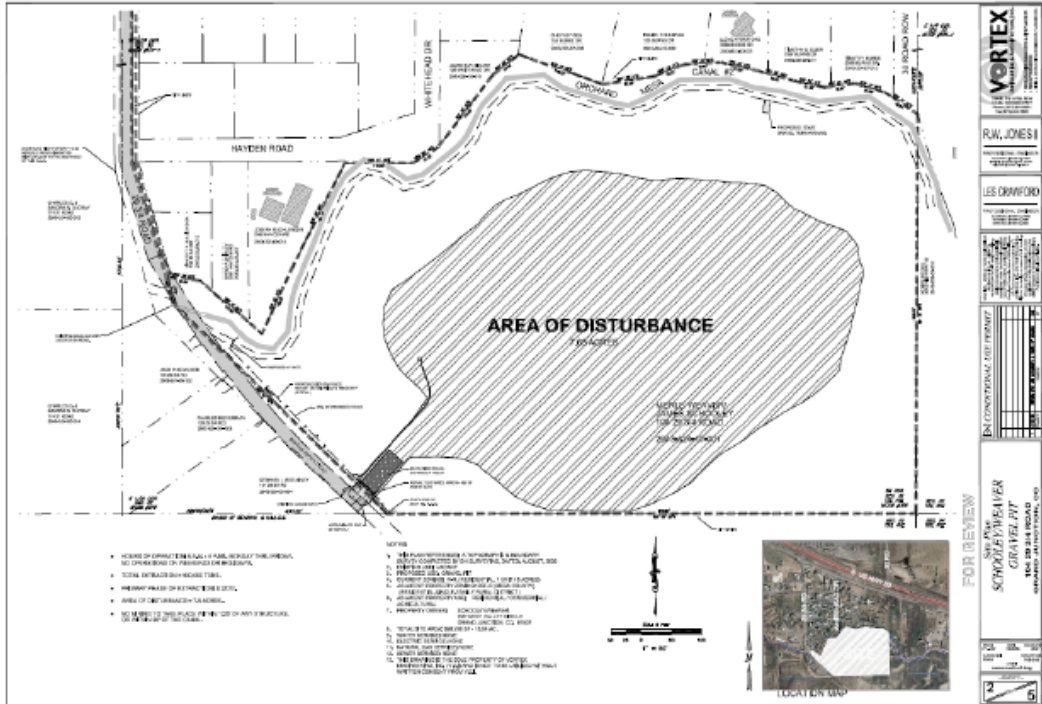


CITY OF  
**Grand Junction**  
COLORADO

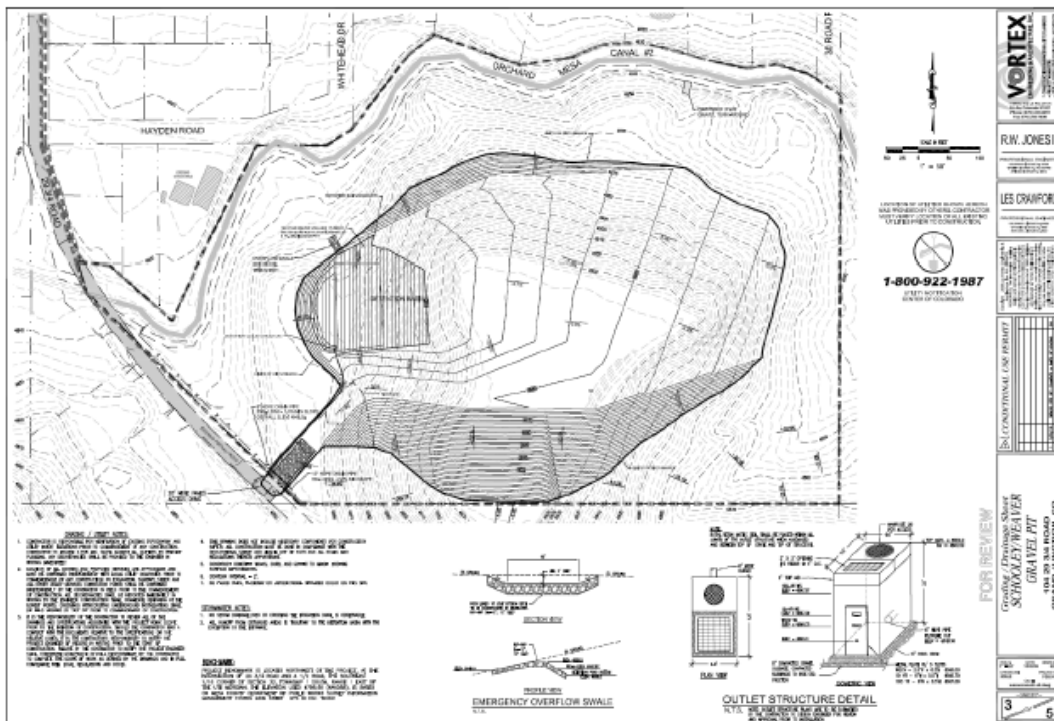
## Looking West



# SITE PLAN

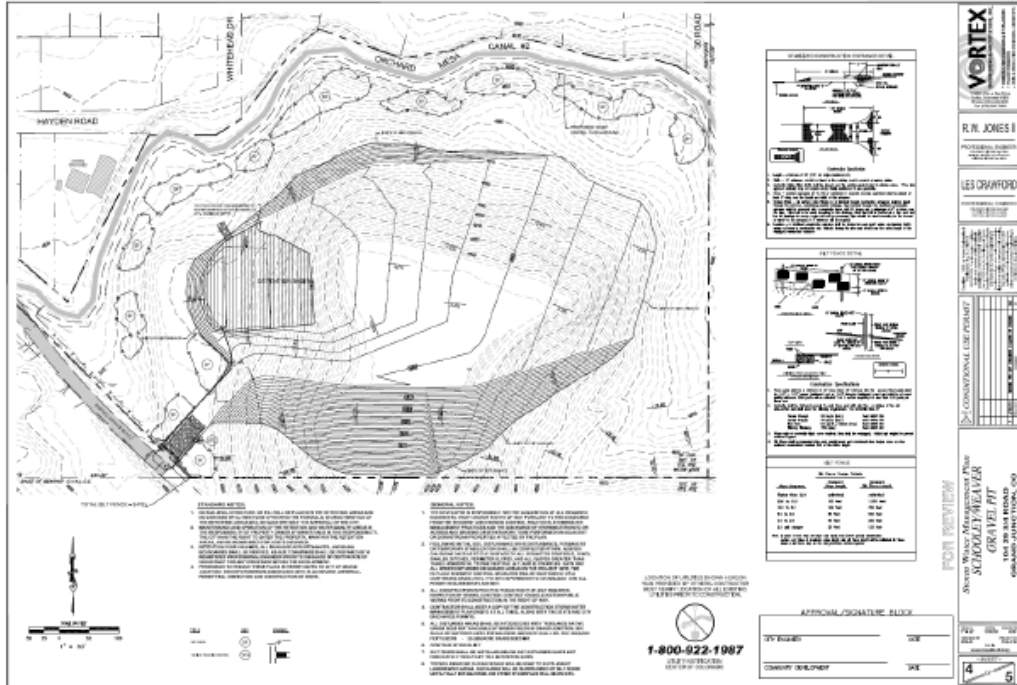


# GRADING PLAN



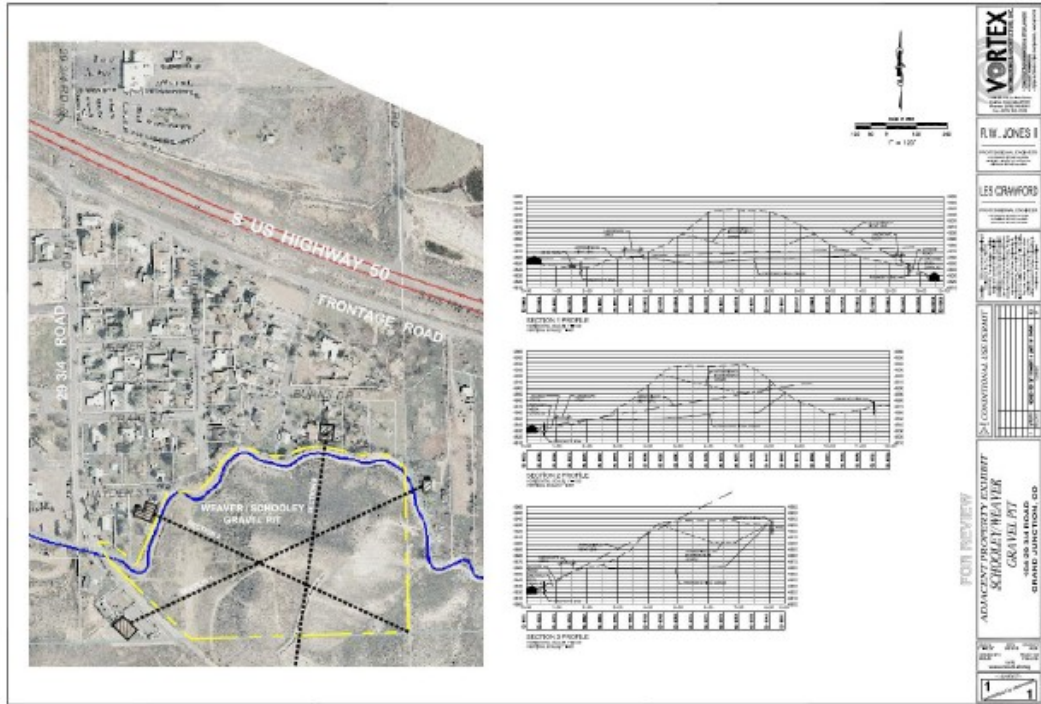
**CITY OF**  
**Grand Junction**  
 COLORADO

# STORM WATER MANAGEMENT PLAN





## ADJACENT PROPERTY CROSS SECTION

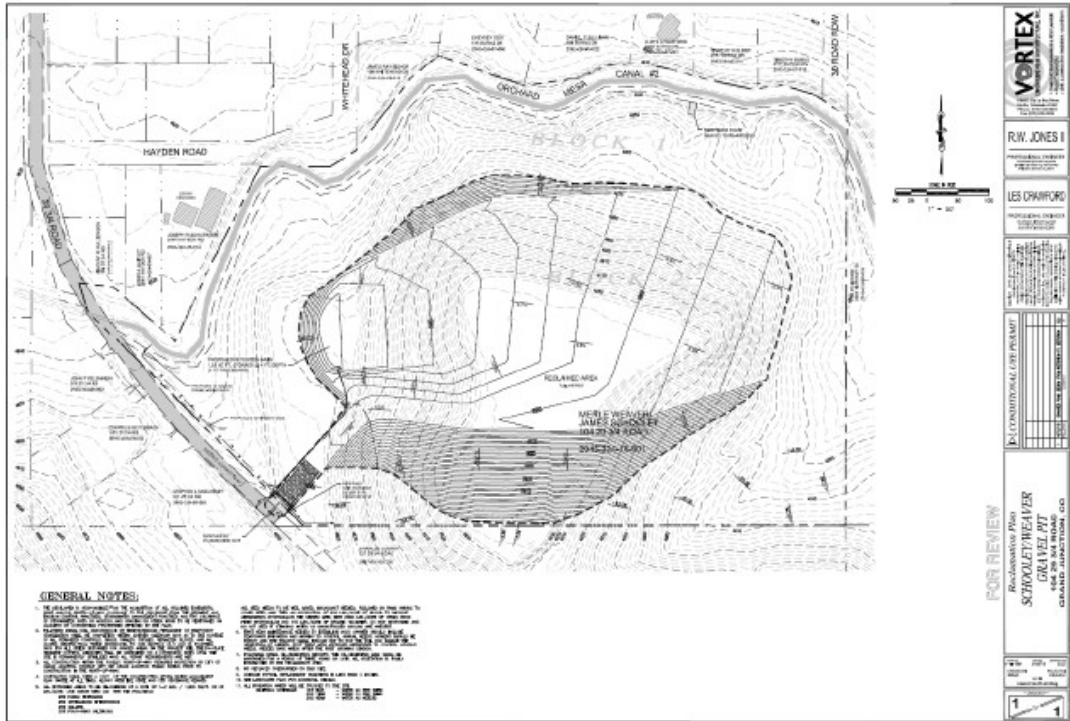




# LANDSCAPE PLAN



# RECLAMATION PLAN



## SUMMARY OF REQUEST

- 2004 Zoning = Residential Rural (CUP required for gravel extraction)
- Requested CUP for 5 years – potential for extension of 2 years
- Access via 29 <sup>3</sup>/<sub>4</sub> Road
- Improvements on Highway 50 (per CDOT permit)
- Maximum number of trips = 300 per day (enter/leave = 2 trips)
- Hours of operation = 6 am to 6 pm weekdays (no weekends)
- No on-site crushing or processing
- Noise cannot exceed 65 dB at property line adjacent to residential
- Reclamation plan must be approved by State
- Stormwater management per 5-2-1 regulations
- Landscaping plan provides xeric screening and visual buffer
- Minimum separation of 125' from residences (proposal = 200' +)
- Review criteria of Section 2.13.C and 4.3.K have been met





**SCHOOLEY-WEAVER CUP**  
**104 29 3/4 Road**  
**Grand Junction, CO**

**VORTEX**  
**ENGINEERING & ARCHITECTURE, INC.**

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1



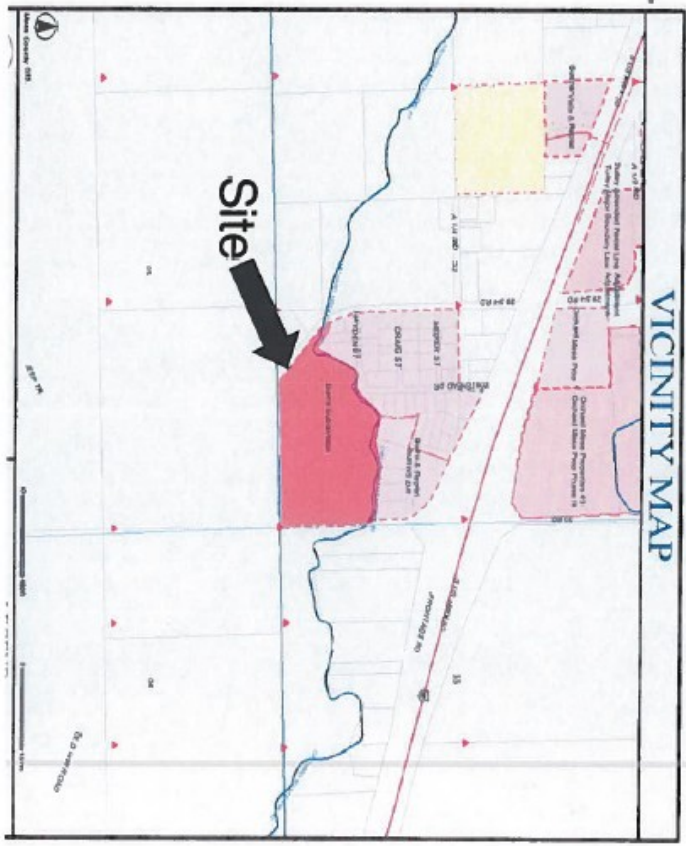
## SITE DESCRIPTION & BACKGROUND

- The site is located south of the intersection of Hwy 50 and 29  $\frac{3}{4}$  Rd with an address of 104 29  $\frac{3}{4}$  Rd.
- The property is approximately 16.0 acres in size and is bounded on the west by 29  $\frac{3}{4}$  Rd, various residential uses to the north and west, and vacant ground to the east and south.
- The property is zoned Rural Residential

JUNE 8, 2010

SCHOOLEY WEAVER CUP

2



JUNE 8, 2010

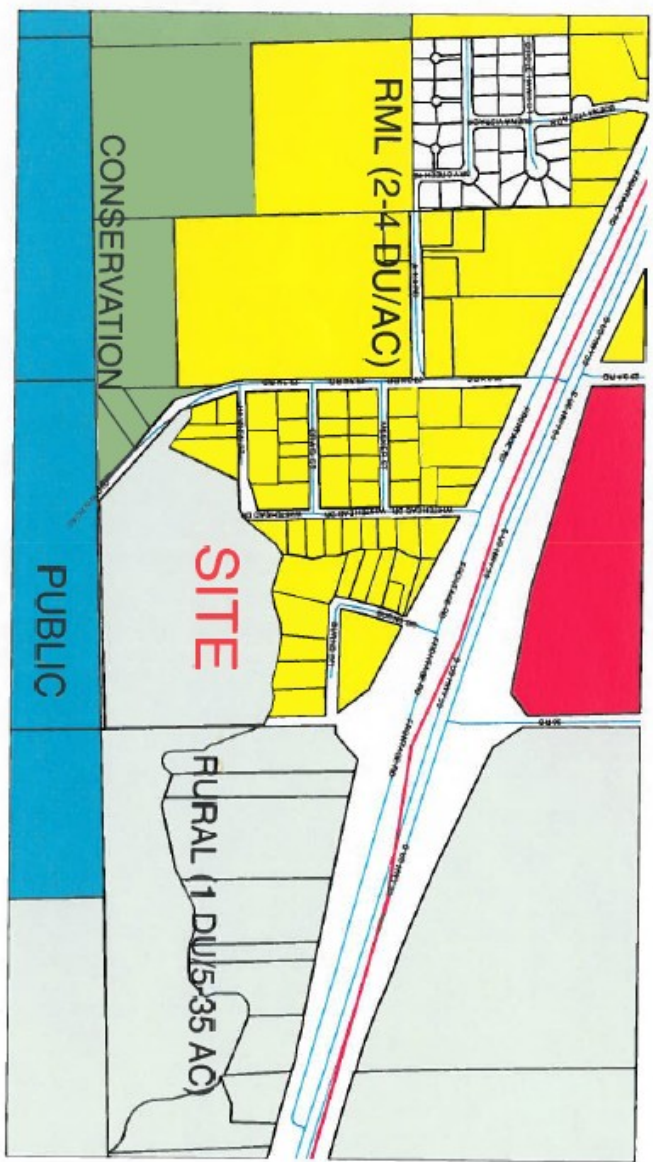
SCHOOLLEY WEAVER CUP

3





# FUTURE LAND USE CLASSIFICATION MAP



JUNE 8, 2010

SCHOOLLEY WEAVER CUP

JUNE 8, 2010

SCHOOLEY WEAVER CUP

5





## Applicant's Request

---

- The applicant is requesting a Conditional Use Permit to Extract Gravel Materials per Sections 2.2.D.4 & 4.3 (k) of the City of Grand Junction Zoning and Development Code

JUNE 8, 2010

SCHOOLEY WEAVER CUP

6



# Applicant's Proposal

- Approximately 7.63 acres of the 16.0 acre parcel is planned to be mined for construction materials.
- No onsite crushing or processing of materials is proposed.
- The topsoil will be used to supplement landscape areas and will not be stockpiled on site.
- The pit-run gravel will be extracted and removed from the site.
- Water for dust control and irrigation will be hauled to the site.
- When the extraction process is completed topsoil will be imported as needed and distributed evenly over the disturbed area and covered with a native seed mix approved in the State Reclamation Permit.

JUNE 8, 2010

SCHOOLEY WEAVER CUP

7



# 21.04.030 (k)

## Mineral Extraction

---

- Method – Excavators & Dump Trucks
- No stockpiles or processing
- Landscape & Reclamation Plans
- Drainage Plan & Report
- Traffic Report
- Erosion Control Plan

JUNE 8, 2010

SCHOOLEY WEAVER CUP

8



# Standards

- State Permits for Emissions, Stormwater & Reclamation
  - 30 feet from property lines
  - 125 feet from structures
  - No wetlands to protect
  - No existing trees to protect
  - Traffic Report recommends 29 3/4 Road
  - Fencing and Signage for public safety
  - Landscaping & Buffering

JUNE 8, 2010

SCHOOLEY WEAVER CUP

9





# PERMITS

- **CONDITIONAL USE PERMIT – Gravel Extraction from the City of Grand Junction**
- **CONSTRUCTION MATERIAL LIMITED IMPACT (1110) OPERATION RECLAMATION PERMIT** State of Colorado from the Colorado Division of Reclamation
- **STORMWATER DISCHARGE ASSOCIATED WITH SAND & GRAVEL MINING** from Colorado Department of Public Health and Environment Water Quality Control Division
- **AIR POLLUTANT EMISSION NOTICE (APEN)** from the Colorado Department of Public Health and Environment Air Pollution Control Division
- **CDOT ACCESS PERMIT** from the Colorado Department of Transportation Region 3 Permit Unit

JUNE 8, 2010

SCHOOLEY WEAVER CUP

10



## Conclusion

- Therefore, we are respectfully requesting approval of the proposed CUP.
- Thank you.

JUNE 8, 2010

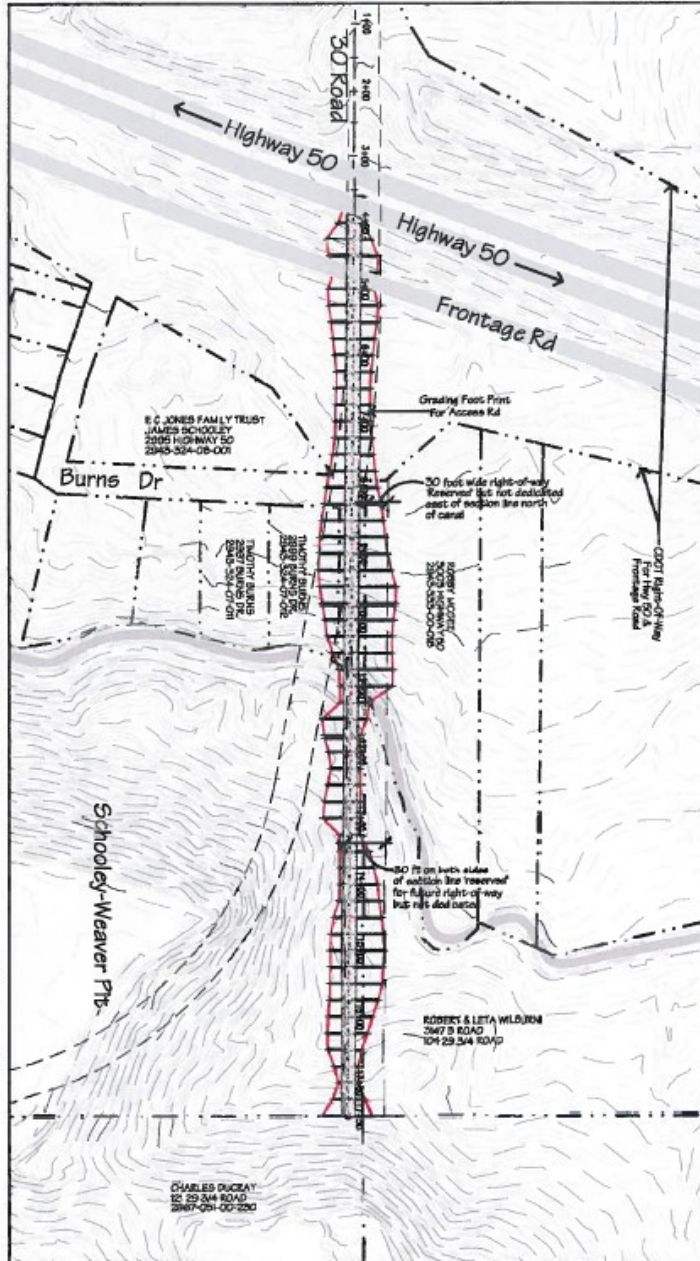
SCHOOLEY WEAVER CUP

11

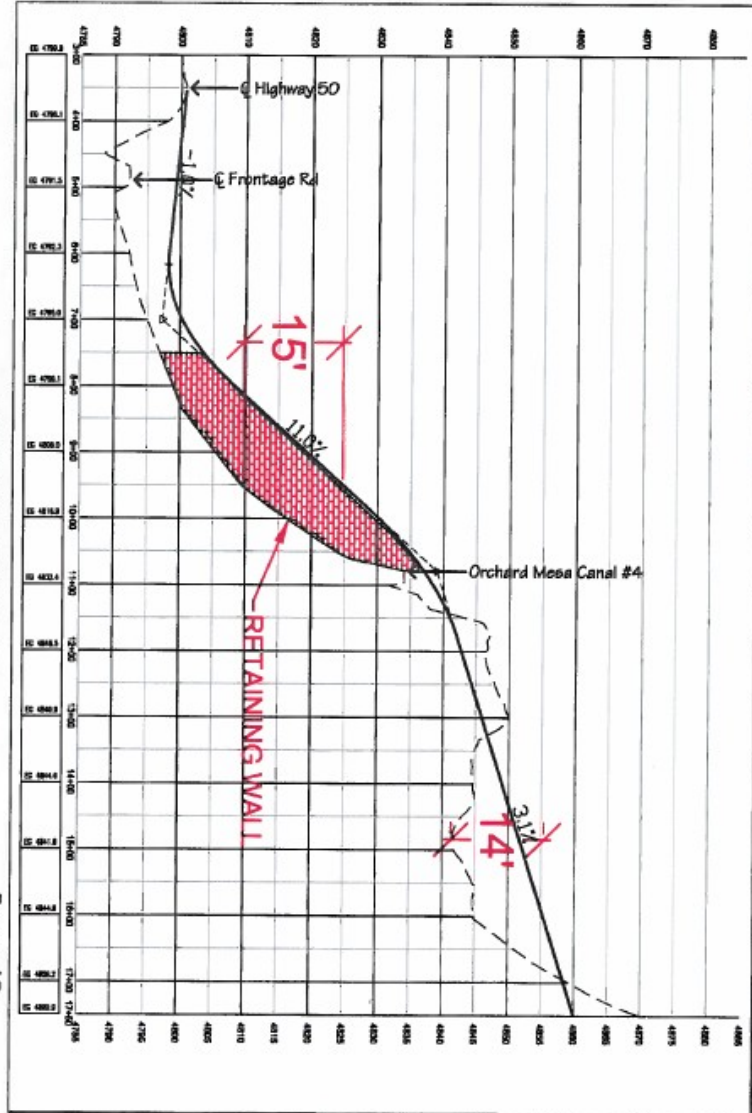
30 ROAD

PRELIMINARY CONCEPT  
SKETCH #1

ACCESS RD PLAN  
HORIZONTAL SCALE: 1" = 100'



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

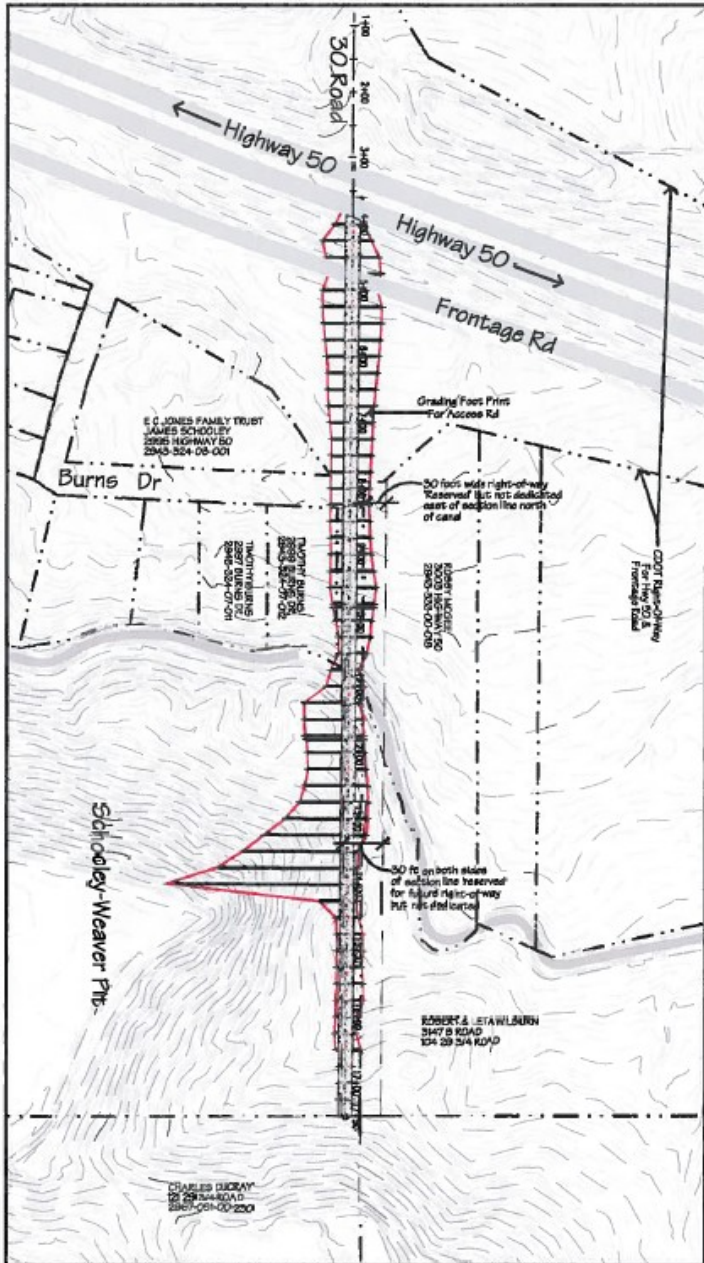


PRELIMINARY CONCEPT  
 SKETCH #1

ACCESS RD PROFILE  
 HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 10'

Prepared By

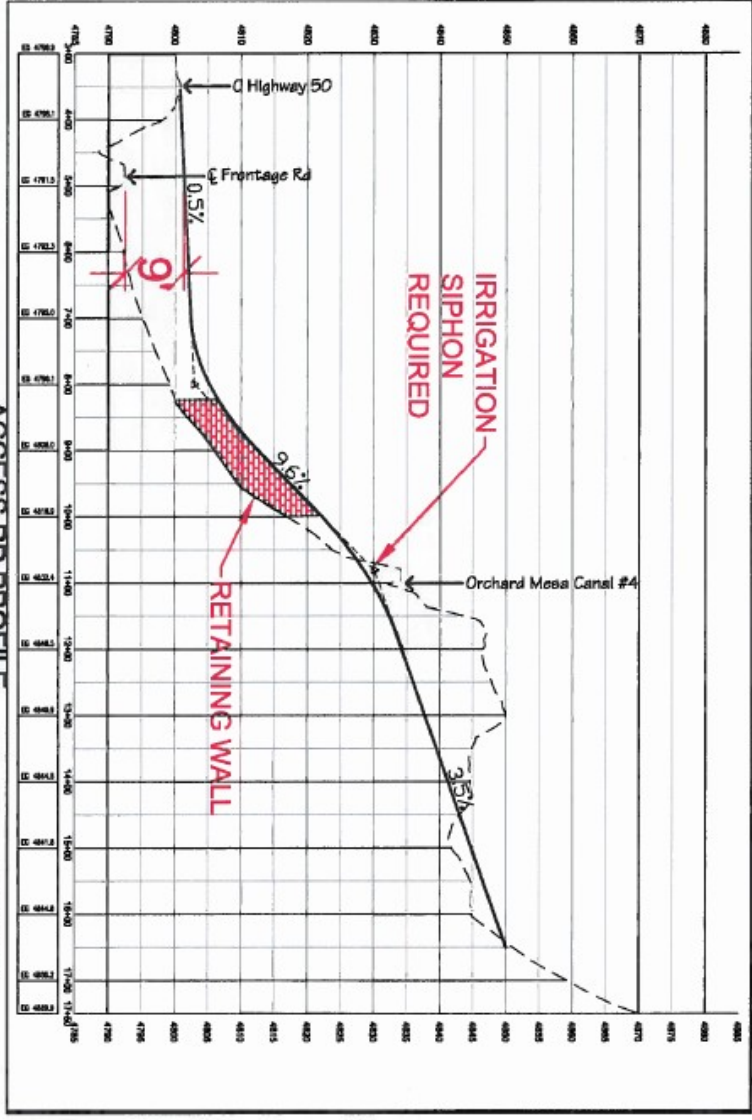
**VORTEX**  
 ENGINEERING & ARCHITECTURE, INC.  
 1188 E. Via Le Paz Drive  
 Fruita, Colorado 81521  
 (970) 245-9051



**PRELIMINARY CONCEPT**  
**SKETCH #2**  
**ACCESS RD PLAN**  
 HORIZONTAL SCALE: 1" = 100'

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





**PRELIMINARY CONCEPT**  
**SKETCH #2**

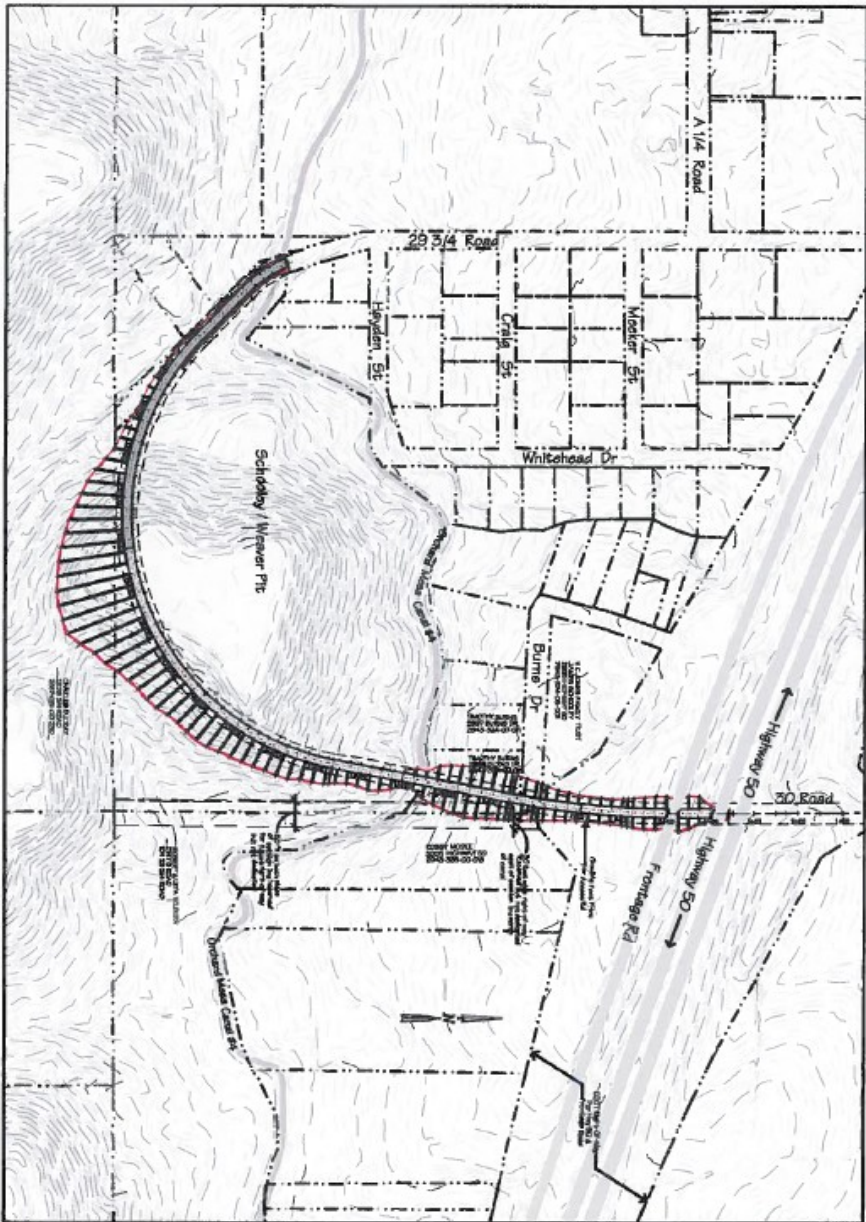
**ACCESS RD PROFILE**

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 10'

Prepared By

**VORTEX**  
 ENGINEERING & ARCHITECTURE, INC.

1188 E. Via La Paz Drive  
 Fruita, Colorado 81521  
 (970) 245-9051



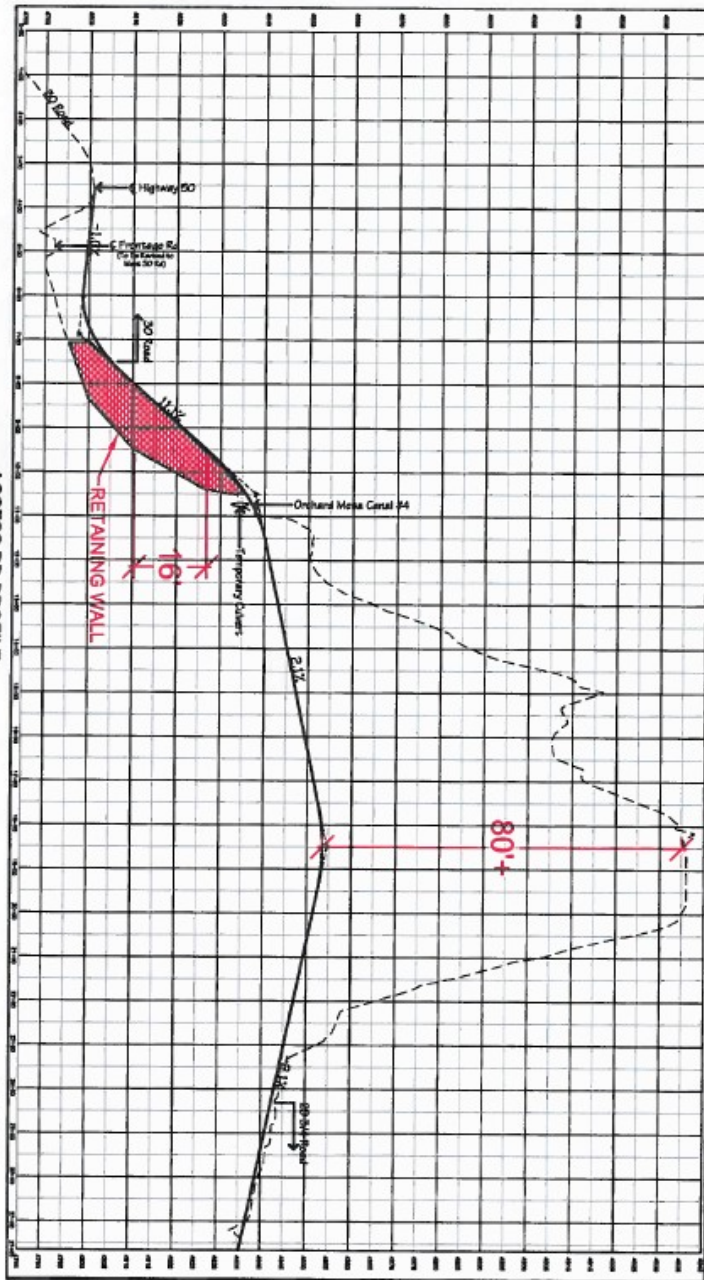
PRELIMINARY CONCEPT  
SKETCH #3

ACCESS RD PLAN  
HORIZONTAL SCALE: 1" = 100'

Prepared By  
**VORTEX**  
ENGINEERING & ARCHITECTURE, INC.  
1168 E. Via La Paz Drive  
Fruita, Colorado 81521  
(970) 246-9051

**PRELIMINARY CONCEPT  
SKETCH #3**

**ACCESS RD PROFILE**  
HORIZONTAL SCALE: 1" = 50'  
VERTICAL SCALE: 1" = 5'



Prepared by  
**VORTEX**  
 ENGINEERING & ARCHITECTURE, INC.  
 1188 E. VIA LA PAZ DRIVE  
 FRUITA, COLORADO 81521  
 (970) 245-8061

# HWY 50

JUNE 8, 2010

SCHOOLLEY WEAVER CUP

1







**SITE**

JUNE 8, 2010

SCHOOLLEY WEAVER CUP

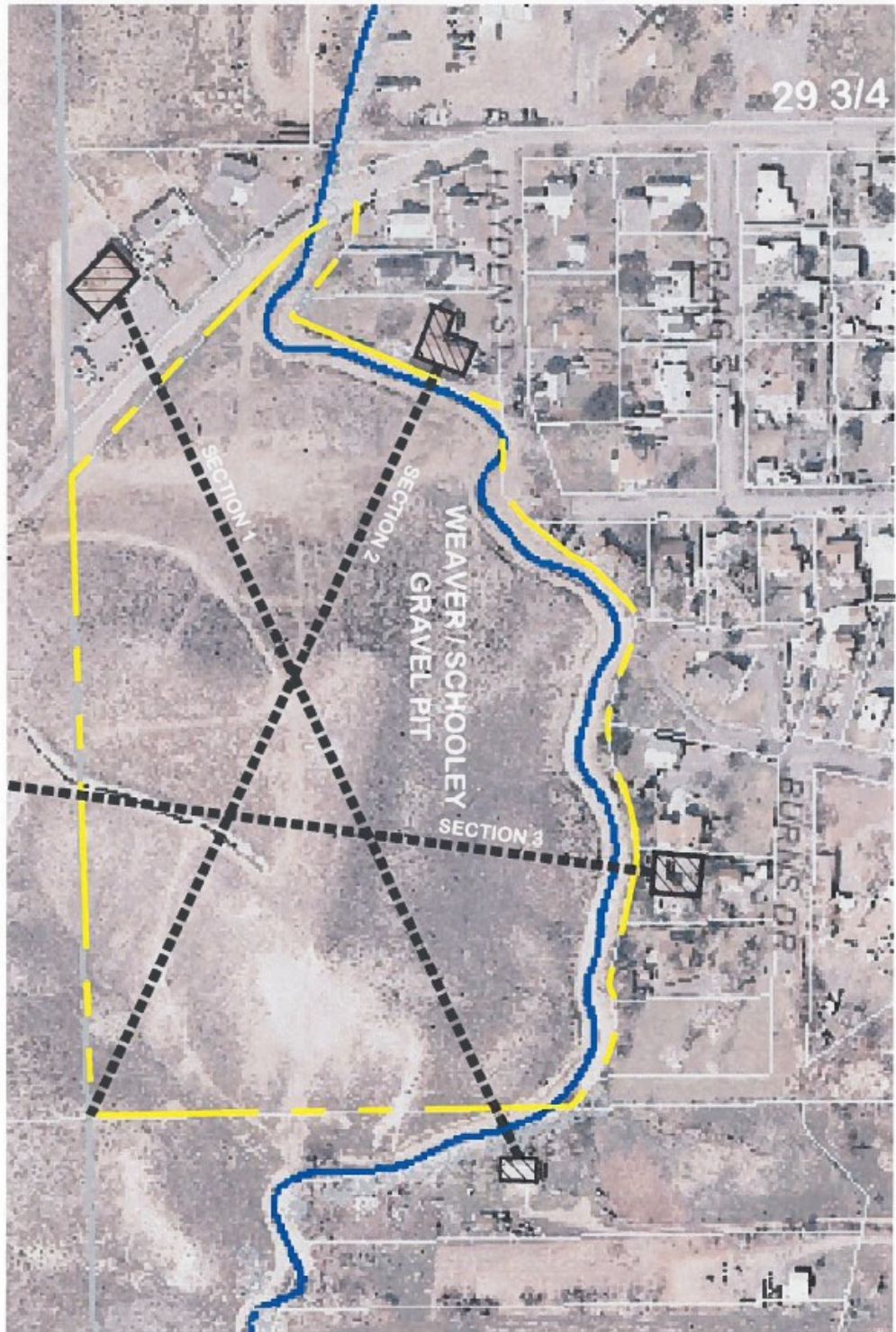


# ADJACENT PROPERTY SIGHT LINES

JUNE 8, 2010

SCHOOLEY WEAVER CUP

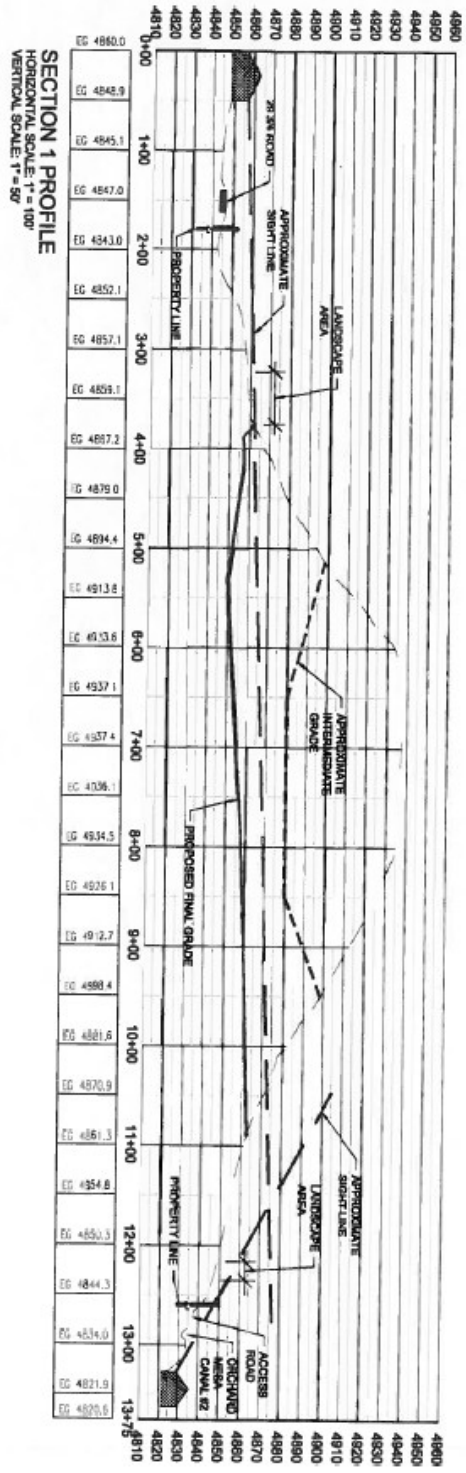
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JUNE 8, 2010

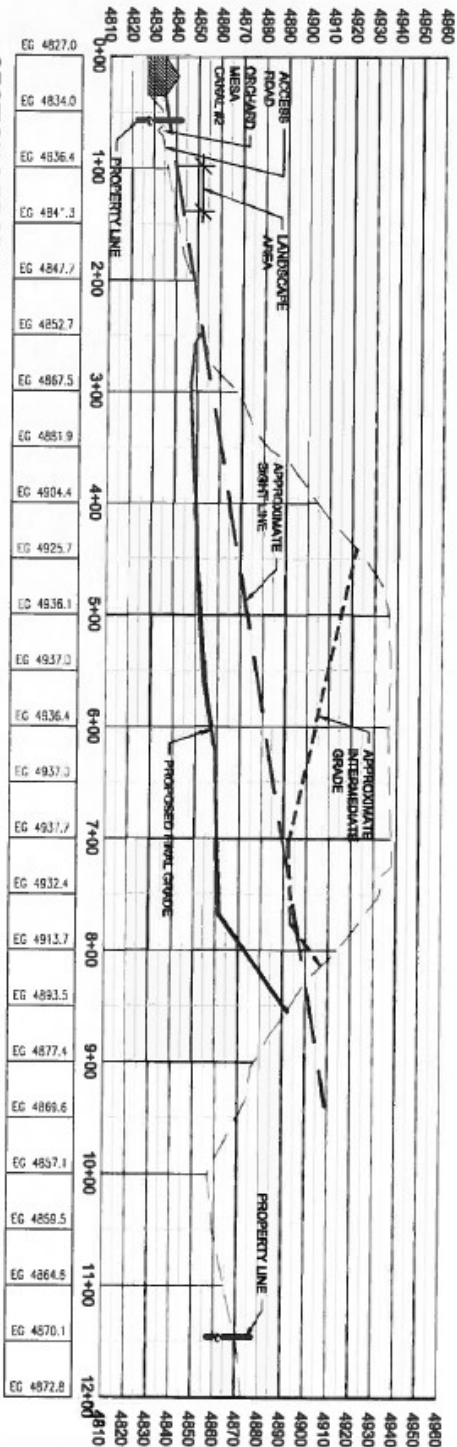
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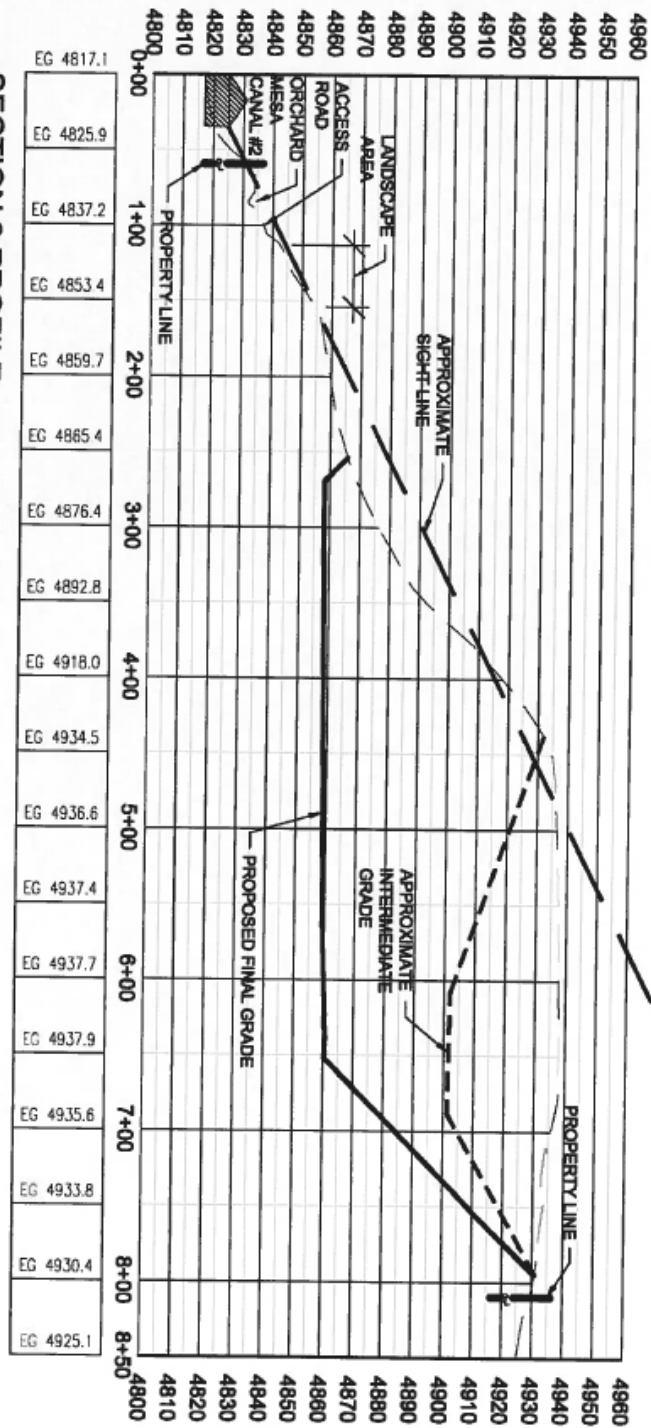
JUNE 8, 2010

SCHOOLEY WEAVER CUP



JUNE 8, 2010

SCHOOLEY WEAVER CUP



JUNE 8, 2010

SCHOOLEY WEAVER CUP



# CUP DRAWINGS

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1

# Schooley-Weaver Gravel Pit

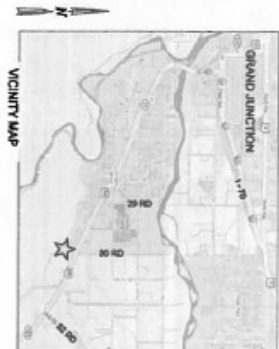
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	FUTURE CONCRETE PAVEMENT
	EXISTING PAVEMENT
	EXISTING DRIVE
	EXISTING SIDEWALK
	EXISTING SIDEWALK
	EXISTING SIDEWALK
	EXISTING SIDEWALK

Prepared By  
**VORTEX**  
 1188 E. Via La Paz Drive  
 Fruita, Colorado 81521  
 (970) 246-0061

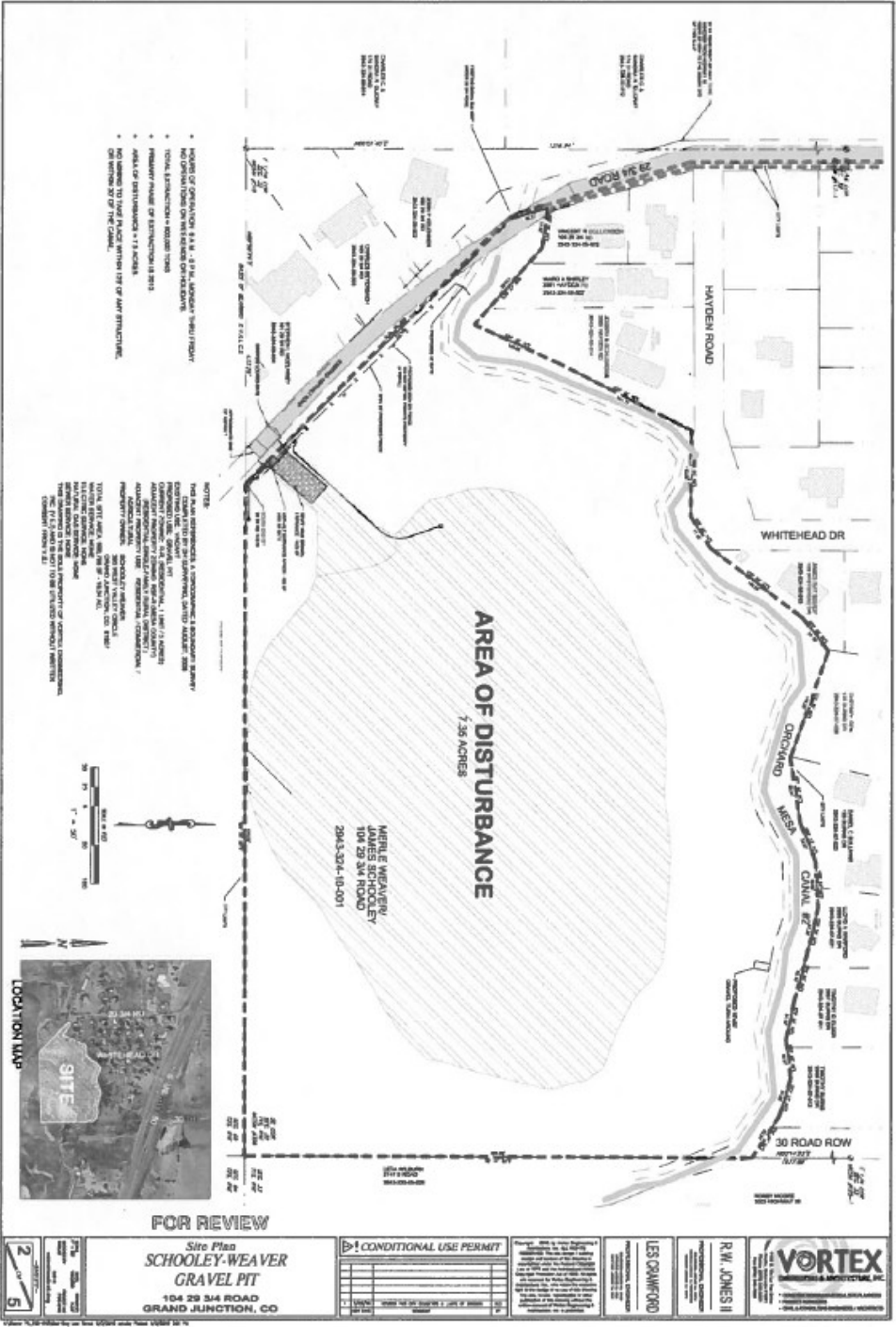
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2	SITE PLAN
3	GRADING AND DRAINAGE PLAN
4	STORM WATER MANAGEMENT PLAN
5	WALL, ROADS PLAN

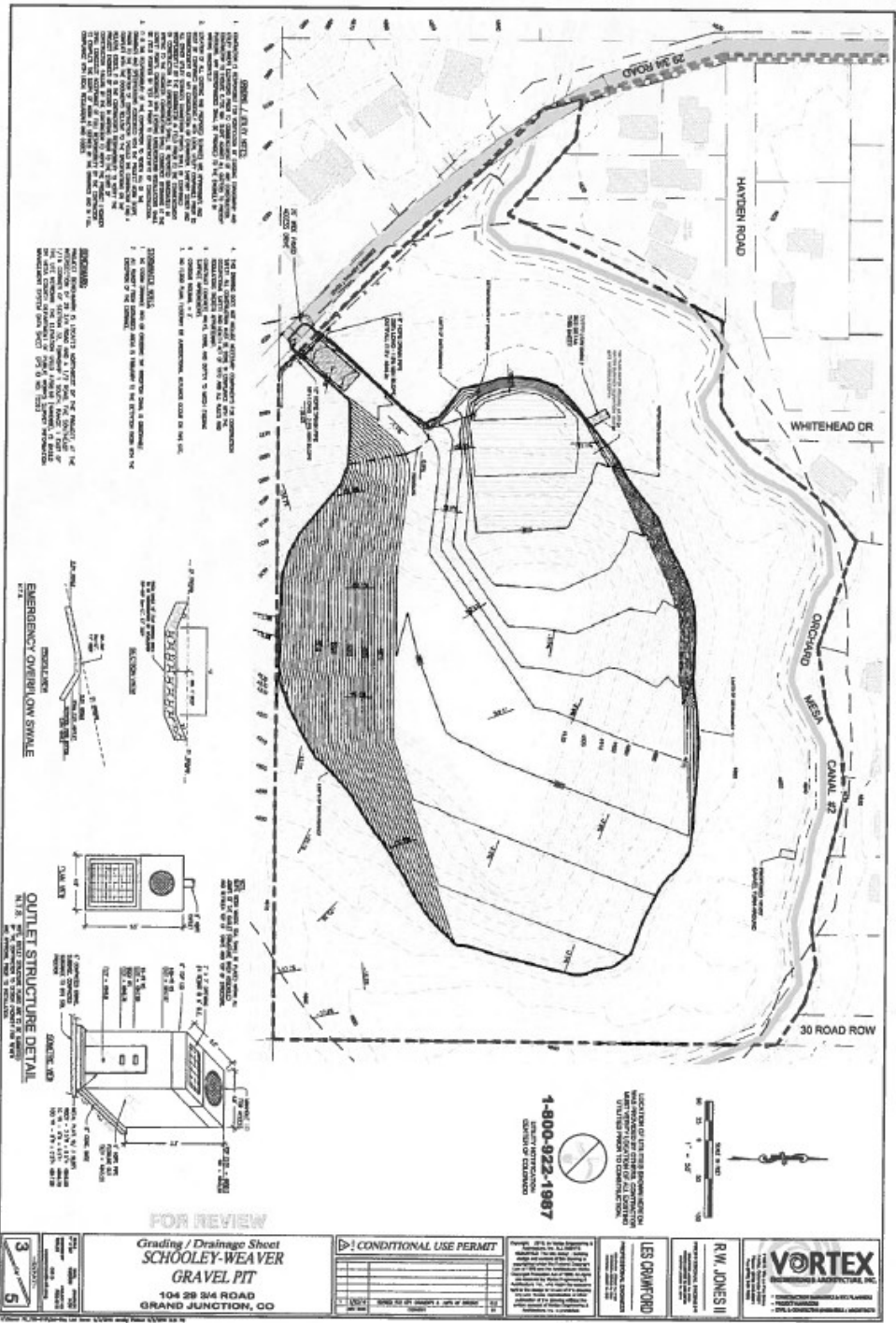


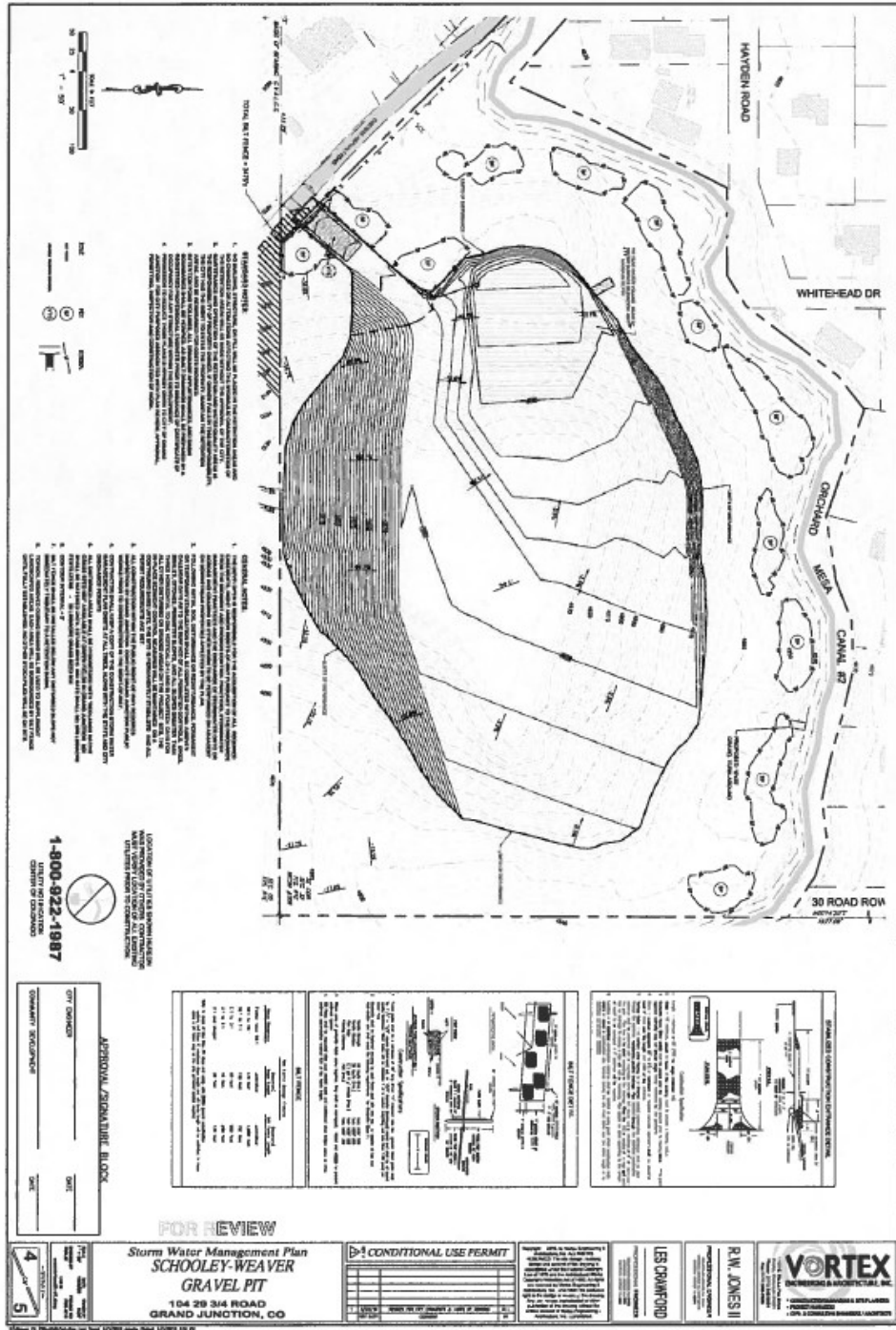
1-800-923-1987  
 LOCALITY INFORMATION  
 DIVISION OF COLORADO

FOR REVIEW

<p><b>Cover Sheet</b>  <b>SCHOOLEY-WEAVER</b>  <b>GRAVEL PIT</b>          104 29 3/4 ROAD          GRAND JUNCTION, CO</p>	<p><b>CONDITIONAL USE PERMIT</b></p> <table border="1"> <tr> <td>DATE</td> <td>APPROVED</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	DATE	APPROVED					<p><b>R.W. JONES &amp; ASSOCIATES</b>          ENGINEERS ARCHITECTS          1188 E. VIA LA PAZ DRIVE          FRUITA, CO 81521          (970) 246-0061</p>	<p><b>VORTEX</b>          ENGINEERS ARCHITECTS          1188 E. VIA LA PAZ DRIVE          FRUITA, CO 81521          (970) 246-0061</p>
DATE	APPROVED								







- GENERAL NOTES:**
1. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING CONDITIONS. THE DESIGNER HAS NOT CONDUCTED ANY TESTS OR ANALYSES OF THE SOILS OR WATER QUALITY. THE DESIGNER HAS ASSUMED THAT THE SOILS ARE SUITABLE FOR THE PROPOSED CONSTRUCTION AND THAT THE WATER QUALITY IS SUITABLE FOR THE PROPOSED CONSTRUCTION.
  2. THE DESIGNER HAS ASSUMED THAT THE PROPOSED CONSTRUCTION WILL BE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND PERMITS. THE DESIGNER HAS NOT CONDUCTED ANY TESTS OR ANALYSES OF THE SOILS OR WATER QUALITY. THE DESIGNER HAS ASSUMED THAT THE SOILS ARE SUITABLE FOR THE PROPOSED CONSTRUCTION AND THAT THE WATER QUALITY IS SUITABLE FOR THE PROPOSED CONSTRUCTION.
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1-800-822-1987  
 LOCATION OF STATE'S SPERMATOPHYTES  
 MAINTENANCE OF THE STATE'S SPERMATOPHYTES  
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 MAINTENANCE OF THE STATE'S SPERMATOPHYTES

**APPROVAL / SIGNATURE BLOCK**

DATE: \_\_\_\_\_

DESIGNER: \_\_\_\_\_

CHECKED: \_\_\_\_\_

DATE: \_\_\_\_\_

**FOR REVIEW**

**Storm Water Management Plan**  
**SCHOOLY-WEAVER**  
**GRAVEL PIT**  
 104 29 3/4 ROAD  
 GRAND JUNCTION, CO

**CONDITIONAL USE PERMIT**

**LES CHAMFORD**

**R.W. JONES II**

**VORTEX**  
 ENGINEERING & ARCHITECTURAL, INC.





FOR REVIEW

Haul Route Plan  
**SCHOOLEY-WEAVER  
 GRAVEL PIT**  
 104 29 3/4 ROAD  
 GRAND JUNCTION, CO

CONDITIONAL USE PERMIT	
NO.	DATE

LESS ORNAMENTED  
 R.W. JONES II

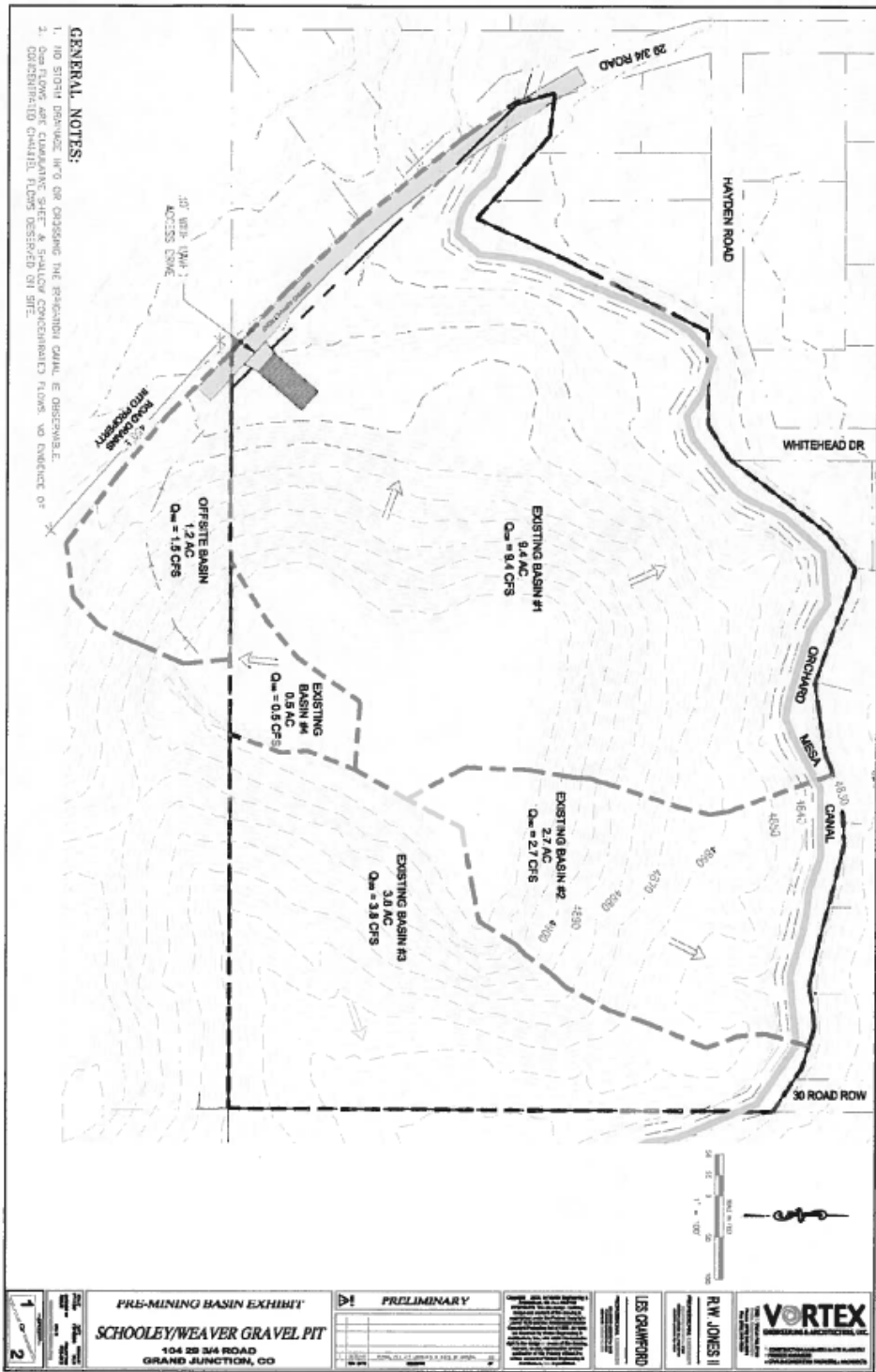


# DRAINAGE BASIN MAPS

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1



JUNE 8, 2010

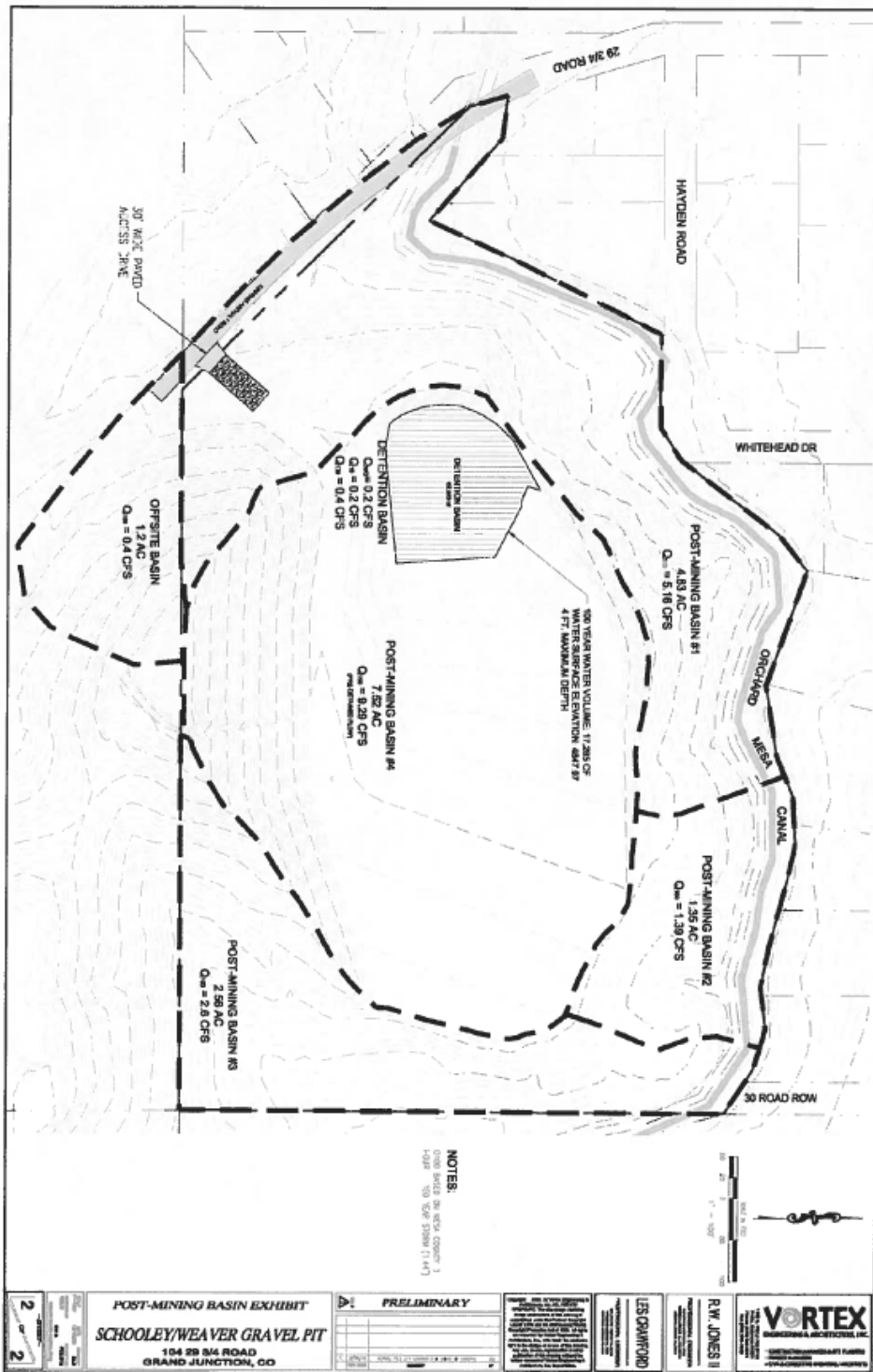
SCHOOLEY WEAVER CUP

2

JUNE 8, 2010

SCHOOLEY WEAVER CUP

3



# LANDSCAPING DRAWINGS

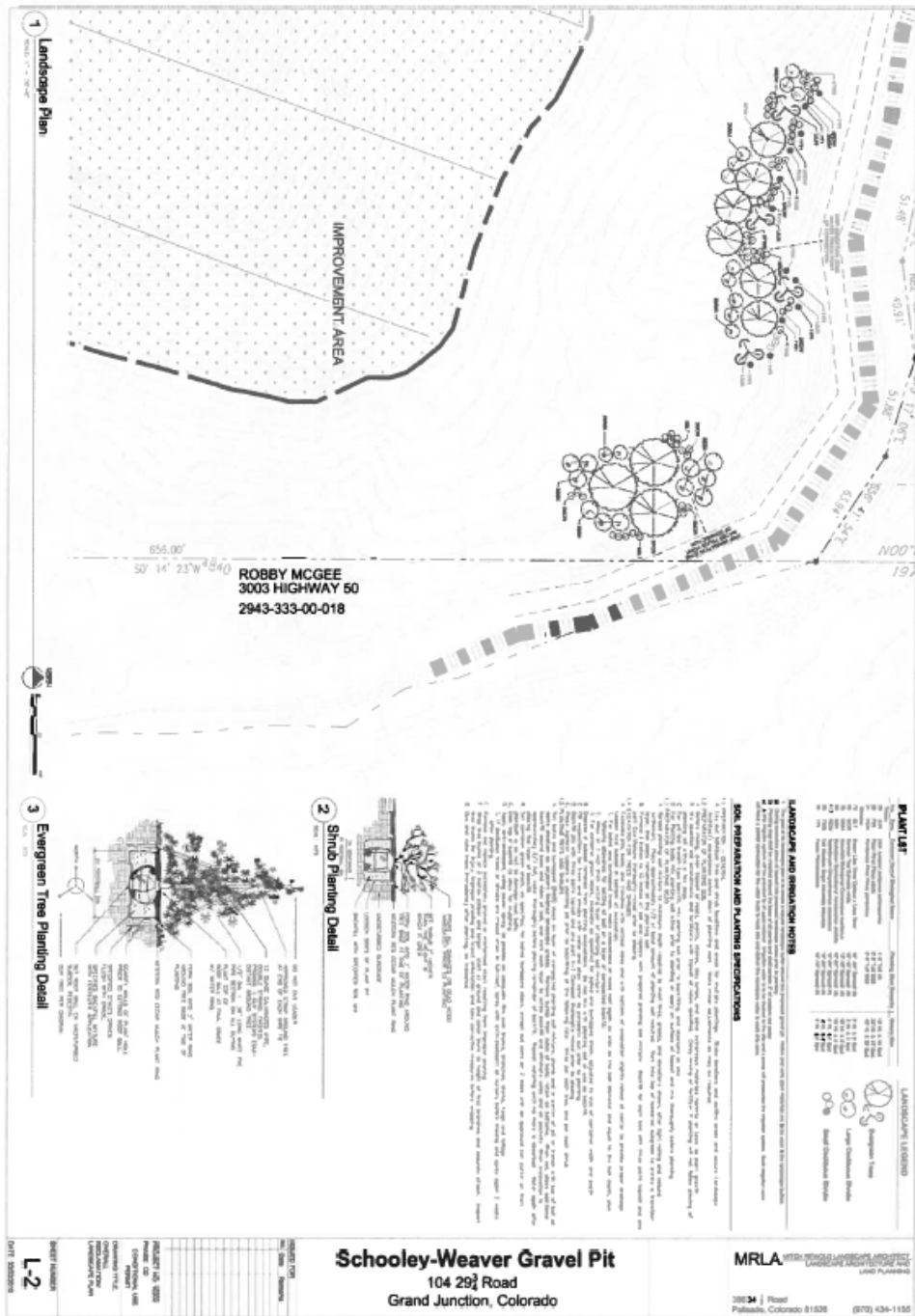
JUNE 8, 2010

SCHOOLEY WEAVER CUP

1



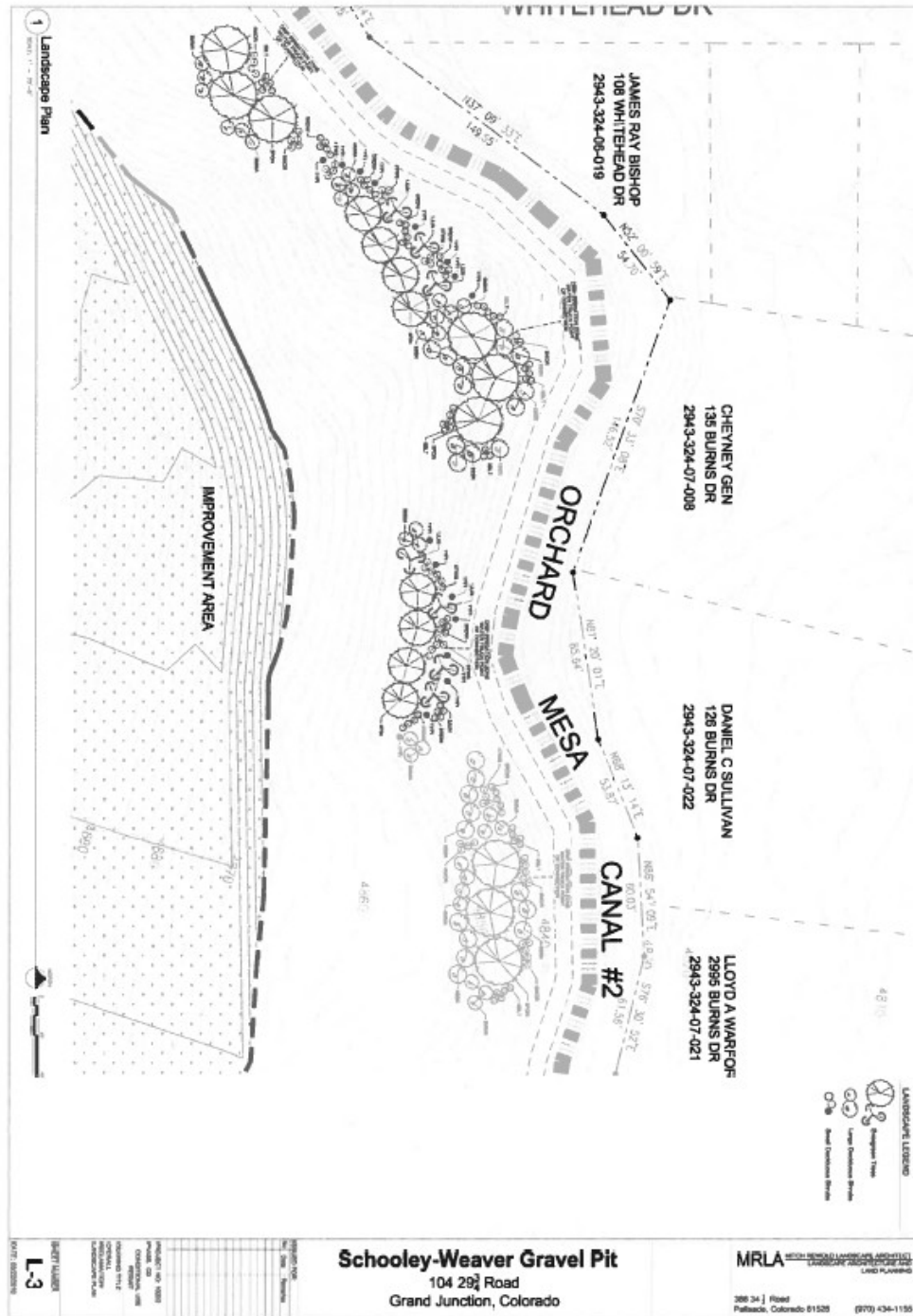




**Schooley-Weaver Gravel Pit**  
104 29<sup>1</sup>/<sub>2</sub> Road  
Grand Junction, Colorado

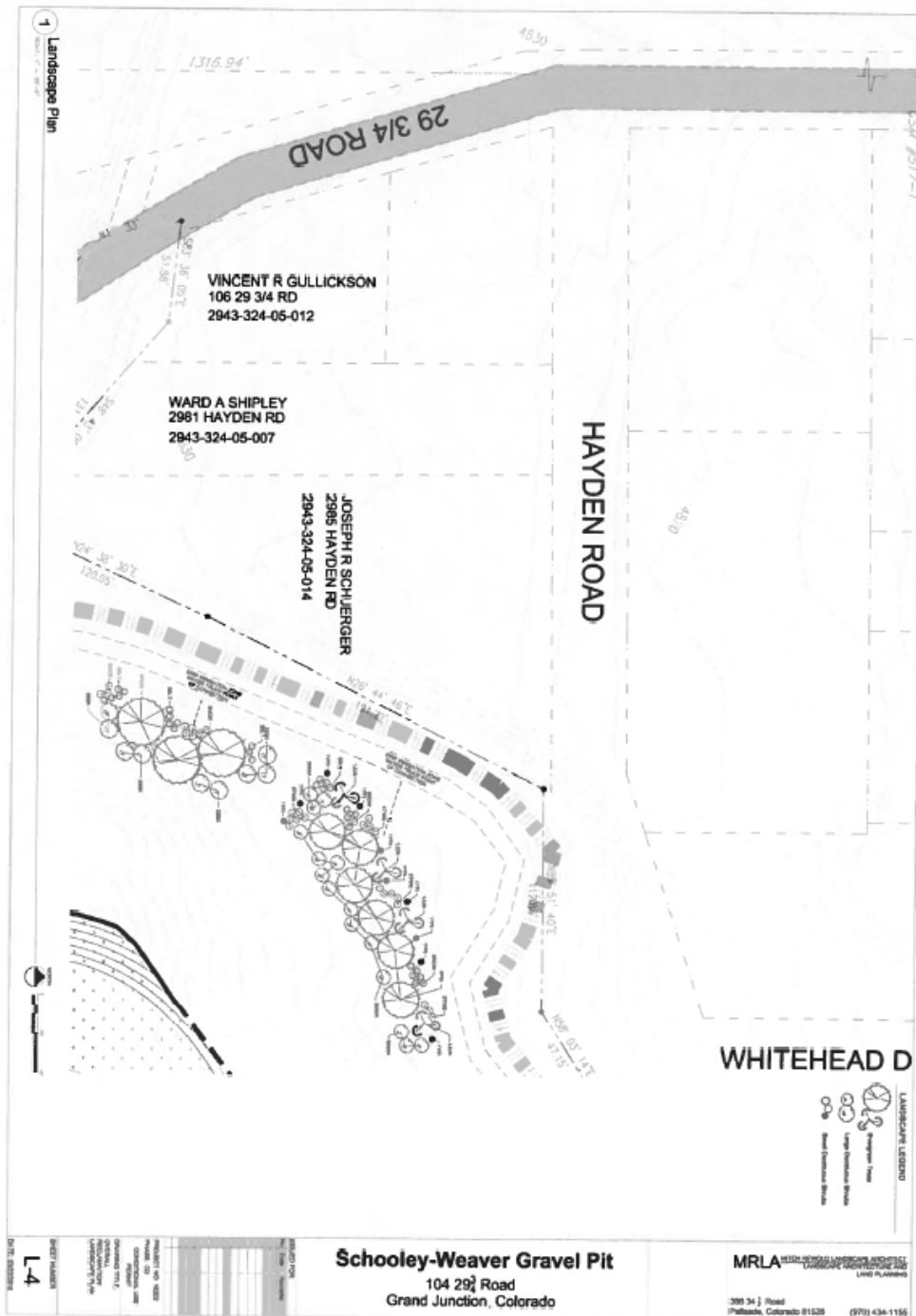
**MRLA** 1875 W. 10th Street, Suite 100  
Grand Junction, Colorado 81505  
(970) 434-1155

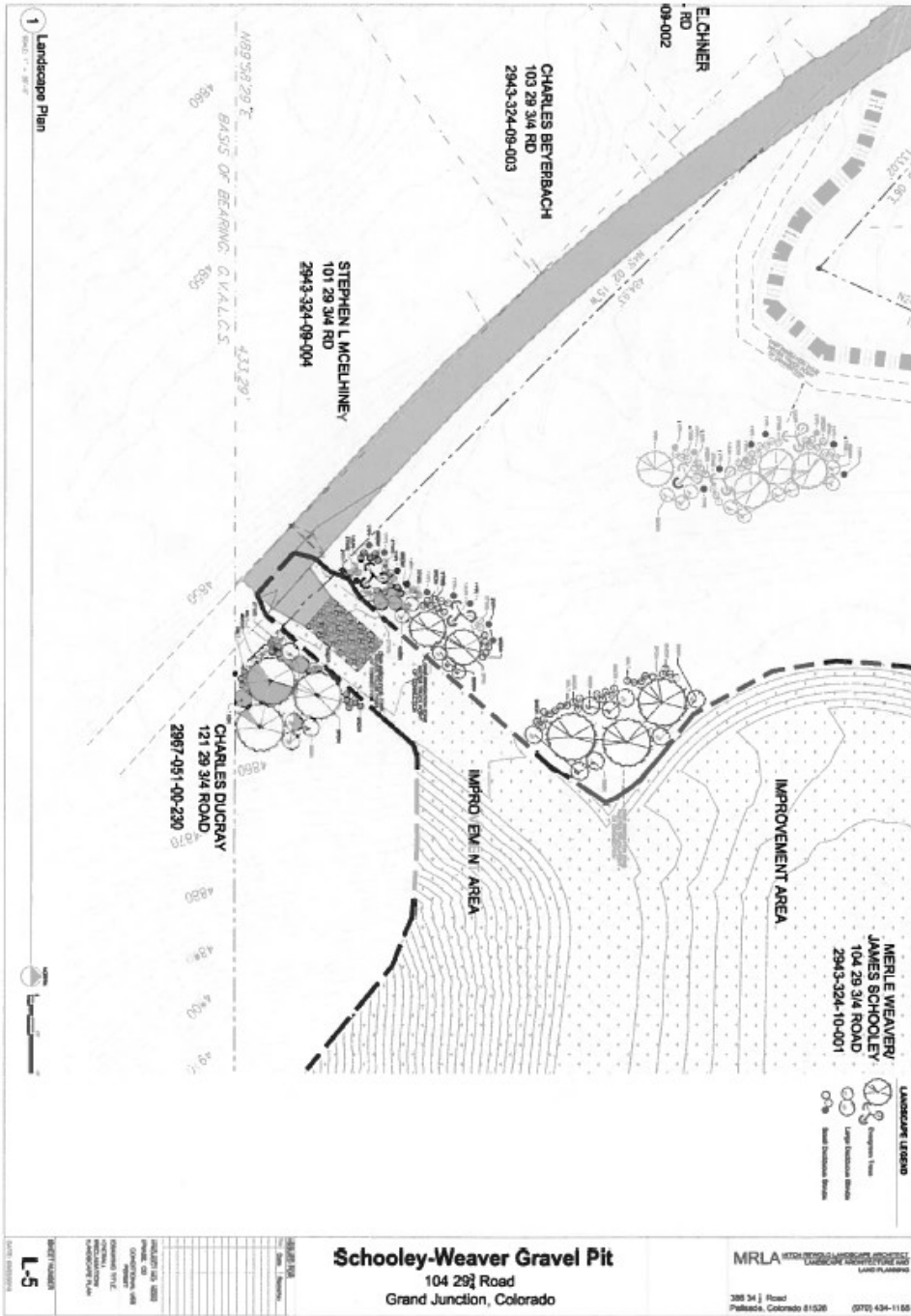
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54	REVISED PER COMMENTS	08/28/2019
55	REVISED PER COMMENTS	09/04/2019
56	REVISED PER COMMENTS	09/11/2019
57	REVISED PER COMMENTS	09/18/2019
58	REVISED PER COMMENTS	09/25/2019
59	REVISED PER COMMENTS	10/02/2019
60	REVISED PER COMMENTS	10/09/2019
61	REVISED PER COMMENTS	10/16/2019
62	REVISED PER COMMENTS	10/23/2019
63	REVISED PER COMMENTS	10/30/2019
64	REVISED PER COMMENTS	11/06/2019
65	REVISED PER COMMENTS	11/13/2019
66	REVISED PER COMMENTS	11/20/2019
67	REVISED PER COMMENTS	11/27/2019
68	REVISED PER COMMENTS	12/04/2019
69	REVISED PER COMMENTS	12/11/2019
70	REVISED PER COMMENTS	12/18/2019
71	REVISED PER COMMENTS	12/25/2019
72	REVISED PER COMMENTS	01/01/2020
73	REVISED PER COMMENTS	01/08/2020
74	REVISED PER COMMENTS	01/15/2020
75	REVISED PER COMMENTS	01/22/2020
76	REVISED PER COMMENTS	01/29/2020
77	REVISED PER COMMENTS	02/05/2020
78	REVISED PER COMMENTS	02/12/2020
79	REVISED PER COMMENTS	02/19/2020
80	REVISED PER COMMENTS	02/26/2020
81	REVISED PER COMMENTS	03/05/2020
82	REVISED PER COMMENTS	03/12/2020
83	REVISED PER COMMENTS	03/19/2020
84	REVISED PER COMMENTS	03/26/2020
85	REVISED PER COMMENTS	04/02/2020
86	REVISED PER COMMENTS	04/09/2020
87	REVISED PER COMMENTS	04/16/2020
88	REVISED PER COMMENTS	04/23/2020
89	REVISED PER COMMENTS	04/30/2020
90	REVISED PER COMMENTS	05/07/2020
91	REVISED PER COMMENTS	05/14/2020
92	REVISED PER COMMENTS	05/21/2020
93	REVISED PER COMMENTS	05/28/2020
94	REVISED PER COMMENTS	06/04/2020
95	REVISED PER COMMENTS	06/11/2020
96	REVISED PER COMMENTS	06/18/2020
97	REVISED PER COMMENTS	06/25/2020
98	REVISED PER COMMENTS	07/02/2020
99	REVISED PER COMMENTS	07/09/2020
100	REVISED PER COMMENTS	07/16/2020



**Schooley-Weaver Gravel Pit**  
104 29<sup>th</sup> Road  
Grand Junction, Colorado

**MRLA** MOUNTAIN REGIONAL LANDSCAPE ARCHITECTS  
388 24<sup>th</sup> Road  
Pueblo, Colorado 81028 (970) 434-1155



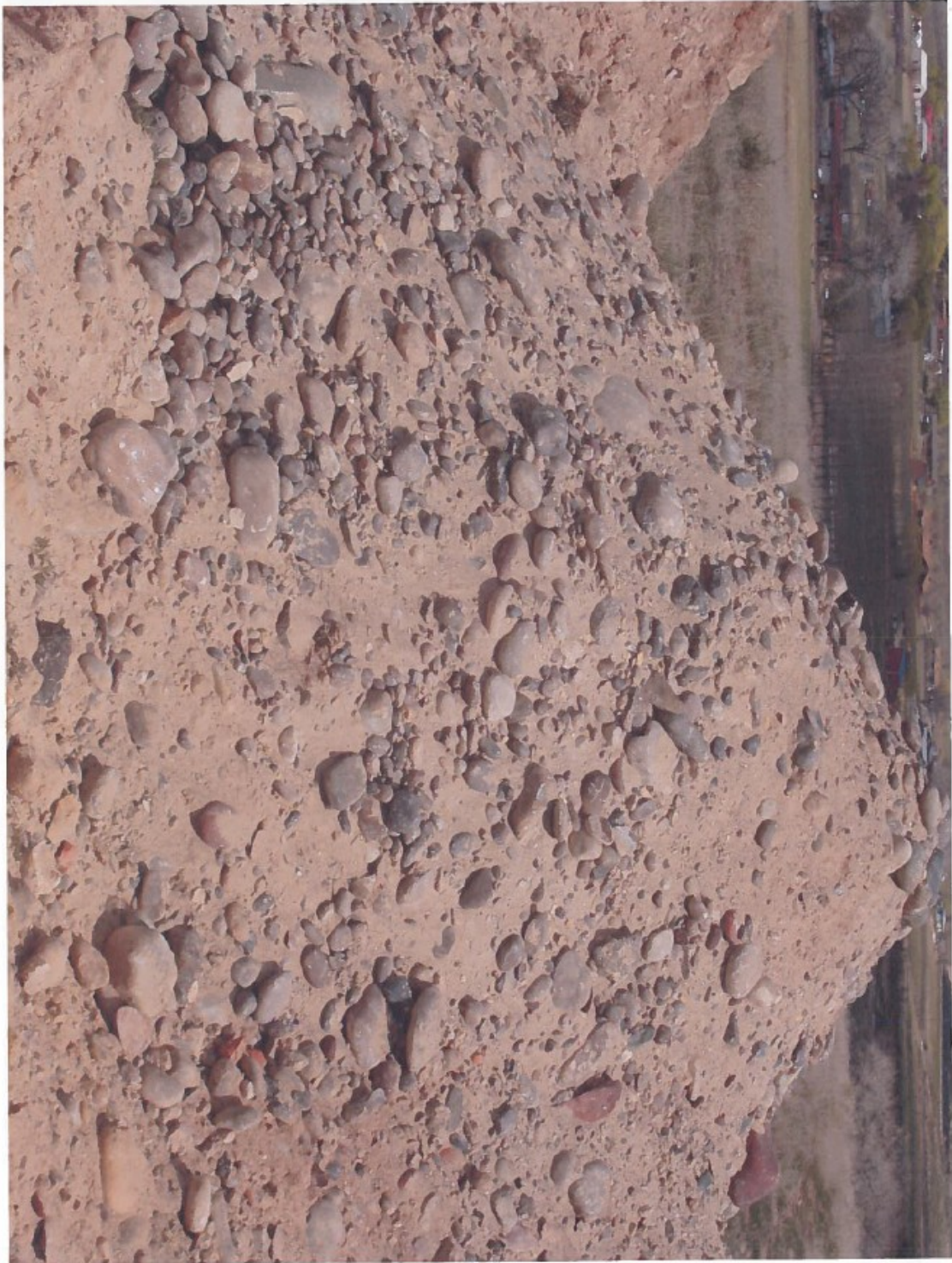


# PHOTOS

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1











# NEW CULVERT UNDER 29 3/4 ROAD

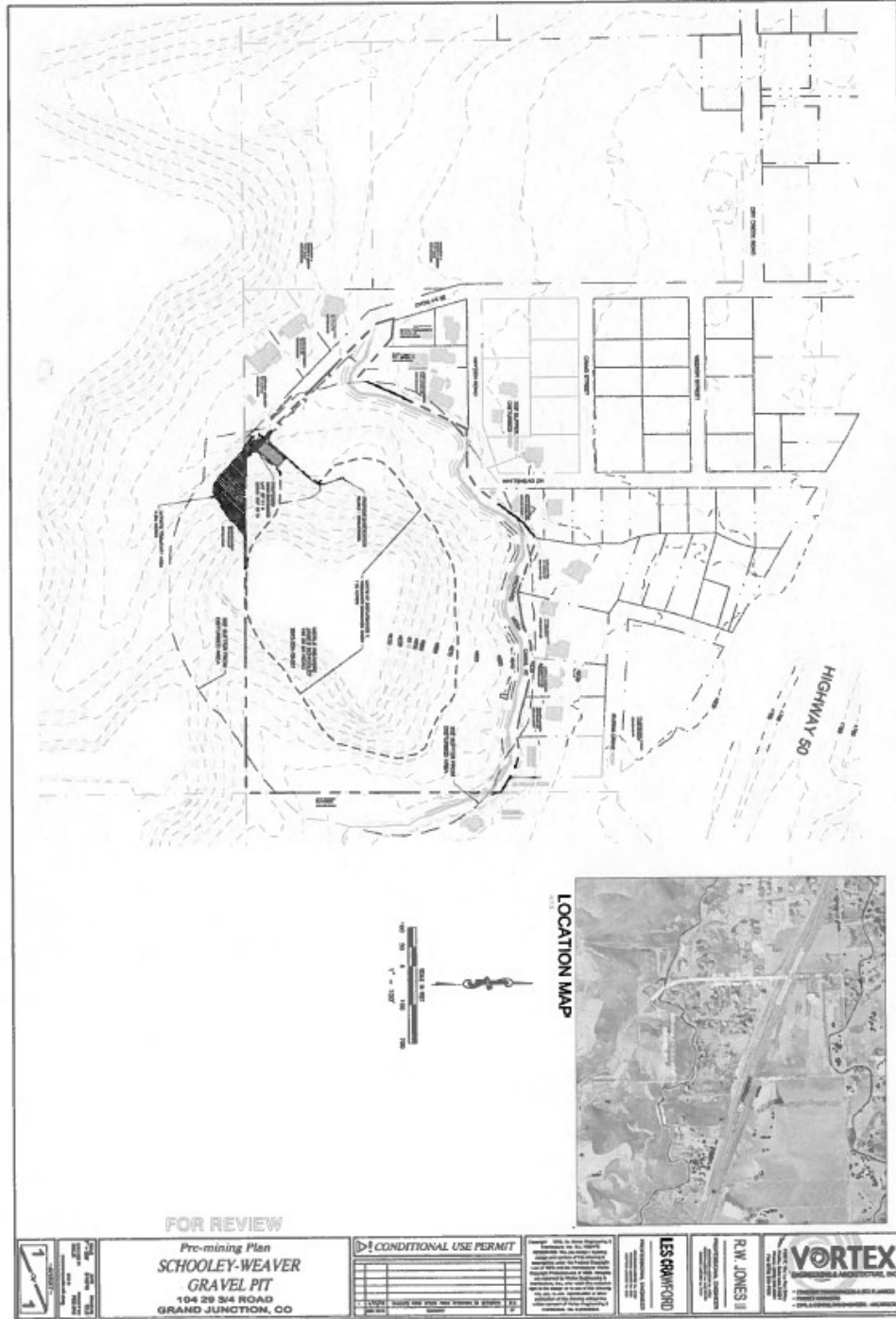


**STATE 110 RECLAMATION PERMIT  
DRAWINGS**

JUNE 8, 2010

SCHOOLEY WEAVER CUP

1



FOR REVIEW

Pre-mining Plan  
**SCHOOLLEY-WEAVER  
 GRAVEL PIT**  
 104 29 3/4 ROAD  
 GRAND JUNCTION, CO

D-4 CONDITIONAL USE PERMIT

NO. 1	DATE	BY	REVISION

Scale: 1" = 100'  
 North Arrow

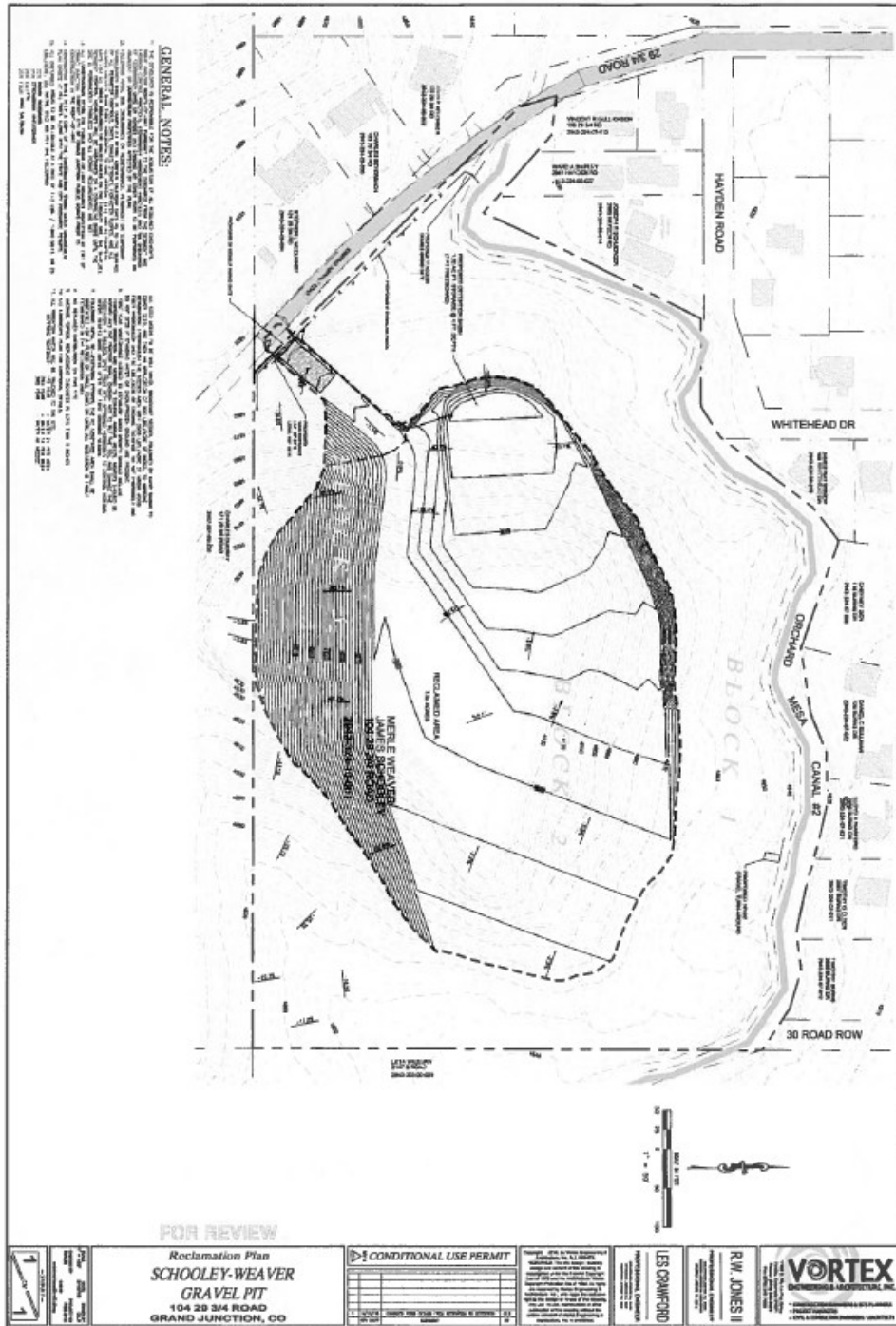
**LES SPRINKS**  
 ENGINEER

**R.W. JONES II**  
 REGISTERED PROFESSIONAL ENGINEER

**VORTEX**  
 ENGINEERING & ARCHITECTURE, INC.  
 1000 W. 10TH AVENUE, SUITE 100  
 GRAND JUNCTION, CO 81505







**GENERAL NOTES:**

1. THIS PLAN IS A RECLAMATION PLAN FOR THE SCHOOLEY-WEAVER GRAVEL PIT, SITUATED IN BLOCK 1, TOWNSHIP 36N, RANGE 10E, SECTION 36, GRAND JUNCTION, CO. THE RECLAMATION PLAN IS SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF NATURAL RESOURCES AND THE COLORADO DEPARTMENT OF AGRICULTURE.
2. THE RECLAMATION PLAN IS SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF NATURAL RESOURCES AND THE COLORADO DEPARTMENT OF AGRICULTURE.
3. THE RECLAMATION PLAN IS SUBJECT TO THE APPROVAL OF THE COLORADO DEPARTMENT OF NATURAL RESOURCES AND THE COLORADO DEPARTMENT OF AGRICULTURE.
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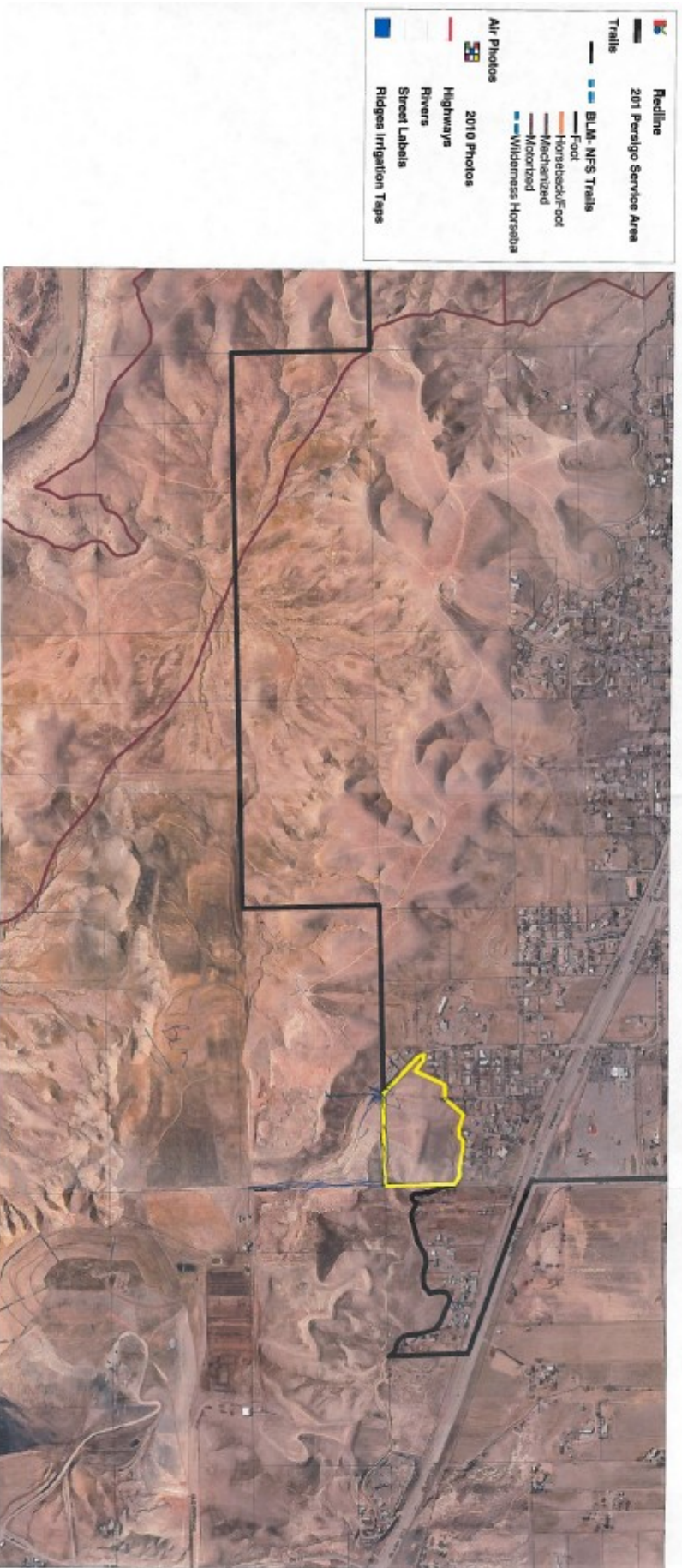
**FOR REVIEW**

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

**CONDITIONAL USE PERMIT**

LES COWARD  
 R.W. JONES II  
**VORTEX**  
 ENGINEERING & CONSULTING, INC.

# Schooley Weaver and Old Spanish Trail



**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 Schoenradt) “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 item is  
2 the Schooley-Weaver Partnership...Partnership Conditional Use Permit. This has been  
3 continued from May 11, 2010. This is a request for approval of Conditional Use Permit to  
4 establish a gravel pit on 16 acres in a R-R, Residential Rural, zone district. So with that I  
5 would like to have the staff come up and present your information.

6                   MR. RUSCHE:                   Thank you, Mr. Chairman, members of the  
7 Commission, Brian Rusche, Senior Planner with the Grand Junction Public Works and  
8 Planning Department. As the Chairman indicated this is the Schooley-Weaver  
9 Partnership Conditional Use Permit request - - a request for a Conditional Use Permit to  
10 operate gravel extraction on 16 acres within a Residential Rural zone. The property  
11 consists of 16 acres and was annexed in 2004 as the Fisher Annexation. The property is  
12 accessible from 29-3/4 Road which terminates at the southern edge of the site. The road  
13 previously continued south and east through private property and the Mesa County landfill  
14 until it was closed by Mesa County.

15                   The site rises approximately 100 feet above Orchard Mesa Canal Number  
16 2. North of the canal is a residential neighborhood as well as three residences to the  
17 west across 29-3/4 Road. An existing gravel extraction operation approved by Mesa  
18 County in 1994 is located about 600 feet south of the property. An existing construction  
19 and trucking operation utilizes 29-3/4 Road. As you can see in the aerial, this is the  
20 site...this is the trucking and construction operation. The gravel pit that I was referring to,  
21 it's just off the picture.

22                   The Comprehensive Plan designates the property as Rural allowing one  
23 dwelling unit for every five acres. The property was zoned Residential Rural in 2004 as  
24 part of the Fisher Annexation. The adjacent neighborhood is also designated as Rural

1 under County zoning RSF-R. Except the trucking operation which is a Planned  
2 Development and the existing gravel operation and associated lands which is designated  
3 A-F-T - - that's Ag Forestry Transition zone.

4 The blended residential map, which was adopted as part of the  
5 Comprehensive Plan, designates the property as Residential Low with a housing density  
6 of Rural, which is one unit for five acres up to five dwelling units per acre, density range.

7 The applicant is requesting a Conditional Use Permit to operate a gravel  
8 extraction facility. A maximum of 300 trips per day would be generated by the use  
9 according to the traffic study. All truck traffic would use 29-3/4 Road and that's the photo  
10 shown here which has been evaluated by a geotechnical consulting firm and found  
11 suitable in strength for the proposed level of traffic. The roadway has two travel lanes  
12 and is currently maintained by Mesa County. Access to Highway 50 has been granted for  
13 three years by the Colorado Department of Transportation subject to construction of  
14 improvements for traffic flow. These improvements include extended acceleration and  
15 de-acceleration lanes with appropriate turning radiuses and an asphalt overlay if  
16 necessary.

17 The applicant has considered other accesses to and from the site but  
18 deemed these to not be viable alternatives either because the roads do not meet  
19 standards or require crossing private property. The standards for gravel extraction  
20 facilities provide for improvements and maintenance of designated haul routes. 29-3/4  
21 Road will ultimately be incorporated into the City's street network but currently it's a joint  
22 jurisdictional road due to the annexation patterns that have occurred in the area.

23 This photo illustrates the closure point on 29-3/4 Road that prevents access  
24 to the south as well as the location of 30 Road which has not been built. The existing



1 residences that are north of the canal, with the exception of the three that are on 29-3/4  
2 Road, sit below the elevation of the canal. The property itself, here, rises approximately  
3 100 feet in elevation, measured from property line to peak. As mentioned, the adjacent  
4 residential neighborhood sits lower in elevation than that of the canal as well as the  
5 proposed operation making any sort of extraction of material from this property  
6 noticeable. The applicant has proposed landscaping along the canal to mitigate some of  
7 the visual affects of this operation.

8           The existing gravel extraction operation sits south of the property and over  
9 here you can see some of that. The two properties do share a common boundary. The  
10 property line is somewhere in here. However, no mutual agreement regarding the shared  
11 use of the former landfill road which was closed by the County could be reached. So this  
12 road crosses onto private property.

13           The applicant proposes to mine approximately 7.63 acres of the total 16  
14 acres of the property. This proposal...this site plan reflects the requirement for a  
15 minimum separation of 125 feet from existing residences as well as 30 feet from the  
16 canal. There is no onsite crushing or processing with this application. The entrance to  
17 the site near the terminus of 29-3/4 Road will be asphalted and gated. The entire site  
18 needs to be fenced as well. As material is removed the slopes will be graded inward and  
19 this is the grading plan. As material is removed, the slopes will be graded inward which  
20 will mitigate the effects of storm water runoff as well as provide a buffer to the operation  
21 as it continues mining downward. This is where the resultant storm water would collect.

22           This exhibit shows a cross section and approximate site lines from different  
23 residential sites surrounding the operation. As you can see from these pictures, the  
24 proposed final elevations...this is the existing hillside and this is the final elevation in

1 relation to both the homes and the canal. The proposed final elevation will be reduced by  
2 75 to 90 feet. The landscaping buffers have been designed by a landscape architect to  
3 help mitigate some of the visual affects of the operation. The landscaping will be irrigated  
4 with water trucked in from outside the site.

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

15           CDOT will grant access to Highway 50 for a period of three years subject to  
16 construction of improvements including extended acceleration in the acceleration lanes.  
17 A notice to proceed must be issued by CDOT for this work. The maximum number of  
18 trips anticipated by the use is 300 per day and to clarify when we measure trips a...a trip  
19 is a coming or a going.

20           The applicant has proposed hours of operation beginning at 6 a.m. to 6 p.m.  
21 on weekdays only. Section 4.3.K.3.i. allows this range of time. This is the maximum  
22 amount of time allowed and in fact it doesn't address weekends. It simply says 6 to 6 is  
23 the maximum length. However, alternative hours may be authorized under this section.  
24 Other gravel pits that have been approved within the valley range from start times of 6

1 a.m. to 8 a.m. There was a question raised regarding residential garbage service. Most  
2 of the providers in the valley start at 7 a.m.; however, commercial pickup begins as early  
3 as 3 a.m.

4           There will be no onsite crushing or processing. So there are some sections  
5 of 4.3.K. that don't apply. Pursuant to 4.3.K.3.c., the noise from the operation cannot  
6 exceed 65 decibels at the property line when adjacent to residential which is equivalent to  
7 an air conditioning unit or a noisy restaurant. The reclamation plan must be approved by  
8 the state as was mentioned. All storm water management must be done pursuant to  
9 5.2.1 -- drainage authority regulations. There are mechanisms in place through our Code  
10 Enforcement Department. This is...the property is in the City so it would be...any code  
11 enforcement violations would be enforced by the City. So there are mechanisms in place  
12 to address potential issues of noise, dust, as well as storm water issues and that would  
13 be through the 5.2.1 that may arise from the operation.

14           The proposed landscaping meets the criteria of section 6.5. and provides a  
15 visual buffer from adjacent residences. The minimum separation from residences of 125  
16 feet has been exceeded that the proposed mining area at least 200 feet from adjacent  
17 residences. This application is subject to the criteria of section 2.1.3.c. of the 2000  
18 Zoning and Development Code, and that's the rules for Conditional Use Permits, as well  
19 as section 4.3.K., which is the standards for mineral extraction. It is my opinion that the  
20 criteria of both of these sections have been met. Are there any questions?

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

23           MR. RUSCHE:            Yes.

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

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

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

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

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

17                  MR. RUSCHE:        Okay.

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

22                  MR. RUSCHE:        I know that the 300 was in the traffic study. I also know  
23 that there is some methods regarding how much a truck counts as part of weighting limits

1 or what have you. I'll let the applicant address some of those questions regarding the  
2 discrepancy.

3 CHAIRMAN ABBOTT: Okay.

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

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

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

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

14 MR. RUSCHE: I think the applicant's engineer can address your  
15 question.

16 CHAIRMAN ABBOTT: Okay.

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

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

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

1 COMMISSIONER SCHOENRADT: Except it's Residential Rural  
2 compared to Residential.

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

5 MR. RUSCHE: 7 a.m.

6 CHAIRMAN ABBOTT: Okay.

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

9 COMMISSIONER ESLAMI: By choice, right?

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

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

16 MR. JONES: Good evening, Mr. Chair, Commission members. My  
17 name's Robert Jones II. I'm with Vortex Engineering. Our office address is 2394  
18 Patterson Drive in Grand Junction. I'm the applicant's representative and tonight I'll be  
19 presenting the Schooley-Weaver C-U-P project. Quickly I have prepared a...a Google fly  
20 by which may help to get some perspective in regards to its location relative to the  
21 subdivision, 30 Road and its access going on 29-3/4 Road. This...traveling along  
22 Highway 50, the fairgrounds are noted. Traveling farther east to the entrance here is 29-  
23 3/4 Road, the Kia dealership is on the left. The subject site located here with the Burns  
24 Subdivision here. This is a view looking south from Highway 50. You can see the



1 topographical relief relative to the subdivision to the north and Orchard Mesa Canal in this  
2 area.

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

10 I'll try and keep this brief since staff has done an excellent job providing the  
11 background and the history of this application in the staff report and presentation. To  
12 reiterate, the applicant is requesting a Conditional Use Permit to extract gravel per  
13 sections 2.2.D.4 and 4.3.K. of the City of Grand Junction Zoning and Development Code.  
14 There will be approximately 7.63 acres of the 16-acre site disturbed. There will be no on-  
15 site crushing or processing of the material. The top soil will be used to supplement  
16 landscape areas and will not be stockpiled on site. The pit run gravel will be extracted  
17 and removed from the site via excavators and dump trucks. Water for dust control and  
18 irrigation will be hauled to the site. When the extraction process is completed, top soil will  
19 be imported as needed and distributed evenly over the disturbed area and covered with a  
20 native seed mix approved through the State Reclamation Program.

21 In addition to the Conditional Use Permit applied for with the City, the  
22 following applications have also been made to the State of Colorado. Construction  
23 materials limit impact 110, operation reclamation permit, a storm water discharge permit

1 associated with sand and gravel mining, an A-PEN or air pollution emission notice, and a  
2 CL and access permit from the Colorado Department of Transportation's region 3 office.

3 UNIDENTIFIED FEMALE SPEAKER: Can we get the volume  
4 turned up? (Inaudible)

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

6 MR. JONES: It may help if I lift this up a little bit. I'll go ahead and  
7 take this opportunity to answer your question, Mr. Chairman. The Huddleston Berry  
8 supplemental report was required at the staff level to determine and verify the adequacy  
9 of the 29-3/4 Road. The review of page 2 does indicate the Huddleston Berry report has  
10 100 loaded trucks per day when the intent was 150. However, if you read page 2 at 100  
11 loaded trucks per day over a 5-year period results in a...an ESAL value of 120,000. Now  
12 an ESAL is...stands for an equivalent single axle load. The report further states that the  
13 ESAL value of 29-3/4 Road, which is 8 to 9 inches thick of asphalt over approximately 12  
14 inches of road base, gives you an ESAL value of two million. So to further take this out,  
15 Huddleston Berry extended the operational life of the gravel pit to 30 years just to see  
16 what an equivalent single axle load would be which is 720,000 - - still one-third of the  
17 ESAL value currently for 29-3/4 Road. So the difference between 100 and 150 trucks per  
18 day is...is nominal when you're looking at an order of magnitude of three even if the  
19 gravel pit was operating for 30 years.

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

1 CHAIRMAN ABBOTT: Does staff have any questions?

2 COMMISSIONER ESLAMI: Mr. Jones, Ebe Eslami, the first.

3 MR. JONES: Hello, Mr. Eslami.

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

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

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

13 MR. JONES: Oh, I see.

14 COMMISSIONER ESLAMI: Five acres per...

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

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

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

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

22 MR. JONES: Yes, sir.

23 COMMISSIONER CARLOW: Will there be any drilling or blasting  
24 involved with this?

1 MR. JONES: No, sir.

2 COMMISSIONER What if you hit cap rock?

3 MR. JONES: I'm sorry?

4 COMMISSIONER CARLOW: What if you hit cap rock?

5 COMMISSIONER ESLAMI: You have to stop.

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

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

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

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

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

17 MR. JONES: In a...in a peak capacity would be 300 which is 150 and  
18 150 out.

19 COMMISSIONER CARLOW: But how many trucks are you  
20 gonna need to accomplish that many trips? How many trucks are gonna be working on  
21 this project?

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

1                   COMMISSIONER SCHOENRADT:                   Mr. Chairman, I have a  
2 question.

3                   CHAIRMAN ABBOTT:                   Go ahead.

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

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

12                   COMMISSIONER SCHOENRADT:                   Well, I mean everything has  
13 a price so I'm just wondering if it's cost prohibitive or, you know, in the...in the owners'  
14 viewpoint or is there...are there other reasons other than the Mesa County landfill has  
15 closed access that way? And I'm talking just the private road right now.

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

23                   COMMISSIONER SCHOENRADT:                   It is but it's extremely hard to  
24 read.

1                   MR. JONES:           Permit me to, please. This is a letter from Robert  
2 Edmiston, who's the director of the Mesa County landfill at the time, to Ken Simms, with  
3 the Regional Transportation Planning Office in Mesa County. And he says, Dear Mr.  
4 Simms, per our discussion it is my understanding United Companies is entertaining the  
5 idea of accessing the gravel pit near the southern end of the 29-3/4 Road via road  
6 traversing the solid waste management campus. I am opposed to this idea for several  
7 reasons. Through this letter I will summarize my thoughts within a bullet format. The  
8 access road as proposed off 31 Road is the main entrance to the organic materials  
9 composting facility. After hours security of this facility as well as the northern boundary of  
10 the landfill must be maintained. The proposal would involve the use of private property  
11 owned by Mountain Region Construction. This is a lousy copy. The license agreement  
12 through which the Mountain Region Construction accesses their gravel permit is  
13 temporary and will expire on December 1<sup>st</sup> of 2007. Mountain Region Construction and  
14 Mesa County have worked jointly on the provision of access to their facilities as a function  
15 of the area's previous ownership by the Bureau of Land Management. Mountain Region  
16 Construction understands that access to their facilities is based on conditions existing  
17 prior to Mesa County obtaining a patent to the property and that their right of access is  
18 temporary. The idea is inconsistent with County Commission Resolution Number M-C-M-  
19 96-24 outlining the County's process of granting easements and that it is contrary to the  
20 Board's designation of the area as open space and it could would negatively influence  
21 access to and control of County facilities. The natural and our most efficient route of  
22 access to the property is 29-3/4 Road. Thank you for inviting me to comment on this  
23 idea.



1                   Subsequent to that...the receiving that letter, the Mesa County Regional  
2 Transportation Planning Office issued a denial of an access permit. So combining the  
3 fact that you have private property and property that's owned, controlled and maintained  
4 by Mesa County, who is unwilling to entertain the idea of a haul route, we looked to 29-  
5 3/4 Road.

6                   COMMISSIONER SCHOENRADT:                   How recent was that denial?

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

9                   COMMISSIONER SCHOENRADT:                   Thank you.

10                  MR. JONES:            Sure.

11                  CHAIRMAN ABBOTT:                   Are there any other questions for the  
12 applicant? Hearing none, I will open up this hearing to the public comment section.  
13 Again I would request that you restrict your comments to three to five minutes. Try to  
14 prioritize your comments to what you think is most important and what needs to be said.  
15 So at this time, I would like to hear from anyone that is in favor of this proposal. Seeing  
16 none, I will open up the hearing to those opposed to this proposal. Please when you  
17 come forward, please state your name and address for the record.

18                  MR. BAIR:            My name is Carter Bair. I live at 2966 A-1/4 Road. I've  
19 been a Grand Junction resident for about...well, 11 years now. I've been at the property  
20 site...this property site for about eight years. I have five children. The oldest is 14; I have  
21 an 11 year old; a 9 year old; a 7 year old; and a 5 year old. My concerns about this are  
22 that if we're looking at 300 trucks a day going down that road, that's every two and a half  
23 minutes that there is a big truck coming by. I have kids, they go down to 29-3/4 Road  
24 every morning for bus stops at 6:30 in the morning, 7 o'clock in the morning, 8:30 in the

1 morning, and come back at the end of the day and there are kids from all over the  
2 neighborhood doing that. I live right along this bus route and I think that if you would think  
3 about your own families and think about these huge trucks coming down this residential  
4 road every two and a half minutes all day long from 6 in the morning until 6 at night. I  
5 think you would think a little bit more about whether 29-3/4 Road really should be the  
6 access for this gravel pit. That's my comments. Thank you.

7 CHAIRMAN ABBOTT: Thank you, sir.

8 MS. COX: Mr. Chairman, Lisa Cox, Planning Manager. If we  
9 could just remind citizens to please sign in. There's an opportunity to sign in at the back  
10 of the room and also at the podium just to make sure we have an accurate record of  
11 those providing testimony. Thank you.

12 CHAIRMAN ABBOTT: Thank you.

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

21 Our major concern is that we have no grief or we don't want to interfere with  
22 the free enterprise system or with the exercise of property rights. However, the utilization  
23 of that must be done safely, legally and responsibly. With the increase in truck traffic  
24 that's gonna incur, you have to look at what type of truck traffic it is. Dump trucks...I don't

1 know if it's gonna be a single or a set of doubles or a dump truck with a trailer that's  
2 pulling behind so that makes a difference on how big of trucks we're talking about. But  
3 typically the dump trucks they're gonna use even the 3 axle ones with a dump bed,  
4 there's gonna be 102 inches wide and at least 40 feet wide. The roadway is narrow. It's  
5 only a 20 foot roadway with no curb and gutter. The dump trucks are like I mentioned  
6 before with (inaudible) vehicles there are to deal with. You see it...you travel behind them  
7 and they say stay away 50 feet because things are always falling off.

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

18           Also they talk about the...the road is physically designed to carry the weight  
19 of an 80,000 pound gravel truck. However, those are not the only concerns. To do what  
20 they're doing, they're gonna have to bring in some heavy duty equipment. They're gonna  
21 be oversized. You're gonna have to issue an oversize permit. They will either be  
22 too...very wide or very high. Unfortunately you have telephone poles that are 20 feet  
23 apart on that road - - 29-3/4. There's no way to move those telephone poles or cables.  
24 So you've got to negotiate around those if you're gonna bring in a huge piece of

1 equipment to do your excavation. Also, height - - you put a big...one of those hydraulic  
2 machines on the back of a flatbed, low bed trailer, it's going to exceed 14 feet in height  
3 and you look at that road there's telephone wires, there's cable wires, they're just above  
4 14 feet so you got to consider that.

5 Then also in reality that intersection at 29-3/4 and 50, it's operating under a  
6 waiver that was given to the City and the County years ago because it does not meet  
7 current intersection standards when it comes to trucks. That's why it's a three-way stop  
8 at the frontage road and 29-3/4 because you can't have a truck and trailer pull and stop  
9 otherwise its tail end will be out into Highway 50.

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

18 CHAIRMAN ABBOTT: Thank you.

19 MR. SCHUERGAR: How you doing?

20 CHAIRMAN ABBOTT: Good.

21 MR. SCHUERGAR: My name is Joe Schuergar. I live at the end of  
22 Hayden. If you look at your little picture there where the canal comes, that's my fence.  
23 So they're talking about right on the other side of my fence. Okay? Which they put in the  
24 landfill where they do the recycling and all that stuff and if you ever go up there in the

1 morning time there's always a breeze coming from up there so that's not very pleasant to  
2 begin with but, you know, that's tolerable. I work on trucks for a living so I know what  
3 they're like as far as like the prior gentleman was talking about leaking, all that kind of  
4 stuff. Not starting in the wintertime. I deal with that stuff all the time. Okay?

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

18           CHAIRMAN ABBOTT:     Thank you, sir.

19           MR. SCHUERGER:         Thank you.

20           MR. McGEE:           Hello, my name is Tom McGee and I live at 2976  
21 Meeker Street and I've lived in this neighborhood for 35 years and I remember when that  
22 road was part of the dump and the traffic was terrible. That's why we finally got the  
23 County to move the road is because of the traffic. And if they come in there and cut down  
24 that hill the prevailing winds always blow from the south right into our neighborhood so

1 any dust is gonna come right directly over our homes. And we don't really want the...all  
2 the dust. My wife, she's on oxygen and, you know, it could really bother her a lot. And  
3 also my grandson, he catches the bus right there at 29-3/4 and Meeker and it's just very  
4 dangerous with heavy trucks. In the past they have clocked vehicles coming from the top  
5 of that hill by the time they got down there to the highway they was doing 60 mile an hour,  
6 you know. It...it does cause a big problem trying to stop one of those big vehicles and I  
7 just hope you don't allow this. Thank you.

8 CHAIRMAN ABBOTT: Thank you.

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

22 CHAIRMAN ABBOTT: Thank you, sir.

23 MS. ZEHNER: Hi.

24 CHAIRMAN ABBOTT: Hello.



1 MS. ZEHNER: My name's Carrol Zehner and I live at 114 29-3/4  
2 Road and my house sits probably on the narrowest spot of this road and I'm having to  
3 back up to it. I'm actually across from Mountain Region and constantly when I read in  
4 their paper they keep mentioning this trucking company. It's not a trucking company. It's  
5 a construction company that their trucks are out working. The only time they bring those  
6 trucks in is when they're working on them. And if you have them pull up their map to  
7 where the other gravel pit is, it's clear on the other side of the ridge. We are not hindered  
8 by their gravel pit. They were denied in '94 to using 29-3/4 Road because of safety  
9 issues. That's the reason why the landfill has denied use of that. If you start at the  
10 highway I have pictures.

11 They're saying the number of lanes add up to 93 feet. That there's four  
12 through lanes and they're counting one median, three turn lanes. Start off with if...if you  
13 read further up it says the existing 76 foot wide roadway can accommodate the temporary  
14 alterations. They're counting 93 feet and the existing alterations. They don't have that.  
15 You can look, they're counting an extra lane that's not even there. They're narrowing the  
16 lanes. My husband's a truck driver. He'll tell you that you cannot make that turn safely.  
17 We're gonna end up with accidents. You talk about the kids. There's another safety  
18 issue 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 to be  
21 stopped so they could re-look at it. The reason why is because it shouldn't be there.  
22 That road should not be used. They say what it should be...if they're gonna use it, is they  
23 should make them finish 30 Road out so they can go through the non-residential and  
24 even to the point they...they had said to turn it back to 29-3/4, there's no reason to do

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

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

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

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

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

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

14 COMMISSIONER SCHOENRADT: That's correct.

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

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

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

23 MS. ZEHNER: Sure.

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

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

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

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

15 CHAIRMAN ABBOTT: Okay.

16 MS. ZEHNER: Everybody else...

17 CHAIRMAN ABBOTT: A couple other...other comments I have in  
18 regards to your comments was as I understand it the zoning requirements state that this  
19 operation needs only to be 125 feet from the property line. So in...in effect the 200 feet in  
20 reality is...is to your benefit and again I'm not taking sides. I'm just trying to make  
21 clarification. And then as far as the runoff goes as I understand what I have seen, this  
22 activity will actually help the runoff because the...the drainage and the way they're gonna  
23 grade this is actually gonna keep more of the runoff on site rather than allowing it to go  
24 off. So and...and again I'm not taking sides. I'm just pointing out clarifications.

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

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

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

9 MS. COX: No, just sign once.

10 RYAN: My name's Ryan. I live at 122 29-3/4 - - pretty much on  
11 the corner of 29 and Meeker. That's gonna be 55 signatures. I had to work that day so I  
12 wasn't able to make it - - my wife did. It's kind of a reiteration of everything that everyone  
13 else has already said. We also have two children. One that does go to school and waits  
14 at the bus stop and another that will be pretty soon. I've been there for the better part of  
15 four years and my wife's been there longer. We like the quiet. About the most noise we  
16 hear is the occasional dirt bike coming up that direction - - four-wheeler, which is great.  
17 You know, that's the family life that we like in Grand Junction. That's the whole idea of  
18 living in a small town atmosphere. Knowing people that live around you and feeling safe.  
19 As a parent, you kinda think about this whether you like it or not whether it, be through a  
20 daydream or a dream, but if you've ever asked yourself if it does get approved say two  
21 months down the road from now somebody's kid gets hit and killed. Will it fall back on  
22 your conscience? Will it fall back on anybody's conscience thinking that this could have  
23 been prevented? Whether it be through another alternate route or not doing it at all.  
24 Thanks.

1 CHAIRMAN ABBOTT: Thank you.

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

12 We were told on Orchard Mesa that our...our bonus...our thing to look  
13 forward to was the village center on Orchard Mesa that would be patterned somewhat  
14 after the First and Patterson village center but would be a really great addition to our  
15 neighborhoods, our community. This gravel pit is right across the highway from our  
16 wonderful proposed village center. That land was just annexed a few weeks ago by this  
17 body. How does a gravel pit right across the street from a village center fit your vision?  
18 That's not a rhetorical question. I'd really like to know the answer to that because so far  
19 from city staff I haven't got an answer yet on that one. That gravel pit will be visible from  
20 Highway 50.

21 Mrs. Zehner referenced the Orchard Mesa neighborhood plan which I  
22 understand is sunset. By the way I was president of the group that put together that plan  
23 20 years ago. I'm pretty familiar with it and I'm pretty familiar with the goals. I'm pretty  
24 familiar with what we said. This gravel pit does not represent your master plan...your



1 goals of your master plan nor does it represent what Orchard Mesa wants. What hasn't  
2 been discussed verbally at this meeting is that this ridgeline will be taken down 70 feet. It  
3 is the only buffer this neighborhood has between the landfill and the highway and Orchard  
4 Mesa by proxy.

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

6 COMMISSER ESLAMI: Ebe.

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

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

16 We market our area based on (inaudible). We...we market our area based  
17 on policies. We market our area based on our decisions. We market our area as a great  
18 place to vacation. We market it for its open space and for its accessibility to open space.  
19 At the end of 29-3/4 Road there is a sign that says this road from here on end is  
20 accessible for the Old Spanish Trail users - - hiking, biking, walking, horseback riding.  
21 OSTA, the local chapter, is supposedly a review agency for anything pertaining to the Old  
22 Spanish Trail. This pertains to access to the Old Spanish Trail. To my knowledge and I  
23 talked...by the way I talked with the president of OSTA this evening. She could not make  
24 the meeting. She asked me to represent her and the national association as well. She

1 never received a packet. OSTA never received a review packet. It is a review agency at  
2 least according to City of Grand Junction. It should have received one. It did not.

3 I have here a letter that was just received today and I apologize for the  
4 lateness but because of this issue that came to the forefront of OSTA just recently we did  
5 receive this letter. I did pass it on via e-mail to City planning staff. I don't know if you've  
6 seen it. I do have copies that I'd like to give you. I don't want to read all of it but it does  
7 reflect OSTA's concern about access to the Old Spanish Trail. Minimizing it and indeed  
8 compromising it the safety of people using 29-3/4 Road to access the Old Spanish Trail in  
9 that area. They do ask the Planning Commission to deny this petition because the safety  
10 issue and it does...it ...it does concern them. Yet another access point to the Old  
11 Spanish Trail and public lands which again we market is being compromised by this  
12 development or, excuse me, by this industrial plan. The president does say he has asked  
13 the national association's president as well as preservation and stewardship committee to  
14 discuss these issues further and to take appropriate steps to further register and publicize  
15 their concerns including notification of the National Historic Trail staff as a partnership of  
16 the National Trails System and appropriate U.S. Department of Interior agencies. The  
17 Old Spanish Trail does come under the jurisdiction of the Interior Department.

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

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

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

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

12                   CHAIRMAN ABBOTT:            Thank you.

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

22                   I'm sure you've been to the landfill lately and one of my concerns about the  
23 gravel pit going in is that every time the wind blows if there's any loose grocery bags or  
24 anything that can be loose no matter if there's that tall chain link fence and whatever else

1 it's made out of surrounding the landfill, the plastic bags go everywhere. If the barrier  
2 between our subdivision and the landfill is removed, we're gonna be the addition to that  
3 trashy area that hardly ever gets picked up. And I want to say that I agree with about  
4 everything that's been said here tonight. I do have health issues and I'm not sure that the  
5 air quality is gonna be the quality that's been promised. So I would...I appreciate you  
6 giving a second thought or a lot of thought into approving this subdivision. Keep us in  
7 mind because the subdivision was there first and there's reasons we're each there.  
8 Thank you.

9 CHAIRMAN ABBOTT: Thank you.

10 MR. McELHINEY: Mr. Commissioner. I'm Steve McElhiney. I live  
11 at 101 29-3/4 Road, directly across from this project. I agree with everything everybody  
12 said tonight. The road's too narrow. Safety issues for the children. I haven't got any  
13 anymore but...and I like access to the trail. My wife and I both got health issues and  
14 being that close to this thing and the hours they're gonna keep it just...just this whole  
15 thing makes no sense. A little tiny road they're gonna go down with these big trucks. I  
16 drive truck for a living too so I know all about them. Worked around gravel pits quite a bit  
17 of my life and I know about that and I just hope you guys say no to this project. I'd really  
18 appreciate it. Thank you.

19 CHAIRMAN ABBOTT: Thank you.

20 MR. GORDON: Ladies and gentlemen.

21 CHAIRMAN ABBOTT: Good evening.

22 MR. GORDON: Jerry Gordon. I live at 2975 Craig Street. You can  
23 kinda hear everybody's emotional. It is. It's kind of a different thing. You live in a real  
24 nice little quiet neighborhood like that and you look at all this as being planned. You say,

1 just think about it going in by your houses. It really kinda makes you think. One...one  
2 thing I have heard from Whitewater Gravel and from DuCrays that they all drilled that area  
3 and looked for gravel and stuff and then...and that's why DuCrays shut their pit down.  
4 There's only like 10, 12 feet of...of pit run there. And like I say it's hearsay. The DuCrays  
5 used...

6 COMMISSIONER SCHOENRADT: Sir, could you speak into the  
7 microphone?

8 MR. GORDON: Oh, I'm sorry. The DuCrays used to...they  
9 hauled their material over to the dump like you have said, sir. And he said I talked to Mr.  
10 DuCray. He has concerns. They own about half a mile of private property there. His  
11 concerns are that he has it already reseeded and everything then if somebody else did it  
12 that they would disturb that and one thing I thought maybe they need to get a bond. I  
13 think they really need to look at that if they are gonna do this. You know, I can't see it  
14 being passed tonight. That just seems kinda lame to me. But, you know, it seems like  
15 you guys still have questions and we have concerns that, you know, it...it really needs to  
16 be looked at long and hard. They need to look at different avenues than 29-3/4 Road like  
17 you say.

18 It...it's really kinda scary that's a downhill grade. The trucks are coming in  
19 empty and they're going out full so it's a downhill grade. They're gonna go down. I  
20 measured out from the stop sign to the little frontage road. It's like 63 feet and you  
21 always have to stay back 10 feet from a stop sign. So it's gonna be 53 feet. If one of  
22 these trucks...two of them happen to get down there, they're gonna block...block that  
23 frontage road. You're not gonna have a place for an ambulance or anything to get into  
24 our little subdivision. The next road is quite ways down. We look at...I call that it's

1 gonna be Mertle's road - - 29-3/4 Road is. It ends up we're gonna have to exit out on the  
2 road down by the dump there (inaudible).

3 All the traffic's gonna be re-rerouting kind of that one guy was saying. It's  
4 gonna go through that other subdivision. So it's gonna just...it's gonna be interesting,  
5 real interesting. So they...they really need to know how much gravel is up there. I...I  
6 kind of wonder if they're not doing it to a good subdivision and that's fine. Like I said we  
7 want to see things going to and...one thing I see about the landscape and they're talking  
8 about putting that into the base of a hill. The hill's like a hundred feet above it so you're  
9 gonna have a hundred feet tall landscaping? I doubt that. So the landscaping doesn't  
10 really mean much to us.

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

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

21 One thing everybody says about kids and adults and people walking on the  
22 roads, is that the trucks are gonna take up the road. It...it...if it ever did go through it'd  
23 seem wise to have curbs and sidewalks 'cuz I seen tonight in some of the rebuttals that  
24 oh, kids shouldn't be playing in the street. These kids gotta walk to their friends' house



1 down this road. Adults gotta walk down this road to walk their dog and stuff. With these  
2 trucks you're not gonna be able to walk on the road so...One thing I think about is that  
3 they have to truck all the water in to keep that vegetation growing, keep all the dirt down  
4 so there's more trucks. It's kind of a...I couldn't believe they didn't have a city water tap  
5 or I guess you can't use water out of...of the irrigation canal for this. So it's...there's  
6 another...and that's kinda lame having to haul water into drop dust. That's kind of  
7 (inaudible).

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

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

1 29 Road overpass. They're not using that for that. I noticed that they just kindly didn't  
2 mention that today.

3           In the new proposals from City staff it states that Mr. Weaver and Schooley  
4 have to be in charge of maintenance for 29-3/4 Road. They're not gonna do that.  
5 They're taking the easy way out here and our neighborhood is going to have to pay for it.  
6 We purchased our home ten years ago. It was bare land. We have horses. There are  
7 several other...other neighbors have horses. We live right on the corner. Right there  
8 at...at the highway. There has been eight accidents within the last year there. It's blind  
9 when you come out of 29-3/4 Road to the highway. They can extend it, yes. But when a  
10 big truck comes in and they're turning up...up 29-3/4 Road, we all know how those little  
11 cars are gonna come out and dart out and there's gonna be more collisions there. If  
12 they're going to maintain this gravel extraction, then they need to take it out a different  
13 area. Don't take the cheap way out here because somebody's life is worth money.  
14 Thank you.

15           CHAIRMAN ABBOTT:           Thank you.

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

1 I'm not always going to be able to keep an eye on them. Okay? I can't stop  
2 them from going on the hill because they like to go for a walk up there. They see people  
3 going horseback riding. They're gonna want to follow them up there and I'm thinking  
4 they're kids. They want to have fun. (Inaudible) up there and on the road because it's so  
5 close. The last thing that we have to worry about is the trash coming over, the smell of  
6 the canal. I don't want to worry about (inaudible) across from my property. So I...I know I  
7 read the papers (inaudible) is quiet. It is peaceful but to have a truck coming down the  
8 road 300 times a day from 6 in the morning until 6 o'clock. I think it's just plum crazy. I'm  
9 sure all of us like our privacy. So we have a young family that we have to raise.  
10 (Inaudible) if something happened to them. And I'm sure all of us have horses and dogs.  
11 We go for a bike ride. We go horseback riding. We ride our bikes up there. In the  
12 wintertime there's snow up there. That's the perfect place to go sledding. So I'm only  
13 here for them. I'm speaking on their behalf because they don't want to come up here and  
14 talk. Okay? Thank you.

15 CHAIRMAN ABBOTT: Thank you.

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

1 CHAIRMAN ABBOTT: Thank you.

2 MS. ROCKOW: Hi. My name is Melanie Rockow. I live at 122 29-3/4  
3 Road. I grew up in this neighborhood. I moved to Glenwood Springs. Six years ago I  
4 chose to move back to Grand Junction to raise my young son and I chose to move to this  
5 neighborhood because it's where I have my father's memories where I played and I know  
6 all the neighbors. We don't have to lock our doors at night. We don't have to worry about  
7 leaving things in the driveway. Most of all, we don't have to worry about our children  
8 going back and forth from neighbor's houses to greet each other and play and ride their  
9 bikes. My son rides the elementary school bus. He's picked up at 8:30 in the morning.  
10 The bus stop is on the west side of 29-3/4 Road across from Meeker Street. Children  
11 come both from the west and the south side of 29-3/4 Road. The children on the east  
12 side are going to have to cross 29-3/4 Road to get to the bus stop. They're also standing  
13 on a spot of dirt that's about two feet wide before they're in a field waiting for the bus.

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

1 CHAIRMAN ABBOTT: Thank you.

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

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

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

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

6 CHAIRMAN ABBOTT: Thank you.

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

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

23 Everybody that lives there knows that we have more wind up there than  
24 anything. When we had our picnic I would say maybe 20 percent of all of the people that



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

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

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

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

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

16 CHAIRMAN ABBOTT: Thank you.

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

19 CHAIRMAN ABBOTT: That's fine.

20 MS. ZEHNER: And then I also want to say my mom and sister couldn't  
21 be here and they both own homes up there as well. It's not just a neighborhood. It's  
22 our...it's our family up there and I want to thank all the neighbors. We've gotten to know  
23 each other very well because of this. So if anything else there's one good thing that's  
24 happened. And again I do plead that you guys do deny this. Thank you.

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

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

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

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

19 MR. JONES: Thank you, Mr. Chair. The applicant has worked  
20 diligently with staff to ensure that the proposal before you tonight is a quality design. It  
21 provides the absolute best in access, phasing, screening and reclamation. I'd like to  
22 spend some time going into more so than...than I had previously what was entailed when  
23 analyzing the three options that were before us for a haul route.

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

10                    The 30 Road connection was evaluated and this is a access road plan.  
11 What you're looking at is Highway 50 here, the frontage road, 30 Road. I'll just briefly  
12 explain the...the different scenarios that we went through. This is an existing street right-  
13 of-way. It's a...it's a half right-of-way for 30 Road in this section before it accesses the  
14 Schooley-Weaver site. The difficulty of this option as you can see from the slide is the  
15 elevation difference between the site and the short distance to Highway 50. This resulted  
16 in design grades for a truck haul route of nearly 12 percent with 9 to 15 foot high retaining  
17 walls required in order to construct a haul route within the half through driveway. It  
18 basically looked like a highway overpass if it were to be constructed. Not to mention  
19 some constructability and safety concerns of bringing loaded trucks off of a 12 percent  
20 haul route into an intersection directly adjacent to Highway 50. I heard mention of a 5  
21 percent from some of the neighbors of 29-3/4 Road. Well you can certainly imagine what  
22 12 percent would look like.

23                    This also resulted in approximately 8 to 9 feet of fill at the intersection of the  
24 frontage road and when you combine S-curves to bring the horizontal alignment of the

1 frontage road back to the existing grade, you're looking at S-curves of somewhere in the  
2 neighborhood of 300 feet plus to the east and to the west of the intersection of the  
3 frontage road.

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

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

13 And the third option was 29-3/4 Road. A thorough evaluation of the road  
14 section completed with supplemental borings of the road and as I mentioned the...the  
15 asphalt's 8 to 9 inches thick. Most of your roads are 3 and 4 inches thick. Our  
16 measurements of the road resulted in something closer to 24 feet but nonetheless a level  
17 3 traffic study was completed for the project as a requirement of the CDOT access permit.  
18 The traffic study was conservative in its approach and actually evaluated 29-3/4 Road  
19 and Highway 50 at nearly twice the number of trucks than were proposed with this  
20 application; however, it was reduced to 300 trucks...trips per day working with staff.

21 I also heard a comment from the...one neighbor, I believe, Mr. Parrott. that  
22 the current 29-3/4 Road intersection didn't meet standards. As part of a level 3 traffic  
23 study you're required to evaluate the intersection in a.m. and p.m. hours. Traffic counts at  
24 eastbound, westbound, northbound, southbound for both State Highway 50 and 29-3/4

1 Road was completed and as part of the analysis a level of service review was completed.  
2 Now, there's basically five categories of level of service when looking at a traffic study – A  
3 being the best and then once you get down below D, it's...it's pretty much unacceptable.  
4 What the study concluded was that these intersections are operating almost all of them  
5 within the level A or B. There's only two or three at a level C - - so well above a level of  
6 service D. I felt that was important to note given the comment that the intersection didn't  
7 meet current standards.

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

14           I'd like to talk a little bit about buffering. There was quite a few comments  
15 about landscaping and...and buffering. This is an exhibit which I believe was in your  
16 packets and it takes the four closest residence and cuts cross-sections through them.  
17 This is a profile view of section 1 - - this is 29-3/4 Road. The residence is on the west  
18 side of 29-3/4 Road and an approximate site line has been taken from that home.  
19 The...the dash line represents the existing grade and the dashed line here is the  
20 approximate intermediate grade now and...and the final grade being that solid black line  
21 here. Now what...what the approximate intermediate grade line shows is that the method  
22 proposed with this gravel pit is one that is going to start on the back side and work its way  
23 in here thus leaving this barrier to the residences until the end. In addition to that, a  
24 landscape area consisting of pods was proposed and we worked with a...a...Barry



1 Tompkins, landscape architect, who came up with some very good concepts as proposed  
2 in the landscape plans that you have in your packets.

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

12 Noise and impact - - as I understand it, quite a bit of the noise and dust  
13 problems associated with a gravel mining pit's operations are associated with the type of  
14 processing, crushing and stockpiling that's done. If you stand and...and watch a...a  
15 gravel mine, the great deal of the noise and dust problems that are associated with it  
16 come from that. And this application is not proposing any of those items.

17 Additionally, in order to further mitigate neighboring property concerns, the  
18 applicant is prepared to revise the hours of operation from 6 a.m. to 6 p.m. to 8:30 a.m. to  
19 5 p.m. I believe it was mentioned that the three bus stop times...of the three bus stop  
20 times the...the latest was 8:30 a.m. So a start up of the operation would be 8:30 to  
21 coincide such that that concern can be further mitigated. It would essentially place the  
22 activities of the operation completely within the workday and avoid that morning bus  
23 schedule.

1                   Regarding the concern of children and the bus stop at the intersection of 29-  
2 3/4 Road...this isn't a very good slide for this but...I believe the current bus stop is  
3 located here at the intersection of the frontage road and 29-3/4 Road.

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

7                   MR. JONES:                   Right here?

8                   UNIDENTIFIED FEMALE SPEAKER:                   (Inaudible) highway.

9                   UNIDENTIFIED MALE SPEAKER:                   Down a little.

10                  MR. JONES:                   Right here? Right here? Okay. On the west side here  
11 on this corner?

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

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

15                  UNIDENTIFIED FEMALE SPEAKER:                   They also have to walk  
16 (inaudible).

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

1 I heard mention of the ridgeline development standards. I'm somewhat  
2 familiar with the ridgeline development standards given the subdivision designs we've  
3 done in the past in the City of Grand Junction that have implemented the ridgeline  
4 development standards. If you read the ridgeline development standards in the zoning  
5 ordinance, the intent and purpose of this section is to mitigate the construction of  
6 buildings, fences and walls. Almost everyone of those items in bold points in the ridgeline  
7 development standards specifically references that. This application is proposing none of  
8 these items.

9 There was also reference made to the Mesa County review comments.  
10 This review comment letter dated May 26, 20-10 and I'd just like to take a moment to go  
11 through these. They were broken up into three different sections. The first section was  
12 general comments. The first comment was that the operation should be compatible with  
13 Mesa County land development standards, hours of operations and be in compliance with  
14 sections 5.2.13 c. through j. We analyzed our application and compared it to these  
15 sections - c. through j.- and we meet all of them. As a matter of fact the hours of  
16 operation in c. through j. under Mesa County's land development code allow the operation  
17 to go ahead to 7 p.m.

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

22 There were comments about 29-3/4 Road right-of-way about maintenance.  
23 And again the applicant is signing a maintenance agreement for 29-3/4 Road. And then  
24 they talked about the 30 Road alignment and I believe even a...a southern route through

1 the solid waste facility was mentioned which is somewhat comical considering they - -  
2 Mesa County - - are the ones who denied the notice of intent to issue an access permit  
3 for that exact route.

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

8 I'd like to take a moment to read a section from the Colorado State Statute -  
9 section 34-1-301. And this was a legislative declaration that was enacted in 1973. The  
10 general assembly hereby declares that the state's commercial mineral deposits are  
11 essential to the state's economy. The populous counties of the state face a critical  
12 shortage of such deposits. Such deposits should be extracted according to a rational  
13 plan, calculated to avoid waste of such deposits and cause the least practicable  
14 disruption of the ecology and quality of life of the citizens of the populous counties of the  
15 state. The general assembly further declares that, for the reasons stated in subsection 1  
16 of this section, the regulation of commercial mineral deposits, the preservation of access  
17 to and extraction of such deposits, and the development of a rational plan for extraction of  
18 such deposits are matters of concern in the populous counties of the state. It is the  
19 intention of the general assembly that the provisions of this part 3 have full force and  
20 effect throughout such populous counties, including, but not limited to, the city and county  
21 of Denver and any other home rule city or town within each such populous county but  
22 shall have no application outside such populous counties.

23 The statute was first adopted in 1963 and it has been in effect since 1973 as  
24 I mentioned. Clearly the state sees the importance and the values of preserving and

1 utilizing our natural resources and gravel is a natural resource that's used in nearly every  
2 construction that we do in the city and the county and the state.

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

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

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

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

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

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

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

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

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

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

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

18                  COMMISSIONER SCHOENRADT:                   Mr. Chairman, I have a  
19 question.

20                  CHAIRMAN ABBOTT:                   Sure.

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

23                  MR. JONES:                   Unfortunately we tried contacting him last week and we  
24 simply played phone tag for three or four days. Although in past experience with Mr.



1 Montoya, he's very good to work with and I...I personally don't see that it would be an  
2 issue. If you look at the ground, there's adequate area at the intersection of Whitehead  
3 and the frontage road to accommodate a bus shelter.

4 UNIDENTIFIED FEMALE SPEAKER: I'm sorry but by the frontage  
5 road it's very close to the highway where there are big trucks going. I don't want my 8-  
6 year old child standing there where I can't see him. Where I'm at now on the corner  
7 across from the bus stop I can watch him and all the neighbors' children as opposed to  
8 look and see the bus stop from the inside of our community down to the frontage road by  
9 the highway where not only there's traffic but the potential for somebody to abduct one of  
10 our children because they're so far...

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

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

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

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

23 MR. JONES: Well, every load is required by law to be covered so  
24 obviously that is first and foremost is done before any hauling is completed and before it

1 leaves the site. As part of the safety program I imagine there would be monitoring on  
2 a...on a periodic basis of 29-3/4 Road. An initial evaluation on 29-3/4 Road in terms of its  
3 condition would be completed and then periodically be reviewed. And then obviously if  
4 there was any complaints or code enforcement issues relative to a pothole or something  
5 like that.

6 CHAIRMAN ABBOTT: No, I'm...I'm talking about gravel escaping  
7 from the truck and then being on the side of the road or being in the middle of the road.  
8 Are there plans for doing regular street sweeping or what...what is the thoughts of the  
9 applicant?

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

14 CHAIRMAN ABBOTT: Okay. Maybe I was hearing something  
15 weird I...I don't know. Did I hear you say that the start probably wouldn't happen until  
16 8:30? Did I hear that wrong or...?

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

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

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

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

1 COMMISSIONER SCHOENRADT: 5.

2 CHAIRMAN ABBOTT: Oh, 5?

3 MR. JONES: 5, yeah. Absolutely.

4 CHAIRMAN ABBOTT: Okay.

5 UNIDENTIFIED MALE SPEAKER: (Inaudible).

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

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

11 CHAIRMAN ABBOTT: I understand.

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

13 CHAIRMAN ABBOTT: Right.

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

21 CHAIRMAN ABBOTT: Okay.

22 COMMISSIONER WILLIAMS: Mr. Chairman, in regards to that, I  
23 would like to look at Brian's staff's report on the page looking east and I would like to see

1 where that trail access is on that photo if that's possible. I believe it was titled looking  
2 east.

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

4 MR. RUSCHE: Commissioner Williams, the photo that you're  
5 referring to actually doesn't go out far enough to show the trail but I have another  
6 photograph. I need to zoom out I guess. This is the...the site is outlined in yellow and  
7 the trail is on the far side of the map in brown. According to the...the city's G-I-S, the  
8 distance between this property and the trail is approximately 4100 feet and that's...I  
9 measured that as the crow flies. So I'm not sure how access is gained to the trail via 29-  
10 3/4 Road.

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

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

14 CHAIRMAN ABBOTT: Okay. I just wanted clarification on that.  
15 Do we have any other questions for the applicant at this time? Hearing no other  
16 questions for the applicant, I do have a request for a five minute break. We will resume at  
17 8:15. We're in recess.

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

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

23 COMMISSIONER SCHOENRADT: I guess I'll go first. Mr.  
24 Chairman, the way I see things the primary role of a governing body is to protect the

1 public welfare and safety. I'm torn because there's...there's a balancing act here  
2 between private property rights that are a foundation of our country but a public safety  
3 issue which is the role...the primary role of any government...government, excuse me.  
4 And because of that, I am going to be unable to support the approval of this permit the  
5 way it is proposed with its ingress and egress route being 29-3/4 Road.

6 CHAIRMAN ABBOTT: Thank you.

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

13 COMMISSIONER BURNETT: I also for safety reasons alone am  
14 opposed to this.

15 CHAIRMAN ABBOTT: Okay.

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

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

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

23 COMMISSIONER ESLAMI: No.

1 CHAIRMAN ABBOTT: You know, frankly to be real honest with  
2 you, I started out opposing this measure as it kept going and kept going and then to be  
3 honest with you the applicant has offered to change his hours of operation from 8:30  
4 to...to 5 p.m. It sounds to me like the applicant is doing everything they can to mitigate  
5 the impact of this project. And again, you know, while I guess I would not necessarily like  
6 to have this in my neighborhood, I do find that it fits the zoning code. It fits all the  
7 requirements that the City has asked for it. As a strictly a property rights issue, I'm going  
8 to have to probably vote for this measure. So at this time I will entertain a motion on this  
9 motion. Let's find it here. One second here.

10 COMMISSIONER SCHOENRADT: You got it? Alright. I got it.  
11 Ready?

12 CHAIRMAN ABBOTT: Yep.

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

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

20 COMMISSIONER ESLAMI: Aye.

21 CHAIRMAN ABBOTT: Aye. And opposed?

22 COMMISSIONER CARLOW: Aye.

23 COMMISSIONER SCHOENRADT: Aye.

24 COMMISSIONER BURNETT: Aye.



1 COMMISSIONER WILLIAMS: Aye.

2 CHAIRMAN ABBOTT: Okay.

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

5 CHAIRMAN ABBOTT: Sure. For – is myself and Ebe. Is that  
6 right? And then opposed? And with that, I am going to call this session of the Grand  
7 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.