



SHORT REPORT

4/12/96

OWNER INFORMATION

PROPERTY INFORMATION

*Location*

JOHN D SCHMAHL  
2301 RIVER RD  
GRAND JUNCTION, CO 81505-1321  
*CUP-96-96*

PARCEL NUMBER: 2945-064-00-034  
PROPERTY ADDRESS:

TAC: 10800

MILL LEVY: 86.0290

LAND VALUE: 18,550.00

IMPROVED VALUE: 0.00

TOTAL VALUE: 18,550.00

*Phone #*

*242-8046*

CO OWNER: *CUP for crushing, stockpiling ornamental rock*

BOOK:

PAGE: *Proposed I-1 zone*

SOLD: 00/00/00

PRICE: 0

YR BUILT: 0000

LEGAL DESCRIPTION:

LOT 22 ORCHARD GROVE SUB SEC 6 IS 1W & THAT PT LYG S & W OF SD LOT 22 ESTAB BY ACCRETION-CV ACTION NO 15557 B-938 P-786/789 & THAT PT OF GLO 9 E OF SD ACCRETION ORD MESA CO RECDS

EMMETT D BONNER  
2267 TANGLEWOOD RD  
GRAND JUNCTION, CO 81503-1262  
*CUP-96-97*

PARCEL NUMBER: 2945-054-00-040  
PROPERTY ADDRESS: 2365 RIVER RD

TAC: 10800

MILL LEVY: 86.0290

LAND VALUE: 5,000.00

IMPROVED VALUE: 5,128.00

TOTAL VALUE: 10,128.00

*Phone #*  
*241-2551*

CO OWNER: HELEN B  
*CUP for salvage/recycling operation, and pipe storage*

BOOK:

PAGE: *Proposed I-2 zone*

SOLD: 06/09/86

PRICE: 40000

YR BUILT: 1958

LEGAL DESCRIPTION:

W 75FT OF E 2.5A OF THAT PT OF LOT 16 ORCH GROVE SUB SEC 5 IS 1W S OF RR ROW

EMMETT D BONNER  
2267 TANGLEWOOD RD  
GRAND JUNCTION, CO 81503-1262

PARCEL NUMBER: 2945-054-00-042  
PROPERTY ADDRESS: 2373 RIVER RD

TAC: 10800

MILL LEVY: 86.0290

LAND VALUE: 8,000.00

IMPROVED VALUE: 0.00

TOTAL VALUE: 8,000.00

CO OWNER: HELEN B  
*Same as above*

BOOK:

PAGE: *Proposed I-2 zone*

SOLD: 12/13/83

PRICE: 48000

YR BUILT: 0000

LEGAL DESCRIPTION:

BEG A PT 282.5FT W OF SE COR LOT 16 ORCH GROVE SUB SEC 5 IS 1W N 280FT W 315FT S 280FT E 315FT TO BEG

STAFF REVIEW

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FILE: #ANX-96-96 Conditional Use Permit for a  
Monument Works Operation (Rock processing)  
in a I-1 Zone

DATE: May 14, 1996

STAFF: David Thornton

**ACTION REQUESTED:** Staff requests that Planning Commission approve the Conditional Use permit to allow a Rock Processing/Monument Works Operation in a Light Industrial (I-1) zone district.

LOCATION: South end of 23 Road north of Colorado River

APPLICANTS: John D Schmahl

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EXISTING LAND USE: Mesa Rock - Industrial use - (processing, stockpiling, crushing, cutting and finishing of ornamental rock)

PROPOSED LAND USE: Same

USE ZONE MATRIX CLASSIFICATION: Metal/Stone/Monument Works  
(requires a CUP in I-1 zone with pending text amendment.)

TAX PARCEL #: 2945-064-00-034

SURROUNDING LAND USE

NORTH: Agricultural  
SOUTH: Colorado River  
EAST: Agricultural  
WEST: Colorado River

EXISTING COUNTY ZONING: AFT with a Conditional Use Permit for processing, stockpiling, crushing, cutting and finishing ornamental rock.

PROPOSED CITY ZONING: Light Industrial (I-1)

SURROUNDING ZONING

NORTH: AFT (previous Mesa County zoning)  
SOUTH: R2 on South side of Colorado River (Mesa County)  
EAST: AFT (previous Mesa County zoning)  
WEST: R2 on south side of Colorado River (Mesa County)

The site has been surrounded by Mesa County zoning of AFT on adjacent properties within the River Road annexation. Properties across the Colorado River to the west and south and not part of the River Road annexation are zoned R2.

**STAFF ANALYSIS:**

This Conditional Use Permit requirement is part of a text amendment currently being proposed. Without adoption of the proposed text amendment, "Metal/Stone/Monument Works" is not allowed in I-1 and this use would be nonconforming in the I-1 zone district.

Background:

John Schmahl received from Mesa County in 1984 a Conditional Use Permit for crushing and stockpiling ornamental rock (Mesa Rock), on his property located north of the Colorado River on 23 Road. (Resolution No. MCM 84-102) In 1987 Mr. Schmahl requested an amendment to his CUP to allow stone cutting and finishing work for monument works. The Commissioners approved that request in 1988, (Resolution No. MCM 88-15 signed Feb. 16, 1988). The County Commissioners then passed a correcting resolution on March 29, 1988 and April 5, 1988 for the amended CUP (see attached copies of resolutions MCM 88-15(a) and MCM 88-15(b)). The amended CUP changed the allowed operation to be "Processing and Stockpiling Stone" rather than "Crushing and Stockpiling Ornamental Rock". The CUP amendment also included additional conditions of approval.

Mesa Rock is using this site for the processing, crushing, cutting, finishing, and stockpiling of ornamental rock and monuments that at least some of which is hauled from the Surface Rock Quarry Mine in Unawep Canyon. Additional stockpiling and crushing operations were needed for the Surface Rock Quarry and were moved to an off-site location on 23 Road. This CUP was obtained for such purposes.

Historically the site had been used for gravel extraction.

The conditions for the original Mesa County CUP in 1984 were as follows:

1. An Air Quality permit must be obtained from the Colorado Health Department;
2. The reclamation plan submitted to the State in 1979 be implemented by September of 1985 with the exception of the 5 acre site approved for crushing operations in this permit;
3. Crushing will occur during normal working hours only during the work week;
4. An annual review of this proposal will take place in conjunction with C1-84;
5. A 100' setback will be retained adjacent to the river;
6. A 55 decibel noise level not be exceeded at surrounding residences from the crushing.

Original conditions 1 and 2 appear to have been met by the owner. Condition 4, the requirement that this operation be review annually with the Unawep mining operation CUP may or may not be possible since the mine is not within the City's jurisdiction. Also, there is no evidence in the Mesa County file for this CUP that any annual review ever took place by Mesa County since the 1984 approval except for the amendment process in 1988 when the permit was expanded to include processing and finishing work for

stone. Condition 6 relating to noise levels is not a condition of approval the City typically requires on a site specific basis. City nuisance laws are already available to handle any noise complaints that may come up as the result of any activity where noise becomes a problem.

The amended CUP had the following conditions as approved by the Mesa County Commissioners in 1988:

1. An Air Quality permit must be obtained from the Colorado Health Department;
2. Processing will occur during normal working hours only during the work week;
3. An annual review of this proposal will take place in conjunction with C1-84;
4. A 100' setback will be retained adjacent to the river;
5. A 55 decibel noise level not be exceeded at surrounding residences from the processing.
6. Limit of three (3) pieces of processing equipment.

The Correcting Resolution as approved by the Mesa County Commissioners in 1988 had the following conditions of approval:

The Conditional Use Permit was approved subject to the following pieces of equipment being permitted for use on the site:

- Two rubber tired front-end loaders;
- One fork lift;
- Three rock saws;
- Three rock breaker/polishers;
- One rock tumbler;
- One of two trucks;
- Generator;
- Water pumps;
- Fuel storage tank;
- One construction/tool storage trailer;

Accessory uses as may be necessary and which comply with Section 10.2.1.C "Accessory Uses".

**STAFF RECOMMENDATIONS:**

Staff recommends that this Conditional Use Permit be approved with all Mesa County conditions, (Mesa County files C54-84 and C2-88; and Resolutions MCM 84-102, MCM 88-15, MCM 88-15(a), and MCM 88-15(b)). The Conditional Use Permit is being transferred and adopted for all purposes of the County approval except that all references made for various review, approval and/or enforcement action by Mesa County Departments shall be reviewed, approved and/or enforced by corresponding City of Grand Junction Departments where applicable.

**PLANNING COMMISSION MOTIONS:**

Mr. Chairman, on item #CUP-96-96, the Conditional Use Permit to allow a Monuments Works Operation in an I-1 zone district for approximately 5 acres north of the Colorado River on 23 Road, I move that we approve this as per staff recommendations.

(mesarock.cup)

# RIVER ROAD ANNEXATION

Current uses on parcel: 2945-064-00-034 Mesa Rock



This map was developed by the City of Grand Junction from aerial photography and other public records. The City does not guarantee the accuracy of this map.



Orthophoto flown on 3/21/94

MP  
4/5/96



RESOLUTION NO. MCM 84-102  
Planning Department No. C54-84  
Conditional Use - Crushing and Stockpiling Ornamental Rock

WHEREAS, John and Marilyn Schmahl sought to have a Conditional Use Permit for a rock crusher on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See Attached)

and

WHEREAS, the hearing before the Board of County Commissioners was held July 24, 1984,

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the staff recommendation was approval subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;

2. The reclamation plan submitted to the State in 1979 be implemented by September of 1985 with the exception of the 5 acre site approved for crushing operations in this permit;

3. Crushing will occur during normal working hours only during the work week;

4. An annual review of this proposal will take place in conjunction with C1-84;

5. A 100' setback will be retained adjacent to the river;

6. A 55 decibel noise level not be exceeded at surrounding residences from the crushing;

That the Mesa County Planning Commission recommended approval subject to the conditions listed above;

That the Conditional Use Permit met with relevant Mesa County land use Policies;

That the Conditional Use Permit is in accordance with the health, safety and welfare of the residents of Mesa County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit for crushing is approved subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;

2. The reclamation plan submitted to the State in 1979 be implemented by September of 1985 with the exception of the 5 acre site approved for crushing operations in this permit;

3. Crushing will occur during normal working hours only during the work week;

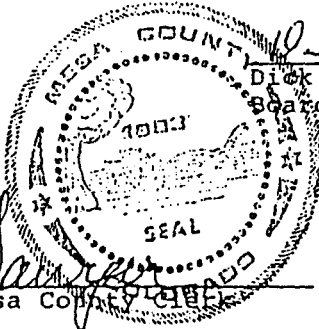
Resolution No. MCM 84-102  
Planning Department No. C54-84

4. An annual review of this proposal will take place in conjunction with C1-84;

5. A 100' setback will be retained adjacent to the river;

6. A 55 decibel noise level not be exceeded at surrounding residences from the crushing.

PASSED and ADOPTED this \_\_\_\_\_ 14th \_\_\_\_\_ day of  
August, 19 84.



Dick Pond  
Dick Pond, Chairman of the  
Board of Mesa County Commissioners

ATTEST:

Earl Sawyer  
Earl Sawyer, Mesa County Clerk



C54-84    CONDITIONAL USE - CRUSHING & STOCKPILING ORNAMENTAL ROCK

Petitioner:    John & Marilyn Schmahl.    Location:    northwest of Colorado River  
and 23 Road.    A request for a conditional use for crushing and stockpiling  
ornamental rock on 30 acres in an agricultural/forestry transitional zone.

Southeast one quarter; Lots 9-10-22, Section 6 in township 1 South, Range 1 West,  
U.M.

RESOLUTION NO. MCM 88-15  
Planning Department No. 02-00

CONDITIONAL USE - PROCESSING AND STOCKPILING  
ORNAMENTAL ROCK

WHEREAS, John and Marilyn Schmahl sought to have a Conditional Use Permit for a rock crusher amended to allow other processing equipment on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See attached)

and

WHEREAS, the hearing before the Board of County Commissioners was held January 26, 1988,

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the staff recommendation waws approval subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;
2. Processing will occur during normal working hours only during the work week;
3. An annual review of this proposal will take place in conjunction with C1-84;
4. A 100' setback will be retained adjacent to the river;
5. A 55 decibel noise level not be exceeded at surrounding residences from the processing;
6. Limit of three(3) pieces of processing equipment.

That the Mesa County Planning Commission recommended approval subject to the conditions listed above;

That the Conditional Use Permit met with relevant Mesa County land use Policies;

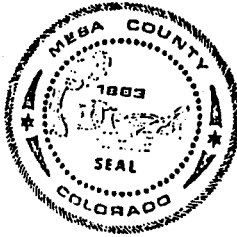
That the Conditional Use Permit is in accordance with the health, safety and welfare of the residents of Mesa County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit for crushing is approved subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;
2. Processing will occur during normal working hours only during the work week;
3. An annual review of this proposal will take place in conjunction with C1-84;
4. A 100' setback will be retained adjacent to the river;
5. A 55 decibel noise level not be exceeded at surrounding residences from the processing;
6. Limit of three (3) pieces of processing equipment.

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PASSED AND ADOPTED this 16th day of February,  
1988.



Majine Allers  
R. W. Holmes, Chairman of the  
Board of Mesa County Commissioners

ATTEST:

Earl Sawyer  
Earl Sawyer, Mesa County Clerk

Southwest one quarter; Lots 9-10-21, Section 6 in township 1 South, Range 1 West,  
U.H.

C2-88

WE HEREBY ACKNOWLEDGE THAT WE HAVE FAMILIARIZED OURSELVES WITH THE RULES AND REGULATIONS WITH RESPECT TO THE PREPARATION OF THIS SUBMITTAL, THAT THE FOREGOING INFORMATION IS TRUE & COMPLETE TO THE BEST OF OUR KNOWLEDGE, AND THAT WE ASSUME THE RESPONSIBILITY TO MONITOR THE STATUS OF THIS APPLICATION AND THE REVIEW SHEET COMMENTS. WE RECOGNIZE THAT WE OURSELVES, OR OUR REPRESENTATIVE(S) MUST BE PRESENT AT ALL HEARINGS. IN THE EVENT THAT THE PETITIONER IS NOT REPRESENTED, THE ITEM WILL BE DROPPED FROM THE AGENDA, AND AN ADDITIONAL FEE CHARGED TO COVER RE-SCHEDULING EXPENSES BEFORE IT CAN AGAIN BE PLACED ON THE AGENDA.

*W. D. D. ...*

12-15-87

CORRECTED

RESOLUTION NO. MCM 88-15(a)  
Planning Department No. C2-88

Correcting Resolution - Processing and Stockpiling Stone =  
Amendment to Conditional Use - John & Marilyn Schmahl

WHEREAS, John & Marilyn Schmahl sought to have a Conditional Use Amendment for a processing and stockpiling stone in an Agricultural, Forestry, Transition Zone on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See attached)

and

WHEREAS, the hearing before the Board of County Commissioners was held January 26, 1988.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the Mesa County Planning Commission made recommendations at their public hearing held on January 22, 1988.

That the Conditional Use Permit met with relevant Mesa County Land Use Policies, specifically Policy #29 - Mineral Extraction, and the Mesa County Land Development Code, specifically Section 10.2 - Criteria for Conditional Use Permits; 10.4 - Mineral Extraction,

That the Conditional Use is in accordance with the health, safety and welfare of the residents of Mesa County.

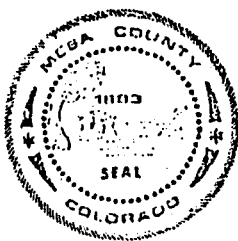
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit is approved subject to the following pieces of equipment being permitted for use on the site:

- Two rubber tired front-end loaders;
- One fork lift;
- Three rock saws;
- Three rock breaker/polishers;
- One rock tumbler;
- One of two trucks;
- Generator;
- Water pumps;
- Fuel storage tank;
- One construction/tool storage trailer;

Accessory uses as may be necessary and which comply with Section 10.2.1.0 "Accessory Uses".

RESOLUTION  
FILE NO. C2-88  
Page 2

PASSED AND ADOPTED this 29th day of March,  
1988.



Maxine Allers  
Maxine Allers, Chairman of the  
Board of Mesa County Commissioners

ATTEST:

Earl Sawyer  
Earl Sawyer, Mesa County Clerk

C2-88 PROCESSING & STOCKPILING STONE - AMENDMENT TO CONDITIONAL USE (SEE C54-84)  
PETITIONER: JOHN & MARILYN SCHMAHL LOCATION: 23 ROAD & COLORADO RIVER  
A REQUEST FOR AN AMENDED CONDITIONAL USE PERMIT TO ALLOW CRUSHING, SAWING,  
POLISHING OR BREAKING OF STONE INTO A VARIETY OF PRODUCTS, LOCATED ON 5  
ACRES IN AN AGRICULTURAL/FORESTRY TRANSITIONAL (AFT) ZONE.

Southeast one quarter; Lots 9-10-22, Section 6 in township 1 South, Range 1 West,  
U.M.



Correcting Resolution

RESOLUTION NO. MCM 88-15(b)  
Planning Department No. C2-88

Correcting Resolution - Processing and Stockpiling Stone =  
Amendment to Conditional Use - John & Marilyn Schmahl

WHEREAS, John & Marilyn Schmahl sought to have a Conditional Use Amendment for a processing and stockpiling stone in an Agricultural, Forestry, Transition Zone on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See attached)

and

WHEREAS, the hearing before the Board of County Commissioners was held January 26, 1988.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the Mesa County Planning Commission made recommendations at their public hearing held on January 22, 1988.

That the Conditional Use Permit met with relevant Mesa County Land Use Policies, specifically Policy #29 - Mineral Extraction, and the Mesa County Land Development Code, specifically Section 10.2 - Criteria for Conditional Use Permits; 10.4 - Mineral Extraction,

That the Conditional Use is in accordance with the health, safety and welfare of the residents of Mesa County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit is approved subject to the following pieces of equipment being permitted for use on the site:

Two rubber tired front-end loaders;  
One fork lift;  
Three rock saws;  
Three rock breaker/polishers;  
One rock tumbler;  
One of two trucks;  
Generator;  
Water pumps;  
Fuel storage tank;  
One construction/tool storage trailer;

Accessory uses as may be necessary and which comply with Section 10.2.1.C "Accessory Uses".

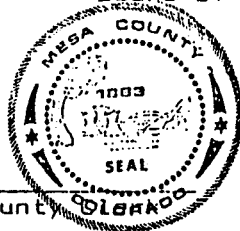
RESOLUTION  
FILE NO. C2-88  
Page 2

PASSED AND ADOPTED this 5th day of April,  
1988.

Maxine Albers  
Maxine Albers, Chairman of the  
Board of Mesa County Commissioners

ATTEST:

Earl Sawyer  
Earl Sawyer, Mesa County



Southeast one quarter; T-1s 9-10-22, Section 6 in towns 1 South, Range 1 West,  
U.M.

STAFF REVIEW

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FILE: #ANX-96-96 Conditional Use Permit for a  
Monument Works Operation (Rock processing)  
in a I-1 Zone

DATE: June 11, 1996 (REVISED SINCE MAY 14TH)

STAFF: David Thornton

**ACTION REQUESTED:** Staff requests that Planning Commission approve the Conditional Use permit to allow a Rock Processing/Monument Works Operation in a Light Industrial (I-1) zone district.

LOCATION: South end of 23 Road north of Colorado River

APPLICANTS: John D Schmahl

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EXISTING LAND USE: Mesa Rock - Industrial use - (processing, stockpiling, crushing, cutting and finishing of ornamental rock)

PROPOSED LAND USE: Same

USE ZONE MATRIX CLASSIFICATION: Metal/Stone/Monument Works (requires a CUP in I-1 zone with pending text amendment.)

TAX PARCEL #: 2945-064-00-034

SURROUNDING LAND USE

NORTH: Agricultural  
SOUTH: Colorado River  
EAST: Agricultural  
WEST: Colorado River

EXISTING COUNTY ZONING: AFT with a Conditional Use Permit for processing, stockpiling, crushing, cutting and finishing ornamental rock.

PROPOSED CITY ZONING: Light Industrial (I-1)

SURROUNDING ZONING

NORTH: AFT (previous Mesa County zoning)  
SOUTH: R2 on South side of Colorado River (Mesa County)  
EAST: AFT (previous Mesa County zoning)  
WEST: R2 on south side of Colorado River (Mesa County)

The site has been surrounded by Mesa County zoning of AFT on adjacent properties within the River Road annexation. Properties across the Colorado River to the west and south and not part of the River Road annexation are zoned R2.

**STAFF ANALYSIS:**

This Conditional Use Permit requirement is part of a text amendment currently being proposed. Without adoption of the proposed text amendment, "Metal/Stone/Monument Works" is not allowed in I-1 and this use would be nonconforming in the I-1 zone district.

Background:

John Schmahl received from Mesa County in 1984 a Conditional Use Permit for crushing and stockpiling ornamental rock (Mesa Rock), on his property located north of the Colorado River on 23 Road. (Resolution No. MCM 84-102) In 1987 Mr. Schmahl requested an amendment to his CUP to allow stone cutting and finishing work for monument works. The Commissioners approved that request in 1988, (Resolution No. MCM 88-15 signed Feb. 16, 1988). The County Commissioners then passed a correcting resolution on March 29, 1988 and April 5, 1988 for the amended CUP (see attached copies of resolutions MCM 88-15(a) and MCM 88-15(b)). The amended CUP changed the allowed operation to be "Processing and Stockpiling Stone" rather than "Crushing and Stockpiling Ornamental Rock". The CUP amendment also included additional conditions of approval.

Mesa Rock is using this site for the processing, crushing, cutting, finishing, and stockpiling of ornamental rock and monuments that at least some of which is hauled from the Surface Rock Quarry Mine in Unaweep Canyon. Additional stockpiling and crushing operations were needed for the Surface Rock Quarry and were moved to an off-site location on 23 Road. This CUP was obtained for such purposes.

Historically the site had been used for gravel extraction.

The conditions for the original Mesa County CUP in 1984 were as follows:

1. An Air Quality permit must be obtained from the Colorado Health Department;
2. The reclamation plan submitted to the State in 1979 be implemented by September of 1985 with the exception of the 5 acre site approved for crushing operations in this permit;
3. Crushing will occur during normal working hours only during the work week;
4. An annual review of this proposal will take place in conjunction with C1-84;
5. A 100' setback will be retained adjacent to the river;
6. A 55 decibel noise level not be exceeded at surrounding residences from the crushing.

Original conditions 1 and 2 appear to have been met by the owner. Condition 4, the requirement that this operation be review annually with the Unaweep mining operation CUP may or may not be possible since the mine is not within the City's jurisdiction. Also, there is no evidence in the Mesa County file for this CUP that any annual review ever took place by Mesa County since the 1984 approval except for the amendment process in 1988 when the permit was expanded to include processing and finishing work for

stone. Condition 6 relating to noise levels is not a condition of approval the City typically requires on a site specific basis. City nuisance laws are already available to handle any noise complaints that may come up as the result of any activity where noise becomes a problem.

The amended CUP had the following conditions as approved by the Mesa County Commissioners in 1988:

1. An Air Quality permit must be obtained from the Colorado Health Department;
2. Processing will occur during normal working hours only during the work week;
3. An annual review of this proposal will take place in conjunction with C1-84;
4. A 100' setback will be retained adjacent to the river;
5. A 55 decibel noise level not be exceeded at surrounding residences from the processing.
6. Limit of three (3) pieces of processing equipment.

The Correcting Resolution as approved by the Mesa County Commissioners in 1988 had the following conditions of approval:

The Conditional Use Permit was approved subject to the following pieces of equipment being permitted for use on the site:

Two rubber tired front-end loaders;

One fork lift;

Three rock saws;

Three rock breaker/polishers;

One rock tumbler;

One of two trucks;

Generator;

Water pumps;

Fuel storage tank;

One construction/tool storage trailer;

Accessory uses as may be necessary and which comply with Section 10.2.1.C "Accessory Uses".

#### **STAFF RECOMMENDATIONS:**

Staff recommends that this Conditional Use Permit be approved with only those conditions we have the ability to enforce and/or are not enforceable through other City codes or regulations. All references made for various review, approval and/or enforcement action by Mesa County Departments or the State of Colorado shall be reviewed, approved and/or enforced by corresponding City of Grand Junction Departments where applicable.

In addition, staff recommends that if during the next 12 months, anyone comes to the City with a complaint that an original Mesa County condition is not being met and seeks for remedy by the City, Staff will forward this CUP to Planning Commission for formal review and action. It is not the City's intent to circumvent the County approval process. In this CUP there is reason to believe that some of the original conditions are not valid or needed today and the owner is requesting that we reconsider the Mesa County

conditions. If it is determined between now and a year from now that a previous County condition is still valid, this CUP needs to be brought back before Planning Commission.

**PLANNING COMMISSION MOTION:**

Mr. Chairman, on item #CUP-96-96, the Conditional Use Permit to allow a Monuments Works Operation (Stone Processing and Stockpiling Operation) in an I-1 zone district for approximately 5 acres north of the Colorado River on 23 Road, I move that we approve this with the following conditions:

1) An air quality permit must be maintained from the Colorado Health Department.

2) Hours of operation shall be daylight to dark, Monday through Saturday;

3) A 100-foot setback shall be maintained adjacent to and along the Colorado River; and

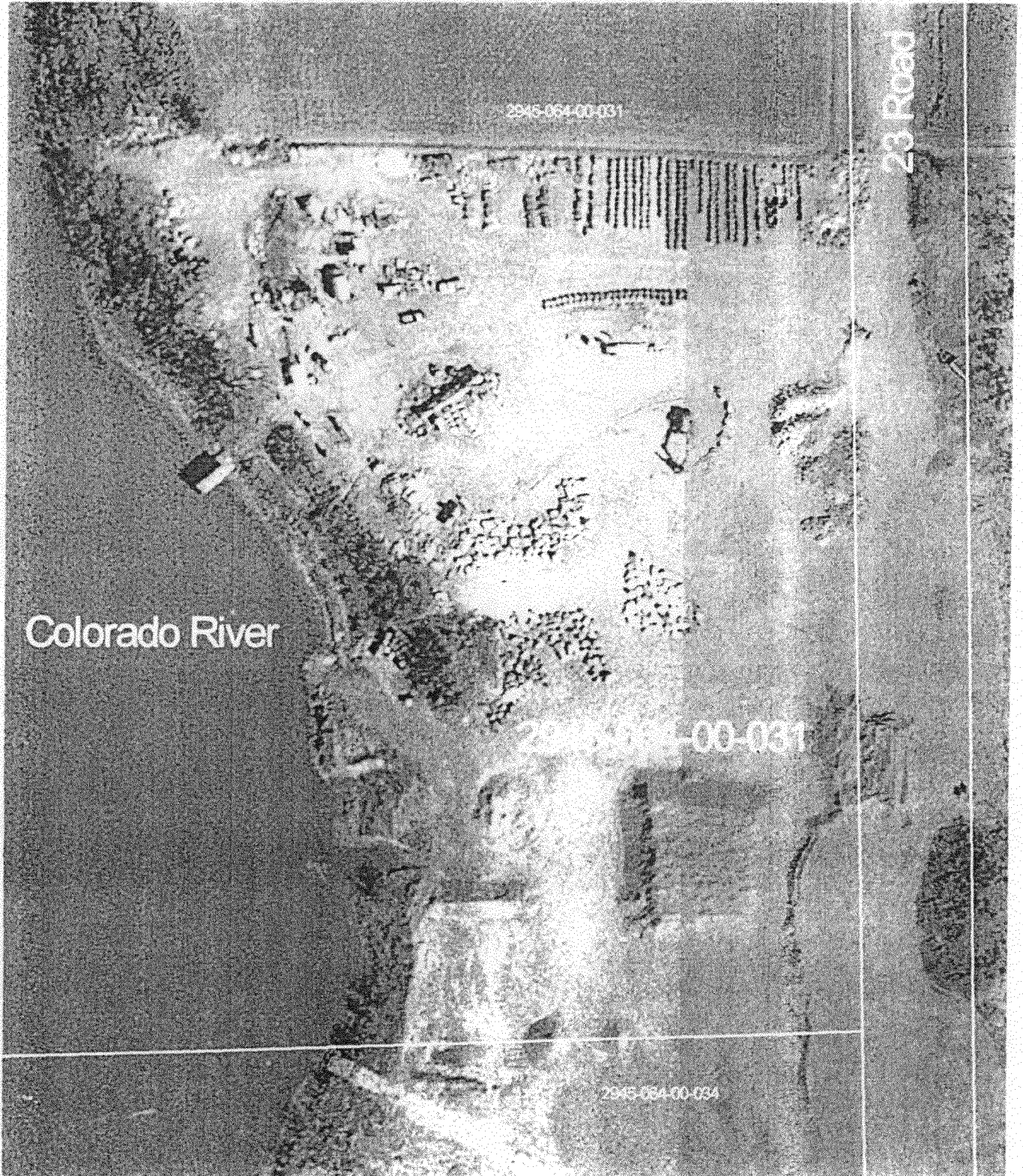
4) For one (1) year following the approval of this CUP by the City Planning Commission, any complaint referred to the City regarding the original Mesa County approval and/or conditionals of approval for this CUP shall require formal presentation and action by the City Planning Commission. Such action may result in amending this CUP.

(mesarock.cup)



# RIVER ROAD ANNEXATION

Current uses on parcel: 2945-064-00-034 Mesa Rock



This map was developed by the City of Grand Junction from aerial photography and other public records. The City does not guarantee the accuracy of this map.



Orthophoto flown on 3/21/94

MP  
4/5/96

RESOLUTION NO. MCM 84-102  
Planning Department No. C54-84  
Conditional Use - Crushing and Stockpiling Ornamental Rock

WHEREAS, John and Marilyn Schmahl sought to have a Conditional Use Permit for a rock crusher on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See Attached)

and

WHEREAS, the hearing before the Board of County Commissioners was held July 24, 1984,

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the staff recommendation was approval subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;
2. The reclamation plan submitted to the State in 1979 be implemented by September of 1985 with the exception of the 5 acre site approved for crushing operations in this permit;
3. Crushing will occur during normal working hours only during the work week;
4. An annual review of this proposal will take place in conjunction with C1-84;
5. A 100' setback will be retained adjacent to the river;
6. A 55 decibel noise level not be exceeded at surrounding residences from the crushing;

That the Mesa County Planning Commission recommended approval subject to the conditions listed above;

That the Conditional Use Permit met with relevant Mesa County land use Policies;

That the Conditional Use Permit is in accordance with the health, safety and welfare of the residents of Mesa County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit for crushing is approved subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;
2. The reclamation plan submitted to the State in 1979 be implemented by September of 1985 with the exception of the 5 acre site approved for crushing operations in this permit;
3. Crushing will occur during normal working hours only during the work week;

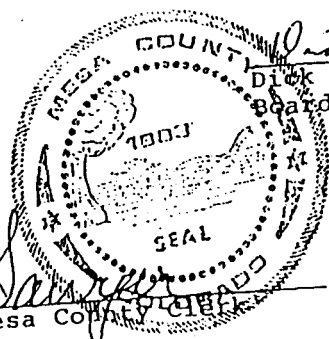
Resolution No. MCM 84-102  
Planning Department No. C54-84

- 4. An annual review of this proposal will take place in conjunction with C1-84;
- 5. A 100' setback will be retained adjacent to the river;
- 6. A 55 decibel noise level not be exceeded at surrounding residences from the crushing.

PASSED and ADOPTED this \_\_\_\_\_ 14th \_\_\_\_\_ day of  
August \_\_\_\_\_, 19 84 \_\_\_\_\_.

ATTEST:

Earl Sawyer  
Earl Sawyer, Mesa County Clerk



Dick Pond  
Dick Pond, Chairman of the  
Board of Mesa County Commissioners

C54-84    CONDITIONAL USE - CRUSHING & STOCKPILING ORNAMENTAL ROCK

Petitioner: John & Marilyn Schmahl. Location: northwest of Colorado River and 23 Road. A request for a conditional use for crushing and stockpiling ornamental rock on 30 acres in an agricultural/forestry transitional zone.

Southeast one quarter; Lots 9-10-22, Section 6 in township 1 South, Range 1 West, U.M.

RESOLUTION NO. MCM 88-15  
Planning Department No. C2-88

CONDITIONAL USE - PROCESSING AND STOCKPILING  
ORNAMENTAL ROCK

WHEREAS, John and Marilyn Schmahl sought to have a Conditional Use Permit for a rock crusher amended to allow other processing equipment on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See attached)

and

WHEREAS, the hearing fore the Board of County Commissioners was held January 26, 1988,

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the staff recommendation waws approval subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;
2. Processing will occur during normal working hours only during the work week;
3. An annual review of this proposal will take place in conjunction with C1-84;
4. A 100' setback will be retained adjacent to the river;
5. A 55 decibel noise level not be exceeded at surrounding residences from the processing;
6. Limit of three(3) pieces of processing equipment.

That the Mesa County Planning Commission recommended approval subject to the conditions listed above;

That the Conditional Use Permit met with relevant Mesa County land use Policies;

That the Conditional Use Permit is in accordance with the health, safety and welfare of the residents of Mesa County.

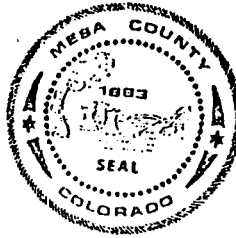
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit for crushing is approved subject to the following conditions:

1. An air quality permit must be obtained from the Colorado Health Department;
2. Processing will occur during normal working hours only during the work week;
3. An annual review of this proposal will take place in conjunction with C1-84;
4. A 100' setback will be retained adjacent to the river;
5. A 55 decibel noise level not be exceeded at surrounding residences from the processing;
6. Limit of three (3) pieces of processing equipment.



Page 2

PASSED AND ADOPTED this 16th day of February, 1988.



*Majine Altus*  
M. W. Holmes, Chairman of the  
Board of Mesa County Commissioners

ATTEST:

*Earl Sawyer*  
Earl Sawyer, Mesa County Clerk

Southwest one quarter; Lots 9-10-21, Section 6 in township 1 South, Range 1 West,  
U.K.

C2-80

WE HEREBY ACKNOWLEDGE THAT WE HAVE FAMILIARIZED OURSELVES WITH THE RULES AND REGULATIONS WITH RESPECT TO THE PREPARATION OF THIS SUBMITTAL, THAT THE FOREGOING INFORMATION IS TRUE & COMPLETE TO THE BEST OF OUR KNOWLEDGE, AND THAT WE ASSUME THE RESPONSIBILITY TO MONITOR THE STATUS OF THIS APPLICATION AND THE REVIEW SHEET COMMENTS. WE RECOGNIZE THAT WE OURSELVES, OR OUR REPRESENTATIVE(S) MUST BE PRESENT AT ALL HEARINGS. IN THE EVENT THAT THE PETITIONER IS NOT REPRESENTED, THE ITEM WILL BE DROPPED FROM THE AGENDA, AND AN ADDITIONAL FEE CHARGED TO COVER RE-SCHEDULING EXPENSES BEFORE IT CAN AGAIN BE PLACED ON THE AGENDA.

W. J. A. H. J. N.

12-15-87



RESOLUTION NO. MCM 88-15(a)  
Planning Department No. C2-88

Correcting Resolution - Processing and Stockpiling Stone =  
Amendment to Conditional Use - John & Marilyn Schmahl

WHEREAS, John & Marilyn Schmahl sought to have a Conditional Use Amendment for a processing and stockpiling stone in an Agricultural, Forestry, Transition Zone on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See attached)

and

WHEREAS, the hearing before the Board of County Commissioners was held January 26, 1988.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the Mesa County Planning Commission made recommendations at their public hearing held on January 22, 1988.

That the Conditional Use Permit met with relevant Mesa County Land Use Policies, specifically Policy #29 - Mineral Extraction, and the Mesa County Land Development Code, specifically Section 10.2 - Criteria for Conditional Use Permits; 10.4 - Mineral Extraction,

That the Conditional Use is in accordance with the health, safety and welfare of the residents of Mesa County.

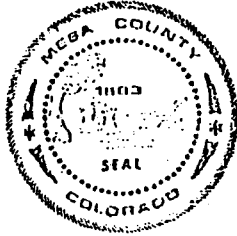
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit is approved subject to the following pieces of equipment being permitted for use on the site:

- Two rubber tired front-end loaders;
- One fork lift;
- Three rock saws;
- Three rock breaker/polishers;
- One rock tumbler;
- One of two trucks;
- Generator;
- Water pumps;
- Fuel storage tank;
- One construction/loot storage trailer;

Accessory uses as may be necessary and which comply with Section 10.2.1.C "Accessory Uses".

RESOLUTION  
FILE NO. C2-88  
Page 2

PASSED AND ADOPTED this 29th day of March,  
1988.



Maxine Albers  
Maxine Albers, Chairman of the  
Board of Mesa County Commissioners

ATTEST:

Earl Sawyer  
Earl Sawyer, Mesa County Clerk

C2-88 PROCESSING & STOCKPILING STONE - AMENDMENT TO CONDITIONAL USE (SEE C54-84)  
PETITIONER: JOHN & MARILYN SCHMAHL LOCATION: 23 ROAD & COLORADO RIVER  
A REQUEST FOR AN AMENDED CONDITIONAL USE PERMIT TO ALLOW CRUSHING, SAWING,  
POLISHING OR BREAKING OF STONE INTO A VARIETY OF PRODUCTS, LOCATED ON 5  
ACRES IN AN AGRICULTURAL/FORESTRY TRANSITIONAL (AFT) ZONE.

Southeast one quarter; Lots 9-10-22, Section 6 in township 1 South, Range 1 West,  
U.M.

Correcting Resolution

RESOLUTION NO. MCM 88-15(b)  
Planning Department No. C2-88

Correcting Resolution - Processing and Stockpiling Stone =  
Amendment to Conditional Use - John & Marilyn Schmahl

WHEREAS, John & Marilyn Schmahl sought to have a Conditional Use Amendment for a processing and stockpiling stone in an Agricultural, Forestry, Transition Zone on the following described land situated in the County of Mesa, State of Colorado, to wit:

(See attached)

and

WHEREAS, the hearing before the Board of County Commissioners was held January 26, 1988.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the Mesa County Planning Commission made recommendations at their public hearing held on January 22, 1988.

That the Conditional Use Permit met with relevant Mesa County Land Use Policies, specifically Policy #29 - Mineral Extraction, and the Mesa County Land Development Code, specifically Section 10.2 - Criteria for Conditional Use Permits; 10.4 - Mineral Extraction,

That the Conditional Use is in accordance with the health, safety and welfare of the residents of Mesa County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO, that the Conditional Use Permit is approved subject to the following pieces of equipment being permitted for use on the site:

Two rubber tired front-end loaders;  
One fork lift;  
Three rock saws;  
Three rock breaker/polishers;  
One rock tumbler;  
One of two trucks;  
Generator;  
Water pumps;  
Fuel storage tank;  
One construction/tool storage trailer;

Accessory uses as may be necessary and which comply with Section 10.2.1.C "Accessory Uses".

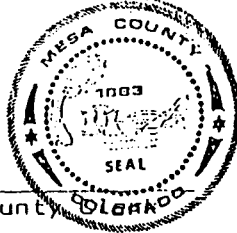
RESOLUTION  
FILE NO. C2-88  
Page 2

PASSED AND ADOPTED this 5th day of April,  
1988.

Maxine Alters  
Maxine Alters, Chairman of the  
Board of Mesa County Commissioners

ATTEST:

Earl Sawyer  
Earl Sawyer, Mesa County



Southcast one quarter; Lots 9-10-22, Section 6 in towns 1 South, Range 1 West,  
U.M.

June 21, 1996



Grand Junction Community Development Department  
Planning • Zoning • Code Enforcement  
250 North Fifth Street  
Grand Junction, Colorado 81501-2668  
(970) 244-1430 FAX (970) 244-1599

Hoskin, Farina, Aldrich & Kampf  
Attn: Greg Hoskin  
200 Grand Ave., Suite 400  
Grand Junction, CO 81501

Dear Mr. Hoskin,

This letter is to inform you that the Grand Junction Planning Commission approved a conditional use permit (CUP) for the Mesa Rock operation on June 11, 1996. The CUP is for crushing, cutting, and stockpiling of ornamental rock. The conditions of approval are as follows:

1. An air quality permit must be maintained from the Colorado Health Department.
2. Hours of operation shall be daylight to dark, Monday through Saturday;
3. A 100-foot setback shall be maintained adjacent to and along the Colorado River; and
4. For one (1) year following the approval of this CUP by the City Planning Commission, any complaint referred to the City regarding the original Mesa County approval and/or conditionals of approval for this CUP shall require formal presentation and action by the City Planning Commission. Such action may result in amending this CUP.

The site plan for this CUP is the previous County approved site plan. If you have any questions call me at 244-1451.

Sincerely,

A handwritten signature in black ink that reads "Mike Pelletier".

Mike Pelletier  
Associate Planner

Enclosure





Entrance area of Mesa  
Rock facing south

06-1-5



From NE corner of Mesa Rock  
facing west

06-1-5