

Asphalt Specialties

RCU2016-00025

May 23, 2017

Board of County Commissioners

Department of Community and Economic Development

Case Manager: Chris LaRue



Conditional Use Permit Request

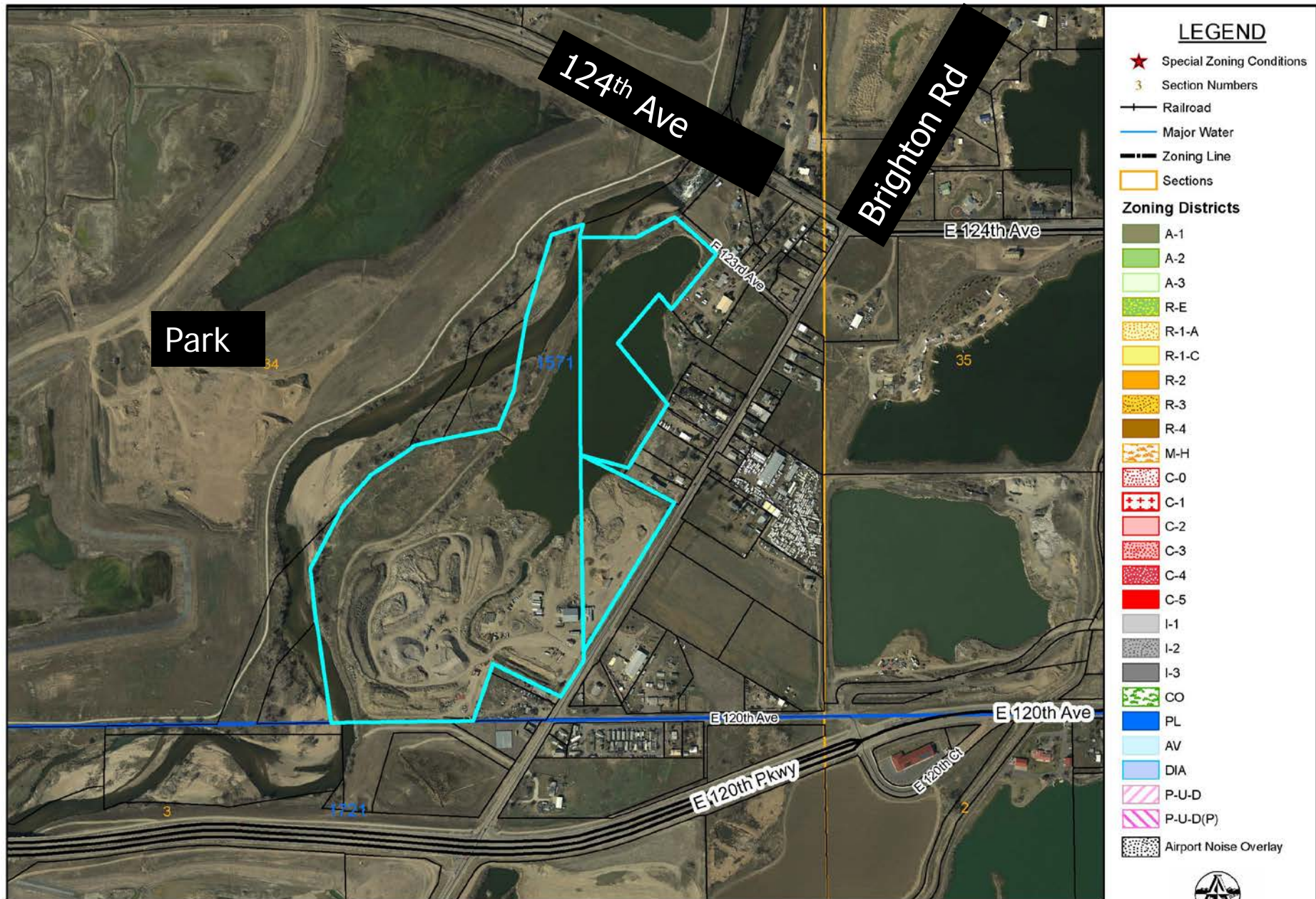
- A recycling and wholesale facility of concrete & asphalt in the A-3 Zone District.

Update

- 2/8/17: Inspection with County Staff, Tri-County Health, & CDPHE
 - CD
 - Violations noted: non-inert material, wind speed, etc.
 - Show cause proceedings
 - BoCC hearings: 4/4, 4/18, & 5/23
 - Monitor for 30 days; notice
- PC continued action on 2/9 & 4/13 to allow resolution of show cause

Background

- Sand & Gravel Mine (expired 2010)
- *Inert* landfill (2010)
- Concrete & asphalt
 - Can be recycled & sold
 - Stockpiled, sorted, & crushed
 - No new material to brought to the site
- Violation for recycling



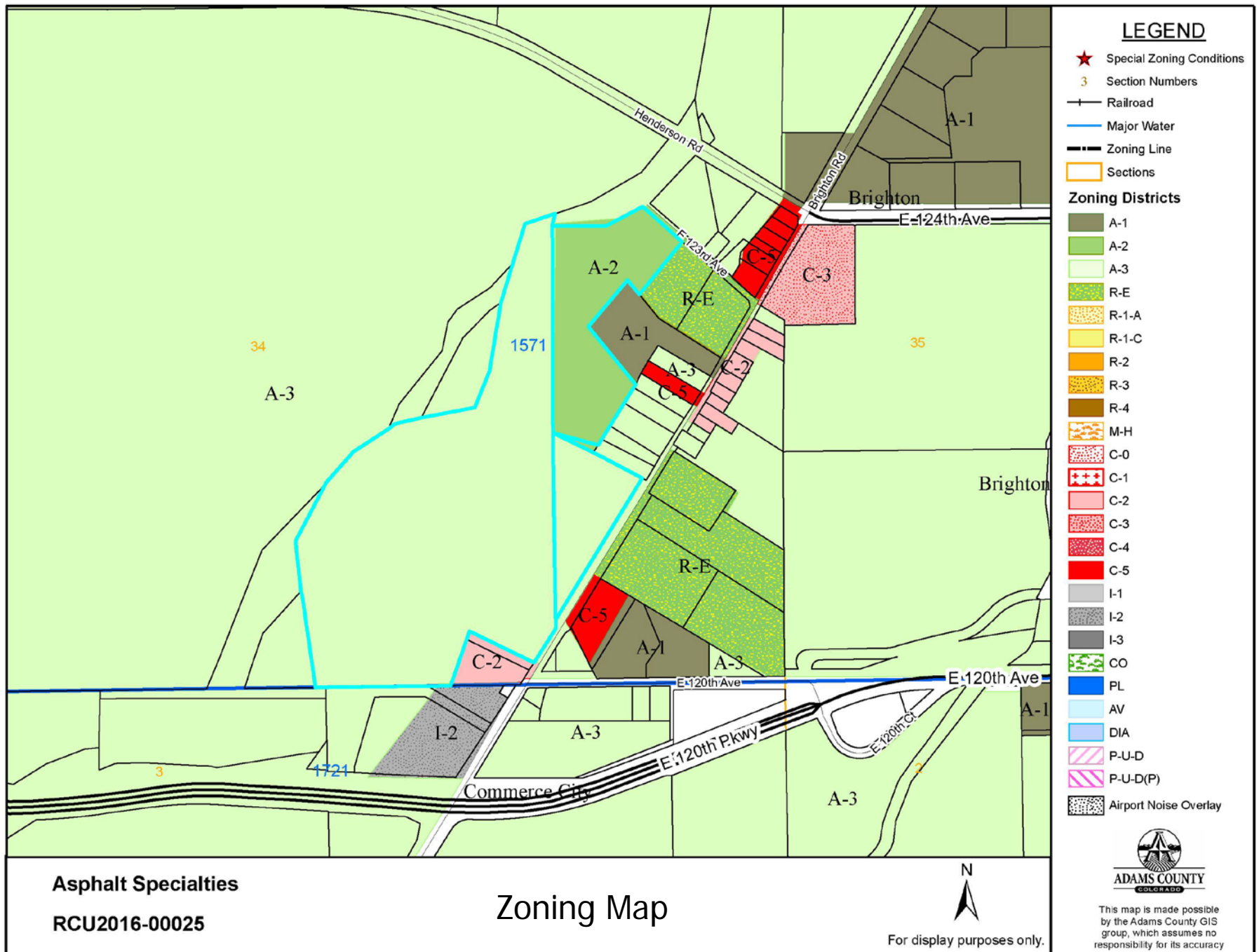
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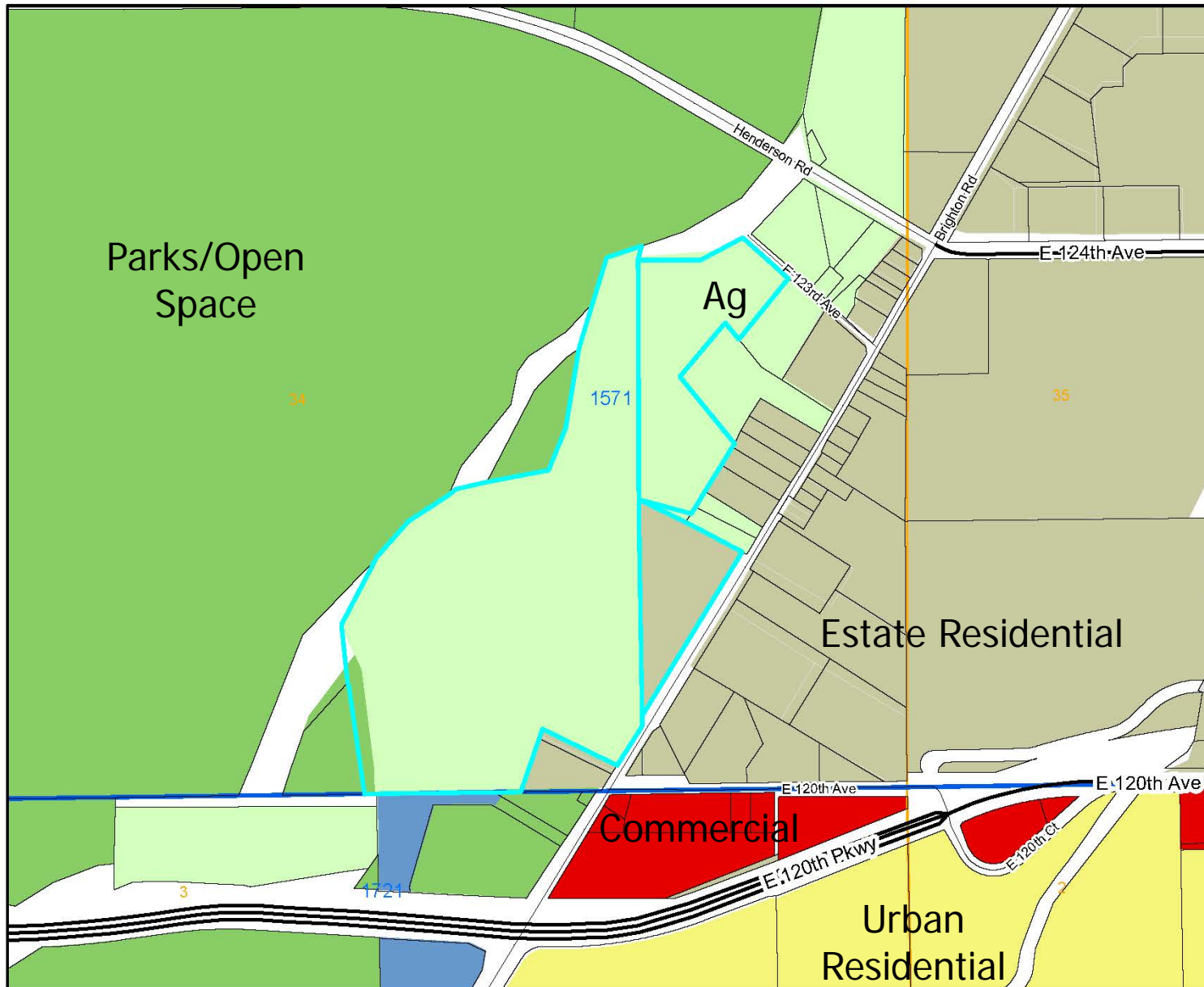
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Aerial Map

- 75 acres
- 16.5 ac for recycling

For d





- Long term compatible
- Complete this year

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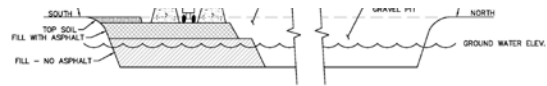
Comprehensive Plan



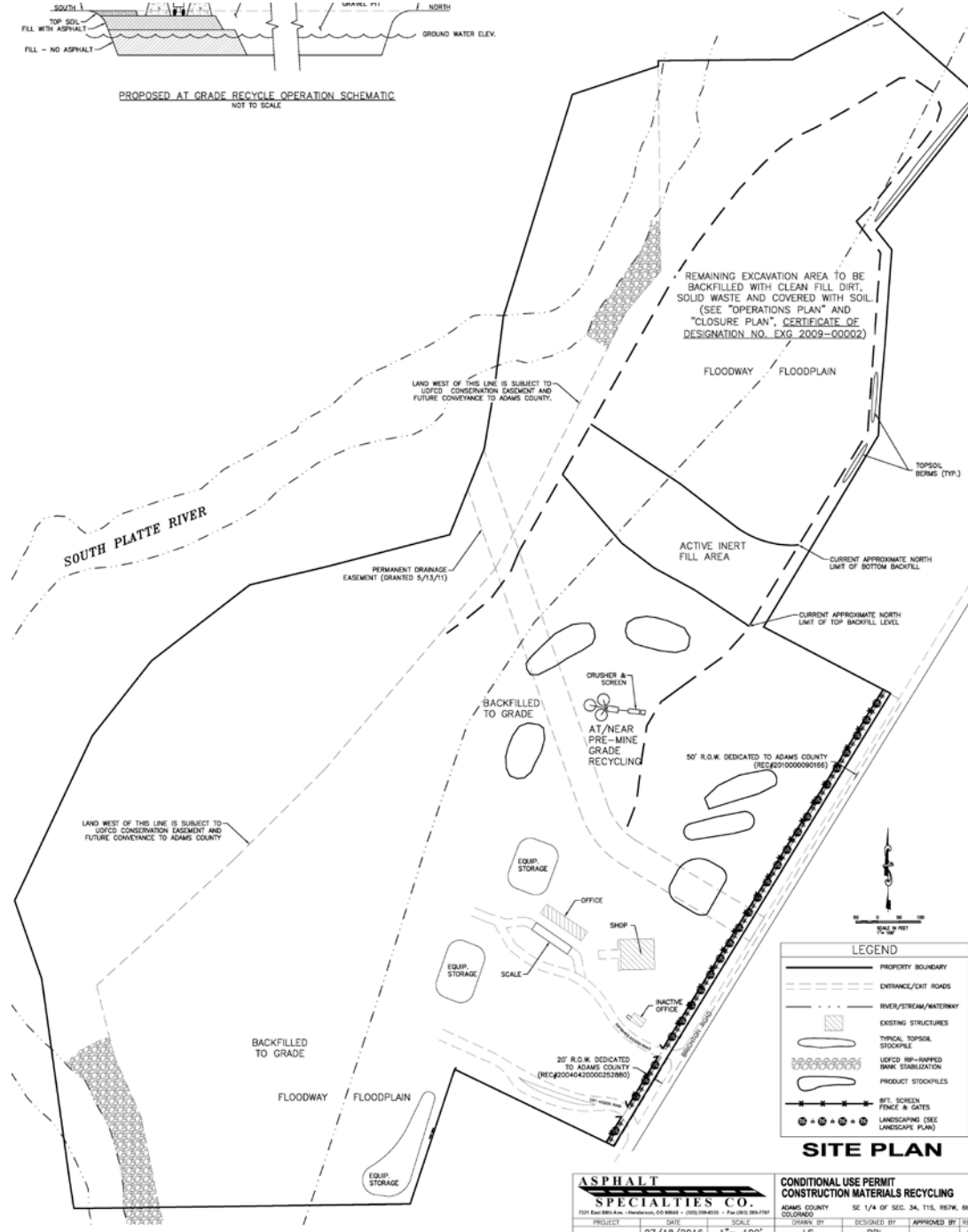
For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



PROPOSED AT GRADE RECYCLE OPERATION SCHEMATIC
NOT TO SCALE



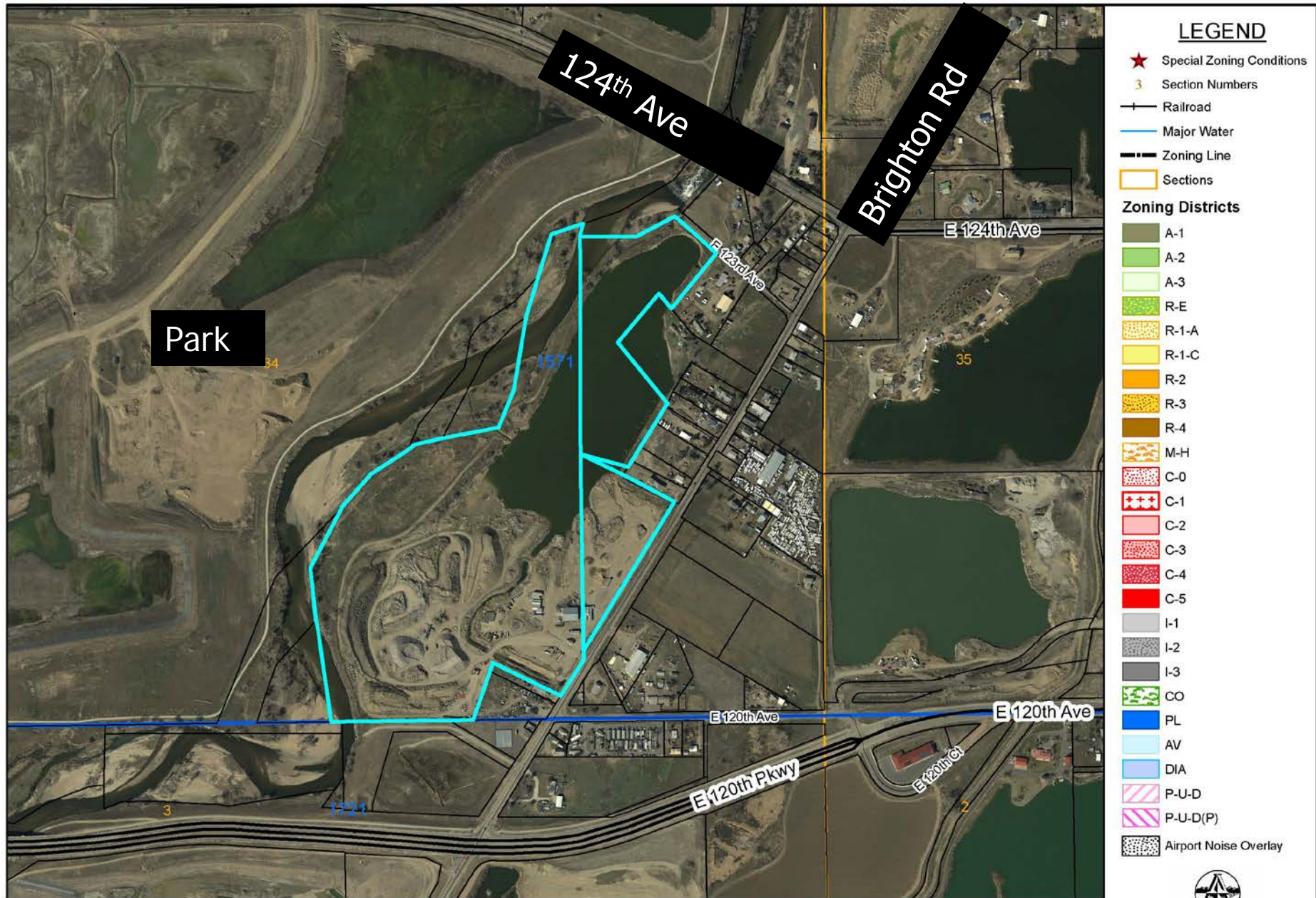
SITE PLAN

ASPHALT SPECIALTIES CO.
101 East 80th Ave. • Henderson, CO 80640 • (303) 286-6000 • Fax (303) 286-7307
PROJECT SHEET SCALE

CONDITIONAL USE PERMIT CONSTRUCTION MATERIALS RECYCLING
ADAMS COUNTY COLORADO SE 1/4 OF SEC. 34, T15, R87W, 6th 1/4
DESIGNED BY RBL
APPROVED BY RBL
07/18/2016 1" = 100'

Development Standards

- CUP / recycling in A-3 (3-10-04-05)
- Storage screening:
 - Limited to fence height
- Applicant providing:
 - Screening along Brighton Rd
 - Staff requiring landscaping/screening on south property line



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Aerial Map

•75 acres
•16.5 ac for recycling

For d

Criteria for Conditional Use Permit Approval

Section 2-02-08-06

1. CUP Permitted in Zone
2. Consistent with Regulations
3. Complies with Performance Standards
4. Compatible and Not Detrimental
5. No Off-Site Impacts
6. Suitability of Site
7. Functional Layout
8. Utilities and/or Services Provided

Referral Comments

- Development Services Engineering / ROW:
 - General comments: No road improvements / tracking control & maintenance plan
- No concerns from referral agencies
- Property Owners notified with 1,500 feet

Notifications Sent	Comments Received
68	0

Planning Commission Update

- PC unanimously approved the request on 5/11/17.
 - No changes to conditions.
- Applicant requested change to landscaping & pile heights.
- 1 person spoke: debris on Brighton Rd.



South on Brighton Rd







West into site







West into site



South on Brighton Rd



North on Brighton Rd



[illegible]



Site facing north of
120th Parkway



Recommendation

- The request is consistent with:
 - Surrounding areas
 - Comprehensive Plan designations
 - Development Standards & Regulations
 - Conditions & adherence to CD conditions
- PC & Staff are recommending **Approval** based on 8 Findings-of-Fact, 3 Conditions Precedent & 18 Conditions

Findings of Fact

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

Findings of Fact

5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.

Recommended Conditions

Recommended Conditions Precedent:

1. Prior to commencing operations, and thereafter during the active life of the facility, and for one (1) year after closure, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. The amount of said bond shall be in the amount necessary to remove materials from recycling facilities for disposal at an appropriate disposal facility. The amount of the bond shall be calculated to include removal, tipping fees, and transportation costs.

The performance bond shall be forfeited in an amount sufficient to defray the expense of action including staff time expended by Adams County for corrective actions required due to issues with health, safety, and general welfare from failure of the operator to follow any regulations, standards, or conditions of approval.

Recommended Conditions

Recommended Conditions Precedent:

2. The applicant shall submit a landscaping and screening plan no later than 30 days from the date of approval of this conditional use permit. The landscape and screening plan shall provide landscaping/screening along both Brighton Road and the southern property boundary where the site is visible from 120th Avenue Parkway. The landscape plan may include a provision to allow alternative methods of irrigation.
3. The applicant shall receive a “Notice to Proceed” from the Department of Community and Economic Development. Written proof that all of the conditions precedents have been satisfied shall be required prior to receiving this notice.

Recommended Conditions of Approval

Recommended Conditions:

1. The facility shall not accept new materials to be recycled. This CUP only authorizes the recycling of materials that are already on site as of May 1, 2017.
2. This CUP expires on December 6, 2017.
3. This CUP shall be limited only to materials, processes, and storage areas as described in the application and - related to the recycling of concrete and asphalt. Any changes to types of material or processes shall require an amendment to this CUP.
4. Stockpiles on the property shall not exceed eight feet in height, which is also the height limit of the earthen berm installed along the eastern property line.

Recommended Conditions of Approval

Recommended Conditions:

5. The earthen berm along the eastern property line shall be maintained in conformity with Section 4-17 of the Adams County Development Standards and Regulations pertaining to weeds and dangerous trees.
6. Lighting shall be arranged and positioned so no direct lighting or reflection of lighting creates a nuisance or hazard to any adjoining property or rights-of-way.
7. The operator shall maintain records showing amounts of stockpiled materials both processed and unprocessed. In addition, records containing customer lists and showing amounts of recycled material shipped off site shall be maintained.

Recommended Conditions of Approval

Recommended Conditions:

8. The operator shall submit bi-monthly status reports on the last business day of the month to the Director of Community and Economic Development. The reports shall summarize the status of the facility and provide documentation on how the conditions of approval are being met. The report shall be submitted on or before each of the following dates: June 30, 2017, August 30, 2017, October 30, 2017, and December 6, 2017.
9. Violations to the conditions of approval may result in a show cause hearing before the Board of County Commissioners to revoke or suspend the conditional use permit.

Recommended Conditions of Approval

Recommended Conditions:

10. The operator shall inspect Brighton Road for tracking of debris at least three times a day. Debris found on Brighton Road shall be removed immediately.
11. By the close of business each day, the operator shall remove all waste material consisting of concrete, asphalt, soils, sand, and rock that is brought to the facility, along public rights-of-way within one-half (1/2) mile of the facility.
12. Wind monitoring equipment shall be installed and maintained at all times. The facility shall cease operations during periods of high winds. High winds shall be defined as when wind speeds exceed 35 mph or when sustained wind speeds exceed 25mph.

Recommended Conditions of Approval

Recommended Conditions:

13. The facility shall have two employees onsite during operational hours. There shall be, at a minimum, one qualified employee on site during operational hours to monitor activities.
14. The facility shall provide regular training to their staff on:
 - 14.1 Safety;
 - 14.2 Review of emergency procedures;
 - 14.3 In-house orientation provided for new personnel;
 - 14.4 Site map showing traffic patterns, pile locations, open water, and restricted areas;
 - 14.5 The site map shall be updated regularly as site conditions changes;
 - 14.6 Keeping trucks away from the site entrance to ensure traffic flow;
 - 14.7 Identification of all people on site, including visitors.

Recommended Conditions of Approval

Recommended Conditions:

15. Dust control mechanisms shall be in place and functioning at all times.
16. Any metal transported to the site shall be placed into metal recycling roll off containers.
17. The operator shall contact all truck operators who bring fill to the site and instruct them that dumping of new recycled materials shall be prohibited.

Recommended Conditions of Approval

Recommended Conditions:

18. The facility shall not accept any hazardous or contaminated waste. All material shall be field screened. The field screening methods include headspace/PID screening, draeger tubes (or equivalent), colormetric field kits, infrared (IR) analysis for TPH in soil, pH, conductivity, temperature and other methods, depending on the known or suspected contaminants or purpose of screening. Field screening methods may be done independently or periodic laboratory testing may be employed to verify the field screening results. Field screening equipment will be calibrated according to the manufacturer specifications prior to and periodically during the field use. This applies to equipment used for onsite chemical measurements such as pH, electrical conductivity, and temperature. Instruments and equipment used to gather generate, or measure environmental data in the field will be calibrated with sufficient frequency and in such a manner that accuracy and reproducibility of the results are consistent with the manufacturer specifications.