

SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW (USR) APPLICATION

FOR PLANNING DEPARTMENT USE DATE RECEIVED:
RECEIPT # /AMOUNT # /\$ CASE # ASSIGNED:
APPLICATION RECEIVED BY PLANNER ASSIGNED:

Parcel Number 0 9 5 7 1 9 0 0 0 0 4 9
(12 digit number - found on Tax I.D. information, obtainable at the Weld County Assessor's Office, or www.co.weld.co.us)

Legal Description PT E2/PT NW4 LOT A RE-1247, Section 19, Township 05 North, Range 67 West

Zone District: AG, Total Acreage: 23 +/-, Flood Plain: N/A, Geological Hazard: N/A

Airport Overlay District: N/A

FEE OWNER(S) OF THE PROPERTY:

Name: W3 Legacy, LLC
Work Phone # 970-441-8212 Home Phone # Email cweimer@son-haul.net
Address: P.O. Box 1449
Address:
City/State/Zip Code Fort Morgan, CO 80701

Name: N/A
Work Phone # Home Phone # Email
Address:
Address:
City/State/Zip Code

Name: N/A
Work Phone # Home Phone # Email
Address:
Address:
City/State/Zip Code

APPLICANT OR AUTHORIZED AGENT (See Below: Authorization must accompany applications signed by Authorized Agent)

Name: AGPROfessionals (Tim Naylor)
Work Phone # 970-535-9318 Home Phone # Email tnaylor@agpros.com
Address: 3050 67th Avenue, Suite 200
Address:
City/State/Zip Code Greeley, CO 80634

PROPOSED USE:

The property owner is requesting a Use by Special Review to use this site for a trucking and commerical construction business in the AG zone. The business is requesting to have a rail spur from Great Western Railroad to receive flyash rail shipments. The site will have parking areas for trucks and heavy construction equipment.

I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our)knowledge. Signatures of all fee owners of property must sign this application. If an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included indicating that the signatory has to legal authority to sign for the corporation.

Handwritten signature and date 6.17.15
Signature: Owner or Authorized Agent Date


Signature: Owner or Authorized Agent Date

April 23, 2015

To Whom It May Concern:

W3 Legacy, LLC is contracted with AGPROfessionals for all permitting, planning, engineering and regulatory work relating to the USR and Recorded Exemption Applications for Lot A – RE1247. AGPROfessionals is authorized to represent and request the release of all records necessary on behalf of W3 Legacy, LLC. We respectfully request that all correspondence be directed to AGPROfessionals.

Sincerely,



Chris Weimer

4/23/15

Date

SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW (USR) QUESTIONNAIRE

W3 Legacy, LLC

The following questions are to be answered and submitted as part of the USR application. If a question does not pertain to your use, please respond with “not applicable”, with an explanation as to why the question is not applicable.

1. Explain, in detail, the proposed use of the property.

The property owner is requesting a Use by Special Review to allow the use of the property for a trucking and commercial construction business. The business operates its main business in Morgan County and will use this site for operations in Weld County. The company will have approximately twenty (20) semi trucks and trailers used to haul flyash for soil stabilization for construction projects. The facility will allow parking for heavy construction equipment on site when it is not mobilized to offsite projects. The business will have a shop and office for both the trucking and construction businesses.

The facility is proposing to place a rail spur at the site to receive flyash by rail then ship it by truck to the construction site. The rail spur will be located within the Omnitrax railroad easement at the request of the railroad.

The facility will have a fueling station. The applicant will acquire the appropriate permits and prepare a Spill Prevention, Control and Countermeasure plan according to State regulations.

The facility will apply for all appropriate air permits for the storage of flyash.

Currently the site is being used as a cattle feeding operation. The feedlot will not be operated after approval of the USR. All pens and appurtenances related to the feedlot will be removed over time.

No sign is proposed at this time. If at such time as a sign is required, it will meet the sign requirements as stated in the Weld County Code.

The location of the light poles in the parking areas are shown on the plat. All lights will be shielded and directed down as required in the Weld County Code.

2. Explain how this proposal is consistent with the intent of the Weld County Code, Chapter 22 (Comprehensive Plan).

This USR application has been prepared utilizing the process outlined in the Weld County Code and Procedural Guides. The Guiding Principles of the Comprehensive Plan found in Section 22-1-120 states, “Land use changes must afford flexibility based on the specific location and the particular circumstances encountered within the locality. It is also important to weigh the cumulative impacts that specific land use changes will have.”

This proposal is respectful of surrounding uses. The surrounding area has multiple uses including trucking companies, rural residential, agriculture and also businesses within

the Johnstown area. The site is also adjacent to Weld County Commercial and Industrial Zoned properties.

The application is consistent with Section 22-2-20 G. A.Goal 7. "County land use regulations should protect the individual property owner's right to request a land use change. 2. A.Policy 7.2. Conversion of agricultural land to nonurban residential, commercial and industrial uses should be accommodated when the subject site is in an area that can support such development, and should attempt to be compatible with the region."

The site is in an area that can support the proposed use. The site is adjacent to railroads which would allow for a railspur. The site is also located within 2 miles of Colorado Hwy 34.

3. Explain how this proposal is consistent with the intent of the Weld County Code, Chapter 23 (Zoning) and the zone district in which it is located.

The proposal is for a trucking and commercial construction business in the Agricultural Zone. This proposal is allowed in the Ag Zone as a Use by Special Review as called in Chapter 23, 23-3-40.

S. Any use permitted as a Use by Right, an ACCESSORY USE, or a Use by Special Review in the COMMERCIAL or industrial zone districts, provided that the property is not a Lot in an approved or recorded subdivision plat or lots parts of a map or plan filed prior to adoption of any regulations controlling subdivisions. PUD development proposals shall not be permitted to use the special review permit process to develop.

This facility will be established and operated in a manner that is compatible with existing and planned land uses in the neighborhood. Currently there are similar uses in the area. Adequate provision has been made to protect the health, safety and welfare of the inhabitants of the neighborhood and the County. Operation Standards as found in Section 23-2-260 of the Weld County Code were consulted in preparing this application.

4. What types of uses surround the site? Explain how the proposed use is consistent and compatible with surrounding land uses.

The surrounding area has multiple uses including construction business, shop, office, production agriculture, residential uses, recreational facilities, gravel mining and a natural gas facility.

5. Describe, in detail, the following:

- a. Number of people will use this site?

It is proposed that approximately up to 20 drivers and office personnel will use this site.

- b. Number of employees proposed to be employed at this site?

It is proposed that approximately up to 20 drivers will use this site. Drivers will arrive at the site and leave in semi tractor trailers for the day. The drivers will be on site for less than 2 hours at a time. Two to six (2-6) office personnel will be onsite as building construction allows.

c. Hours of operation?

The facility is projected to be operational Monday-Saturday. Standard hours of operation are proposed to be 6:00 a.m. to 8:00 p.m. However, trucks may arrive and depart 24 hours per day, if necessary.

d. Type and number structures to be erected (built) on this site?

A shop/office building is proposed to be built on this site. Proposed building will be approximately 50' x 100'. A modular office is also proposed. A fueling station/tank will be located on site as well as several flyash silos.

e. What type and number of animals, if any, will be on this site?

There will be no animals on this site. All feedlot pens will be removed over time.

f. Kind of vehicles (type, size, weight) that will access this site and how often?

*20 Semi Trucks and Trailers (approximately 20 loads per day)
Construction Equipment
Scrapers
Employee vehicles (approximately 20 per day)*

g. Who will provide fire protection to the site?

Johnstown Fire Protection District

h. What is the water source on the property? (Both domestic and irrigation)

Little Thompson Water District water tap number 446. This tap is 1.5 inches.

i. Sewage disposal system on the property? (Existing and proposed).

Portable Toilets will be used at this site. Permitted Septic systems will be installed when buildings are built.

j. If storage or warehousing is proposed, what type of items will be stored?

*Construction Equipment
Tools
Semi Trucks and Trailers
Flyash Silo(s)*

6. Explain the proposed landscaping for the site. The landscaping shall be separately submitted as a landscape plan map as part of the application submittal.

No additional landscaping is proposed.

7. Explain any proposed reclamation procedures when termination of the Use by Special Review activity occurs.

Reclamation procedures include compliance with applicable regulations and operated as a commercial construction and trucking facility. Should the facility be permanently discontinued, it would be marketed under applicable county planning and zoning regulations to its permitted use.

8. Explain how the storm water drainage will be handled on the site.

Stormwater drains toward the southeast corner of the property. A Water Quality Feature has been designed and the drainage narrative is included with this application.

9. Explain how long it will take to construct this site and when construction and landscaping is scheduled to begin.

Construction of buildings will commence upon final approval of the Use by Special Review permit when economic conditions allow.

10. Explain where storage and/or stockpile of wastes will occur on this site.

There will be no storage of wastes on this site. Any wastes produced from employees will be contained in a dumpster and hauled off regularly by a local trash service such as Northern Colorado Disposal as described in the Waste Management Plan.

11. Please list all proposed on-site and off-site improvements associated with the use (example: landscaping, fencing, drainage, turn lanes, etc.) and a timeline of when you will have each one of the improvements completed.

There are no off-site improvements planned for this project. Construction of storage buildings will commence upon final approval of the Use by Special Review permit when economic conditions allow.

W3 Legacy, LLC Traffic Narrative

Traffic Narrative:

This document outlines the projected traffic associated with a proposed USR permit for a trucking and commercial construction business. The site is located south of Weld County Road 56 west of Weld County Road 15. The site was previously used as a feedlot facility. Access to the site is on existing private gravel road.

Typical vehicles accessing this site include employee vehicles and semi trucks.

The following numbers are anticipated upon full build-out of the site:

Semi-truck and trailer trucks: approximately 20 round trips per day

Employee vehicles: approximately 26 per day

The ongoing use of the site and associated traffic is consistent with the existing uses on surrounding properties. Traffic flow is anticipated to head west on Weld County Road 56 to Weld County Road 13 then North to Highway 34.

W3 Legacy, LLC

Nuisance Management Plan

Dust Abatement Plan

Existing gravel and/or road base will be used at the entrance and on internal roadways to control dust onsite. Should it be necessary to mitigate for excessive dust, a water tanker truck or portable sprinkling system may be used for moisture control on roadways.

Waste Management Plan

There will be no storage of wastes on this site. Any wastes produced from employees will be contained in a dumpster and hauled off regularly by a sanitation service such as Waste Management of Northern Colorado, 40950 Weld County Road 25, Ault, CO 80610, (970) 482-6319. No maintenance of vehicles is anticipated at this site. No disposal of oil, fluids, tires, headlights or chemicals will be needed. The building will be used to store equipment, such as vehicles, air compressor, ladders, sandpaper, paper towels, trash cans, and construction tools.

FOR COMMERCIAL SITES, PLEASE COMPLETE THE FOLLOWING INFORMATION

BUSINESS EMERGENCY INFORMATION:

Business Name: W3 Legacy, LLC Phone: 970-441-8212

Address: P.O. Box 1449 City, ST, Zip: Fort Morgan, CO 80701

Business Owner: Chris Weimer Phone: 970-441-8212

Home Address: _____ City, ST, Zip: _____

List three persons in the order to be called in the event of an emergency:

NAME	TITLE	ADDRESS	PHONE
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Business Hours: 6:00 a.m. to 8:00 p.m. Days: Monday - Saturday

Type of Alarm: None Burglar Holdup Fire Silent Audible

Name and address of Alarm Company: _____

Location of Safe: _____

MISCELLANEOUS INFORMATION:

Number of entry/exit doors in this building: _____ Location(s): _____

Is alcohol stored in building? _____ Location(s): _____

Are drugs stored in building? _____ Location(s): _____

Are weapons stored in building? _____ Location(s): _____

The following programs are offered as a public service of the Weld County Sheriff's Office. Please indicate the programs of interest. Physical Security Check Crime Prevention Presentation

UTILITY SHUT OFF LOCATIONS:

Main Electrical: _____

Gas Shut Off: _____

Exterior Water Shutoff: _____

Interior Water Shutoff: _____