



## Public Hearing Notification

Case Name:	Tucson South
Case Number:	EXG2020-00001
Planning Commission Hearing Date:	January 14, 2021 at 6:00 p.m.
Board of County Commissioners Hearing Date:	February 2, 2021 at 9:30 a.m.

December 21, 2020

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: Conditional use permit to allow extraction use in the Agricultural-1 (A-1) zone district. The Assessor's Parcel Numbers are: 0157101000016, 0157101000017, 0157101000028, 0157101000033, 0157101000034, 0157101000035, 0157101002001, 0157101100002, 0157101200010, 0157101300001, and 0157101300002. The site is located on the east and west sides of Tucson Street in between Highway 7 and East 168<sup>th</sup> Avenue. The applicant is Aggregate Industries - WCR, Inc, 1687 Cole Blvd. Suite 300, Golden, CO 80401

The Planning Commission meeting will be held virtually using the Zoom video conferencing software and members of the public will be able to submit comments prior to the start of the public hearing that will then be entered into the record. For instructions on how to access the public hearing via telephone or internet, or to submit comment, please visit <http://www.adcogov.org/planning-commission> for up to date information.

The Board of County Commissioners meeting is broadcast live on the Adams County YouTube channel and members of the public will be able to submit comments prior to the start of the public hearing that will then be entered into the record. The eComment period opens when the agenda is published and closes at 4:30 p.m. the Monday prior to the noticed meeting. For instructions on how to access the public hearing and submit comments, please visit <http://www.adcogov.org/bocc> for up to date information.

These will be public hearings and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. The full text of the proposed request and additional colored maps can be obtained by accessing the Adams County Community and Economic Development Department website at [www.adcogov.org/planning/currentcases](http://www.adcogov.org/planning/currentcases).

Thank you for your review of this case.

Greg Barnes

Planner III

[gjbarnes@adcogov.org](mailto:gjbarnes@adcogov.org)

BOARD OF COUNTY COMMISSIONERS

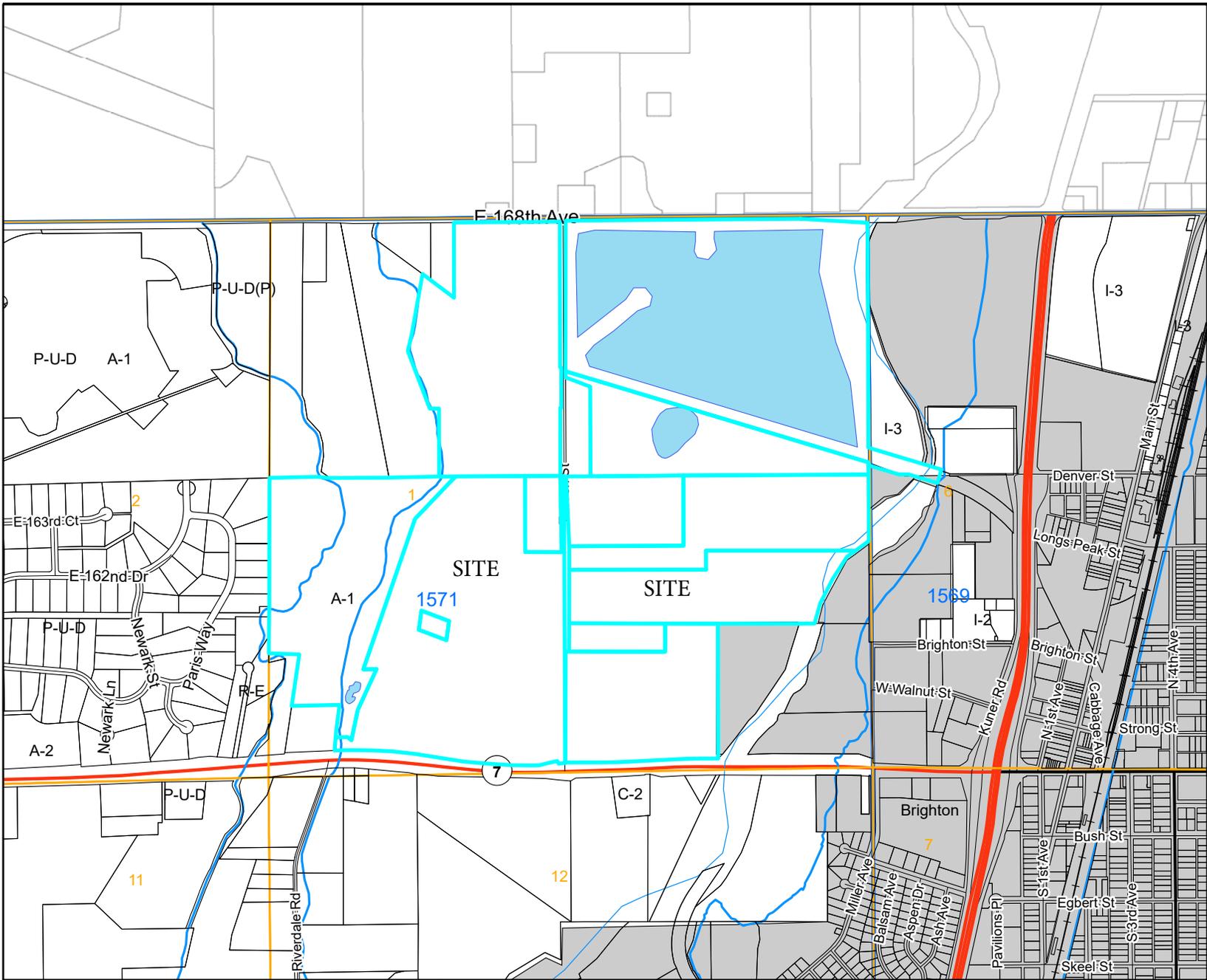
Eva J. Henry  
DISTRICT 1

Charles "Chaz" Tedesco  
DISTRICT 2

Emma Pinter  
DISTRICT 3

Steve O'Dorisio  
DISTRICT 4

Mary Hodge  
DISTRICT 5



**Legend**

- Railroad
- Major Water
- Zoning Line
- Sections

**Tucson South**  
**EXG2020-00001**



For display purposes only.



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

# **EXECUTIVE SUMMARY**

## **TUCSON SOUTH RESOURCE CONDITIONAL USE PERMIT APPLICATION**

This application for a Conditional Use Permit (CUP) for gravel mining (“Application”) is presented by Aggregate Industries-WCR, Inc. (“Aggregate Industries”) to Adams County, Colorado for review and approval as provided for in the Adams County Development Standards and Regulations.

Aggregate Industries-WCR, Inc. is seeking a conditional use permit to mine land owned by Aggregate Industries and the City of Aurora in Adams County, Colorado. The site is located west of Brighton, north of Highway 7, and South of 168<sup>th</sup> Street. Aggregate Industries is pleased to present this revised application based on feedback from the community, local agencies, and other key stakeholders. Aggregate Industries appreciates the time and effort of the stakeholders who contributed their input to the Application’s development, and looks forward to continued collaboration during the County review process.

### **HISTORY AND REVISED SCOPE**

When initially permitted in 2004 (EXG2004-0004), the planned use of the property included wet mining, onsite crushing and screening plants, sales yards, and truck transport of mined materials. This revised plan has been narrowed in scope to only include onsite excavation and direct conveyance to the existing Wattenberg Lakes Resource site located 1.5 miles to the north, in Weld County. Onsite processing plants, sales yards, and material export by truck are no longer included in this CUP application. Additionally, a 24-acre parcel, known as the “South Parcel” has been removed from the Division of Reclamation, Mining and Safety permit, pending its approval. Aggregate Industries will instead donate this parcel to either the City of Brighton or Adams County for open space.

In this revised Application, we also are proposing enhanced environmental controls and studies to demonstrate to the community that air emissions will be significantly below local, state and federal regulatory levels.

Aggregate Industries believes the Application provides a proposed use that is compatible and in harmony with surrounding uses, which will benefit the community by providing a vital, local source of construction materials to meet construction demand in Adams County, while reducing costs of local building and road projects, enhancing economic development potential and providing job opportunities in Adams County.

The Project Fact Sheet follows on the next page.

# SUMMARY OF REVISED PERMIT APPLICATION

## Overview

Aggregate Industries is seeking a permit for land it owns west of Brighton, Colorado, located north of Highway 7 and south of the Adams/Weld County line (168th Street).

Aggregate Industries proposes to limit mining to the parcels north of Highway 7 and use an overland conveyor system to bring material to the existing Wattenberg/Platte Valley facility in Weld County. By removing the property south of Highway 7 and installing a conveyor system, this revised proposal eliminates traffic concerns on Highway 7, Tucson Street, and 168th Ave. raised during a 2019 application. A parcel of land south of Highway 7 that is owned by Aggregate Industries will not be part of the permit.

Aggregate Industries proposes to extract material and complete reclamation at the site over an eight-year time period. The land will feature perimeter seeded berms during mining and buffer areas on Highway 7 and along the South Platte River. Upon completion of mining, the community will benefit from a water storage facility featuring a crusher fines regional trail with native landscaping and decorative fencing.

Aggregate Industries proposes to donate the property south of Highway 7, which contains significant aggregate resources, as a conservation easement or open space land that, if desired by the community, will include a nature trail and nature demonstration area.



## 1. TRAFFIC ELIMINATION

Aggregate Industries have revised the application to remove all haul out operations. A 1.5-mile-long overland conveyor system will be installed prior to commencement of production. This mitigates traffic concerns on Highway 7, Tucson Street, and 168th Ave.



## 2. MINING & RECLAMATION TIMELINE

Mining and Reclamation will be reduced to 8 years from the time the conveyor is installed, assuming an operating schedule of Monday through Saturday, 7 a.m. to 7 p.m.



## 3. POST MINE WATER STORAGE RESOURCE

Enhanced post mine water storage resource – City of Aurora has committed to farm style fencing with an enhanced landscape trail along Highway 7.



## 4. REMOVAL & DONATION OF PROPERTY SOUTH OF HIGHWAY 7

The property south of Highway 7 will not be included in the new county application. Aggregate Industries will donate the parcel or place a Conservation Easement on the parcel. Aggregate Industries will also work with county to include a nature trail and nature demonstration area on the south parcel.



## 5. AIR QUALITY MONITORING & MODELING

Aggregate Industries will utilize an expert third party consultant to conduct an air modeling analysis and will commit to installing two real time air quality monitors on site. Aggregate Industries will transmit data from the monitors monthly to Adams County. Aggregate Industries will provide a hotline for dust complaints. Aggregate Industries will meet quarterly with neighbors to update the status of the project.

# TUCSON SOUTH RESOURCE CONDITIONAL USE PERMIT PROJECT DESCRIPTION

## SECTION A

### INTRODUCTION AND OVERVIEW

The Tucson South Resource CUP Area is owned by Aggregate Industries and the City of Aurora and consists of a dryland field<sup>1</sup>, a small, partially reclaimed gravel resource and a former residence. The property is located north of Colorado Highway 7, and is bisected by Tucson Street (the “Property”).

There are few productive uses of the Property that are compliant with requirements of the flood control and natural resource overlay districts, the County’s mineral extraction plan, and the dry up agreement with Todd Creek Farms Metropolitan District, which removed access to historic water rights for irrigation of crops, and that are congruent with the future land use designation, all while providing for utilization and enjoyment of the rural environment. Mineral extraction and reclamation as water storage facilities, however, is one such use.

The mineral deposits at the Property, which were evaluated and determined to be viable commercial deposits, are a valuable commodity for the community, providing a vital source of construction materials to meet ever-increasing demand throughout Adams County and the region. Further, the mining operations will provide direct and indirect employment opportunities.

The mining and reclamation plan to recover this valuable resource was revised after extensive public engagement to limit the duration to eight (8) years after conveyor installation is completed, with mining operations conducted from 7:00 am to 7:00 pm, Monday through Saturday, no mining operations on Sundays and no truck transportation of mined material. Additionally, Aggregate Industries is providing enhanced mitigation of external impacts to ensure compatibility and harmony with the surrounding area and committing to no requested extensions of the CUP permit.

The end result will be a future use of the Property as water storage facilities and upland meadow. These permitted uses in the flood control district, provide a long-term benefit to wildlife and the community, increase the natural resource protection factor of the Property pursuant to the natural resource overlay district requirements, and continue the utilization and enjoyment of the rural environment.

---

<sup>1</sup> While zoned A-1 which allows for agricultural uses, due to the dry-up agreement with Todd Creek Farms Metropolitan District covering the entire west cell, there are no historic irrigation water rights available for a typical agricultural use of this property.