

AGENDA  
LARIMER COUNTY BOARD OF COMMISSIONERS  
Tuesday, January 19, 2016/3:00 P.M./Hearing Room

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. PUBLIC HEARING CONSENT ITEMS: \*Will not be discussed unless requested by  
Commissioners or members of the audience.

\*1. MOUNTAIN MEADOWS SUBDIVISION PAGE 1

**Staff Contacts:** Audem Gonzales,

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\*2. FRONT RANGE REDI MIX SPECIAL REVIEW PAGE 34  
FILE #15-Z1983

**Staff Contacts:** Rob Helmick, Planning, Clint Jones Engineering, Doug Ryan, Health

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\*3. NORTHWIND FARM SUBDIVISION, FILE #15-S3335 PAGE 67

**Staff Contacts:** Rob Helmick, Planning, Clint Jones Engineering, Doug Ryan, Health

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\*4. BOYD LAKE SHORES LOT 2, BLOCK 2 AMENDED PLAT PAGE 108  
FILE #15-S3360

**Staff Contacts:** Karin Madson, Planning, Clint Jones Engineering, Doug Ryan, Health

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\*5. MARIANA PARK REPLAT LOTS 81 & 82 LOT CONSOLIDATION PAGE 119  
FILE # 15-S3359

**Staff Contacts:** Brenda Gimeson, Planning, Clint Jones Engineering, Doug Ryan, Health

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\*6. HEATON APPEAL PAGE 135  
FILE #15-PSP0093

**Staff Contacts:** Brenda Gimeson, Planning, Clint Jones Engineering, Doug Ryan, Health

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D. ADJOURN

*2. <u>TITLE:</u>	Front Range Redi Mix Special Review
<u>REQUEST:</u>	Public Hearing Review of a Special Review for a concrete batch plan in the I-Industrial zoning district.
<u>LOCATION:</u>	20-5-68 Located off CR 9E north of the Big Thompson River
<u>APPLICANT &amp; PROPERTY OWNER:</u>	Dennis Morse 651 S County Road 9E Loveland CO 80537
<u>STAFF CONTACTS:</u>	Robert Helmick, AICP, Planning Doug Ryan, Health Department Clint Jones, Engineering Department
<u>FILE #:</u>	15-Z1983
<u>NOTICE GIVEN:</u>	Newspaper Publication First Class Mailing to surrounding property owners within <b>500</b> feet
<u>LCPC HEARING DATE:</u>	December 16, 2015
<u>LCPC RECOMMENDATION:</u>	Approval by unanimous vote.

DISCUSSION:

Based on the nature of the request and the initial history the Team originally placed this item on the Larimer County Planning Commission discussion agenda. The Larimer County Planning Commission seeing no one present to discuss the item and having no issues with the proposal as presented/recommended moved this to the Consent agenda. The Larimer County Planning Commission then recommended approval the request without further discussion.

PLANNING COMMISSION AND DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Larimer County Planning Commission and Development Services Team recommends Approval of Front Range Redi Mix Special Review file # 15-Z1983, subject to the following condition(s):

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The Site shall be developed consistent with the approved plan and with the information contained in Front Range Redi Mix Special Review file # 15-Z1983 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Front Range Redi Mix Special Review file # 15-Z1983.
3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners.

4. This application is approved without the requirement for a Development Agreement.
5. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees.
6. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
7. The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.
8. The applicant shall obtain any and all necessary State and Federal permits for the use, including but not limited to storm water discharge and air pollution,
9. The applicant shall submit a landscape transition plan for approval within 45 days of approval.
10. All development on site shall comply with the requirements of the Floodplain Development permit.
11. The applicant shall submit a perimeter-fencing plan, which responds to the comments from CDPW. Upon approval of the plan, the fence shall be installed within 90 days of approval.
12. The applicant shall dedicate the additional ROW as identified by the Engineering Department.

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**SUGGESTED MOTION FOR BOARD OF COUNTY COMMISSIONERS:**

I move that the Board of County Commissioners Approve the Front Range Redi Mix Special Review file # 15-Z1983, subject to the condition(s) as outlined above.

**PLANNING COMMISSION  
MINUTES  
FROM  
December 16, 2015**

## LARIMER COUNTY PLANNING COMMISSION

### Minutes of December 16, 2015

The Larimer County Planning Commission met in a regular session on Wednesday, December 16, 2015, at 6:30 p.m. in the Hearing Room. Commissioners' Christman, Cox, Dougherty, Gerrard, Miller, and Wallace were present. Commissioner Glick was absent. Commissioner Jensen presided as Chairman. Also present were Matt Lafferty, Principal Planner, Rob Helmick, Senior Planner, Karin Madson, Planner II, Eric Tracy, Engineering Department, Doug Ryan, Health Department and Jill Wilson, Recording Secretary.

#### **AMENDMENTS TO THE AGENDA:**

MOTION by Commissioner Dougherty to move Item #3 Front Range Redi Mix Special Review to the consent agenda, seconded by Commissioner Cox. This received unanimous voice approval.

**FRONT RANGE REDI MIX SPECIAL REVIEW #15-Z1983:** Mr. Helmick provided background information on the request for a Special Review for a concrete batch plant in the I-Industrial zoning district and located off of County Road 9, north of the Big Thompson River. Mr. Helmick explained that the site had been in operation for the past 18 years, and the current application was the result of court action and an order requiring the applicant to submit and receive approval of a Special Review.

Commissioner Wallace asked if reclamation of the site should be required.

Mr. Helmick explained that it was a stand alone business use. No mining occurred on the property.

Commissioner Cox asked if Colorado Parks and Wildlife commented on the proposal.

Mr. Helmick replied yes.

Commissioner Gerrard asked about the floodplain.

Eric Tracy, Engineering Department, stated that the site was located in the floodway of the Big Thompson River, and it was not a permitted use within the floodway. As a result, the use went before the Flood Review Board where the use was approved with certain conditions.

Commissioner Jensen asked what brought about the Special Review request.

Mr. Helmick replied stated that the site had been in existence for 15-18 years without proper approval. He stated that a user of the State Wildlife area brought it to the attention of Staff as they had concerns of discharge on the site.

Commissioner Gerrard asked about the vault on the site.

Doug Ryan, Health Department, explained that the County Board of Health approved a variance for the sealed vault sewer system along with some other requirements. He also stated that the current vault was never permitted.

#### **DISCUSSION:**

Commissioner Cox moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval of the Front Range Redi Mix Special Review, file #15-Z1983, for the property described on "Exhibit C" to the minutes, subject to the following conditions:

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The Site shall be developed consistent with the approved plan and with the information contained in Front Range Redi Mix Special Review file # 15-Z1983 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Front Range Redi Mix Special Review file # 15-Z1983
3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners
4. This application is approved without the requirement for a Development Agreement.
5. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees.
6. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
7. The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.
8. The applicant shall obtain any and all necessary State and Federal permits for the use, including but not limited to storm water discharge and air pollution.
9. The applicant shall submit a landscape transition plan for approval within 45 days of approval.
10. All development on site shall comply with the requirements of the Floodplain Development permit.
11. The applicant shall submit a perimeter-fencing plan, which responds to the comments from CDPW. Upon approval of the plan, the fence shall be installed within 90 days of approval.
12. The applicant shall dedicate the additional ROW as identified by the Engineering Department.

Commissioner Miller seconded the Motion.

Commissioners' Christman, Cox, Dougherty, Gerrard, Miller, Wallace, and Chairman Jensen voted in favor of the Motion.

MOTION PASSED: 7-0

**PLANNING COMMISSION  
STAFF REPORT  
FROM  
December 16, 2015**

TITLE: Front Range Redi Mix Special Review

REQUEST: Public Hearing Review of a Special Review for a concrete batch plan in the I-Industrial zoning district.

LOCATION: 20-5-68 Located off CR 9E north of the Big Thompson River

APPLICANT & PROPERTY OWNER: Dennis Morse  
651 S County Road 9E  
Loveland CO 80537

STAFF CONTACTS: Robert Helmick, AICP, Planning  
Doug Ryan, Health Department  
Clint Jones, Engineering Department

FILE #: 15-Z1983

SITE DATA:

Parcel Number(s)	8520000020
Total Permit Area:	2.29 acres
Total property Area	2.29acres
Existing Land Use:	Existing concrete batch plant
Proposed Land Use:	Concrete batch plant
Existing Zoning:	I-Industrial
Adjacent Zoning:	I-Industrial
Adjacent Land Uses:	I-Industrial & State Park
Services:	
Access:	S. CR 9E
Water:	Well/Little Thompson
Sewer:	ISDS
Fire Protection:	Loveland Rural
No. Trips Generated by Use:	TBD

PROJECT DESCRIPTION/BACKGROUND:

The applicant, Front Range Redi Mix, proposes a Special Review to allow a concrete batch plant to operate in the I-Industrial zoning district. The plant located on a 2.29 acre site has been operating without approval for at least the past 18 years. The application is the result of court action and an order requiring the applicant to submit and receive approval of a Special Review. This site is in an area along the Big Thompson River and CR9E, which historically was mined and was zoned I-Industrial to allow for that mining in the 1970's. Since that time, the resource in the immediate area has essentially been exhausted. The zoned properties are now being used for a variety of industrial and commercial uses. The State of Colorado owns and operates a wildlife area on three sides (N, W & S). There is residential development approximately 1200 feet to the north.

This site is located in the flood plain of the Big Thompson River, and the applicant has received approval of the Floodplain Review Board to locate the plant, the ancillary storage of materials, and the parking of vehicles on the site. To comply with the approval the site will need to be regraded and various materials will need to be removed.

This site is not located in the County Growth Management Overlay Zone for the Loveland area. However, the City has annexed CR 9E and Hwy 402 in this area and has completed some master planning for the area for its inclusion in their Master Planning. There is no requirement for annexation of this property into the City, although it is contiguous to the City limits along CR9E, nor is there a requirement to comply with City design and development standards.

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**REVIEW CRITERIA AND ANALYSIS:**

To approve an amended Special Review application, the County Commissioners must consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

**A. The proposed use will be compatible with existing and allowed uses in the surrounding area and be in harmony with the neighborhood;**

The existing plant has operated for many years, although never approved by the County. Until a user of the State Park raised the issue of discharges from the site, this site was not the subject of complaint or investigation. The area is zoned industrial and the local expectation is that this type of use is appropriate. If the applicant can show that they can meet the technical and other standards of the Code the assumption is that, the use can be compatible with the surrounding area.

**B. Outside a GMA district, the proposed use is consistent with the County Master Plan. Within a GMA district, the proposed use is consistent with the applicable supplementary regulations to the GMA district, or if none, with the County Master Plan or county adopted sub-area plan;**

The site is located outside of the County adopted GMA overlay zone for Loveland. The site is within the area Loveland has identified as a part of their future growth area. The City has also annexed CR 9E as a part of an overall corridor plan for the southeast quadrant of the City. Because the site is outside the GMA, the County Master Plan assumes existing zoning is to be recognized.

**C. The applicant has demonstrated that this project can and will comply with all applicable requirements of this code;**

*8.1.1 Sewage Disposal Level of Service Standards:* The applicant proposes the use an on-site vault for sanitation. The Health Department has provided information with respect to this issue, which due to its location in the floodplain will require Board of Health approval. The applicant is working with the Health Department and the Board of Health to request a variance to allow the vault in a Floodway.

*8.1.2 Domestic Water Level of Service Standards:* The applicant materials indicate the provider is Little Thompson Water District. The water provider has confirmed the suitability of the service for all purposes.

*8.1.3 Drainage Level of Service Standards:* The Engineering Department has indicated that the final drainage report meets the requirements of the Code although the disposition of onsite retention is an issue.

*8.1.4 Fire Protection & Emergency Medical Level of Service Standards:* The Loveland Fire Rescue Authority has noted several comments. These initially included access and suitability of the surface, fire fighting water supply as well as issues related to the needed building permits for this use. The applicant has address most of these issues, appropriate to this stage of the review.

*8.1.5 Road Capacity and Level of Service Standards:* Access issues, roadway surface, site circulation, and ROW and traffic generation, were identified in the comments from the Engineering Department. The Traffic Impact Study completed by the applicant does not reveal the need for additional access improvements to this site. All access and parking areas will be paved.

Section 8.2 Wetland Areas: County maps do show the surrounding areas to the site as having wetlands; the plan appears to avoid any possible wetland areas. Drainage impacts to the adjacent wetland areas are a continuing concern.

Section 8.3 Hazard Areas: The site is in the mapped floodplain of the Big Thompson River. The applicant has obtained a Floodplain Development Permit and approval from the Floodplain Review Board.

Section 8.4 Wildlife: The State Division of Parks and Wildlife (CDPW) have commented. The staff has evaluated the plan for the site and use and no conflicts have been identified with wildlife. The comments from CDPW indicate drainage concerns the need for perimeter fence that will avoid trespass issues and allow wildlife to pass and historic issue with conflicts with owls at this site.

Section 8.5 Landscaping: No landscaping is currently proposed. The applicant proposes an appeal to the standard citing the density of existing landscaping and the possible conflicts with the floodplain. The adjacent parks lands and any residential areas would require screening and the streetscape requires landscaping as well.

Section 8.6 Off Road Parking Standards: Off road parking of equipment and employee vehicles as well as any client parking could have been an issue with this request. The parking area is proposed to be paved which is the current standard.

Section 8.10 Signs: Any proposed signs will need to be permitted through the approval of a sign plan, which would occur with the Site Plan Review.

Section 8.11 Air Quality: The plant itself, based on comments from the Health Department, will need permitting. The applicant has submitted the Air Pollution Emissions Notice to the Colorado Department of Health no permit has yet been issued. .

Section 8.12 Water Quality: A storm water permit for industrial activities will need to be obtained. This permit has also been applied for and is issued by the State of Colorado.

Section 8.16 Fences: Any perimeter fencing for the project must comply with the requirements in Section 8.16.2 and must be coordinated with the Colorado Department of Parks and Wildlife.

Section 8.15 Site Lighting: The final site plan must comply with the requirements of this section of the Code.

**D. The proposed use will not result in a substantial adverse impact on property in the vicinity of the subject property; and**

While there have been no comments received from neighbors to this site the original complaint came from users of the adjacent State Parks lands. The applicant has noted the use has interacted until recently without complaint with those adjacent lands and wetlands.

**E. The recommendations of referral agencies have been considered.**

Referral comments are attached. They address the issues of the use and appropriateness, noise mitigation, safety, and other issues.

**F. The Applicant has demonstrated that this project can meet applicable additional criteria listed in Section 4.3 Use Descriptions.**

There are no special criteria or standards listed for this type of use.

With respect to the appeal from Section 8.5 of the Larimer County Land Use Code – Landscaping: the applicant proposes the existing vegetation at the site is adequate to meet the requirements of the Code.

**A. Approval of the appeal will not subvert the purpose of the standard or requirement.**

While the site is surrounded by mature vegetation, it is not a healthy stand of trees and is comprised mostly of Siberian Elm an invasion non-native species. We do not wish to remove screening but believe a plan to improve the health and set the stage to replace the non-native vegetation would better meet the requirements of the Code.

**B. Approval of the appeal will not be detrimental to the public health, safety or property values in the neighborhood.**

The public will be better served in the long run with a plan that corresponds to the requirements of the Code. The buffering/screening that exists is adequate but in the long run, an improved planting would improve values in the area.

**C. Approval of the appeal is the minimum action necessary.**

The appeal represents a no action alternative the Team believes that the public would be better served with a plan to transition the landscaping at the site.

**D. Approval of the appeal will not result in increased costs to the general public.**

There would be no additional costs to the public if the appeal were approved.

**E. Approval of the appeal is consistent with the intent and purpose of the Code.**

The Code seeks to improve the aesthetic and property values of the County the appeal would leave in place a landscape of non-native trees, which is not entirely healthy. A transitional plan would better serve the public and meet the intent of the Code in the long term.

OTHER REVIEW AGENCY COMMENTS:

The Health Department has also noted the need to address the potential for noise issues and the possible need for a noise mitigation plan. The County Noise Ordinance is our guidance on this issue.

The Colorado Division of Parks and Wildlife has not responded, although the site is surrounded by their ownership and use this raises concerns with respect to the site. We recommend that the applicant reach out to the CDPW and determine their issues and concerns.

MAJOR ISSUES AND CONCERNS:

Although there was significant initial concern with the floodplain and other issue those have mostly resolved themselves. There have been significant agency responses to the request. .

There has not been significant public interest in the application; a neighborhood meeting was not required.

The applicant has completed the substantial additional work necessary to show that this site can be permitted to reflect existing development, which can meet local and state permitting and standards. Although the site has received Floodplain Board approval, it was conditioned on obtaining those other permits. Our initial evaluation revealed some concerns with the actual development on the site and whether that can meet the requirements of all other agencies and meet our standards. The applicant has shown progress toward obtaining any and all necessary permits and approvals.

Appeals are necessary are the Board of Health action on wastewater treatment. The appeal on landscaping needs a recommendation from the Larimer County Planning Commission recommendations.

DEVELOPMENT SERVICES TEAM FINDINGS:

The Development Service Team finds and recommends to the Larimer County Planning Commission the following findings:

- The Use is compatible with the existing uses and zoning in the area,
- The use proposed is consistent with the County Master Plan,
- The applicant has shown the use can meet the standards and requirements of the code or obtain the necessary variances or waivers,
- There will be no adverse impact to the neighborhood, and;
- Has responded to the referral agency concerns.

The Team also finds with respect to the proposed appeal:

- The appeal is not consistent with the intent of the code ,
- Will not be detrimental to the public not result increased costs to the public, and;
- Is not the minimum action necessary.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends the Larimer County Planning Commission recommend to the Board of County Commissioners Approval of the Front Range Redi Mix Special Review, file # 15-Z1983, subject to the following condition(s):

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The Site shall be developed consistent with the approved plan and with the information contained in Front Range Redi Mix Special Review file # 15-Z1983 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Front Range Redi Mix Special Review file # 15-Z1983
3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners
4. This application is approved without the requirement for a Development Agreement.
5. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees.
6. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
7. The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.
8. The applicant shall obtain any and all necessary State and Federal permits for the use, including but not limited to storm water discharge and air pollution,
9. The applicant shall submit a landscape transition plan for approval within 45 days of approval.
10. All development on site shall comply with the requirements of the Floodplain Development permit.
11. The applicant shall submit a perimeter-fencing plan, which responds to the comments from CDPW. Upon approval of the plan, the fence shall be installed within 90 days of approval.
12. The applicant shall dedicate the additional ROW as identified by the Engineering Department.



October 9, 2015

**Front Range Redi-Mix  
651 South County Road 9E, Loveland, CO  
Project Description**

**1. *Proposal Request/Summary/Review Criteria:***

This is a proposal for a Special Review for the site located at 651 South County Road 9E in Larimer County, Colorado. Specifically, the property is located on the west side of S. County Road 9E, about halfway between E. 1<sup>st</sup> Street and E. Highway 402.

The purpose of the Special Review is to establish a special land use review for the continued use of the site as a batch plant. Historically, the site has been utilized as a batch plant by Mr. Dennis Morse and Front Range Redi-Mix for over 18 years. The land is currently zoned industrial and the local expectation is that this type of use is consistent with such zoning.

**2. *Existing Conditions***

The property is comprised of approximately 2.29 acres and is being used as a concrete batch plant. The property has a septic vault wastewater system, water service and multiple other improvements including a shop/garage (which is to be demolished per Flood Review Board), two-story controls & office building, multi-story processing/silo structure with a conveyor platform, and related infrastructure necessary for the business operation of the batch plant. In addition, the property has outdoor storage of materials related to the batch operation, including multiple large plastic storage tanks, and piles of sand, gravel and dirt, plastic containers, and equipment. State Park land surrounds the site on the north, south, and west boundaries. Across County Road 9E to the east is another batch plant/concrete-mix facility.

**3. *Operation/Hazardous Material Storage***

The proposed use of the project is for a batch plant business and necessary on-site equipment & material storage. The business will be open 7am to 5pm Monday through Friday. On average, about 6 employees will have access to the site for operations. There will typically be 1-2 clients, at most, arriving or leaving the site per week. There are not any special events planned outside of normal business operations.

The proposed site design includes paved surfacing along the main access and parking area throughout the property, to meet Larimer County Code. The paved access not only improves fire protection capabilities, but also highly reduces fugitive dust from the site.

No significant quantities of hazardous materials are proposed on-site and therefore no hazardous mitigation plan is being proposed at this time. There will be some light duty



vehicle maintenance to occur with oils to be disposed of offsite and small amounts of gas, oil, and other hazardous materials will be stored in sealed containers in the on-site control buildings as necessary. The concrete washout structure shall be elevated and completely lined to avoid any seepage or leakage. A two-wall baffle system will also be incorporated into the updated washout structure, to help improve water quality.

#### **4. Infrastructure**

Since the site has been operating as an existing Batch Plant for over 18 years, utilities and infrastructure are already in place. Water service to the site is provided by the Little Thompson Water District through an existing 3/4" meter located along the eastern property line. The water district had no comments to the Sketch Plan proposal for this project when following up about site service. The existing 3/4" tap and meter is provided off a 6" water main, within S CR 9E ROW.

The site also currently has power and telephone services. No existing drainage improvements exist on the site, however, drainage flowlines and a water quality detention pond are all included with the proposed site design. The existing site utilizes a septic vault to be pumped out, as necessary, for sanitation service. Please see the appeal below for further septic vault information.

#### **5. Proposed Changes and Improvements**

The following changes/improvements are proposed:

- The office/control building will be dry-flood protected
- Remainder of buildings not part of this use will be demolished
- Concrete washout area to be elevated and lined along with new baffle wall design incorporated into washout tanks
- Improved on-site drainage with water quality detention pond
- Paved access and parking areas.

#### **6. Traffic & Access**

Site traffic analysis is being performed by Delich and Associates and will be submitted as a stand-alone traffic worksheet and discussion. We understand that the site's only access is South County Road 9E, located just east of the site. Access shall remain open to site during construction activities. South County Road 9E has 60' half right-of-ways.

#### **7. Appeals**

The following appeals for the project are requested:

1. Appeal to allow continued use of the existing, on-site septic vault to be maintained and emptied by the owner/operator at regular scheduled intervals.
  - a. The existing vault is proposed to be equipped with a sealed riser to the same elevation as the dry-flood proofing walls of the building. The

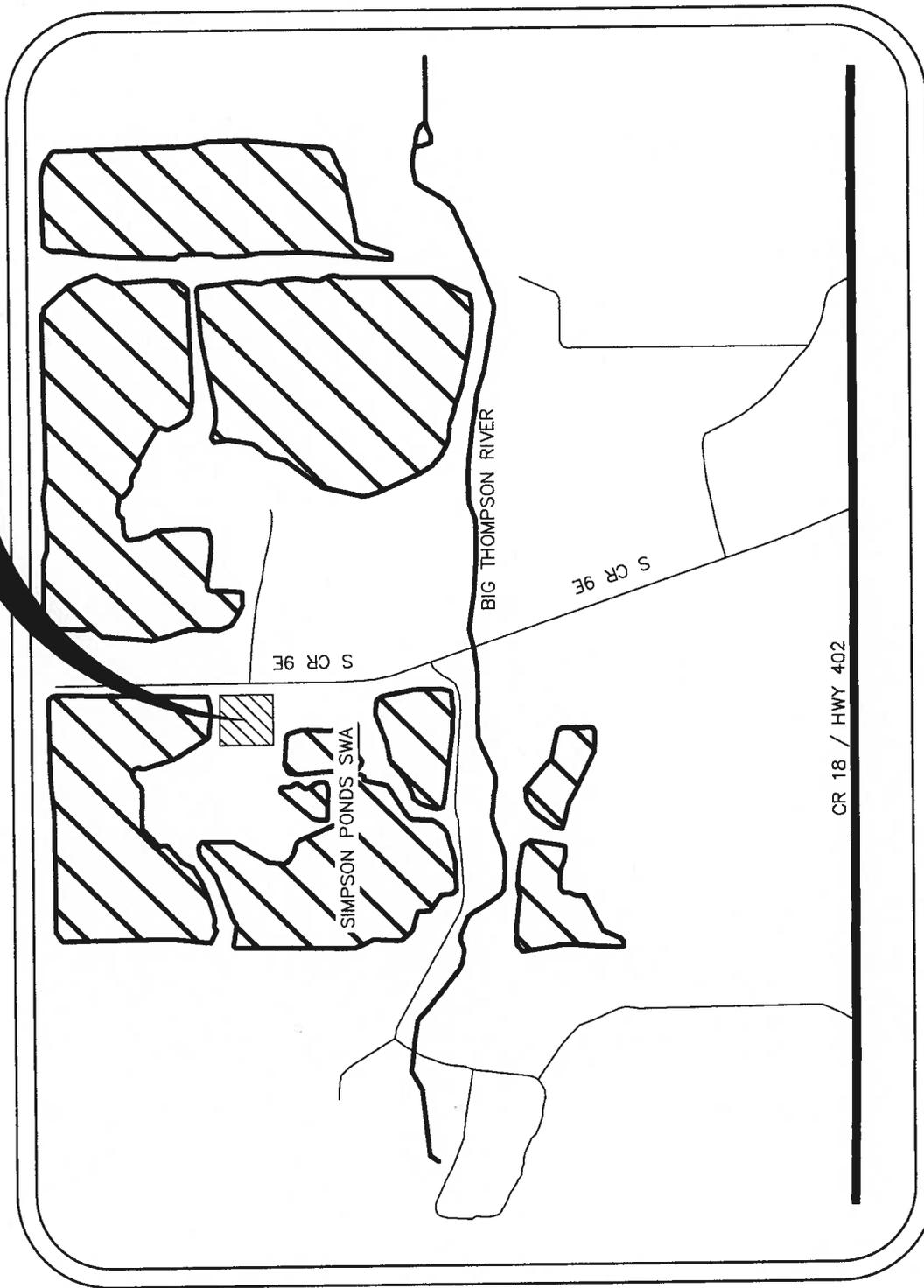


- proposed riser and existing vault shall be protected from traffic by proposed bollards.
- b. Septic vault maintenance and pumping shall be carried out at mandatory scheduled intervals by the batch plant operator. The vault capacity should never exceed 75% before being pumped out or emptied by a qualified contractor.
  - c. A variance has been requested for this project prior to this Public Hearing submittal, through the Larimer County Health Board, to allow the continued use of the septic vault on-site.
2. Appeal to waive landscaping requirement, as there is already adequate, established, mature trees and shrubs growing along CR 9E and the northern property line. These existing trees provide both a screening and buffering component to the property. Landscaping is not proposed along the other property boundaries to help minimize construction disturbance and not infringe upon any historical views from the neighboring adjacent State Park lands.

#### **8. Other Information**

- a. A full drainage report and plan will be included with the Special Review submittal addressing on-site drainage.
- b. Fire Protection Plan Additional Information:
  - i. Carie Dann, of the Loveland Fire Department, was contacted regarding her comments to the Sketch Plan proposal by phone on September 15, 2015.
  - ii. It is noted that the proposed access and parking areas around the building and site shall be a paved surface, addressing the first comment.
  - iii. Carie also confirmed the existing fire hydrant, located just east of the property along CR 9E, would be adequate with supplying only 1,300 gpm instead of 1,500 gpm.
  - iv. Existing fire hydrant is located within 300-feet of control/office building
- c. Please see attached copy of Air Quality Permit through the Colorado Department of Public Health and Environment
- d. Please see attached copy of cover page for Storm Water Discharge Permit through the Colorado Department of Public Health and Environment
- e. Private property within the expanded CR 9E ROW will be moved by owner as needed. No other work is proposed within the county road ROW.
- f. No free-standing lights or additional site lighting is proposed at this time

SITE







QUALITY  
ENGINEERING

WWW.QUALITY-ENGINEERING.COM

To: Rob Helmick  
Larimer County Planning Department

From: Mark Morrison  
Quality Engineering

Date: October 9, 2015

Subject: Front Range Reddi Mix SR – Sketch Plan Review Comment Response Letter

**LARIMER COUNTY HEALTH DEPARTMENT COMMENTS:**

**STORMWATER-**

A copy of the cover of the State Stormwater Discharge Permit through the Colorado Department of Health and Environment has been attached to the re-submittal.

**AIR EMISSIONS-**

A copy of the Air Quality Permit through the Colorado Department of Health and Environment has been attached to the re-submittal.

**SEWER-**

An appeal or variance has been requested through the Larimer Department of Health and Environment to allow the continued use of the on-site septic vault with conditions to address maintenance as well requiring the addition of a sealed riser over the vault's lid, to the same elevation as the dry-flood proofing wall around the building control room.

**WATER-**

No comment necessary. See Engineering comment responses for further water information.

**NOISE-**

No noise complaints have been received by the county regarding the site in question.

**LARIMER COUNTY ENGINEERING DEPARTMENT COMMENTS:**

**TRANSPORTATION/ACCESS-**

1. Proposed ROW will be added to show 60-foot half right-of-ways, along with existing ROW, as is.
2. The proposed access conforms to the LCRARS requirements for spacing by being well over 100-ft from the closest access to the north.
3. Sight distance lines will be added to the Site Plan.
4. No proposed construction is located within the right-of-way or to the existing concrete surfaced access.
5. A Traffic Memo is being provided by Delich Associates, see attached.
6. Comment was removed per Eric Tracey at comment review meeting.



7. See Site Plan for proposed site circulation and access. Twenty-four foot wide paved access is to be provided around the building circulating the site.
8. Mr. Morse has agreed to move whatever private property he has in the right-of-way, including fences, back to his property line.
9. See Site Plan for proposed paved parking areas and drive isles, as well as site access.

#### DRAINAGE/FLOODPLAIN/EROSION CONTROL ISSUES-

1. See attached Drainage Report. A proposed grading plan is provided, in addition to the site plan, with spot elevations, slopes, and contours.
2. The proposed site drainage design is discussed in detail in the attached Drainage Report. The proposed detention facility will release following historic drainage patterns.
3. See Erosion Control Plan to accompany the Site Plan. Also, see attached SWMP (Storm Water Management Plan) report for detailed descriptions of erosion control measures to be used on-site.
4. A note will be added that the project is within the 100-year floodway of the Big Thompson River.
5. A drainage easement will be provided over the approved proposed detention facility for the Front Range Redi-Mix site. This will be provided once approval has been given for the detention facility location and design.
6. Proposed construction limits are within the property boundary of the site.
7. Detention facility calculations will be provided and entered into the newly created State website requiring such data.

#### LOVELAND RURAL FIRE DEPARTMENT COMMENTS:

##### EMERGENCY VEHICLE ACCESS-

1. A proposed 24-foot wide paved access is proposed to circulate the site, see Site Plan.

##### FIRE FIGHTING WATER SUPPLY-

1. Building placement is within 400-feet of the existing fire hydrant, for the only building to remain on-site. It was noted that the existing fire hydrant, located just east of the property, within CR 9E's ROW, can provide 1,300 gallons per minute while the Loveland Rural Fire Department requires 1,500 gallons per minute. Carie Dann of the Loveland Fire Department was contacted by phone on September 15<sup>th</sup>, 2015, where she gave verbal approval allowing continued use of the existing fire hydrant at only 1,300 gallons per minute. The project description has also been updated to reflect the Little Thompson Water District owning the water main, not ELCO.

##### BUILDING ADDRESSING-

1. Building will be addressed and numbered to code. Address will also be posted at a location visible from the road.

##### BUILDING PERMITTING

1. Proper building permits will be obtain prior to construction. MSDS sheets will be included with building permit application. Additional information about the existing storage tanks shall also be supplied upon application.



## DEPARTMENT OF HEALTH AND ENVIRONMENT

1525 Blue Spruce Drive  
 Fort Collins, Colorado 80524-2004  
 General Health (970) 498-6700  
 Environmental Health (970) 498-6775  
 Fax (970) 498-6772

To: Rob Helmick  
 Larimer County Planning Department

From: Doug Ryan *Doug Ryan*

Date: November 4, 2015

Subject: Front Range Reddi Mix SR – Public Hearing Submittal



The Front Range Reddi Mix special review is a proposal to authorize a concrete batch plant in the I-Industrial zone district. The plant has operated at this location for a number of years, and the application is intended to legalize the existing business.

**Stormwater.** Industrial uses that include outside activities are required to obtain and operate under an Industrial Stormwater Permit from the Colorado Department of Public Health and Environment. Front Range Reddi Mix has obtained a stormwater permit (Permit COR901258 dated 2/10/2015). The permit outlines water quality standards, and requires ongoing implementation of control measures identified in the applicant's stormwater management plan.

**Air Emissions.** Concrete batch plants are required to submit an Air Pollution Emissions Notice (APEN) and operate under an air emissions permit that specifies emission control requirements and minimum operating conditions for important issues such as opacity related to fugitive dust.

The project submittal includes the APEN, and indicates that the emissions permit has been issued. I contacted the Air Pollution Control Division at the Colorado Department of Public Health and Environment. The Division has not received the APEN, and at this time is not processing a request for an emissions permit. The applicant should submit the completed APEN to the State as soon as possible so that they can evaluate it for compliance with air permit requirements.

**Sewer.** The project description indicates that sewer service for the employee restroom is provided by a sealed vault. Vaults are intended to collect domestic wastewater and to be pumped each time they fill. Pumping must be performed by a licensed Systems Cleaner for transport to an approved sewage treatment facility.

Our Department administers the county's *On-site Wastewater System Regulations*. Section 8.10.B of that regulation pertains to the location of on-site systems in a designated floodway.

The language from this section provides that no new or expanded on-site system shall be installed in a floodway designated in a 100 year floodplain. This site is within the designated floodway of the Big Thompson River.

A permit was not obtained for the original vault installation. The vault in this location would therefore be considered a new installation subject to the prohibition outlined for floodway locations. In response to this situation, the applicant has request a variance through the Larimer County Board of Health in order to permit the sewer vault. That variance request is scheduled to be heard by the Board on November 19, 2015.

**Water.** Water for domestic purposes is provided by the Little Thompson Water District. Any concerns about water would be addressed if the District indicates in their referral comments that adequate service is available.

**Noise.** Larimer County has adopted a noise ordinance that is designed primarily to protect residential properties. It outlines maximum decibel limits that apply during daytime (7:00 AM to 7:00 PM) and nighttime hours. The ordinance also prohibits the creation of a “noise disturbance”, defined in part as noise of such a volume, frequency and/or intensity that it unreasonably interferes with the enjoyment of life, quiet, comfort or outdoor recreation of an individual of ordinary sensitivity and habits. The ordinance is available at: [www.larimer.org/policies/noise.htm](http://www.larimer.org/policies/noise.htm). The plant has been in operation for many years, and our office has not received calls or complaints about noise from the operation.

Thank you for the opportunity to comment on this proposal. I can be reached at 498-6777 if there are questions about any of these topics.

cc: Dennis Morse, Front Range Reddi Mix  
Mark Morison, Quality Engineering



## ENGINEERING DEPARTMENT

Post Office Box 1190  
Fort Collins, Colorado 80522-1190

(970) 498-5700  
FAX (970) 498-7986

### MEMORANDUM

**TO:** Rob Helmick, Larimer County Community Development Department

**FROM:** Eric Tracy, Larimer County Engineering Department *ET*

**DATE:** November 10, 2015

**SUBJECT:** Front Range Reddi Mix - SR

#### Project Description/Background:

This is a Special Review of a concrete batch plant in the I-Industrial Zone District and Floodway-FW overlay Zone District and appeal to Section 8.5 of the Larimer County Land Use Code to not require additional landscaping.

#### Review Criteria:

The materials submitted need to provide adequate information to accurately assess the drainage and transportation aspects for the entire site. Larimer County Engineering Department staff has reviewed the materials that were submitted to our office under these guidelines and per the criteria found in the Larimer County Land Use Code (LCLUC), Larimer County Rural Area Road Standards (LCRARS), Larimer County Stormwater Design Standards (LCSDS) and pertinent Intergovernmental Agreements.

#### Transportation/Access Issues:

1. The additional proposed dedicated right-of-way (60 feet half ROW) necessary to satisfy the requirements of LCLUC 9.7.4 have been delineated on the final plans and should be properly executed by way of a Deed of Dedication before issuance of a Development Construction Permit.
2. Adequate information has been provided addressing sight distance and access spacing.
3. Any access construction on County Road 9E, or work in the right-of-way will require an Access or Right-of-Way Construction Permit from the City of Loveland since the roadway has been annexed. Issuance of any required permits from the City of Loveland is required before issuance of a Development Construction Permit.
4. A traffic memorandum has been prepared by Delich Associates and is in the project file.

#### Drainage/Floodplain/Erosion Control Issues:

1. A drainage and erosion control report has been provided and is in the project file.
2. A Drainage Agreement will need to be properly executed and recorded prior to issuance of a Development Construction Permit for any site drainage facility including detention ponds. The agreement is mainly to ensure that the intended purpose of the drainage facilities is not interfered with by the property owner or any future owners.
3. Per Senate Bill 15-212, effective August 15, 2015 all new stormwater detention and infiltration facilities are required to provide notification to all parties on the substitute water supply plan email

list maintained by the State Engineer. The notice must include the location of the facility, surface area at design volume, and data that demonstrates that the facility complies with the required release rates. This information must be entered using the required data sheet and maps found on the State Compliance Portal at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>. A copy of the data sheet also needs to be included in the drainage report. For additional information regarding this requirement you can read the applicable links at [www.UDFCD.org](http://www.UDFCD.org) or contact the County review engineer. This will be required prior to issuance of a Development Construction Permit.

**Fees and Permits:**

1. It has been determined in this specific situation, that the traffic generated by this use was in place prior to the traffic counts that were the basis of the Transportation Master Plan and therefore will not require transportation fees to be paid.
2. A Development Construction Permit (DCP) will be required for construction (and deconstruction) of the site improvements. All necessary DCP fees and associated conditions (Section 12.5 of the LCLUC) will apply. The DCP Fee is collected at the time of DCP issuance in accordance with duly enacted DCP fee regulations then in effect. According to current regulations, Staff estimates the Development Construction Permit fee for this development to be \$400.

**Appeals and Variances:**

1. The applicant has been granted an appeal by the Larimer County Flood Review Board to allow this use to be within the Floodway Overlay Zone District.
2. The Larimer County Engineering Department offers no specific recommendation regarding the approval/disapproval of the variance regarding landscaping.

**Staff Recommendation:**

The Larimer County Engineering Department does not have any major concerns or issues with the submittal of this proposal at this time.

Please feel free to contact me at (970) 498-5729 or e-mail me at [etracy@larimer.org](mailto:etracy@larimer.org) if you have any questions. Thank you.

cc: Dennis Morse, 651 S County Road 9E  
reading file  
file



Loveland Fire Rescue Authority  
 Community Safety Division  
 410 East 5th Street  
 Loveland, Colorado 80537  
 Phone (970) 962-2537

TO: Rob Helmick, Senior Planner

FROM: Carie Dann, Deputy Fire Marshal, Loveland Fire Rescue Authority, phone 970.962.2518, email [carie.dann@cityofloveland.org](mailto:carie.dann@cityofloveland.org)

RE: Front Range Reddi Mix Special Review (15-Z1983), 651 S. County Road 9E, Loveland

CC: Dennis Morse, Owner

DATE: November 4, 2015

*These comments pertain to a Special Review for a concrete batch plant in the I-Industrial Zone District and an appeal to Section 8.5 of the Larimer County Land Use Code to not require additional landscaping. The business has operated on the property since 1996 but site and building permits were never issued. The existing shop building is proposed to be demolished and the existing control building will remain, with some miscellaneous outbuildings.*

*The property lies within Larimer County, the Loveland Fire Rescue Authority jurisdiction (LFRA) and the Growth Management Area of the City of Loveland.*

*LFRA submitted comments for a Sketch Plan Review in July 2015. Mr. Morse/Quality Engineering provided responses to those comments with this SR submittal, and LFRA responses to his comments are below.*

*There is a 6-inch water main in South County Road 9E owned by Little Thompson Water District (LTWD).*

*LFRA has no comments pertaining to the landscape appeal.*

#### COMMENTS REGARDING APPLICANT'S RESPONSES

1. Mr. Morse addressed LFRA Sketch Plan comments in Section 8.b. of his response letter.
2. LFRA accepts the proposed paving of the access drive on the site and also the parking areas around the building, as adequate access for emergency vehicles.

3. The existing hydrant (shown on the site plan) is adequate for fire protection at this time, despite supplying only approximately 1,300 gpm at 20 psi residual pressure. Any future buildings may require improving the water supply system so the minimum 1,500 gpm can be provided, or the buildings may be required to be protected by automatic fire sprinklers.

#### GENERAL REQUIREMENTS

4. Because the existing control building was never permitted, separate building permits must be obtained from LFRA and the Larimer County Building Division. Building drawings and application must be submitted directly to LFRA and Larimer County Building for review, approval and issuance of building permits (one from each agency). The building permits will contain conditions in addition to the Special Review requirements.
5. Any future storage tanks for fuel, oil or other hazardous materials may require an annual hazardous materials operational permit issued by LFRA.

**CURRENT PLANNING DIVISION**

Phone: (970) 962-2523

Fax: (970) 962-2945

**FAX / MEMO / TRANSMITTAL / E-MAIL****NOVEMBER 10, 2015**

**ROBERT HELMICK, SENIOR PLANNER  
LARIMER COUNTY PLANNING  
P. O. BOX 1190  
FORT COLLINS, CO 80522-1190**

YOUR FAX NO. (970) 498 - 7711YOUR E-MAIL: [rhelmick@larimer.org](mailto:rhelmick@larimer.org)**FROM: BRIAN BURSON, CITY PLANNER II****MY PHONE NO: (970) 962 - 2557****E-MAIL: [brian.burson@cityofloveland.org](mailto:brian.burson@cityofloveland.org)****DEPT: CURRENT PLANNING DIVISION****OUR FAX NO: (970) 962 - 2945****NO OF PAGES, INCLUDING COVER PAGE: 2**

**ORIGINAL TO FOLLOW:  
(\* upon request only)**

YES NO \_XXX\*\_**REMARKS:**

Attached are the review comments from the City of Loveland for the LARCO Referral, FRONT RANGE REDDI-MIX SR CASE # 15-Z1983. In this case only our Parks and Recreation Department provided any comments. As requested I will also provide a copy of these to the Applicant, as indicated in the paperwork forwarded to us.

Thank you for the opportunity to provide these comments. If you have any questions, please feel free to contact us further. Thank you.

**LARIMER COUNTY REFERRAL – FRONT RANGE REDDI-MIX SR  
CASE # 15-Z1983 – SPECIAL REVIEW  
11/6/15 CITY OF LOVELAND STAFF REVIEW COMMENTS  
P&Z # 15-200**

**Parks and Rec:** Bill Wildenberg - Resubmittal Requested 11/05/2015

1. This property includes Natural Area Sites #16 (gravel Ponds near CR 9E) and #17 (Ponds W. of CR 9E, N. of River), as shown in the Natural Areas Sites (2008) Report:  
<http://www.cityofloveland.org/NaturalAreaSites>

A. An Environmentally Sensitive Areas Report (ESAR) should be required to evaluate the current condition of identified Natural Area Sites, as well as to recommend appropriate setbacks and mitigation: <http://www.cityofloveland.org/ESAR>

If you feel the Natural Areas Sites Report does not accurately reflect the current characteristics of this property, the Environmentally Sensitive Areas Report (ESAR) should re-evaluate the Natural Area with updated site ratings based on current conditions. The ESAR shall also include a survey of actual wetland boundaries (wetland delineation), if any are present, which shall be shown on any submitted plans.

B. The Parks and Recreation Master Plan (2014) recommends a 300-foot setback from the operating high water line of lakes with an overall habitat rating of 6 and above. For lakes with an overall habitat rating of 5 and below, a 75-foot setback is recommended. These setbacks would maintain wildlife habitat and protect water quality at the lakes and adjacent wetlands.  
Please show a 300-foot setback from the edge of the Simpson Ponds high water line.

C. Non-native weedy vegetation shall be removed from Natural Areas per the Parks and Recreation Master Plan (2014): <http://www.cityofloveland.org/PRmasterplan>

D. We recommend coordinating with Colorado State Parks and Wildlife as this site is adjacent to the Simpson Ponds State Wildlife Area.

**ITEMS REQUESTED WITH A RESUBMITTAL**

1. Complete Environmentally Sensitive Areas Report (ESAR), following City of Loveland guidelines or equal. (See link above.)



Rob Helmick <helmicrp@co.larimer.co.us>

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## FW: APEN Received for Front Range Reddi Mix Inc

1 message

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**Mark Morrison** <mark@quality-engineering.com>

Tue, Nov 10, 2015 at 2:19 PM

To: Rob Helmick <rhelmick@larimer.org>, "dryan@larimer.org" <dryan@larimer.org>

Cc: dennis morse <betonmacher@gmail.com>

Gentlemen-

Please see the message below from the State Health and Environmental. Dept verifying Mr. Morse's Air Emissions permit receipt.

Feel free to contact me if you need anything additional at this time.

Thanks,

Mark Morrison

Project Manager

### Quality Engineering, LLC

Civil and Structural Engineering

2637 Midpoint Drive, Suite E

Fort Collins, CO 80524

(970) 416-7891 office

(970) 797-1182 fax

(701) 590-0434 mobile/text

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BCC 01/19/16

FRONT RANGE REDI MIX

**From:** Sapio - CDPHE, Elizabeth [mailto:[elizabeth.sapio@state.co.us](mailto:elizabeth.sapio@state.co.us)]  
**Sent:** Tuesday, November 10, 2015 1:19 PM  
**To:** Mark Morrison <[mark@quality-engineering.com](mailto:mark@quality-engineering.com)>  
**Subject:** APEN Received for Front Range Reddi Mix Inc

Hi Mark,

This message is to confirm that the Air Pollution Control Division of the Colorado Department of Public Health and Environment received the Air Pollutant Emission Notice (APEN) for Front Range Reddi Mix Inc., Loveland, CO location and check on September 1, 2015.

Due to the number of APENs that the Division has received and the current backlog, the application is still awaiting initial processing. The APEN has not yet been reviewed to determine if it is complete or provides the detailed information needed for processing. I was told that it will probably be several more weeks before the application goes through this initial process.

Once you do hear back on the completeness of the application, you are welcome to contact the staff below from our Small Business Assistance Program to help you. A brochure about the services they provide is attached for your information.

Christine Hoefler [christine.hoefler@state.co.us](mailto:christine.hoefler@state.co.us) phone: 303-692-3148

or Kaitlin Stabrava [kaitlin.stabrava@state.co.us](mailto:kaitlin.stabrava@state.co.us) phone: 303-692-3175

You are also welcome to contact me for any questions. I hope I was able to provide you the information you were seeking. Thank you.

Best Regards,

Liz

Elizabeth Sapio

Small Business Ombudsman

BCC 01/19/16

FRONT RANGE REDI MIX



P 303.692.2135 | F 303.753.6809

4300 Cherry Creek Drive South, Denver, CO 80246

[elizabeth.sapio@state.co.us](mailto:elizabeth.sapio@state.co.us) | [www.colorado.gov/cdphe/dehs](http://www.colorado.gov/cdphe/dehs)

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**2 attachments**

**~WRD115.jpg**  
1K

 **NEW\_SBAP Brochure 2015.pdf**  
9127K



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Northeast Region  
6060 Broadway  
Denver, CO 80216  
P 303-297-1192 | F 303.291.7114



October 10, 2015

Rob Helmick, Senior planner  
Larimer County Planning office  
200 W. Oak St  
Fort Collins CO, 80521

Re: Front Range Ready Mix Permitting

Dear Mr. Helmick:

Colorado Parks and Wildlife (CPW) would like to thank you for the opportunity to comment on the Front Range Ready Mix permitting process. It is our understanding that Front Range Ready Mix is not changing any aspect of the physical property and that this referral is simply a permit application. However this provides an excellent opportunity to comment on the potential impacts of operating a concrete plant in the floodway, adjacent to and surrounded on three sides by Simpson Ponds State Wildlife Area, operated by CPW. The location of the Front Range Ready Mix plant is at 651 S. County Road 9E in Loveland CO.

CPW would like to emphasize the importance of preventing contamination or runoff from leaks or discharge by Front Range Ready Mix vehicles, equipment or product to CPW ponds, the nearby Big Thompson River or groundwater. We would suggest that lined containment areas such as wash-out basins for the trucks will help contain materials on site. Having absorbent material and temporary booms available would help with chemical containment should a spill occur.

Additionally perimeter fencing designed to allow free movement of wildlife would provide a visual barrier for hunters and anglers between the plant site and the heavily used state wildlife area, while preventing wildlife from becoming trapped in the work compound. Being located along the river corridor the Ready Mix plant may be visited by several different types of wildlife. By providing fencing designs that allow wildlife to move through it will eliminate the need for agency response to free trapped animals.

In the past there have been issues with the company removing nestling great horned owls, a protected species, and their nest. Should similar issues arise in the future it would be advisable for Front Range Ready Mix to contact CPW for advice prior to any effort to remove nests or abate issues with problem wildlife.



Please feel free to contact District Wildlife Manager Clayton Brossart at (970) 472-4463 with any questions or concerns should questions arise. Thank you again for the opportunity to comment on the Front Range Ready Mix permitting process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Rogstad', with a long horizontal flourish extending to the right.

Larry Rogstad  
Area Wildlife Manager

CC: S. Yamashita, T. Kroening, L. Rogstad, C. Brossart



CODE COMPLIANCE SECTION  
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

**STAFF REPORT**

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Date: November 6, 2015  
From: Candace Phippen, Code Compliance Supervisor  
To: Rob Helmick, Senior Planner  
Planning File No: 15-Z1983  
Name of Review: Front Range Redi Mix SR  
Parcel No: 8520000005—651 S County Road 9E, Loveland, Colorado 80537

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This is a request for special review approval of a concrete batch plant in the I-Industrial Zone District and appeal to not require additional landscaping.

This property is subject to a court action initiated by Larimer County against the property owner for failing to obtain required permits and approvals for operating the batch plant on the property located in a floodplain. A Court Order was issued on February 5, 2015 providing certain deadlines for the owner to complete flood, land-use, septic and building permit application processes.

Code Compliance Inspector Tony Brooks will continue to work with the property owner to reach compliance with the Court Order.