

Resolution #TC-2023-01-03

Approve Referral of CDOT Region 3 Access Appeal to the Office of Administrative Courts, C.R.S. § 43-2-147(6)(c) & 2 CCR 601-1(2.9)

Approved by the Transportation Commission on January 18, 2023.

WHEREAS, CDOT is reconstructing Highway I-70B in downtown Grand Junction, Colorado in Fall 2024 (CDOT Project # 23583); and

WHEREAS, CDOT has prepared an Access Management Plan for the Highway I-70B corridor in downtown Grand Junction, Colorado to bring the corridor into conformance with the State Highway Access Code, improve safety and operations along the corridor for all users, support operations of existing land uses, and maintain a consistent approach to access for similar land uses, while considering unique land use circumstances; and

WHEREAS, CDOT will need to close and/or relocate certain accesses in the Highway I-70B corridor in downtown Grand Junction, Colorado to achieve the objectives of CDOT Project # 23583 and the associated Access Management Plan; and

WHEREAS, CDOT issued Access Permit # 322127 on September 16, 2022 notifying John Crouch Enterprises LLC of the closure of an existing access that provides highway access to John Crouch Enterprises LLC's property; and

WHEREAS, John Crouch Enterprises LLC has filed a written appeal objecting the closure of the existing access.

NOW THEREFORE BE IT RESOLVED, the Commission directs the hearing for John Crouch Enterprises LLC's appeal be heard before an Administrative Law Judge with the Office of Administrative Courts. The Office of the Attorney General is requested to facilitate the appeal pursuant to 2 CCR 601-1(2.9) and take all necessary actions to accommodate John Crouch Enterprises LLC's request for a hearing.

BE IT FURTHER RESOLVED, the Commission delegates its authority to conduct the hearing to the Office of Administrative Courts and for the preparation of a complete record of the hearing should additional appeals be necessary.

Herman
Stockinger

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Herman Stockinger
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Herman Stockinger, Secretary
Transportation Commission of Colorado

Date