

Resolution #TC-2023-03-09

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 March 16, 2023.

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

WHEREAS, CDOT has prepared an Access Management Plan for the Highway I-70Z 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-70Z 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 # 322125 on September 16, 2022 notifying AMDM LLC of the closure of two existing accesses which provide highway access to AMDM LLC's properties; and

WHEREAS, CDOT plans on constructing a new access on South 2nd Street in Grand Junction, Colorado to provide highway access to AMDM LLC's properties; and

WHEREAS, AMDM LLC has filed a written appeal objecting to and contesting the closure of the two existing accesses and requested a hearing.

NOW THEREFORE BE IT RESOLVED, the Commission directs the hearing for AMDM 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 AMDM 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

Digitally signed by
Herman Stockinger
Date: 2023.03.17
12:16:29 -06'00'

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date