

November 29, 2022

Ms. Libby Tart, AICP  
**Senior Planner/ Planner III**  
**City of Commerce City**  
7887 E. 60<sup>th</sup> Ave,  
Commerce City, CO 80022



**RE: 4150 E. 60<sup>th</sup> Ave Waste Connections Letter of Intent CUP Narrative/ Explanation**

Dear Ms. Tart,

This revised letter is attached to an application for Site Development Plan (SDP), Conditional Use Permit (CUP) and Final Plat request with the Commerce City staff and City Council. This project is located south of 60<sup>th</sup> Avenue and I-270, east of Brighton Blvd., west of Clermont Street and north of Sand Creek. The property address is 4150 E. 60<sup>th</sup> Avenue, which is situated in the southwest quarter of Section 7, Township 3 South, Range 65 West of the sixth principal meridian in the City of Commerce City, Adams County, Colorado. The property is approximately 16.93 acres in size. Please see the attached application for a SDP, CUP and Final Plat for the project. The project owner and applicant is Waste Connections of Colorado, Inc., 5500 Franklin Street, Denver, CO. The engineer/ planner/ surveyor and authorized representative for the project is Jim Fitzmorris; JR Engineering, LLC; 7200 South Alton Way, Suite C400; Centennial, Colorado, 80112.

The property is zoned I-3 and is currently an abandoned office/ industrial brownfield site previously operated by Rentech Corp. A portion of the property (south portion) is occupied by Sand Creek floodplain and the regional trail. The surrounding properties are industrial uses to the east, west and south and 60<sup>th</sup> Avenue and highway ROW (I-270) to the north.

The proposed plan is to process a SDP, CUP and Final Plat in conformance with the existing zoning and the City's comprehensive plan. We propose to create one industrial lot and dedicate easements to the public for the Sand Creek area including the regional trail.

The site improvements involve re-development of a vacant blighted brownfield property. Three of the existing buildings are to remain as shown on the site plan. These buildings will be re-modeled in the future to serve office and maintenance shop uses. The facades of these buildings will remain largely unchanged from their existing condition. The remaining existing buildings and much of interior improvements will be demolished as shown on the site plan.

One new industrial building to serve as a Materials Handling Facility (MRF) for indoor recycling is proposed to be built as shown on the site plan. Further discussion of this new building and the overall site function and benefits is discussed below as well as on the attached statement of operations and description of the proposed uses document.

The site improvements will include significant new infrastructure and greatly expanded and improved landscaping. New infrastructure includes improvements to 60<sup>th</sup> Ave, new warning signage on 60<sup>th</sup> Ave north and east of the site, a new water quality/ detention pond, upgraded retention/ detention pond, upgraded underground utilities, modernized downcast lighting for the site and site paving to replace the existing gravel and recycled asphalt. Existing exterior security fencing and gates will remain and be



repaired in places as needed. Future planned improvements include installation of a rail spur to allow more sustainable shipping of recycled product from the site in the future.

The site is proposed to employ approximately 90 individuals. These employees will be a combination of office employees and recycling facility (MRF) workers within the future 4 building campus. This site in Commerce City and Adams County will house one of the largest investments in clean and modern industrial infrastructure in Colorado. It will result in Commerce City being recognized as leading innovators towards a more sustainable future.

Waste Connections is committed to providing the highest level of safety measures for its employees and the public. The mechanical systems used will significantly reduce labor involvement which enhances safety for the workers in the processing plant compared to other facilities in the area.

The MRF facility provides recycling sorting entirely enclosed in the new building. All material unloading, processing and re-loading activities will occur within the building. The enclosed building will minimize any potential nuisance issues to the surrounding area. The MRF building includes sophisticated mechanical sorting systems including robotics and A.I. technology which improves processing speed and material quality. This process will deliver a higher quality product than other comparable facilities. Access to rail expands access to product markets across the country and beyond and reduces truck traffic.

Loaded and empty enclosed trailers may be staged at the loading dock as they prepare for loading and transportation.

Many environmental benefits result from this facility. These benefits include expansion of recycling volume which increases waste diversion efforts across Colorado. The central nature of this facility to the Denver Metro market and use of rail will result in carbon footprint reductions by reducing truck miles. Leading mechanical sorting technologies will be employed to maximize material recovery rates. These technologies will mean less waste being sent to landfills and larger volumes of materials will be recycled. Use of rail improves transport efficiencies and reduces fossil fuel use and the resulting carbon footprint.

This application satisfies the applicable criteria for CUP approval provided in the Commerce City Land Development Code (Code) found in Sec. 21-2320(3).

1. No adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, either as they presently exist or as they may exist in the future.

There will be no known negative impacts associated with the proposed project. Project benefits include the improvements to the area described above, beautification of the blighted brownfield property, dedication of easements to the public of the Sand Creek area including the regional trail, improving drainage water quality entering Sand Creek, providing new opportunities in the community for recycling, providing new employment opportunities to surrounding residents, and improvement to surrounding property values and City tax base.

2. Any adverse effect has been or will be mitigated to the maximum extent feasible, including but not limited to sufficient landscaping and screening to ensure harmony for adjoining uses.

There will be no known adverse effect, and adjacent users are other industrial properties and the highway. Nonetheless, the proposed site improvements would be significant enhancements to current landscaping and screening. Additionally, there would be detention and drainage enhancements and dedication of easements for access to the public for the Sand Creek area, including the regional trail.

3. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.

Waste Connections searched the area for the right site for the recycling facility (MRF). Finding a central location, with good access, and sufficient acreage was important. Additionally, the adjacency to rail is important to further reducing the carbon footprint of the operations. This property is ideal for this use, including repurposing three of the existing buildings and providing substantial enhancements to the existing improvements.

4. The proposed use will be adequately served by and will not impose an undue burden on any of the existing improvements, facilities, and services of the city or its residents.

Waste Connections has explored appropriate utility and other services and can be adequately served. Further, the proposal includes infrastructure improvements to 60<sup>th</sup> Ave, new warning signage on 60<sup>th</sup> Ave north and east of the site, a new water quality/ detention pond, and upgraded underground utilities.

5. The applicant has provided adequate assurances of continuing maintenance.

Waste Connections is a major operator in the Denver area employing approximately 400 people in the Denver Metro area. It operates a number of locations throughout the state as well with approximately 800 employees statewide and has a strong reputation for maintenance, safety, and employee benefits.

6. There is no evidence to suggest that the use violates any federal, state, or local requirements.

Waste Connections is sophisticated in its permitting review and will obtain the necessary state permits, in addition to this application to the City for the SDP, CUP and Plat.

While the Code only requires compliance with one of the following criteria, Waste Connections meets both.

7. There is a community need for the use at the proposed location, given existing and proposed uses of a similar nature in the area and of the need to provide and maintain a proper mix of uses both within the city and the immediate area of the proposed use.

As stated above, this project presents a unique opportunity for Commerce City to be a leader in sustainable innovation. There is a community need for a state-of-the-art, central recycling facility (MRF). This location would **expand recycling volume which increases waste diversion efforts across Colorado.**

8. The use complies with the general purposes, goals, objectives, policies, and standards of the comprehensive plan and all other plans or programs adopted by the city.

This application reinforces many policies in the City Comprehensive Plan. Initially, the C3 Vision is premised on being a “Sustainable Community”. This means, (1) “Commerce and Economy” by “attracting new businesses that fit with the goals of the community”, (2) “Context and Environment” with development that leads to “sufficient infrastructure, connected parks and open space, and a positive appearance and image”, and (3) “Community and Social Well-Being” by promoting “efficient and wise use of resources, ensuring that future generations have opportunities for meaningful lives.”

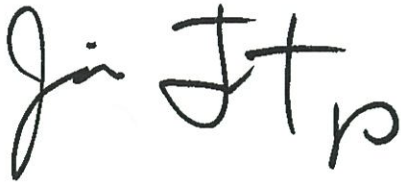
Specific Comprehensive Plan Goals include:



- LU 4- Retain existing industrial areas and land for future jobs. This property is zoned I-3, located in an existing industrial area and will produce around 90 new jobs.
- The property is located in the Southern Industrial Focus Area, the core of the City's industrial area. The project would promote many of the Southern Industrial Future policies:
  - Retain the general industrial use of the area;
  - Improve image along I-270 (all activities occur within new enclosed building);
  - Improve access and connectivity (including along Sand Creek trail) (project includes dedication of public easements along trail); and
  - Encourage environmental clean-up of some properties (project is the redevelopment of an existing brownfield site).
- ED 1—Increase economic diversification and opportunities for clean, prosperous business. This property represents leading-edge innovation in sustainability and improvements in recycling practices.
- ED2 – Retain and increase a strong employment base. The sophistication of the machinery requires a number of skilled, educated employees.
- ED 3 – Recruit new employment. The project will provide up to 90 new jobs.
- RR 1 – Increase focus on infill development. The property is an existing infill brownfields site that is currently abandoned.
- P3.2 – Open space in new developments – New development will contribute to the open space system by dedicating land to protect drainage ways and other features. The project proposes to dedicate substantial drainage and trail easements for both drainage improvements and enhancement of the Sand Creek regional trail.
- AD 3 – Improve development quality for industrial uses. While industrial in nature, this project represents the newest recycling technologies, and all of the activities take place inside a large building screening it visually from neighbors and the highway. This ensures a higher-quality level of design.
- EC 3 – Reduce greenhouse gas emissions. Because of the property's central location, the project is more energy efficient and reduces the carbon footprint of current recycling trucks that travel much farther distances to recycling locations.
- EC 5.1—Waste Reduction, Recycling, and Re-use. Support programs for city and community facilities (in key locations) that focus on source reduction, recycling, composting, and construction materials waste diversion for reuse and exchange of materials. This project exemplifies this goal; providing a recycling facility, available to the public, which will increase waste diversion.
- EC 5.2—Partnerships with Private Companies to Reduce Waste. Support partnerships with private companies to promote waste reduction, recycling, re-use, composting, and the overall goal of reducing solid waste disposal. A central recycling facility in the City, with leading-edge innovative technologies will highlight Commerce City as a leader in promoting waste reduction and recycling.
- EC 8.3 – Brownfield Locations. Pursue an active program to identify brownfield locations that may be opportunities for infill development, if remediated. This project proposes to remediate and repurpose an existing abandoned brownfield site.

We request Commerce City's support and approval for this project. The project is projected to begin construction in 2023 as soon as the planning and engineering approvals can be gained and permits can be applied for.

Sincerely,  
**JR ENGINEERING, LLC**

A handwritten signature in black ink, appearing to read "Jim Fitz", with a stylized flourish at the end.

James P. Fitzmorris P.E.  
Vice President