



Case # CU-127-20, CU-128-20

A request for a conditional use permit to allow for the following:

CU-127-20: Metals Recycling Facility

CU-128-20: Construction Debris Recycling & Solid Waste Transfer Facility

Applicant: Monroe Street Partners West, Monroe Street Partners East

.....●.....
●.....
Address: 5400 Monroe Street

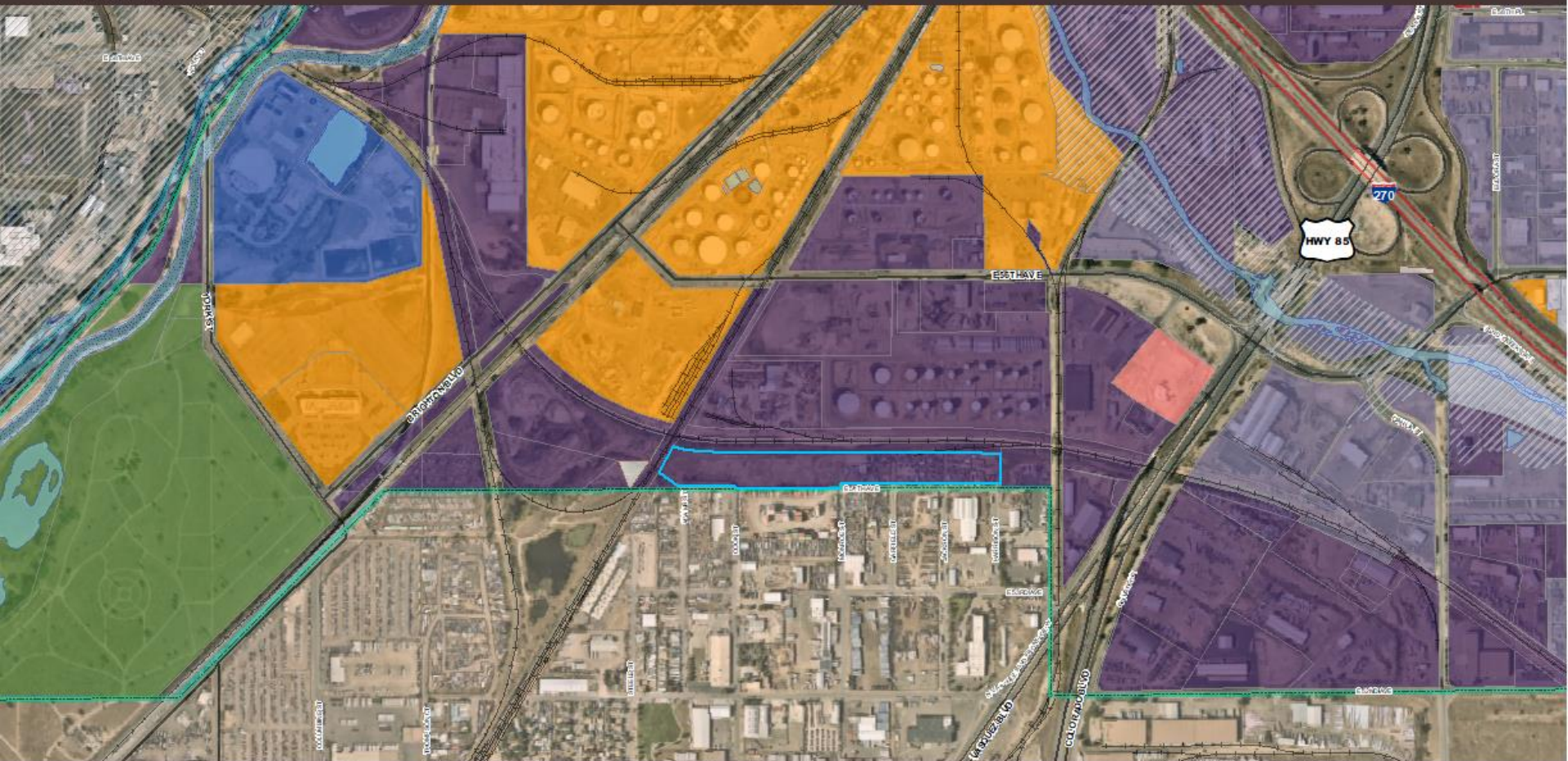
Presented by Domenic Martinelli, City Planner

Subject Property: Zoned I-3



Vicinity Map

Case: CU-127, CU-128



Legend

- | | | |
|--------------------------------|--|---|
| IGA Annexation Growth Boundary | AG - Agricultural District | I-3 - Heavy Intensity Industrial District |
| City Limit Boundary | C-2 - General Commercial District | PUBLIC - Public District |
| Parcelized Zoning + Land Use | C-3 - Regional Commercial District | PUD - Planned Unit Development District |
| Zoning District Code | I-1 - Light Intensity Industrial District | ROW - Right-of-Way |
| NULL / Missing Zoning | I-2 - Medium Intensity Industrial District | |



0 100 200 300 400 500 Feet

Commerce City Planning Division
Prepared By: CD, JAMES HILL
Date: 11/18/2020
Document Path: G:\VPC Planning Commission\Oil and Gas
Permit\OG-003-19 Pelican (Extraction)\DWG\11-18-20 RUP Map.mxd

Site Summary

- Address: 5400 Monroe Street
- Zoning: I-3
- Site Size: 10.08 acres
- Frontage: E 54th Avenue (South)
- Current Use: Outdoor Storage
- Future Land Use: General Industrial

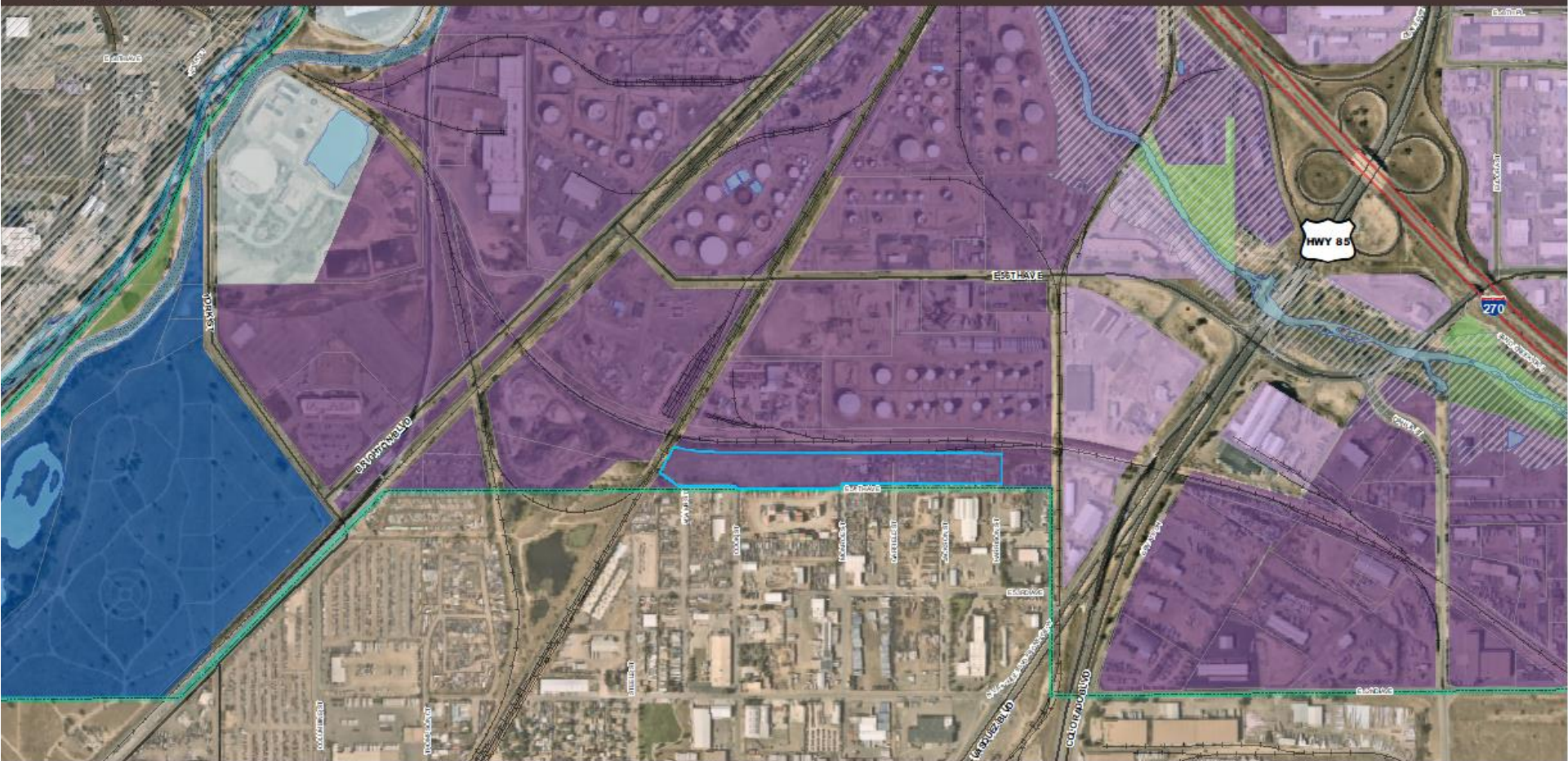


Future Land Use Plan



Future Land Use Map

Case: CU-127, CU-128



- Legend
- | | | | |
|--------------------------------|---------------------------|---------|-------------------------|
| IGA Annexation Growth Boundary | Industrial / Distribution | Utility | Park |
| City Limit Boundary | General Industrial | Public | Open Space / Recreation |



0 100 200 400 600 800 1,000 1,400 Feet

Commerce City Planning Division
Prepared By: CD, MARINELLI
Date: 1/18/2020
Document Path: Q:\VPC_Planning Commission\Oil and Gas
Permit\VOG-003-19 Pelican (Extraction)\DM\11.dwg RUP Map.mxd

Site History

- Annexed in conjunction with original city limits at the time of Commerce City's incorporation as a municipality in 1962 – zoned I-3 at that time.
- Originally developed by the Woodbury Chemical Company, which operated a pesticide formulation facility
- Designated by the EPA as a superfund site and placed on the National Priority list in 1983, due to high prevalence of pesticides and metals in soils. Delisted in 1993 after remediation
- Remained mostly vacant until 2007 – since then, property has been used for various salvage and outdoor storage uses.



Aerial Imagery



Applicant Request

- The applicant is requesting the approval of two Conditional Use Permits
 - **CU-127:** Metals Recycling Facility
 - **CU-128:** Construction Debris Recycling & Solid Waste Transfer Facility
- Applicant requesting two CUP's, for two distinct uses & operations, formed under two separate LLC's.
 - Applicant proposing administrative subdivision of the existing parcel into two lots, consistent with the two separate uses
- Applicant proposing over 50,000 square feet of various facilities
- Standard site improvements include dust-free concrete surface, landscaping, fencing, detention pond, etc.



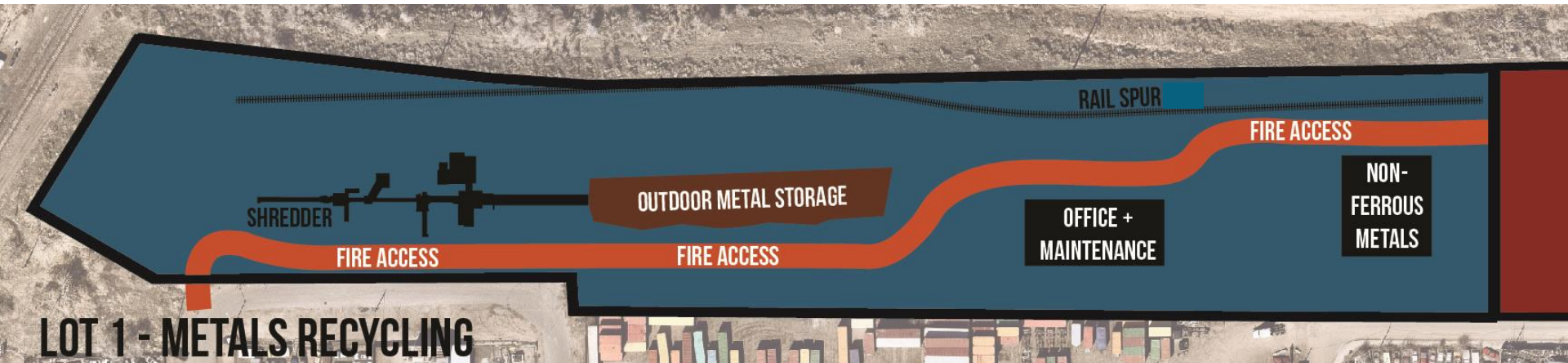
Case Summary



Case Number:	CU-127	CU-128
Proposed Address	3601 E 54th Avenue	3711 E 54th Avenue
Proposed FAR:	0.059	0.224
Required FAR:	0.05	0.05
Building Square Footage:	14,860	35,810
Front Yard Landscape Buffer & Fence Setback:	*16'	*16'
Parking Count	35 stalls	51 stalls
Estimated Jobs:	42	40

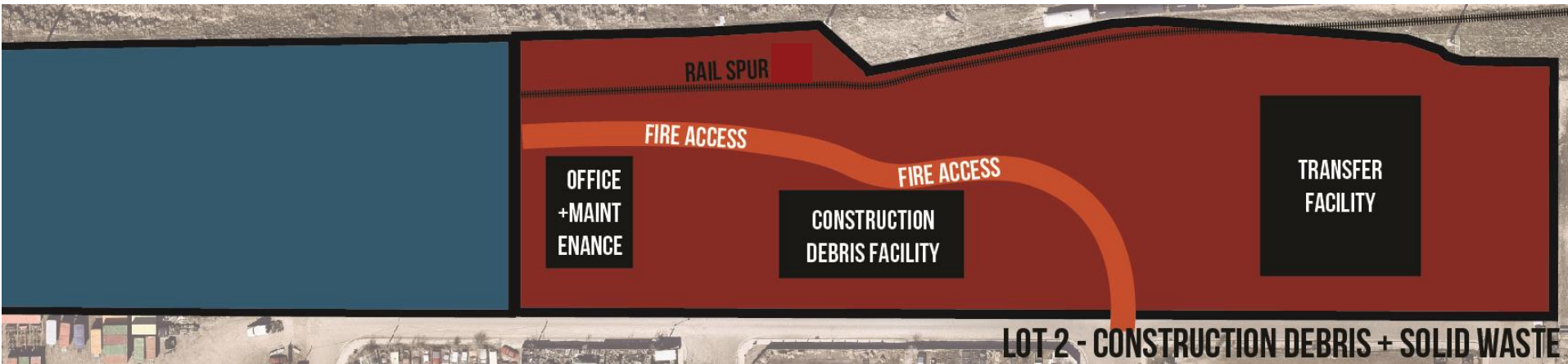
***Applicant requesting approval of Minor Modification for 4' reduction in landscape buffer & minimum fence setback, from 20' to 16'.**

Proposed Operations – West Facility



- Will contain 7,660 sf non-ferrous metal storage building, and 7,200 sf office and maintenance facility
- Operations organized by ferrous / non ferrous metals – customers will weigh load on internal scale, and proceed to unload in outdoor storage area
- Metals would be sorted by classification, non-ferrous metals placed within the building, and materials / waste shipped via truck or rail
- Shredder located on the West half of lot 1

Proposed Operations – East Facility



- Will contain a 19,000 sf Transfer facility, a 6,300 sf office + maintenance facility, and a 10,500 square foot construction debris recycling facility (which will be an additional phase)
- All sorting operations will occur within the transfer facility. Recyclable materials will be shipped via rail or truck, non-recyclable materials will be transferred to landfill via truck. Building enclosed on all 4 sides.
- Facility will begin accepting construction debris upon construction of the additional phase

Env Benefits – Metal Recycling

- Reduces the amount of harmful materials that are diverted to landfills
- Reduces GHG emissions and uses less energy than making metal from virgin ore
- Recycling steel requires 60% energy and results in 58% less CO₂ emissions than producing from iron ore
- More than 60% of the Iron and Steel made in the United States comes from recycled metals

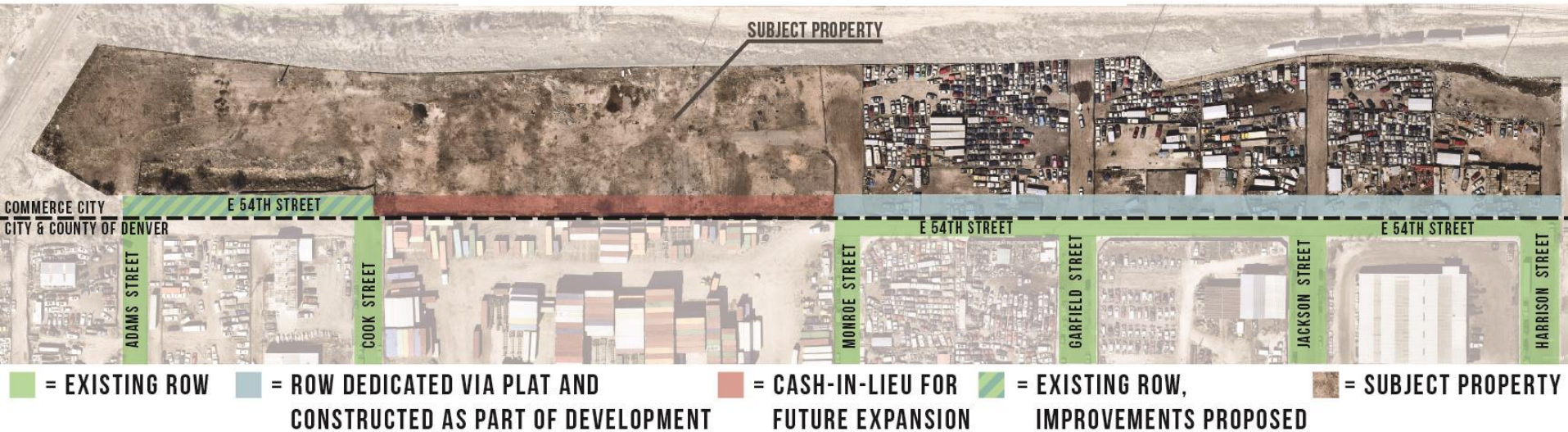


Env Benefits – C&D Debris

- Construction and Demolition debris often diverted to landfills, because proper recycling facilities often do not exist – no such facility in Denver Metro Area
- In 2017, 569 million tons of C&D debris were generated in the US, more than double solid municipal waste
- Components like doors, hardware, appliances, fixtures, wood, concrete, and masonry can be re-furbished and used in new construction
- Creates locally sourced supply of construction materials with lower carbon footprint, offsets the environmental impact associated with extraction and consumption of virgin resources, conserves landfill space



Public Improvements



- Applicant proposing to dedicate additional 32' of ROW along south end of property
- Will construct North $\frac{1}{2}$ of ROW section (except portion between Cook Street and Monroe Street)
- South $\frac{1}{2}$ of the right-of-way section is built under the City and County of Denver from Harrison Street to Monroe Street
- North $\frac{1}{2}$ of right of way section is built between Adams and Cook Street

PC Analysis

- The proposed use is compliant with the Comprehensive Plan and Land Development Code
- The applicant has demonstrated a significant community need for recycling of such items in the Denver Metro Area
- Site Layout is appropriate for the use
 - Limited visibility from major arterials due to surrounding neighborhood context
 - Applicant has proposed landscape buffer and metal fencing surrounding the property to screen any outdoor operations and storage
- Applicant has proposed adequate mitigation for potential impacts
- No objections from referral entities



CUP Approval Criteria

- No substantial or undue adverse effect on adjacent property
- Any adverse effect mitigated to maximum extent possible
- Characteristics of the site suitable for proposed use
- Adequately served and will not put undue burden on improvements, facilities, services
- Adequate assurance of continuing maintenance
- No evidence use violates federal, state, or local requirements
- There is a community need for the use at the proposed site or the use complies with the comprehensive plan and all other plans or programs adopted by the City



Development Plan Approval Criteria

- The Development Plan complies with city standards
- The Development Plan is consistent with any previously approved subdivision plat, rezoning concept plan, or other plans or land use approvals;
- The Development Plan provides adequate mitigation for any significant adverse impacts resulting from the use; and
- The Development Plan creates a positive precedent for the future cumulative development of the immediate area.



Recommended Conditions

CU-127	CU-128
A. This approval applies to the Development Plan dated 8/28/20 associated with this Conditional Use Permit.	A. Same as CU-127, Condition A
B. Restriction of Building permit issuance until Request For Ordinance (RFO) is approved by the City and County of Denver	B. Same as CU-127, Condition B
C. Limitations on the types of vehicles allowed for metal recycling operations (not to exceed 22 feet in length). Storage of inoperable vehicles or salvage not permitted.	C. All non-recyclable wastes shall be contained within the transfer facility, and all waste accepted onto the premises shall be transferred into a transfer trailer within 24 hours of receipt.

Recommended Conditions

CU-127	CU-128
D. Whole crushed cars may be stored on site for no more than 72 hours. No vehicle crushing shall be permitted on site.	N/A
E. All work performed on vehicles to occur entirely within a defined containment area on an approved concrete surface, and placed in appropriate holding tank, and disposed of properly.	N/A
F. Facility shall not accept hazardous materials.	D. Same as CU-127, Condition F
G. Property to be kept clean and free of debris and dust	E. Same as CU-127, Condition G



Recommended Conditions

CU-127	CU-128
H. The applicant shall obtain and provide copies of any applicable state or federal regulatory agency permits to the Community Development Department, prior to commencement of operations on site.	F. Same as CU-127, Condition H
I. The applicant shall notify the Community Development Department in writing in the event the use as described in this Conditional Use Permit is discontinued by Monroe Partners West, LLC	G. Same as CU-127, Condition H
J. Requirement for annual report detailing adjoining landowner complaints. If substantial issues or history violations are found by director through 1 st 5 years of report, director may elect to re-open CUP for re-review by PC and City Council.	H. Same as CU-127, Condition J



Required Public Notification

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 300 feet	✓	13 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	✓	Notice in Commerce City Sentinel-Express
Placard/Sign on Property	At least one sign on subject property	✓	Five Signs Posted

All public notification met the requirements of Resolution 2020-30 to provide notice that the meeting may be conducted electronically; advance registration for testifying is required; and information for participation is provided in the published agenda.



Public Notification

- As of October, staff has received 1 request for additional information or comments.
 - Adjacent property owner inquired about traffic conditions and proposed public improvements



PC Recommendation

- On October 6, 2020 the Planning Commission voted 5-0 to recommend **approval with conditions** to City Council for both CU-127 & CU-128





Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that Council may have.

