

Height Exception – Narrative Questionnaire
Fiore – 91st & Monaco
January 20, 2017

1. **Proposal Description:** Describe why a height exception is needed, and why the existing requirements of the Land Development Code cannot be met.
A height exception is being requested to allow a user of a site to fully utilize the property in which they operate their business. This business, A-1 Organics, is in the business of creating natural and dyed mulches for commercial and residential use. They are requesting to allow material pile heights of up to 35' high, which is not permitted under the current standards of the Land Development Code (LDC). The LDC only permits the stacking of materials to the height of 8'. This business needs the ability to do this in order to efficiently, effectively, and safely conduct business.
2. **Benefit:** Describe how the proposed height exception provides a demonstrated benefit to the city.
This height exception request will permit A-1 Organics to operate its business, which requires it to pile materials higher than allowed by code. A-1 Organics is in the organic recycling business, which creates environmental benefits for the City and the region. So far, the company has diverted more than 8,000,000 cubic yards of materials from landfills. It is also the Applicant's understanding the Commerce City is a customer of A-1 Organics, and therefore its presence in the City is a public benefit.
3. What uses are located adjacent to the subject property?
 - a. North – Unincorporated Adams County – Rural Residential/Stables & Water Storage
 - b. South – Unincorporated Adams County – Gravel mine (planned)
 - c. East – Unincorporated Adams County – Truck Terminal & Truck Parking for Motel
 - d. West – Unincorporated Adams County – Water Storage
4. **Neighborhood and Surroundings:** Explain why the height exception will not have an adverse effect on the existing and proposed land uses in the area.
Due to the topography of the property and the nature of adjacent uses, approving this height exception will have no adverse impacts on the surrounding land uses. To the south is a planned gravel mining operation located within unincorporated Adams County. This use is just beginning operations and should be operational for the next several decades, based on their filed plan of operation with Adams County and the State of Colorado. The uses to the west and north are located in unincorporated Adams County and utilized for water storage and generally inaccessible to the public. To the northeast are a couple rural residential and stable uses located within unincorporated Adams County that, while adjacent, have a significant difference in elevation and have extensive landscaping in mature trees that screen the uses from the properties. To the east is an existing truck terminal and truck parking for a motel. Neither of these uses should be adversely impacted, and being located on the east side, will have an extremely limited view of the increased materials piles with the significant change in topography.

As the plan is currently proposed, there is a significant grade change between the property entrance along Monaco on the east of the property to the back side of the property where the material piling is proposed to take place. A cross-section of the property, showing the change in elevation and how the piles could be viewed from Monaco is included as part of this application. As shown on this section graphic, the piles are located a significant distance from the front of the property and many feet lower in elevation.
5. **Light and Air:** Explain why the height exception will not severely reduce light and air in adjacent areas.
Due to the property topography and the nature of adjacent uses, there will be no perceptible impacts to the light or air in adjacent areas.

6. **Traffic:** Will the height exception create or increase traffic and/or parking problems for the surrounding area? (Explain or demonstrate how this exception will reduce, alleviate, or not affect traffic circulation or vehicle parking on the adjacent public streets.)

This height exception will have no impacts on traffic or circulation on the surrounding roads. The request will permit the piling of materials higher on the property. The material piles are located in a secure section of the property, not accessible to the general public, and not close enough to the street to shade it or cause distraction or visual obstructions.

7. **Public Safety:** Will the construction/operation for which the height exception is needed create a police, fire, or building safety hazard for the tenants or adjacent properties?

The approval of this height exception will not create any police, fire, or building safety hazards for the tenants or adjacent properties. The property is securely fenced to keep trespassers out, and the piling of materials higher will not provide any issues for the Commerce City police. A well-delineated fire lane is provided and will be maintained should any fire emergencies occur that require fire truck access. In addition, with few nearby buildings, either on-site or off-site, potential hazards to built structures are extremely remote.

8. **Established Property:** Will the height exception cause a real or perceived loss in surrounding property values? Will it substantially or permanently injure the appropriate use of adjacent conforming property?

Based on the existing and planning uses for the surrounding area, this height exception will not cause any real or perceived loss in surrounding property values.