

DESCRIPTION OF PROPOSED USE:

Monroe Street Partners East; Recycling and Waste Transfer Facility

5400 Monroe Street

COMPLIANCE WITH THE PURPOSE, GOALS, AND OBJECTIVES OF THE COMPREHENSIVE PLAN:

Monroe Street Partners East (“MSPE”) believes this construction and demolition (“C&D”) debris recycling and solid waste transfer facility will work with Commerce City’s Comprehensive Plan in multiple areas that are outlined in the plan. The City has defined specific visions and goals in its plan (Pg. 14 C3 Vision Plan and Goals) to:

1. *Become a Green city where viable*; MSPE is at its very heart a Green company committed to providing a resource for the citizens and businesses of Commerce City and the surrounding area to recycle C&D debris and handle the transportation of waste to landfills in an environmentally friendly manner that reduces the amount of trucks on our roads and highways.
2. *Provide a reason for people to come to the City*; MSPE will provide a new, clean, state of the art and environmentally friendly facility to recycle and transfer waste that will attract customers into Commerce City from the surrounding areas.

The plan also explains the City’s desire to be a Sustainable Community (Pg. 14) and that “*Vital economic development*” is a pillar of a sustainable community; MSPE financial investment of close to \$15 million and the associated jobs should contribute vital economic development. Additionally, the plan asks on page 15 *Why Sustainability is important to the City?* The answer includes that “it is important for Commerce City to address the contemporary challenges” that include waste reduction and recycling. A C&D recycling facility will assist the City in reaching its goal of sustainability both within the Commerce City community and globally by reducing the need to mine new resources.

On page 18 of the City’s Plan are the Guiding Principles for the Plan. Included in the principles are the following:

1. Land Use and Growth: “Grow Commerce City in a balanced and compact pattern of neighborhoods and commerce centers, where residents have access to employment.... Promote infill.... to avoid inefficient and costly leapfrog development”
 - a. MSPE development of the vacant land at 5400 Monroe Street will be an infill development that will create access to employment and avoid costly leapfrog development.
2. Economic Development: “Maintain a strong employment base; help create a jobs/housing balance; define appropriate locations for a range of industry and businesses (including green businesses);...”
 - a. MSPE development of a green industrial business in Historic City, that has been designated for general industrial use in the Plan, will create approximately 30 jobs.
3. Financial Stability: “Continue as a financially stable city by fortifying revenues...”

- a. The development and operation of the metal recycling facility by MSPE will increase real property and personal property taxes to the City. Also, sales of commodities from the business will bring new revenues into Commerce City.
- 4. Environmental Conservation/Stewardship: "Increase recycling....while reducing energy and resource use overall"
 - a. A new, modern recycling facility will increase recycling by making it easier, more convenient and more financially beneficial to those who wish to recycle. Also, waste transfer facilities reduce the number of route trash trucks and pickup loads that would need to drive to a landfill.
 - b. On page 23 the Plan lays out a development strategy "Future Land Use Big Ideas", that includes "4. Retain lands for industry so the City will continue to have jobs and a fiscally-balanced future.". MSPE's desire is to develop an industrial business that will create jobs on a vacant industrial property appears to align well with this portion Comprehensive Plan's development strategy.

On page 47 under Land Use and Growth, the plan states "In the future, growth will take place in the form of infill in the Historic City and Irondale areas". Again, we believe our proposed development helps the City achieve this goal in Historic City area.

On page 50, Land Use and Growth Goals and Policies, the plan calls for maintaining Jobs-to-Housing ratios (LU 1.2), and promoting infill development (LU 2.1); MSPE's business development will help the City achieve both these goals and conform with this policy.

Under "Land Use Goal 4 - Retain existing industrial areas and land for future jobs", on page 53, Citywide Policy LU 4.2 calls to "Promote and strengthen industry and jobs where they are currently located in Historic City... particularly in ... Southern Industrial Area." This Area includes 5400 Monroe Street where MSPE wishes to invest and create jobs.

In section 5 – "Economic Development" on page 95, the *Guiding Principle* talks about "Beneficial and sustainable economic development can elevate the economic, political and social position of the city" and that "Commerce City aims to maintain its strong employment base while expanding and diversifying appropriate jobs...". The recycling business proposed by MSPE will be beneficial and sustainable economic development by virtue of the millions of dollars invested in real property improvements and long term use hard assets that will generate recurring tax revenue and provide the platform for new jobs that will exist in perpetuity.

On page 96 the Plan calls for "Retaining/Increasing Strong Employment Base". As previously described, this recycling business will increase jobs and add to a strong employment base for Commerce City.

Fiscal Stability Goals on page 104 of the Plan include "Retaining and increasing revenue-producing land uses". MSPE desires greatly to develop the currently vacant land at 5400 Monroe into a revenue and job producing land for Commerce City. MSPE development would help the City also, on page 107, achieve the Goal FS 2 – Retain and increase revenue producing land uses. This proposal is aligned with Citywide Policy FS 2.1 and FS 2.2 "to strengthen the industrial and employment land base."

On pages 119 and 120, the Plan speaks to the desire to have more compact land use and more infill development as a key to "the City's sustainable future". As stated previously, MSPE development of

5400 Monroe Street will be an infill development of vacant land with a cost to MSPE of nearly \$20 million.

The “Appearance and Design” of heavy industrial uses is addressed on page 176 and the Plan talks about the fact the history of industrial uses has somewhat tarnished its (Commerce City) image to outsiders but it is MSPE’s desire and promise to the City to not only develop to required standards, but also to exceed the minimum requirements (with additional screening and paving) to ensure a professional and clean appearance.

On page 197, Goal EC3 – Reduce greenhouse gas emissions can be achieved by use of a transfer station as the small loads are consolidated into semi-loads reducing the amount of loads and trucks hauling the additional miles to a landfill.

On page 198, Goal EC4.1 – Stormwater Best Management Practices; while the amount of impervious surface will increase on the property we will be constructing a stormwater management system on the property where none currently exists.

Finally, on page 198, Goal EC5- Reduce solid waste disposal can and will be directly addressed by this facility that will divert materials from the landfill by providing customers a facility to recycle C&D debris. This business will comply with the Citywide Policy EC 5.1 – Waste Reduction, Recycling and Re-Use by the very nature of the business.

HARMONY WITH THE CHARACTER OF THE NEIGHBORHOOD:

The property is located in a General Industrial zoned area and borders the City of Denver to the south which is also zoned general industrial. This metal recycling business will be compatible with the surrounding uses listed below:

The property to the East is the Colorado Chassis Service at 5340 Harrison St, Denver, CO 80216. This is a semi-truck repair shop.

The property to West is the proposed Monroe Street Partners West metal recycling facility.

The properties to the South are: (1) Old Yeller Auto at 5385 Garfield St, Denver, CO 80216. This is an auto salvage yard with the property full of old cars. (2) A&E Tire, Inc. at 5355 Harrison St, Denver, CO 80216. This is a truck tire sales and repair company. (3) Boot Hill Tuck at 5355 Harrison St, Denver, CO 80216. This is a used truck part sales company with outdoor storage of old trucks and autos.

The property to the North is the Denver Rock Island Railroad.

GENERAL COMPATIBILITY WITH SURROUNDING AREA:

The surrounding area is zoned general and/or heavy industrial with railroad operations, petroleum refineries, auto salvage yards, truck tire sales and commercial trucking operations. MSPE believes the proposed recycling and waste transfer facility is very compatible with the surrounding area and existing uses.

COMMUNITY NEED FOR THE PROPOSED USE:

While there are facilities in the area that provide waste transfer services, there exists a need for this facility because existing facilities are operating at or beyond their operational capacity and do not offer C&D recycling services. Below is a list of the alternate facilities and their limitations:

All Recycling North, LLC: 5350 Washington Street, Denver, CO 80261: This facility does not offer C&D recycling. This facility is operating beyond its capacity to transfer solid waste on a daily basis.

Waste Management's Disposal & Recycling Facility: 6091 Brighton Blvd, Commerce City, CO 80022: This facility does not offer C&D recycling services.

Alpine Waste & Recycling: 645 W 53rd Pl, Denver, CO 80216: This is operating at its capacity for waste transfer on a daily basis. This facility does not offer C&D recycling services.

EFFECTS OF ADJACENT PROPERTY AND HOW THEY WILL BE MITIGATED:

MSPE does not anticipate any direct effect on the adjacent properties.

EFFECTS ON PUBLIC INFRASTRUCTURE AND SERVICES AND HOW THEY WILL BE MITIGATED:

MSPE do not anticipate any adverse impact to the public infrastructure and services. This proposed use and property development will be beneficial to the public infrastructure due to the transfer of property along the northern portion of the property to expand 54th Avenue and extend 54th Avenue from Monroe Street to Cook Street.

SITE CHARACTERISTICS:

The site is an essentially flat property bordered by 54th Avenue along the South and the railroad in the North. The rail to the north sits approximately 20 feet below the property. The site is undeveloped vacant land at this time.

LANDSCAPING AND SCREENING STRATEGIES TO MITIGATE IMPACTS:

MSPE proposes a 8 foot tall solid metal fence surrounding the entire property to screen outdoor storage and activities within the property. The gates to the property will remain open during all business hours so there will not be a need to stage any customers on 54th Avenue. Or Monroe Street. We also propose to install the required landscaping along 54th Avenue to soften the visual impact of the solid fence and enhance the appearance of 54th Avenue.

NOISE, DUST, ODOR AND OTHER NUISANCES THAT MAY IMPACT THE SURROUNDING AREA:

The C&D recycling and waste transfer operations on the property have the potential to create noise, odor and dust nuisances that could impact the surrounding area if not mitigated properly.

Dust could be generated and sent into the air in the property and potentially blown off the site if not managed. Paving the entire property is the primary dust mitigation solution. In addition to having a paved property, dust mitigation will be achieved by performing constant housekeeping within the property with street sweeping daily by employees with a company owned sweeping machine.

In general, noise generated from operations should not be significant and similar to street traffic. Noise generated by the operation would come from two sources: truck traffic and equipment operation on site. The primary mitigation solution for noise is the location of the property and the associated operations within the property. To the greatest extent possible MSPE has designed the site to have noise generating activities to the south side of the property and furthest away from any streets or neighbors that could be impacted by noise. Additional mitigation is achieved by the solid fencing of the property.

Odor could be a nuisance caused by the process of transferring waste. The most effective mitigation solution for odor is the prompt transfer of the waste off site. All waste accepted will be transferred into transfer trailer with 24 hours of receipt at the facility. Additionally, all waste will be contained within the transfer building to mitigate the chance of any odors leaving the site.

ANY OTHER RELEVANT INFORMATION:

Description of internal site layout and circulation

The site will initially have two structures, an office & maintenance building and a transfer building. There will be two 70 foot truck scales and a mobile or permanent scale house. Customers will enter at the west of the property and proceed over one of the scales. The customers will pay for or have a commercial account charged for the volume of waste being delivered. Customers will then proceed to the transfer building, back inside the building and unload their waste on to the tipping floor then exit the property. Trained spotters will inspect the loads for any non-allowed waste and have customers remove any non-allowed waste. Wheel loaders will push the waste within the transfer building and load semi-trailers with the outgoing waste which will be hauled to a landfill.

Phase II of the development is the construction of a construction & demolition debris recycling building. This will occur when economic conditions and commodity prices support the operation. We cannot estimate a date to begin phase II at this time.

Compliance with LDC 21-5258

(1) The premises shall be kept in an orderly condition.

The facility will employ full-time personnel to clean the site throughout the day.

(2) All garbage, trash, rubbish or debris shall be concealed from view from the public right-of-way

The transfer building will be oriented with the garage doors facing west and not south toward 54th Avenue.

(3) Signs shall be posted to identify the ingress and egress to the refuse or transfer facility.

Agree to post all required signs

(4) All applicable rules and regulations of the state department of health and the tri-county district health department will be complied with.

Agree to follow all rules and regulations. They will be incorporated into the Operational Plan and communicated to all employees.

(5) Anti-litter signs shall be posted at the cost of the operator both at the facility and along assigned haul routes to and from the facility. The operator shall be responsible for any litter problems along the haul routes.

We agree to post the required signs. Employees will clean the sight will also clean 54th Avenue and all haul routes. All incoming loads from customers will be required be covered.

(6) All fires shall immediately be reported to the fire department.

Agreed. We will post the emergency number in a conspicuous location(s) for all employees.

(7) All transportation vehicles used for refuse collection and disposal shall be covered to prevent litter.

All incoming loads from customers will be required be covered. Use of the facility will be denied for customers without covered loads. All outgoing semi-loads will be covered.

(8) Two free community disposal days shall be provided to city residents annually.

We agree to this and will work with the city to select the community days.

(9) Unrestricted access shall be provided to all inspection authorities.

We agree to this. We have worked with Tri-County Health and CDPHE in the past and understand the need for transparency.

(10) Landscaping materials shall be installed and maintained. Landscaping plans shall be subject to approval by the city.

A landscape plan has been submitted with this application.

(11) Methane detection and control devices shall be installed in all structures where and when deemed necessary by the building official, fire district, or Tri-County Health Department.

We do not anticipate this need but will comply with any request.

(12) Rodent and pest control programs will be provided and maintained at all times. The operator of a refuse transfer facility shall submit to the city a written vector control plan.

We agree to this and will submit a Vector Control plan prior to opening the facility. A commercial pest control contractor will be hired for the facility.

(13) Unless specifically authorized, no hazardous or toxic waste substances shall be accepted. All operational personnel shall be trained in the identification and handling of hazardous and toxic waste.

There is no plan for the facility to accept hazardous or toxic waste. Signs will be posted listing all non-allowed waste, customers will sign a weigh ticket and/or commercial agreement. Customers will be required to remove any non-allowed waste if identified by our trained inspectors.

(14) Any resource recovery, incineration or recycling shall be prohibited without first obtaining a conditional use permit from the city council

We agree to this condition.

Compliance with regulatory agencies:

1. Environmental Protection Agency: Aside from being required to adhere to standard EPA regulations for industrial and trucking, the EPA does not regulate solid waste transfer stations.
2. CDPHE: Addressed directly based upon comments for the application
3. Tri-County Health Department: Addressed directly based upon comments for the application
4. US Department of Transportation: We will be a registered commercial trucking company subject to all USDOT regulations and subject to inspections and audits to ensure our compliance.