



## 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

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●.....

**Address:** 5400 Monroe Street

Presented by Domenic Martinelli, City Planner

Case: CU-127, CU-128



Commerce City Planning Division  
Prepared By: CD\_MARTINELLI  
Date Saved: 1/8/2020  
Document Path: Q:\PC\_Planning Commission\Oil and Gas  
Permits\OG-002-19 Pelican (Extraction) [DM]\1117\_RUP Map.mxd

# Site Summary

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



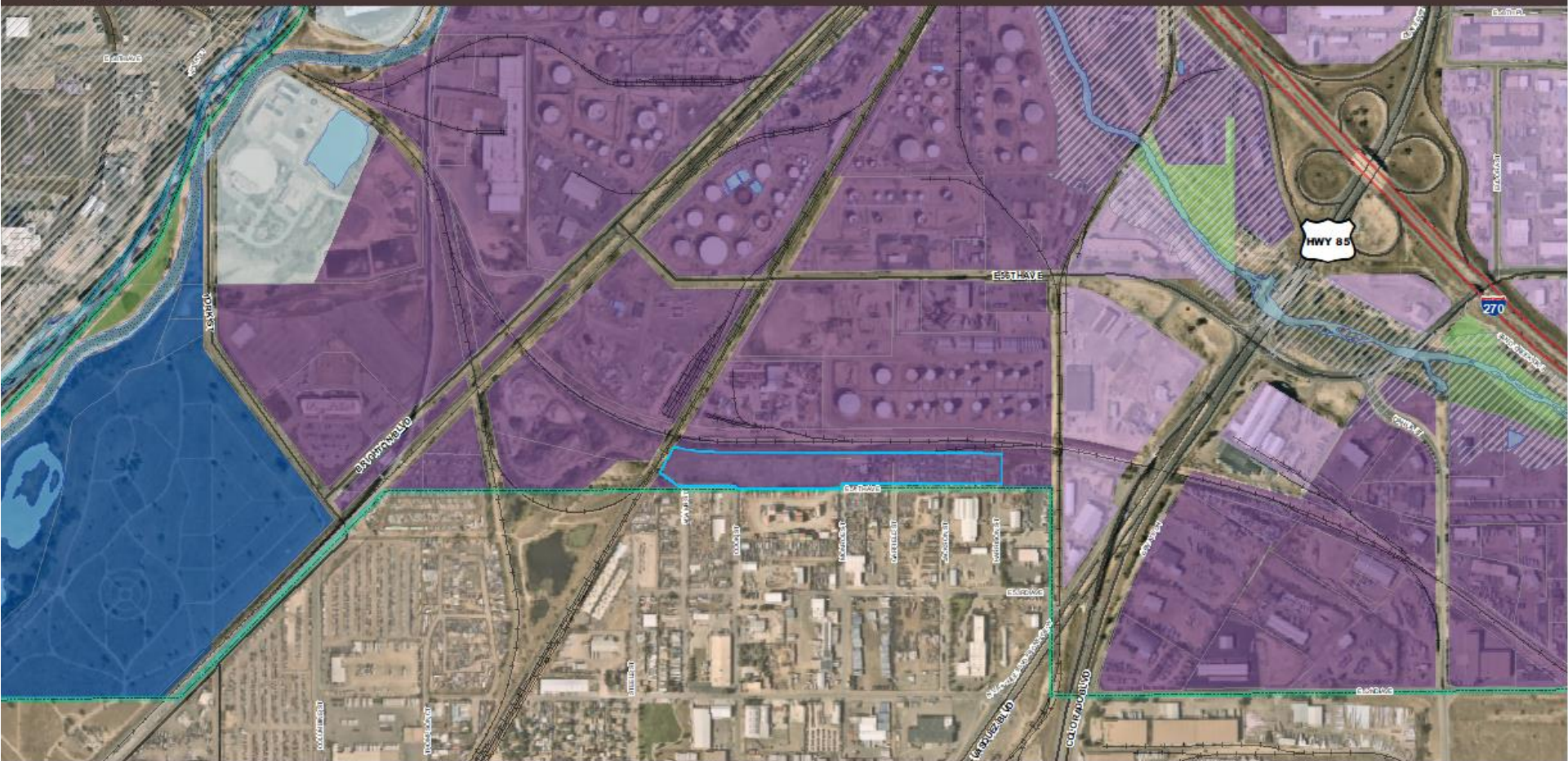


# Future Land Use Plan



## 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 Feet

Commerce City Planning Division  
 Prepared By: CD, MARINELLI  
 Date: 11/18/2020  
 Document Path: Q:\VPC Planning Commission\Oil and Gas  
 Permit\VOG-003-19 Pelican (Extraction)\DM\11-18-20 RUP Map.mxd

# Site History

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- 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.



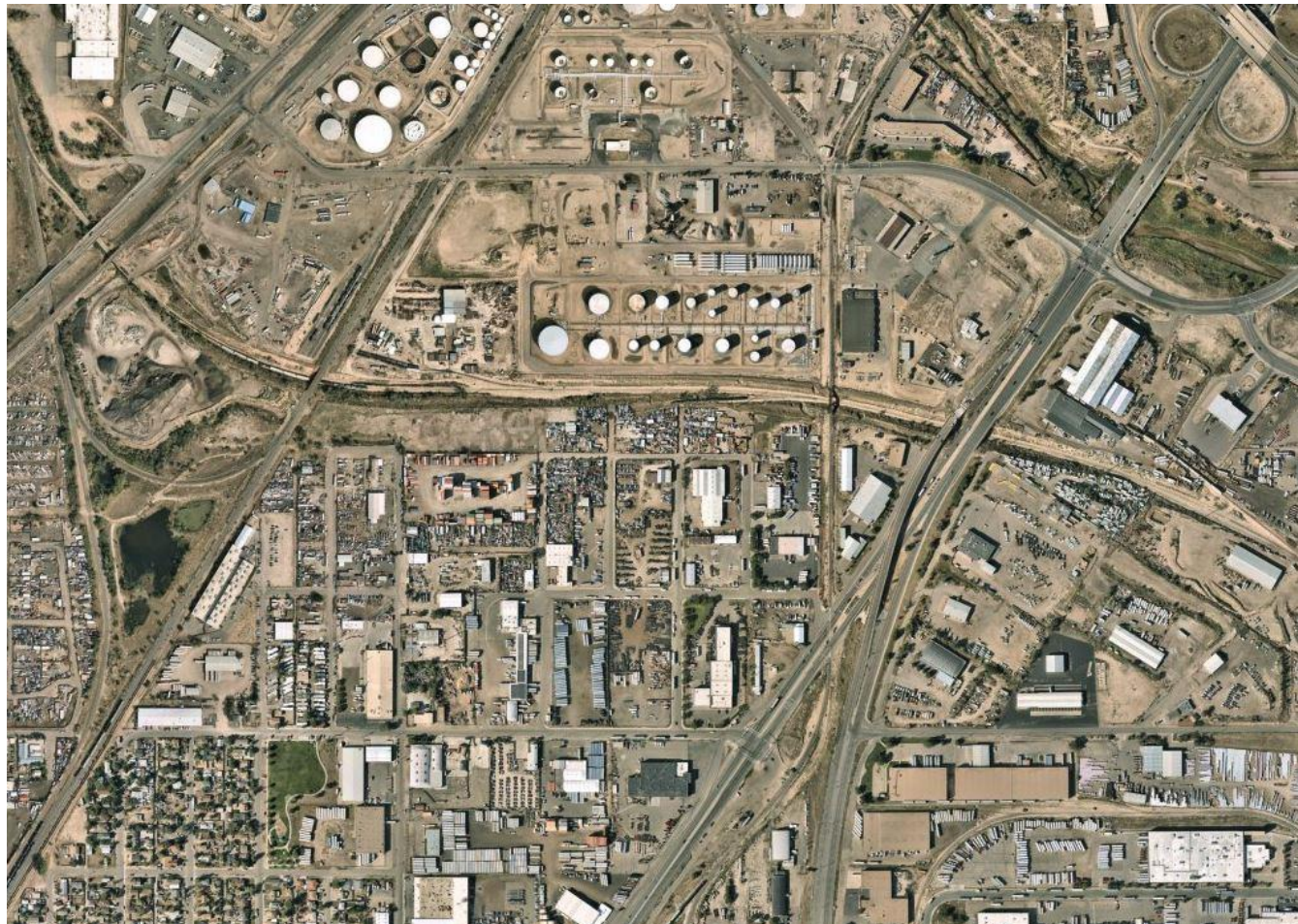


# Aerial Imagery



# Neighborhood Context

- One of the most heavily industrialized, and historically industrial areas within the city. Area contains variety of outdoor storage and salvage uses, auto repair, shipping container storage, pipeline terminal locations, etc.
- City and County of Denver borders directly to the south of the site
- Elyria Swansea neighborhood (Denver) is roughly 1,500' to the Southwest of the subject property





# Applicant Request

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- 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.





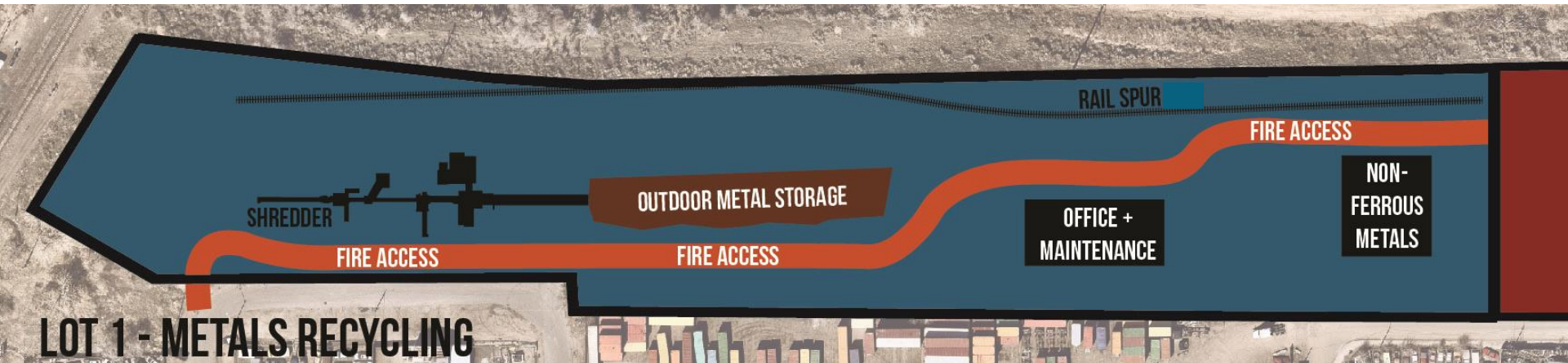
# Case Summary



Case Number:	CU-127	CU-128
Proposed Address	3601 E 54 <sup>th</sup> Avenue	3711 E 54 <sup>th</sup> 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'.**

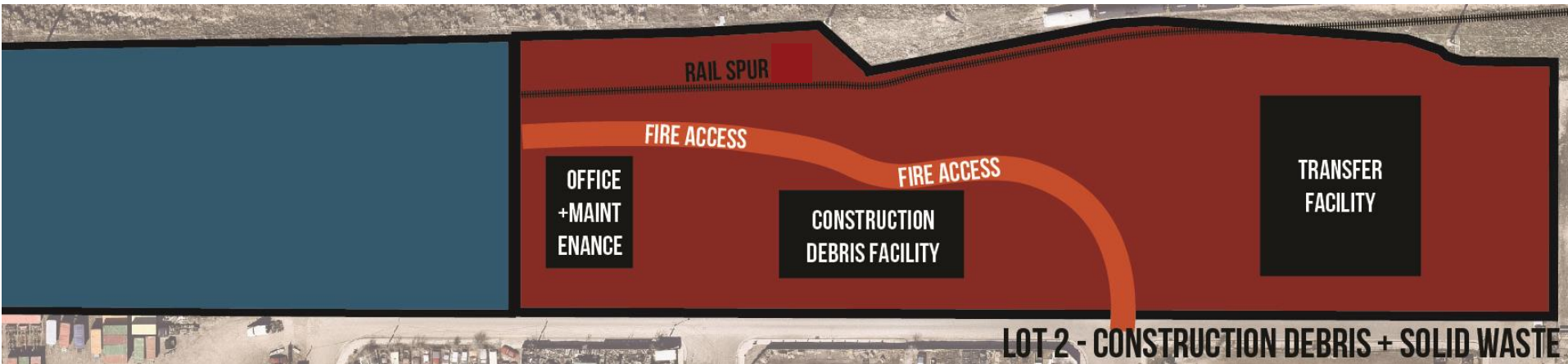
# Proposed Operations – West Facility



- 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

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- 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 CO<sub>2</sub> 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

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- 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



# Current Site Photos





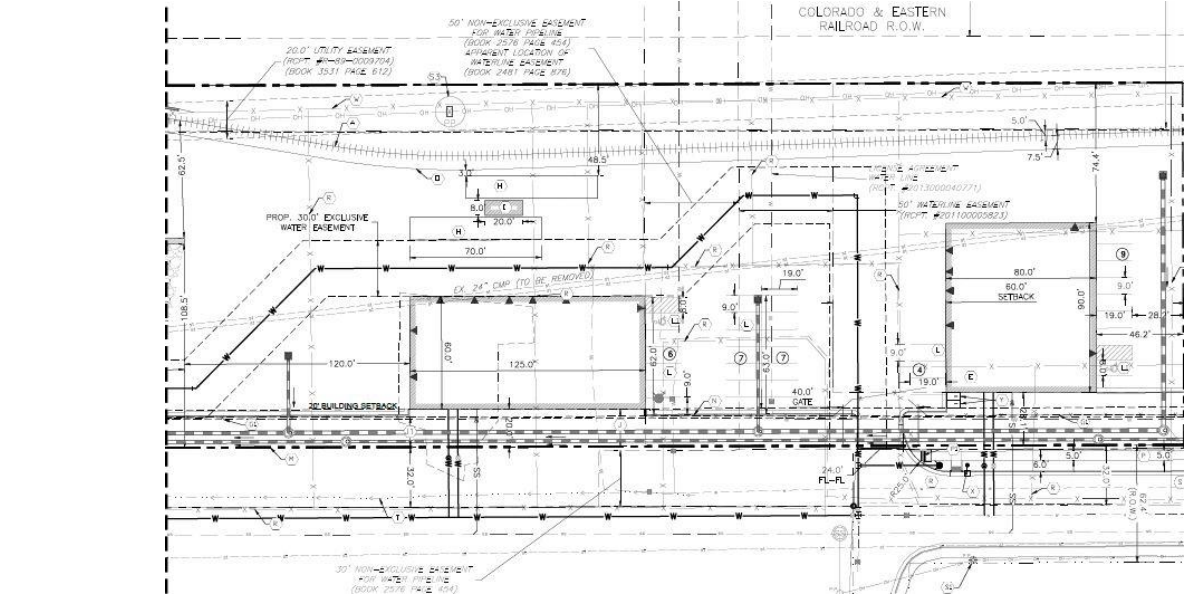
# Current Site Photos



# Current Site Photos

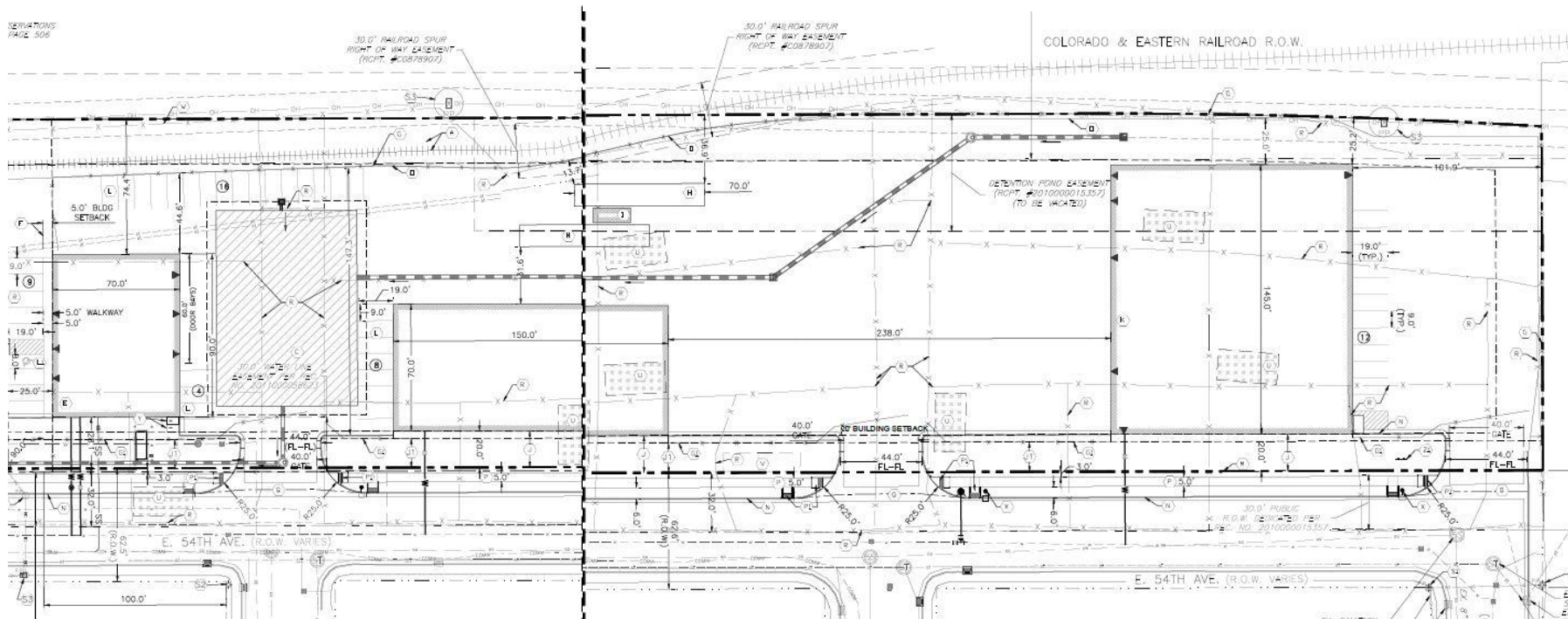




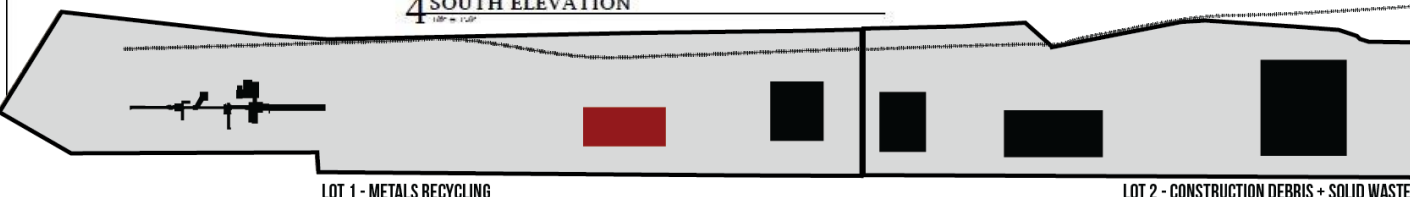
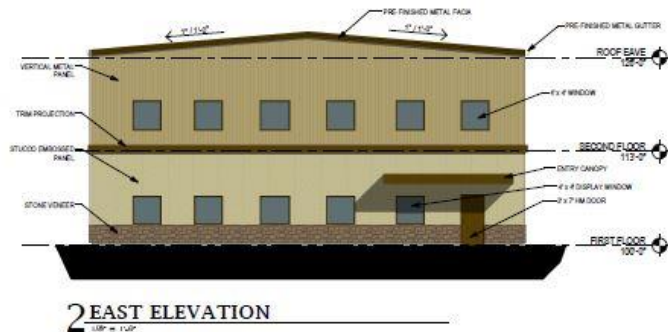
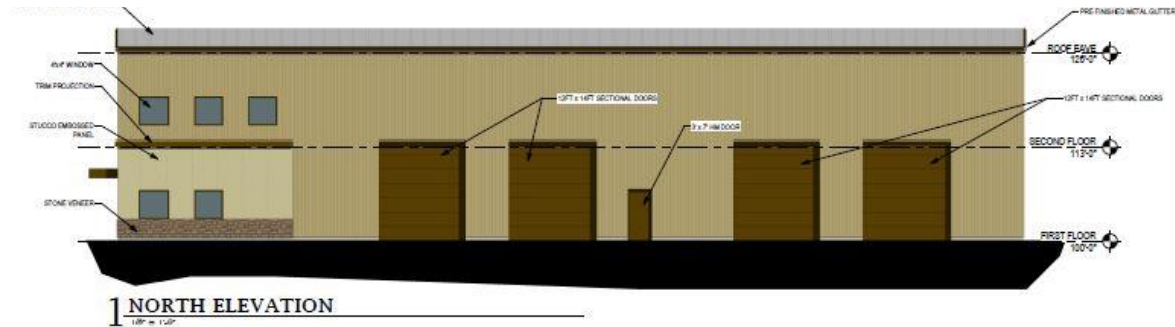




# Site Plan – East Facility



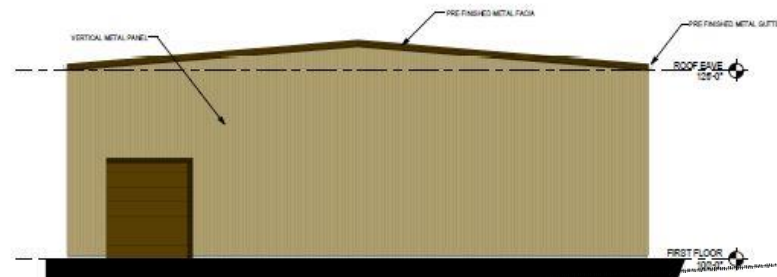
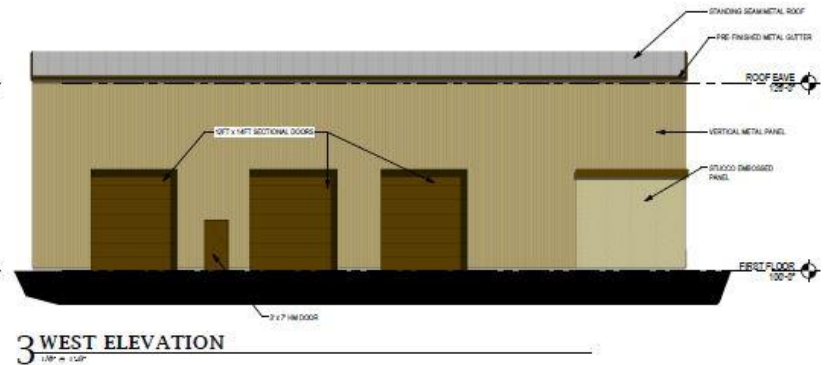
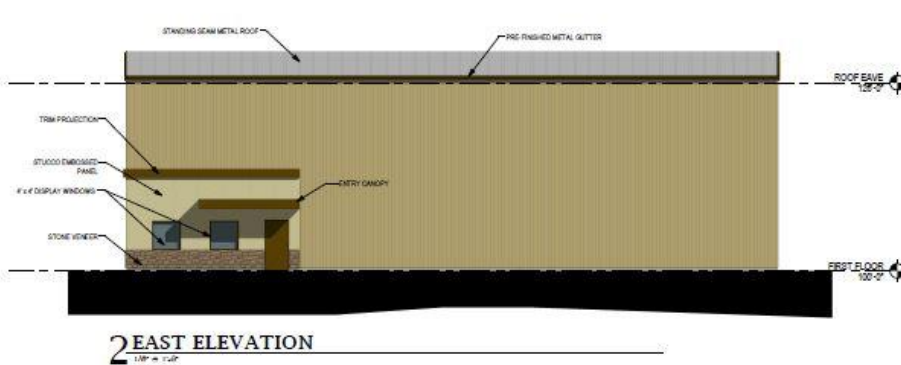
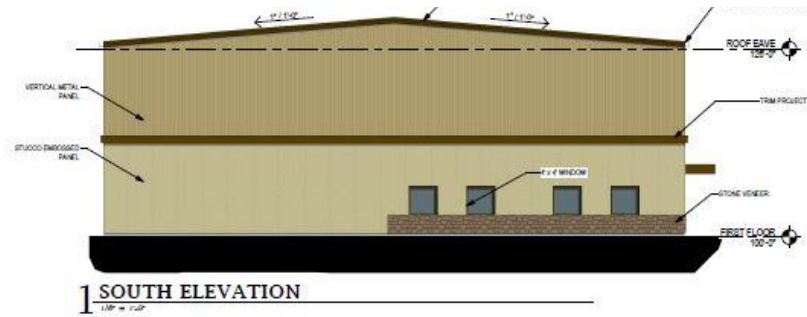
# Elevations – Office (West)



(PIN) 0182513101001  
 1-1/2" X 1/2" CERTIFICATE  
 APPROVED BY THE DEPARTMENT OF COMMUNITY  
 DEVELOPMENT OF THE CITY OF COMMERCE CITY,  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
 DEPT. OF COMMUNITY DEVELOPMENT SIGNATURE

erice  
 CITY

# Elevations – Non Ferrous Metals



(PIN) 0182513101001

APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE CITY OF COMMERCE CITY, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

DEPARTMENT OF COMMUNITY DEVELOPMENT SIGNATURE



# Elevations – Office (East)



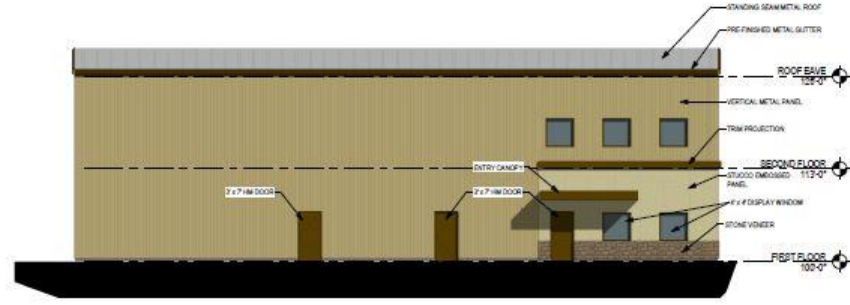
cdcb construction company, inc.  
10000 E. 1st Avenue, Suite 100, Denver, CO 80231



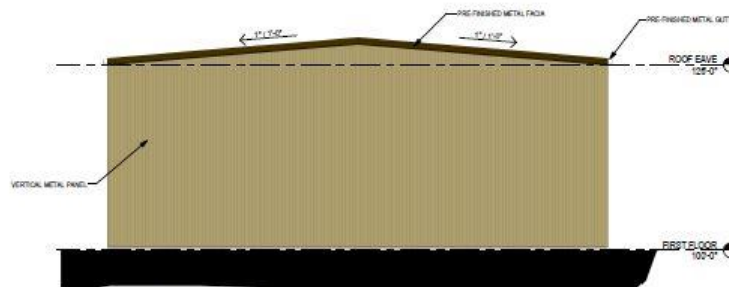
**1 SOUTH ELEVATION**  
1/8" = 1'-0"



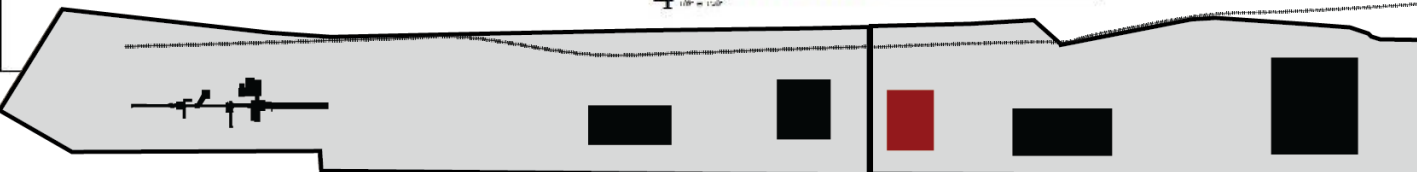
**2 EAST ELEVATION**  
1/8" = 1'-0"



**3 WEST ELEVATION**  
1/8" = 1'-0"



**4 NORTH ELEVATION**  
1/8" = 1'-0"



CONDITIONAL USE PERMIT PLAN  
5400 MONROE STREET

NO.	REVISION	BY	DATE
1	CLIP 2ND SUBMITTAL	CLY	8/18/00
2	CLIP 3RD SUBMITTAL	CLY	8/28/00

Job No. 0018127  
Date 08/28/00  
Drawn CLY  
Checked CLY  
Name

OFFICE / MAINT  
EAST -  
ELEVATIONS

(PIN) 0182513101001

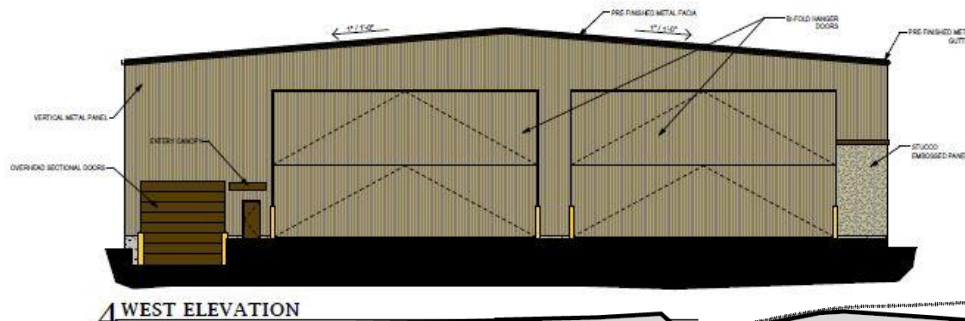
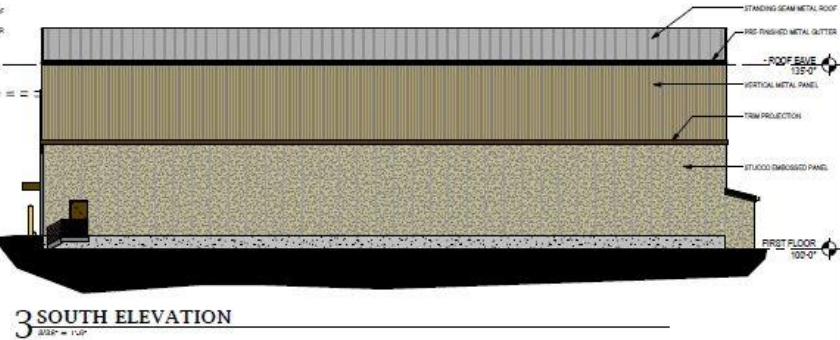
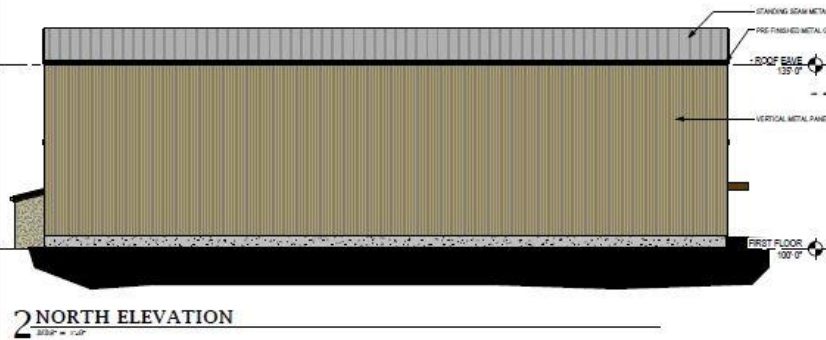
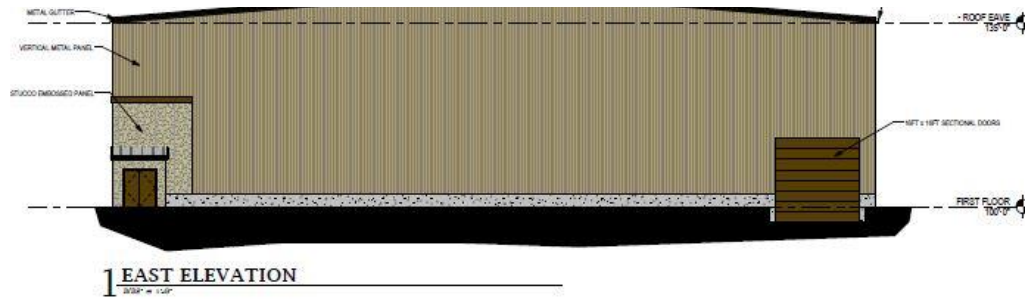
CITY SEAL CERTIFICATE  
APPROVED BY THE DEPARTMENT OF COMMUNITY  
DEVELOPMENT OF THE CITY OF COMMERCE CITY,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
DEPT. OF COMMUNITY DEVELOPMENT SIGNATURE

No.

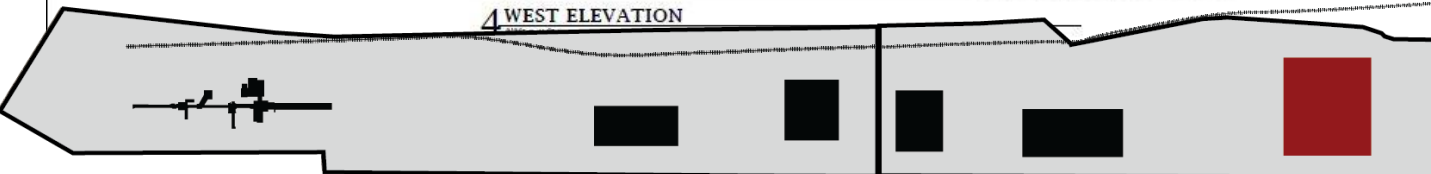
**A6**



# Elevations – Transfer Facility



(PIN) 0182513101001  
 KEY: SHAW CERTIFICATE  
 APPROVED BY THE DEPARTMENT OF COMMUNITY  
 DEVELOPMENT OF THE CITY OF COMMERCE CITY,  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
 DEPARTMENT OF COMMUNITY DEVELOPMENT SIGNATURE

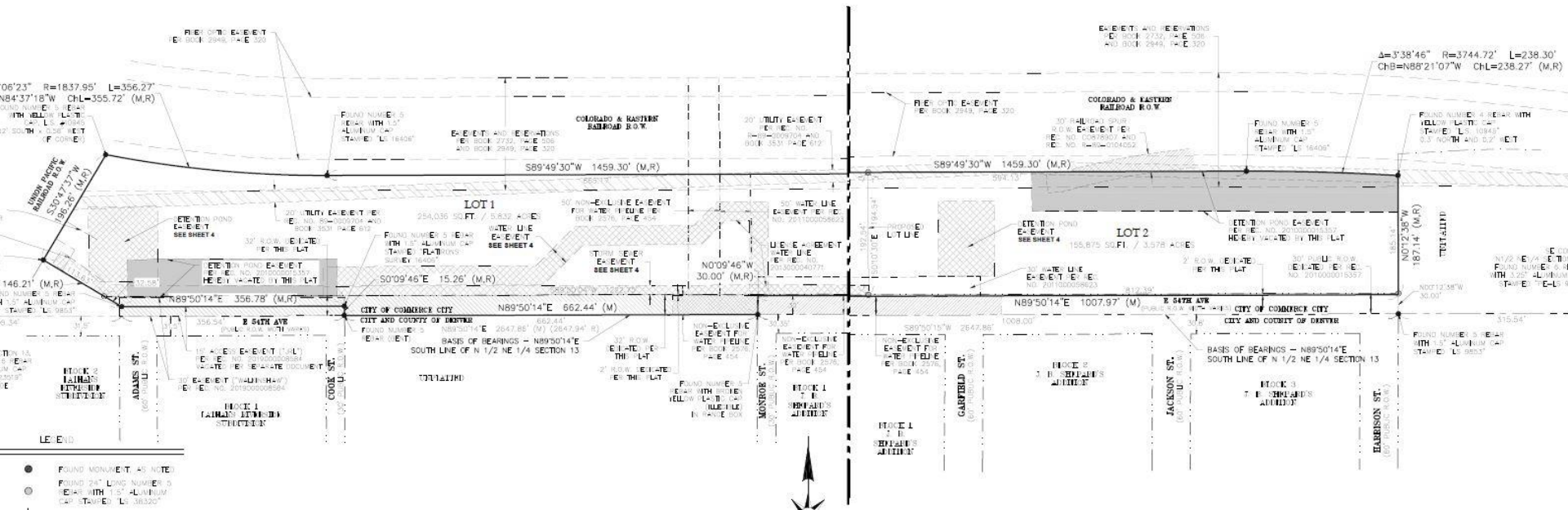


LOT 1 - METALS RECYCLING

LOT 2 - CONSTRUCTION DEBRIS + SOLID WASTE

Commerce  
 CITY

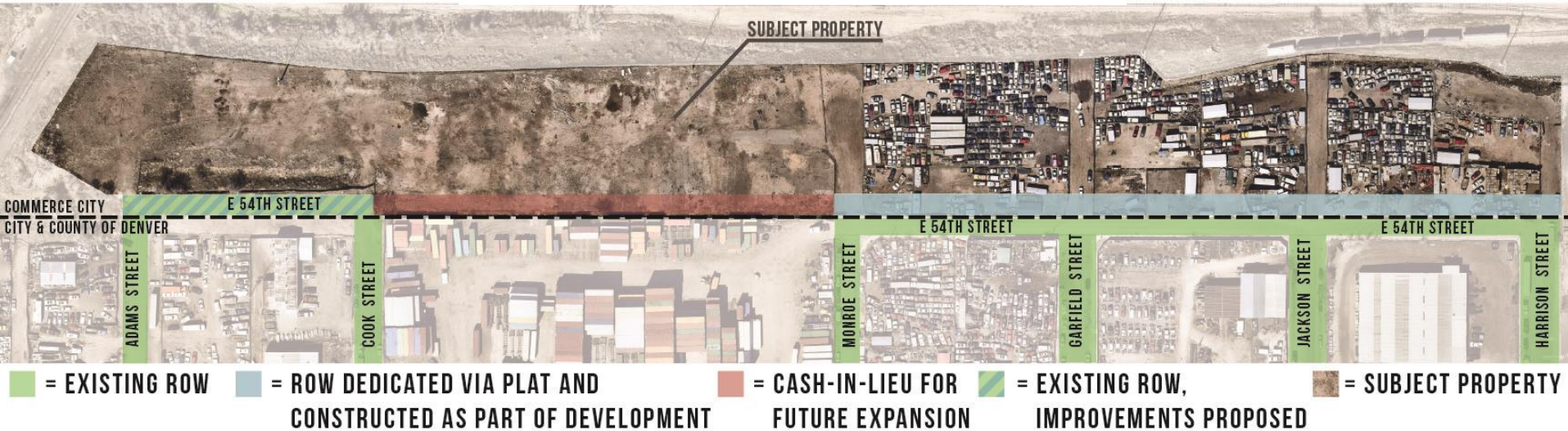
# Subdivision



Commerce  
**CITY**



# 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

# Sanitary Sewer Connection

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- Applicant required to receive sanitary sewer connection through City & County of Denver's infrastructure
- Denver requires "Request for Ordinance" approval by Denver City Council to serve the property
- In response, the DRT is recommending "Condition B", which states that in the event a sanitary sewer connection is not approved by the City and County of Denver, issuance of a building permit will be restricted by the City.



# DRT Analysis

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- 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

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- 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

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- 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. Building permit issuance shall be restricted until a Request For Ordinance (RFO) is approved by the City and County of Denver for sanitary sewer connection at this site.	B. Same as CU-127, Condition B





# Recommended Conditions

## CU-127

C. This Conditional Use Permit shall be allowed for metal recycling operations, and storage and dismantle of passenger cars, single axle trucks, one-ton trucks, vans, delivery vans, class C RV's and small type shuttle buses; all such vehicles not to exceed 22 feet in length. No other types of vehicles, including but not limited to tractor trailers, semi-trucks, full size buses, boats, heavy construction vehicles, or mobile homes as defined in the LDC, are permitted. The storage of inoperable vehicles or salvage of any other type of vehicle requires an amendment to this CUP.

## CU-128

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, including repair, draining of fluids, and dismantling, shall occur entirely within a defined containment area on an approved concrete surface. All materials shall be contained within an approved above ground holding tank, and disposed of at an appropriate hazardous waste disposal facility. Vehicle fluids shall not be discharged to any municipal storm system or within any public water supply source or surface water feature, or sent to a municipal landfill.	N/A



# Recommended Conditions

CU-127	CU-128
F. The facility shall not accept hazardous materials, including but not limited to asbestos or Freon for processing, unless an amendment is made to this Conditional Use Permit.	D. Same as CU-127, Condition F
G. The property shall be kept clean and free of debris and dust, outside of the designated outdoor storage areas and beyond the perimeter of the screening fence.	E. Same as CU-127, Condition G
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





# Recommended Conditions

CU-127	CU-128
<p>J. Between January 1 and January 31, 2022, the applicant will provide the director with a report detailing all complaints the applicant has received from adjoining landowners during the preceding calendar year, as well as the manner in which the applicant disposed of those complaints. Subsequent reports will be due on or before January 31 of every year thereafter.</p> <p>On or after January 1, 2026, the director will review the applicant's reports, as well as any violations reported to the city. If the reports and reported violations, if any, indicate that the use is not compliant with the Conditional Use Permit approval criteria, the director may submit the Conditional Use Permit to the Planning Commission and City Council for review at duly noticed public hearings. This review will be for the limited purpose of identifying and imposing conditions reasonably necessary to address the complaints demonstrating noncompliance with the Conditional Use Permit approval criteria and will be rationally related to the Conditional Use Permit approval criteria.</p>	<p>H. Same as CU-127, Condition J</p>

# 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

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- As of September 30, staff has received no requests for additional information or comments.





# DRT Recommendation

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- The Development Review Team recommends that the Planning Commission 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 the board may have.

