

From: [Rick & Perri](#)
To: [Taylor, Kathleen - CD](#)
Subject: Public Hearing Permit Renewal CUP25-0002
Date: Monday, March 2, 2026 8:28:03 AM

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Re: Opposition to Conditional Use Permit Application CUP21-0002 (A-1 Organics)

To Whom It May Concern,

I am submitting this letter in opposition to Conditional Use Permit Application CUP21-0002 for A-1 Organics. Based on the operational history and the impacts already experienced in the surrounding area, this use does not meet the standards required under the Commerce City Municipal Code or the Land Development Code, particularly those related to nuisance prevention, environmental protection, and compatibility with nearby properties.

Wind-blown Wood Chips and Mulch Debris

A recurring issue has been the failure to control wood chips and mulch piles during strong wind events. Commerce City's nuisance and property maintenance standards require that materials be stored and managed in a manner that prevents them from becoming airborne or spreading onto adjacent properties. The ongoing dispersal of debris violates the intent of these standards and creates fire hazards, respiratory concerns, and general nuisance conditions for nearby residents.

Odors From Dyed Mulch

The strong, unpleasant odors produced by dyes used in the mulch have repeatedly affected the surrounding community. Under Commerce City's nuisance provisions, odors that interfere with the comfortable enjoyment of property are not permitted. These odors travel significant distances, especially during warm or windy conditions, and have a direct negative impact on residents' daily activities and quality of life.

Noise From Processing Equipment

The noise generated by grinders, loaders, trucks, and other heavy equipment is incompatible with nearby residential and agricultural uses. Commerce City's Land

Development Code requires that conditional uses demonstrate compatibility with surrounding properties and avoid creating adverse impacts. The high-decibel, repetitive noise associated with this operation fails to meet that standard and results in ongoing disturbances, particularly during early morning and evening hours.

Lack of Dust and Debris Control (Failure to Use Water)

Dust-control requirements under Commerce City's environmental and nuisance regulations mandate that operators use water or other approved methods to prevent dust and fine particulate matter from becoming airborne. A-1 Organics has not consistently used water to control dust and debris, resulting in visible plumes and particulate spread onto neighboring properties. This is a direct violation of the city's expectations for dust suppression and contributes to degraded air quality and additional nuisance conditions.

Impacts on Open Water Areas (Ponds, Ditches, and Irrigation Channels)

Operations involving large volumes of wood chips, mulch, and fine organic material pose significant risks to nearby open water areas, including ponds, drainage ditches, and irrigation channels. When debris, dust, or dye-contaminated runoff enters these water bodies, it can create clogging, sediment buildup, and water-quality degradation. Commerce City's environmental and stormwater regulations require operators to prevent materials from entering waterways, yet the current practices at this site have not demonstrated adequate containment or runoff control.

Wind-blown mulch and dust can settle directly into open water areas, while the lack of consistent water-based dust suppression increases the likelihood that fine particulates will migrate into drainage systems. Additionally, dyed mulch poses a risk of chemical leaching, which can affect aquatic life, disrupt natural water chemistry, and impair downstream users who rely on these ditches for irrigation or livestock watering. These impacts violate the intent of Commerce City's stormwater protection standards and further demonstrate the incompatibility of this operation with the surrounding environment.

Failure to Meet Conditional Use Criteria

Under the Commerce City Land Development Code, a conditional use must demonstrate:

- Compatibility with surrounding land uses,
- No significant adverse impacts,
- Adequate mitigation measures, and
- Compliance with all applicable municipal codes.

Based on the ongoing issues with debris, odors, noise, and dust, the applicant has not met these requirements. The impacts are substantial, persistent, and harmful to the surrounding community.

For these reasons, I respectfully request that the City deny CUP21-0002 for A-1 Organics. The operation has demonstrated an inability or unwillingness to comply with Commerce City's standards, and approval of this permit would continue to burden nearby residents with unacceptable environmental and quality-of-life impacts.

Thank you for your consideration.

Sincerely,

Per Sten Johnson

Henderson, CO