

**CITY PLANNING COMMISSION AGENDA**

**ITEM NO:**

**STAFF: HANNAH VAN NIMWEGEN**

**FILE NO:**  
**CPC CU 15-00132 – QUASI-JUDICIAL**

**PROJECT: IRON MOUNTAIN TRANSFER STATION**

**APPLICANT: IRON MOUNTAIN DEMOLITION AND ROLL OFF; PATRICK MEADE**

**OWNER: MEADE HOLDINGS, LLC; PATRICK MEADE**



## **PROJECT SUMMARY:**

1. Project Description: This project is a Conditional Use to allow a construction and demolition debris transfer facility on a 1.27 acre property that is zoned M-1 (Light Industrial) and located at 3310 and 3320 North Cascade Avenue. Transfer facilities are a conditional land use within the M-1 zone district. This Conditional Use application is the result of a zoning enforcement action. The accompanying Site Plan illustrates an approximately 6,000 square foot existing office/warehouse building. **(FIGURE 1)**
2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the Conditional Use subject to conditions and technical modifications.

## **BACKGROUND:**

1. Site Address: 3310 and 3320 North Cascade Avenue
2. Existing Zoning/Land Use: M-1/Trucking and temporary debris storage with ancillary offices
3. Surrounding Zoning/Land Use: **(FIGURE 3)**
  - North: M-1/Talamine Court then office and warehouse uses
  - South: M-1/Single-family residential
  - East: M-1/Cascade Avenue, office and warehouse uses
  - West: M-1 / Office and warehouse uses, light fabrication
4. Comprehensive Plan/Designated 2020 Land Use: Employment Center
5. Annexation: North Colorado Springs Addition No. 2, 1970
6. Master Plan/Designated Master Plan Land Use: None
7. Subdivision: Talamine Business Center Filing No. 1 and Talamine Business Center Filing No. 3
8. Zoning Enforcement Action: There is an active enforcement action for the operation of a transfer facility without an approved conditional use.
9. Physical Characteristics: The site is paved and developed. No significant changes in grade or other significant natural features.

## **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Public notice was provided to 28 property owners within 500 feet of the site when the Conditional Use was submitted. Five letters of concern and complaint were received within the designated public comment time frame and an additional was received several weeks after the public comment period ended. A total of six letters were received **(FIGURE 4)**. The applicant has responded to the letters received within the public comment period **(FIGURE 5)**. The applicant also received three letters of support **(FIGURE 6)**.

Public notice was provided to 31 property owners within 500 feet of the site prior to the Planning Commission meeting (three additional business owners wished to be kept apprised to the status of the project and were added to the mailing list). The site was posted on two occasions: 1) after the submittal of the application, 2) prior to the Planning Commission meeting.

Staff also sent the plans to the standard internal and external review agencies for comments. Most comments have been addressed except three from the Fire Department and City Engineering. One of these comments requests an additional note be provided on the plan, that fire lanes are called out on the plan, and requesting a description of the drainage on site. These comments shall be addressed prior to closing out the file by staff. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, and City Fire.

**ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. Review Criteria / Design & Development Issues:

This project requires a Conditional Use to allow a construction and demolition debris transfer facility on a 1.27 acre property located at 3310 and 3320 North Cascade Avenue. This site is zoned M-1 (Light Industrial). A Certificate of Designation is not required for the proposed operation.

As an overview, Iron Mountain Demolition and Roll-Off, formerly Baldwin Demolition and Roll-Off, provide roll-off containers, trucking services, and demolition services to the construction industry. The roll-off containers placed at a construction site collect discarded construction materials. When full, those roll-off containers are transported to the subject site, the contents dumped, recyclable materials are sorted from the debris, and all material is placed into other trucks for transfer to either a landfill or an industrial recycling facility. This benefits the construction industry by lessening the number of trucks going to the landfill and ensuring recyclable materials are separated and sent to the appropriate outlet. Iron Mountain Demolition and Roll-Off does not accept hazardous, organic, or household waste at this site. Iron Mountain Demolition and Roll-Off only works with certified contractors and does not accept debris from average homeowners. See the applicant's project narrative for a more detailed explanation of the proposed business operations (**FIGURE 2**).

Currently, Meade Holdings, LLC also own 3106 and 3150 North Cascade Avenue. Iron Mountain Demolition and Roll-Off initially received a notice of zoning violation in January of 2015 for the operation at 3106 and 3150 North Cascade (**FIGURE 7**). These properties are zoned PUD (Planned Unit Development) and were intended for a mobile home park. The Land Use Inspector instructed the property owners to schedule a pre-application meeting with the Land Use Review Division following the issuance of the violation notice. The pre-application meeting, held in March of 2015, indicated a zone change to M-1 (Light Industrial) and a Conditional Use application would be required in order to operate a construction debris transfer facility with ancillary outdoor storage on these properties. However, this site has not been utilized and brought into compliance since the purchase of the subject property.

The subject sites, 3310 and 3320 were purchased by Meade Holdings, LLC in May of 2015. Iron Mountain Demolition and Roll-Off began operation of the transfer station in October of 2015. Another pre-application meeting was held on November 10, 2015, and because these properties were already zoned M-1, only a Conditional Use application was required to operate. The Conditional Use application was received by the Land Use Review Division on November 20, 2015. On November 24, 2015 an additional notice of zoning violation was issued and requested Iron Mountain to cease operation due to complaints received (**FIGURE 8**). On December 7, 2015, following the initial public notice, Land Use Review staff met with the applicant to discuss the letters of comment and concern and potential mitigation measures for the site. Staff felt comfortable with the agreement and permitted Iron Mountain Demolition and Roll-Off to continue operations at 3310 and 3320 North Cascade Avenue pending the decision of the City Planning Commission for the Conditional Use.

Iron Mountain Demolition and Roll-Off is proposing the following onsite and offsite mitigation measures to ensure little impact to the surrounding property, business owners,

and to the neighborhood as a whole. Following the letters of concerns and complaints received by staff and the meeting which was held, Iron Mountain Demolition and Roll-Off has committed to the following neighborhood impact mitigation measures **(FIGURE 9)**. Many of those concerned complained of:

1. Dust generated by the operation. Iron Mountain Demolition and Roll-Off has covered the drivable area with asphalt millings to prevent dust from being kicked up by trucks entering and exiting the site. The construction debris will also be misted as it is dumped to capture dust particles.
2. Fly away refuse littering the neighborhood. Iron Mountain Demolition and Roll-Off has committed to cleaning the site, the surrounding block, roadways, and the neighboring single-family home's yard twice a week **(FIGURE 10)**. Also, operations at this site will be shut down when wind exceeds 20 mph in order to reduce fly away debris.
3. Large trucks using Cascade Avenue near residential homes. Following the meeting staff held with the applicant, Iron Mountain Demolition and Roll-Off has rerouted truck traffic down Nevada Avenue, a designated truck route, to Commerce Street.
4. Hazardous material, including asbestos, potentially becoming airborne. All employees are trained to recognize suspicious material and send any suspect material to a lab for testing. An example of a returned lab result is attached to this staff report **(FIGURE 11)**. Materials which contain known asbestos are not unloaded at the subject site, but are hauled directly to the landfill.

With these mitigation measures, staff believes the approval of the Conditional Use, subject to conditions and technical modifications, will not impact the value and qualities of the surrounding area. The surrounding area has developed into a light industrial corridor and contains many light industrial land uses including equipment storage yards, truck terminals, light fabrication of materials, distribution, another garbage service company, and warehousing with ancillary offices. The intent of the Zoning Code to promote the health, safety, and welfare of the general public has also been met with the proposed mitigation measures.

Land Use Review Division staff is recommending a Condition of Approval which allows staff to reevaluate the Conditional Use one year from the decision date. This will allow Iron Mountain Demolition and Roll-Off to fully implement these mitigation measures and any recommendations by the City Planning Commission. A date of which to re-review the Conditional Use will also allow staff to hear if there are any further complaints from those concerned or if a new issue has arisen. Iron Mountain Demolition and Roll-Off agrees to the proposed condition.

2. Conformance with the City Comprehensive Plan:

The 2020 Land Use Plan within the Comprehensive Plan indicates the site is within an Employment Center. It is the finding of the Land Use Review Division that the Iron Mountain Demolition and Roll-Off Conditional Use will substantially align with the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

**Objective LU 8: Integrate Employment Centers into the Wider City Land Use Pattern**

Colorado Springs has been successful at attracting and retaining major employers and growing small businesses, which has led to a healthy, thriving economy. However, the needs of employers, such as land requirements, location considerations, and availability

of housing, must be balanced with overall quality of life issues. Employment activities that are not integrated into the community lead to higher infrastructure costs, increase traffic and congestion, and create a sense of separation from the community. Employment centers should be developed so they meet the needs of the employers, while at the same time contributing to the quality of life in Colorado Springs. The City's efforts should focus on creating opportunities for quality employment at various economic levels for its residents, and on environmentally responsible industries that make a positive contribution to the community.

3. Conformance with the Area's Master Plan: No Master Plan exists for this site.

### **STAFF RECOMMENDATION:**

#### **Item No: CPC CU 15-00132 – CONDITIONAL USE**

**Approve** the Conditional Use to allow a transfer station within the M-1 zone district at 3310 and 3320 North Cascade Avenue, based upon the finding that the request complies with the Conditional Use review criteria in City Code Section 7.5.704, subject to compliance with the following condition and technical modifications:

#### Condition of Approval

1. This Conditional Use shall be scheduled for review by the Land Use Review Division no later than February 28, 2017 to ensure recommendations have been implemented and to ensure the proposed mitigation strategies are effective for the surrounding neighborhood. If this action is not fully completed by February 28, 2017, the City may take any applicable enforcement action permitted under the City Code. If staff determines Iron Mountain Demolition and Roll-Off is not in compliance at this review, staff shall recommend the application to the City Planning Commission for further review and decision.

#### Technical and Informational Modifications to the Master Plan Amendment:

1. Provide a note stating "This Conditional Use shall be scheduled for review by the Land Use Review Division no later than February 28, 2017 to ensure recommendations have been implemented and to ensure the proposed mitigation strategies are effective for the surrounding neighborhood. If this action is not fully completed by February 28, 2017, the City may take any applicable enforcement action permitted under the City Code."
2. Provide a note on sheet three stating "All gates onsite shall utilize Knox padlocks for Fire Department access."
3. Show areas on the plans that will be kept open/clear for fire lanes.
4. Provide a drainage statement and address how the wash water from the discarded materials is collected, treated and disposed.