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September 30, 2018

Adams County
Planning & Development Department
4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218

Attention: Mr. Greg Barnes

Re: PRE2016-00092 – CUP Application for 3199 E. 86th Avenue

Dear Mr. Barnes:

This is in furtherance of the Resubmittal regarding the above-reference property (the “Property”).

OVERVIEW

There has been some delay with this application, complicated by earlier comments to the effect that the Property’s landscaping, that was situated along 86th Avenue, would have to be reconfigured and replaced due to a proposed right of way.

After that, it was determined the right of way would be unnecessary. The staff then proposed a cash in lieu payment for a curb and gutter for what was to be a later widening of 86th Avenue. The owner is willing to make a cash in lieu payment, estimated to be \$8,400.

Then after that, unbeknownst to the Property’s owner, another branch of Adams County instructed Xcel Energy to remove/replace telephone poles from the south side of 86th Avenue to the north side of it, which is the south side of the Property abutting 86th Avenue. In the process, Xcel Energy destroyed the existing landscaping on the Property’s south side. Further compounding the problem, it did not indicate when its work would be completed. It took an extended period of time to learn from Xcel Energy (due to their internal communication or lack thereof) that it was Adams County who ordered the work done in the first place.

Then, Adams County was contacted to determine whether the work was finally complete. This was important, obviously, for the reason that it would be counterproductive to plant substantial, additional landscaping only to have it destroyed again by Xcel Energy. It has finally been recently established that the work is finally done.

The proposed, amended conditional use for the Subject Property consists of outdoor accessory storage. These accessories include, but not limited to, recreational vehicles, boats, trailers, semi-trailers, autos, trucks, tractor/trailers, dump trucks, pickup truck, backhoes, bobcats, mowers, trailers, tools and equipment, mobile homes, building materials, shipping containers and any other similar type storage which would be allowed under Chapter 3-24-04-03 of the Adams County Development Standards. Additionally, in the storage industry, the term "accessory outdoor storage" generally refers to the outdoor storage of "accessories" such as the proposed items to be stored on the Subject Property.

The proposed amendment to the conditional use for the Subject Property is consistent with the standards and regulations because the use of the Subject Property as Accessory Outdoor Storage in excess of 100% of the building area, as described in Chapter 3-24-04-03 of the Adams County Development Standards and Regulations, is an expressly permitted use therein as a conditional use for property zoned Industrial-1. As stated above, "accessory storage" generally contemplates the storage of "accessory" vehicles, equipment and materials such as those proposed to be stored on the Subject Property. Additionally, accessory outdoor storage is the current, approved use for the Subject Property, and has been so since 1999.

The Subject Property is located in a neighborhood where the adjacent properties are currently used for purposes similar to the proposed use of the Subject Property as accessory outdoor storage. South of the Subject Property is a 70 acre property owned by Hydro Conduit corporation. Hydro Conduit stores concrete drain pipe and large concrete bridge members on their property. The lot directly to the West of the Subject Property is currently vacant, and the lot to the immediate West of that vacant lot is owned by a trucking company. The trucking company stores up to 10 semi-trailers and tractors on their property at any time. The lot to the North of the Subject Property is also zoned Industrial-1, and is vacant land which is currently used as a horse boarding facility, essentially horse storage. The lot to the East of the Subject Property is currently used as a residence. To the best of the knowledge of the Current Owner, since 1999, when the Subject Property was approved for use as accessory outdoor storage, the owner of the residence on the lot to the East of the Subject Property has made no complaints about the current proposed use of the Subject Property as accessory outdoor storage.

Accordingly, the use of the Subject Property as accessory outdoor storage in excess of 100% of the building area is harmonious and compatible with the character of the surrounding area as the surrounding area is used primarily for storage of similar types of outdoor accessory storage. Further, there is ample demand for such a facility. For example, truckers have stated they would have to store their equipment over 20 miles away, which would be a serious problem for their operations. Residents in the area can likewise avail themselves of this facility, since their storage areas are quite limited.

Further, the use of the Subject Property for accessory outdoor storage does not generate excessive traffic, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors nor inappropriate

hours of operation. The use of the Subject Property as accessory outdoor storage does not produce any environmental or noxious waste, as the items are only stored on the Subject Property and are not used on the Subject Property. These types or nuisances do not generally occur with the operation of accessory outdoor storage area especially in relation to the storage of the types of vehicles, equipment and materials to be stored on the Subject Property.

BUILDING REVIEW – Complete

ENGINEERING REVIEW – No Action Required

Engineering made various comments, none of which required any action on behalf of applicant. These will be addressed in order.

Comments 1– 5 require no response.

Comment 6 states that a 30' right of way will be required along the frontage of the property, which is 600 feet in width. However, after these comments were rendered, it was noted that a right of way had already been given some time ago, which obviating the need to require an additional one. Therefore, the whole right of way issue has become moot.

Subsequently, as indicated, the staff proposed the property owner give cash in lieu of concrete which would later be required for a curb, gutter and sidewalk which may have to be built in future years. In this discussion, it was estimated that the cost of the concrete is \$8,500. The Properties owner is willing to provide that cash payment upon approval of the Conditional Use Permit as submitted.

ENVIRONMENTAL ANALYST REVIEW – No Comments

PLANNER REVIEW – 3 Comments

There were three Planner Review Comments, and these will be addressed in order.

PLN – 1 Landscaping

A new landscaping plan has been developed by Martinson Services and is filed as a part of this Resubmittal. It provides for one tree and two shrubs for every forty feet of property frontage, of sizes and varieties that comply with the applicable development regulations. This is in addition to the live trees already on the property. Complying natural grasses shall also be seeded in the area. A & A Outdoor Storage has engaged Martinson Services Inc., a large commercial landscaping company, to provide regular watering for the landscaped area. These actions will be taken upon approval by the County Commissioners.

Martinson will also provide weekly watering sufficient to sustain the landscaping for a period of at least three years. After that time, either it or another third-party contractor will be engaged to provide the same. A copy of that landscaping plan is enclosed and made a part of this Resubmittal.

PLN - 2 Fencing location and water easement

In that comment, it was noted that there was no response concerning the fencing which crossed a water easement. It is noted that while the water easement does cross the fence area, there is an existing fire hydrant already located there, which has been in place for years. It is unlikely that there will be any work in that area, and therefore, there is no need to change the fence. If a situation does arise, then the landowner can adjust the fence accordingly to allow the work to be completed, and then restore it as it was. For now and the foreseeable future, it is not an issue.

PLN – 3 Right of Way

This comment alludes to the possibility that the existing fence and landscaping could impinge upon the proposed right of way, stating that engineering comments should be addressed before “solid plans for landscaping and fencing are laid out.” However, as indicated above, it is now realized that a right of way will not be required. That being the case, these comments are moot since it is impossible for the fence and the landscaping to impinge upon the right of way, since both are more than 20 feet north of it. Therefore, there is no need to move either one.

OTHER: STORM DRAINAGE

At the last meeting with the Staff, Russell Nelson, P.E. raised a new item, which was the desirability of getting from the property owner an easement pertaining to storm drainage, and the owner is willing to do so.

OTHER: TRI-COUNTY HEALTH DEPARTMENT

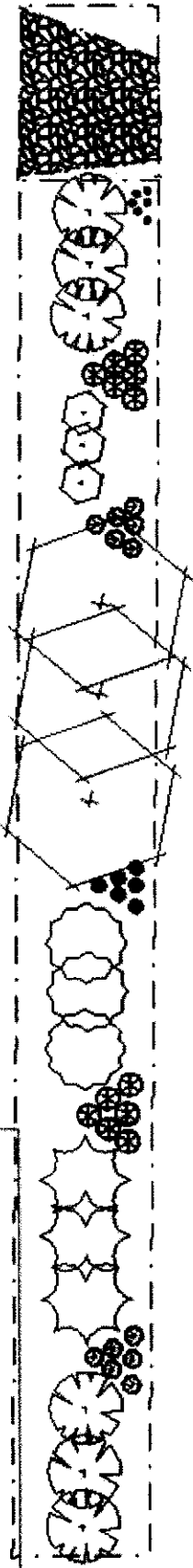
Tri-County Health Department recommended the formulation of a plan for rodent and pest control and for cleanup of any leakage of fluids that may occur by the stored vehicles. In that connection, a third-party contractor will conduct periodic inspections and will any necessary measures to control the same. As far in his vehicle leakage, it is A&A’s policy to clean up the same and have been disposed of by a third-party contractor at an appropriate waste site.

Thank you for your attention to this matter. If you have any questions or comments, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert W. Hutchinson".

Robert W. Hutchinson



Legend

Common Name	Qty
Shrub, Deciduous	
Clatena Plum	12
Lilac, Katherine Havemeyer	12
Rose, Nearly Wild	6
Viburnum, Snowball	6
Tree, Deciduous	
Catalpa	3
Chestnut Tree	3
Hackberry	6
Maple, Globe Norway	3
Oak, Red	3

Revision #: .	Scale: 1:200	Landscape Plan: 1	Landscape Design by: Doug Ferguson
Date: 5/7/2018		A & A Outdoor Storage LLC.	Martinson Services