



# Frontage Gathering System Conditional Use Permit

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City Council – June 26, 2018

Property Owner:	Multiple
Applicant:	Stephen Sullivan on behalf of Petro Operating, LLC
City Staff Representative:	Joshua M. Tetzlaff, AICP – Senior Planner

# Strategic Plan

## Supportive, Sustainable Infrastructure

- Brighton, Colorado, is committed to investing in existing and future transportation, water, wastewater, storm water, and technology networks while planning for sustainable growth.

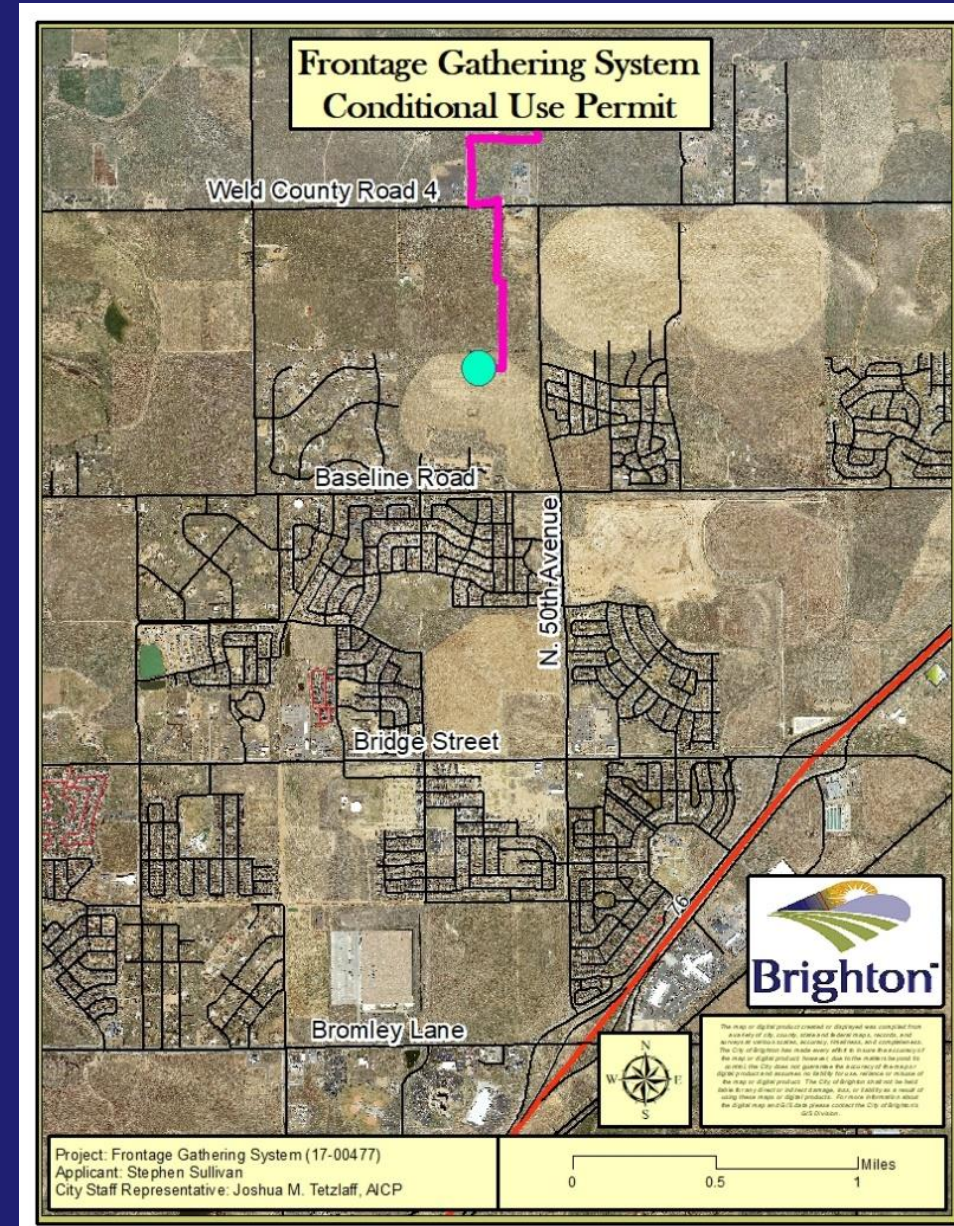


# Review Process

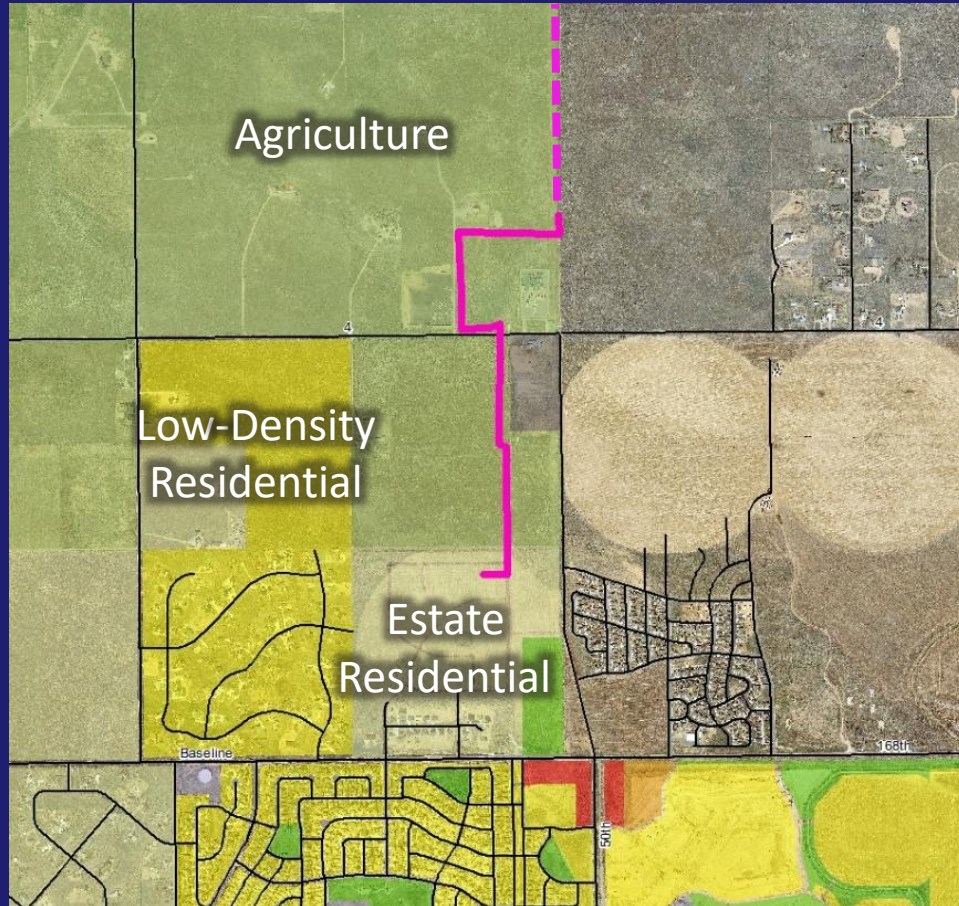


# Background

- Annexed in 1991 and 2003
  - Weld County Annexation
  - Henry Lake Substation Annexation
- Zoned as Agricultural Residential
- Currently Undeveloped
- Residential Properties Developing to the South



# Comprehensive Plan



- Designated as “Agriculture” in *Be Brighton*
- Property Used for Farming or Very-Low Density Residential
  - Must Obtain Easements from all Property Owners
- All Infrastructure will be Underground through the City

# Land Use and Development Code



## Review Criteria that Could be Used...

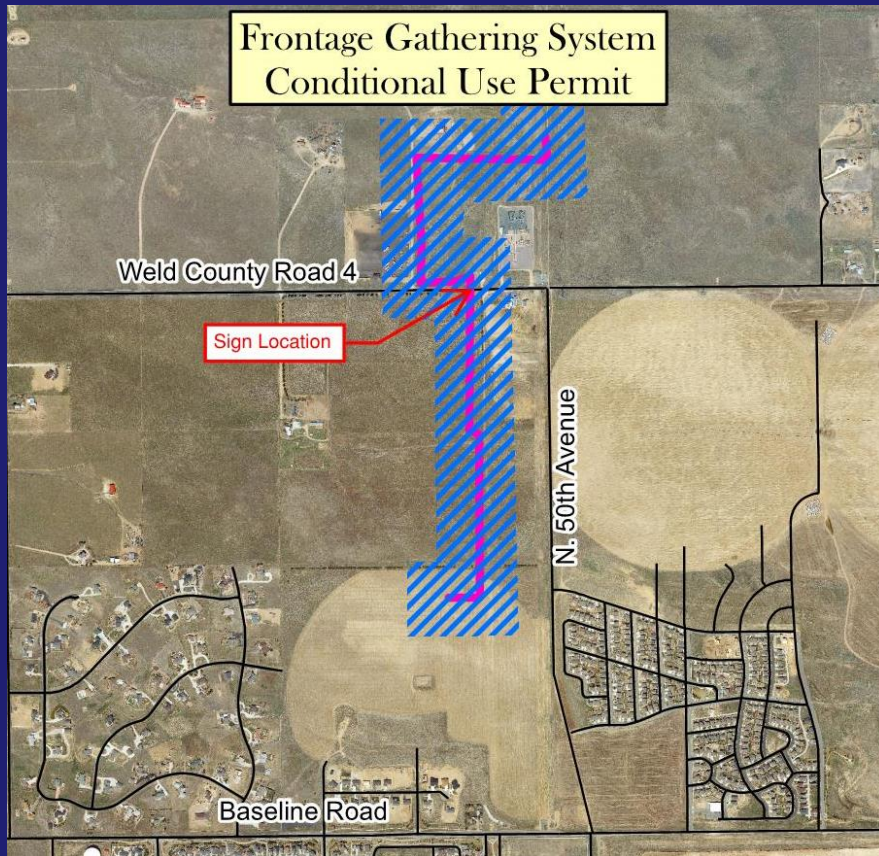
- *Complies with the requirements of these regulations and with the zone district in which it is to be located*
- *Provides consistency with the purpose and intent of these regulations;*
- *Provides compatibility with the surrounding areas, is harmonious with the character of the neighborhood, is not detrimental to the immediate area, is not detrimental to the future development of the area, and is not detrimental to the health, safety, or welfare of the inhabitants of the City;*

# Land Use and Development Code

- *Complies with the Comprehensive Plan and other master plans of the City; and*
- *Does the conditional use require restrictions or conditions upon approval?*



# Public Notice and Comment



Public Notice was provided in accordance with the *Land Use and Development Code*.

- Mailed Notice to Property Owners within 300'
  - June 5, 2018
- Sign Posting at One Location
  - June 6, 2018
- Published Notice in the *Brighton Blade*
  - June 6, 2018

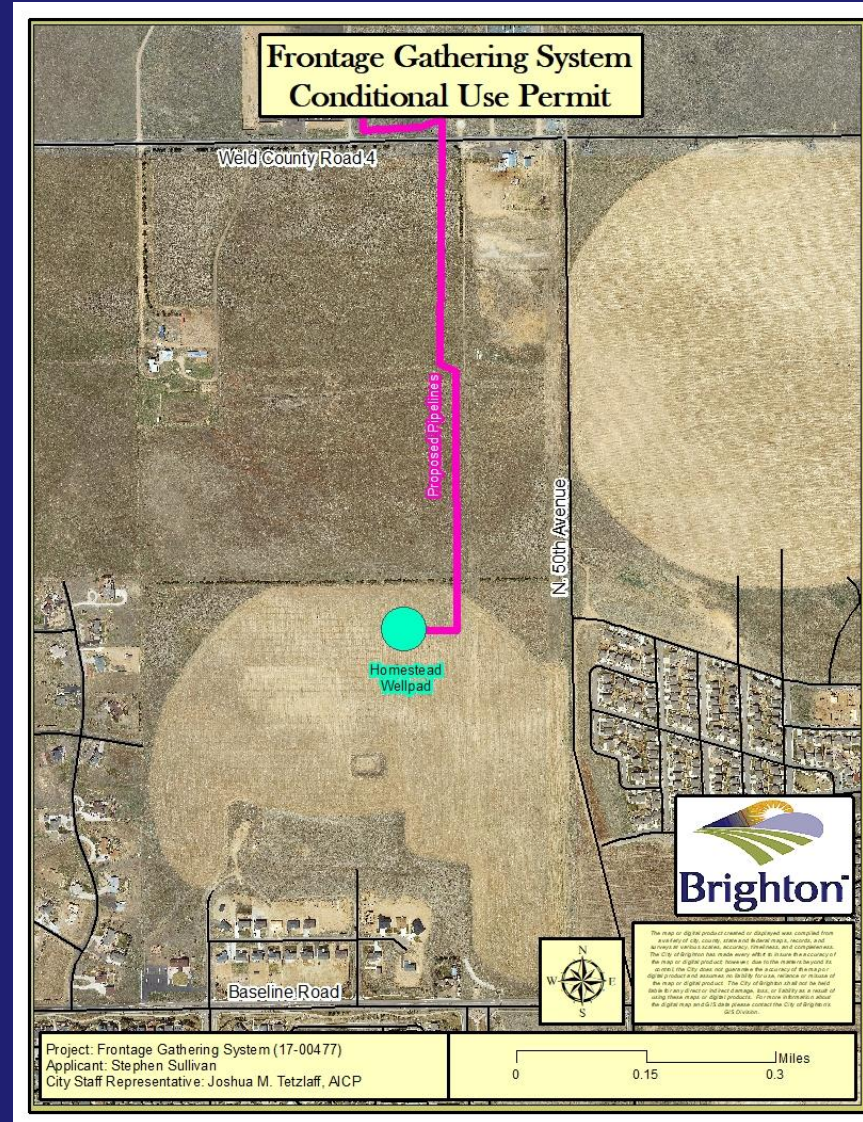
\* Planning staff has not received any formal comments



## Findings and Recommendation

Due to the application being in compliance with the *Land Use and Development Code*, Staff recommends approval of the Frontage Gathering System Conditional Use Permit with the following condition:

- 1) The Applicant shall, contemporaneously with the City Council approval of the application, execute the Memorandum of Understanding (MOU), a copy of which is attached hereto, and by this reference made a material part of this conditional approval.



# Appendix



June 5, 2018

Dear Property Owner:

I am writing this letter to inform you of an upcoming public hearing, which you may be inclined to attend. The hearing provides citizens, especially adjacent landowners such as yourself, the opportunity to voice their opinion on the proposed project to the approving body. The input and opinions of citizens and adjacent property owners provides valuable feedback to the City Council, city staff and the applicant. The following is some basic information which pertains to the project.

- Project Application Type:** Conditional Use: A proposed land use which may or may not work with the land, to be reviewed by the City Council for fit.
- Project Summary:** This project consists of two parallel, underground pipelines, an 8" gas pipeline and a 4" oil pipeline.
- Project Location/Site Plan:** South of Weld County Road 4, west of N. 50<sup>th</sup> Avenue – See reverse side for vicinity map.
- Reviewing Body:** The City Council makes a final determination on this Conditional Use after the Public Hearing (details below) has been held.
- Public Hearing:** June 26, 2018, at 6:00 PM  
City Council Chambers (1st Floor of City Hall)  
500 South 4<sup>th</sup> Avenue, Brighton, CO 80601
- Official Notice Publication:** June 6, 2018, edition of the Brighton Standard Blade.
- City Staff Project Manager:** Joshua M. Tetzlaff, AICP – Associate Planner  
(303) 655-2072  
jtetzlaff@brightonco.gov
- Applicant:** Stephen Sullivan  
Welborn Sullivan Meek & Tooley, P.C.  
(303) 830-2500  
ssullivan@wsmtlaw.com

Please do not hesitate to contact me if you have any questions on this project or if you are unable to attend this hearing but would like to submit comment into the record. Thank you for your time.

Sincerely,



Joshua M. Tetzlaff, AICP  
Senior Planner

ADMINISTRATION • BUILDING • ENGINEERING • PLANNING  
OUR MISSION . . . INTEGRITY + VISION + STEWARDSHIP = A PROGRESSIVE COMMUNITY



# Appendix

<p>PUBLIC SERVICE CO OF COLO TAX SERVICE DEPARTMENT PO BOX 1979 DENVER CO 80201</p>	<p>LAPKA ALOMA LEE 14083 OLIVE ST BALDWIN PARK CA 91706</p>	<p>TRI-STATE GENERTION 7 TRNSMSSN ASSOC INC 1100 W 116<sup>TH</sup> AVE WESTMINSTER CO 80234</p>
<p>MCKEE MICKY B 15759 COUNTY ROAD 4 BRIGHTON CO 80603</p>	<p>CKG INCORPORATED 15653 COUNTY ROAD 4 BRIGHTON CO 80603</p>	<p>JOHNS MEATS INC C/O JOHN W WILLARD 2567 COUNTY ROAD 29 FORT LUPTON CO 80621</p>
<p>WILLARD JOHN W 2567 COUNTY ROAD 29 FORT LUPTON CO 80621</p>	<p>WILLARD JOHN JAMILY TRUST 2567 COUNTY ROAD 29 FORT LUPTON CO 80621</p>	<p>ELKHART LLC 9033 E EAST PL STE 112 CENTENNIAL CO 80112</p>
<p>SECOND CREEK DEVELOPMENT LLC 7066S ALTON WAY BLDG A CENTENNIAL CO 80112</p>		

# Appendix

**NOTICE OF A PUBLIC HEARING  
OF THE CITY OF BRIGHTON CITY COUNCIL**

**FRONTAGE GATHERING SYSTEM  
CONDITIONAL USE**

The City Council of the City of Brighton will hold a public hearing regarding a conditional use permit for two parallel, underground pipelines, an 8" gas pipeline and a 4" oil pipeline. The pipelines will be located south of Weld County Road 4, west of N. 50<sup>th</sup> Avenue, generally described as the northeast quarter of Section 34, Township 1 North, Range 66 West, 6<sup>th</sup> Principal Meridian, City of Brighton, County of Weld, State of Colorado.

Notice is hereby given that the City Council of the City of Brighton will hold its public hearing regarding the proposed conditional use application on Tuesday, June 26, 2018. The City Council public hearing will be held at 6:00 p.m. in the Council Chambers, on the 1<sup>st</sup> floor of City Hall, 500 S. 4<sup>th</sup> Avenue, in Brighton. The City Council will hear evidence from interested parties and make a final determination regarding the proposed rezoning.

Further information may be obtained from the Planning Division at the above address or by calling (303) 655-2059.