



Homestead to Brighton East Farms Filing No. 3 Oil and Gas Pipelines - Conditional Use Permit

City Council - October 1, 2019

Applicant:

Chris Perdue, Strategic Site Designs, LLC

Proposed Lessee:

Petro Operating Company, LLC

City Staff Representative:

Sean Pesek, Assistant Planner

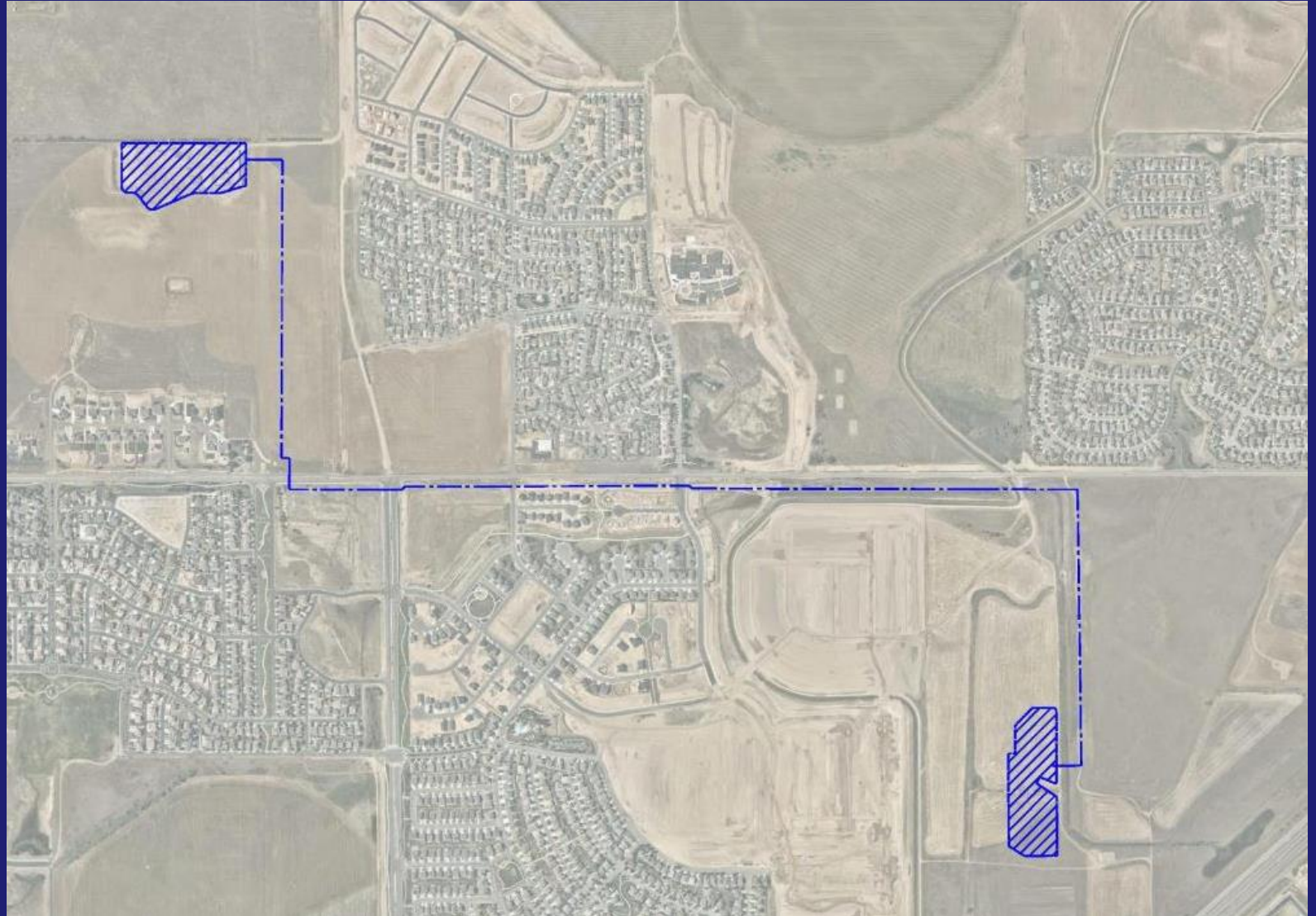
Strategic Focus Areas

- Supportive, Sustainable Infrastructure
- Strong Regional Relationships and Partnerships



Proposal

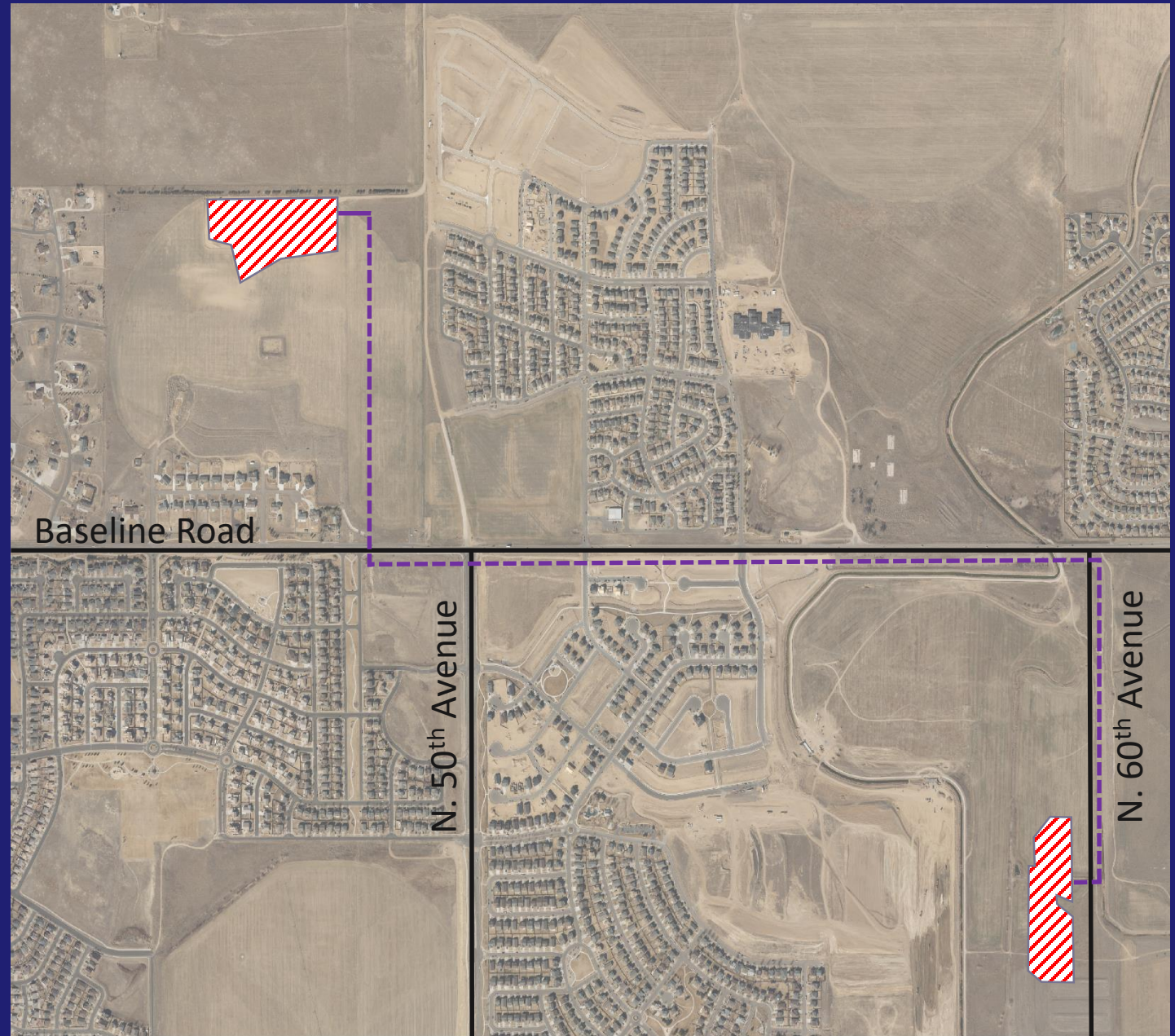
- Construct a new natural gas and crude oil gathering system within the City
- Pipelines will centralize collection and facilitate the delivery of product to regional markets
- Approximately 12,200 linear feet of pipeline is proposed in the City
- Approximately 10,750 linear feet of pipeline within City ROW



Proposed Route of Pipelines to Existing/Permitted Oil and Gas Sites

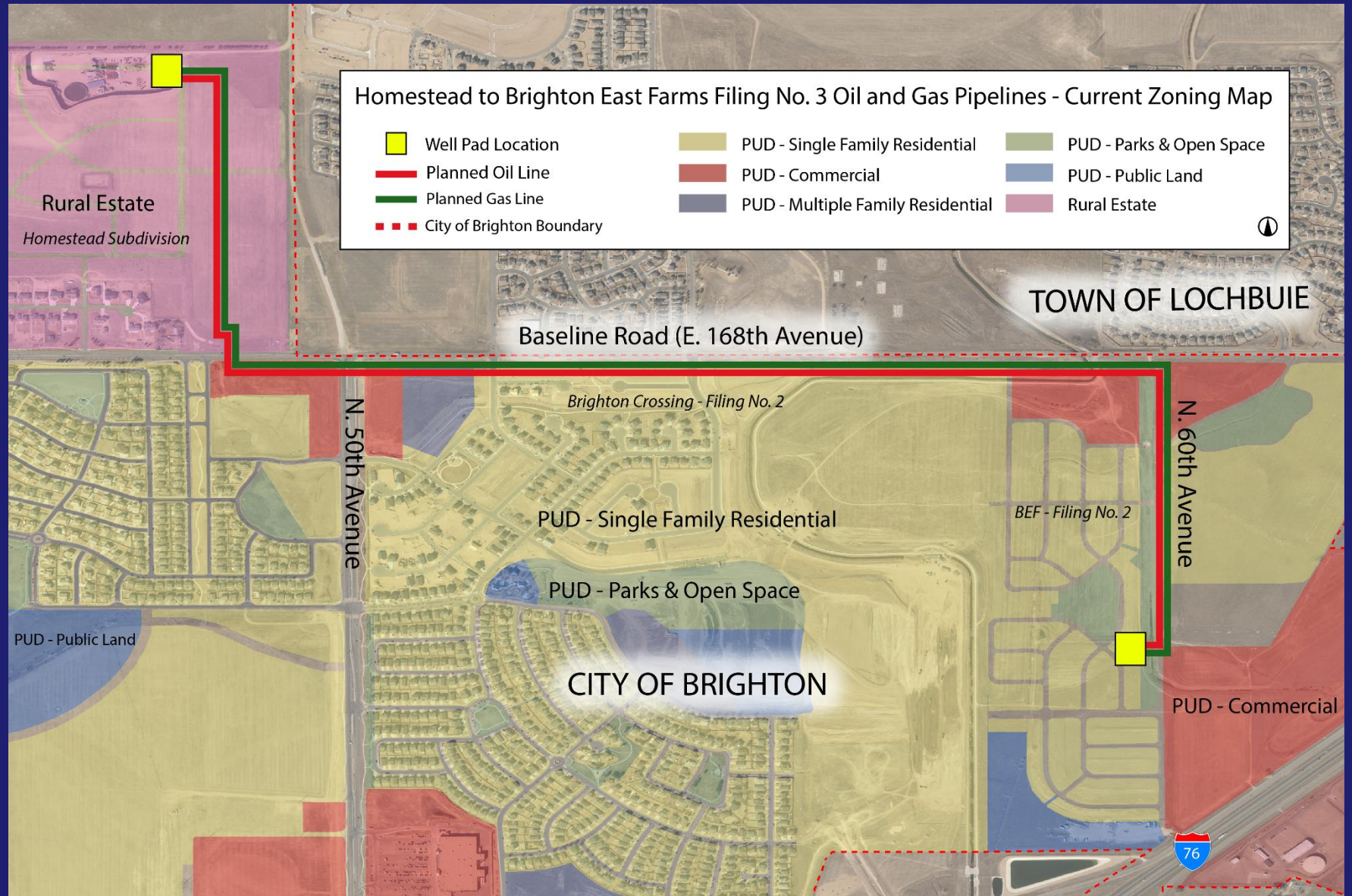
Proposed Alignment

- Pipelines commence at the Homestead Well Pad and run:
 - South 2,500 linear feet into Baseline Road Right-of-Way
 - East 6,100 linear feet to the intersection of E. 168th Avenue (Baseline Road) and N. 60th Avenue
 - South 2,975 linear feet to Longs Peak Avenue
 - East 280 linear feet to the Brighton East Farms Filing No. 3 Well Pad



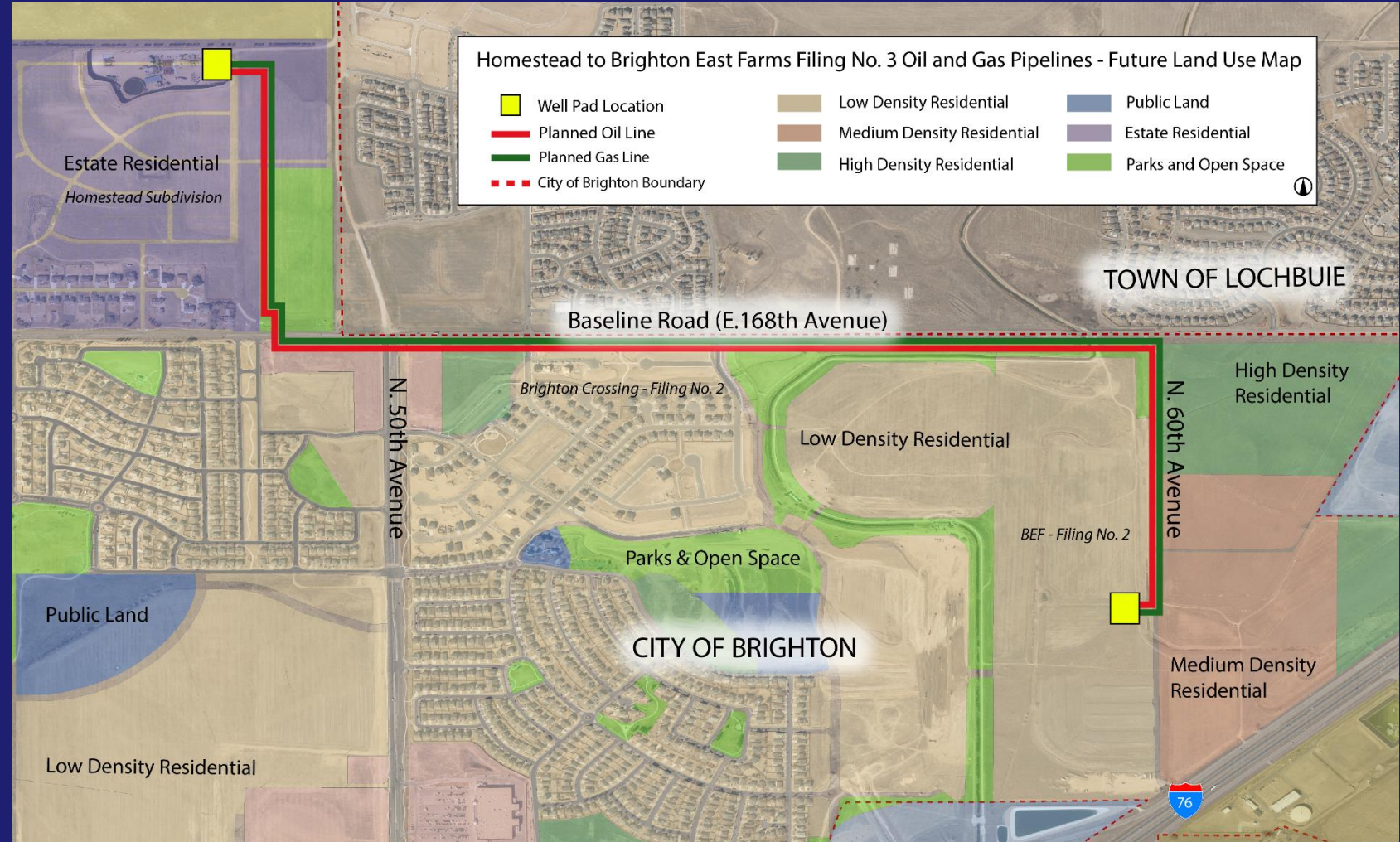
Background

- Adjacent to differing types of residential development
- Parts not in rights-of-way are in private easements



Comprehensive Plan

- Generally, adheres to *Policy 4.1: Encourage Development Patterns that Support All Travel Modes*



Land Use & Development Code

- Conditional Use Permit (CUP) Review Criteria in Summary (Section 17-8-60):
 1. *Consistent with the Brighton Comprehensive Plan and other master plans;*
 2. *Compatible with the existing and future land uses within the general area and will not be detrimental to neighboring uses. Allows for conditions to be placed on approval to mitigate impacts.*
 3. *Site shall be physically suitable for the type and intensity of the proposal;*
 4. *Not adversely affect traffic flow or parking in the neighborhood; and*
 5. *Consistent with the purpose and intent of the zoning district.*

Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use and Development Code*.
- By September 13th:
 - ✓ Two signs were posted in the general vicinity of the proposed alignment.
 - ✓ Written notice was mailed to all property owners within 315 feet of the subject property.
 - ✓ Notice was published in the *Brighton Standard Blade*.
- To date, planning staff has not received any formal comments.

Staff Recommendation

❖ Staff is recommending approval with the following fourteen conditions in summary:

1. The Applicant shall enter into an easement or License with all parties within the pipeline route.
2. The Pipelines shall be constructed with the approved design specifications.
3. The approved inspections and technologies will be employed to verify the internal structure and integrity of the Pipelines.
4. The approved inspections and technologies will be employed to find leaks and/or verify the internal structure and integrity of the Pipelines.
5. The Applicant shall submit a reclamation and weed control plan for the City's review and approval. Any damage to property along the Pipeline Route or to the City's roads or other Facilities shall be repaired no later than one (1) week after damage is inflicted.
6. For abandonment, the Applicant must permanently remove the Pipelines from service by physically separating them from all sources of hydrocarbons.

Staff Recommendation

7. An Emergency Response Plan for the Pipelines must be submitted and in compliance with the City's fire code.
8. The Applicant shall record the "as-built" legal description and map of the location with the Clerk and Recorder of Adams County within thirty (30) days of completion of construction and shall provide the same to the City.
9. The Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, agents, employees and contractors, from and against any and all claims and liability for damages or injury to property or persons.
10. The Applicant shall purchase and maintain insurance as specified in the conditions of approval document.
11. The Applicant comply with the notification requirements set forth in the conditions of approval document.

Staff Recommendation

12. All notices, statements or other communications required or permitted between the Parties shall be in writing and shall be considered as having been given if delivered by mail, courier, hand delivery or email to the other Party at the designated physical address or email address.
13. The Applicant agrees to reimburse the City for all actual reasonable engineering costs, legal costs, administrative costs of the City, or other costs incurred by the City in reviewing, revising and approving the plans and specifications related to installation, repair, maintenance, monitoring or other activities associated with the Pipeline, in preparing and entering into this Permit, in enforcing this Permit, or in inspecting, testing, reviewing, approving or rejecting the work performed.
14. The Applicant recognizes and agrees this Permit is not transferable or assignable without prior written permission from the City Manager.

Options for City Council

- ☐ Approve the Conditional Use Permit (CUP) as presented via resolution;
- ☐ Approve the CUP with specific additional (or modified) conditions via resolution;
- ☐ Deny the CUP with justification regarding the denial; or
- ☐ Continue the CUP to be heard at a later specified date.