

Second Creek Interceptor Conditional Use Permit Request

City Council – September 1, 2020

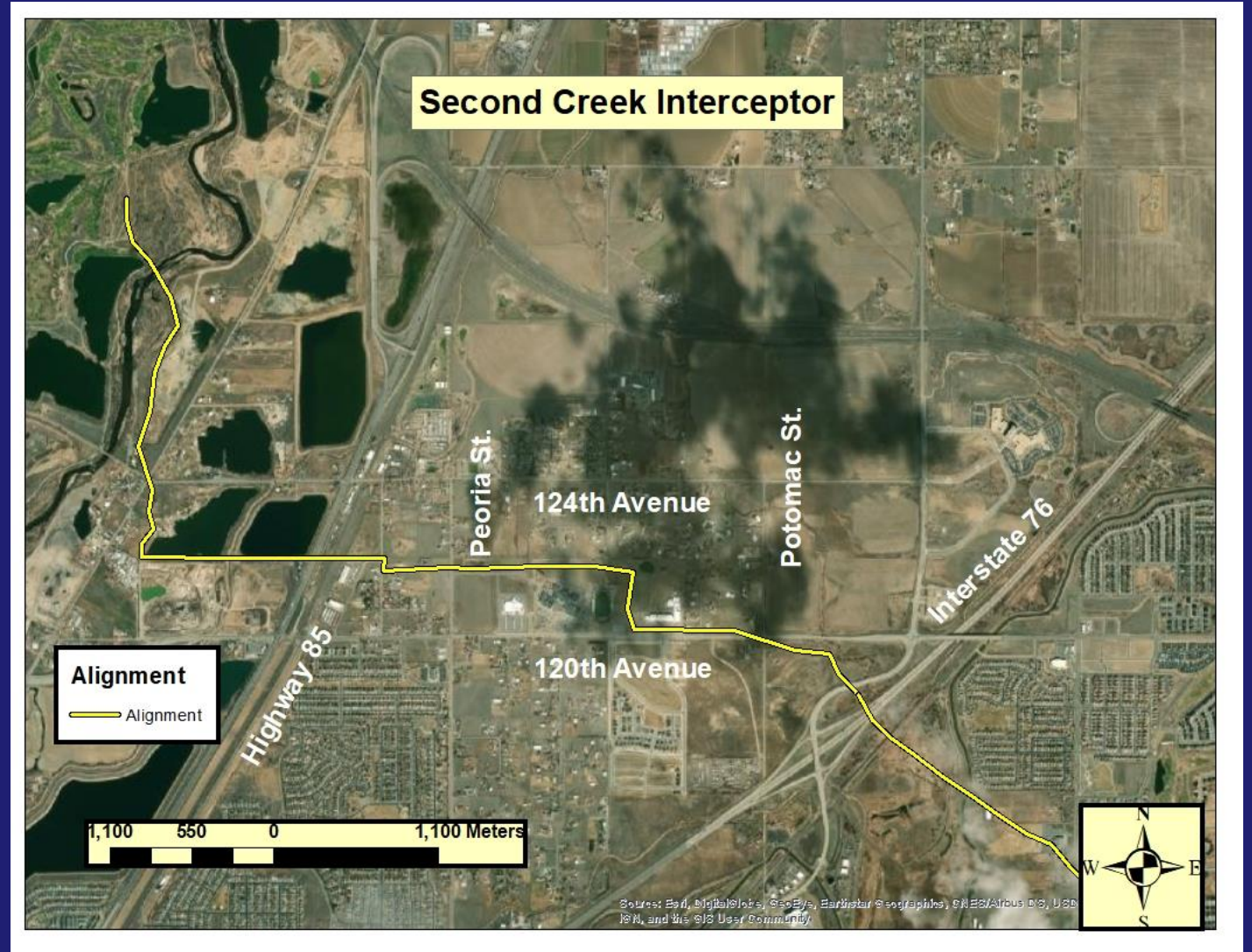
Applicant:	Metro Wastewater Reclamation District
Property Owner:	Various
City Staff Representative:	Oscar Ortiz, Assistant Planner

Strategic Focus Area

Supportive,
Sustainable
Infrastructure



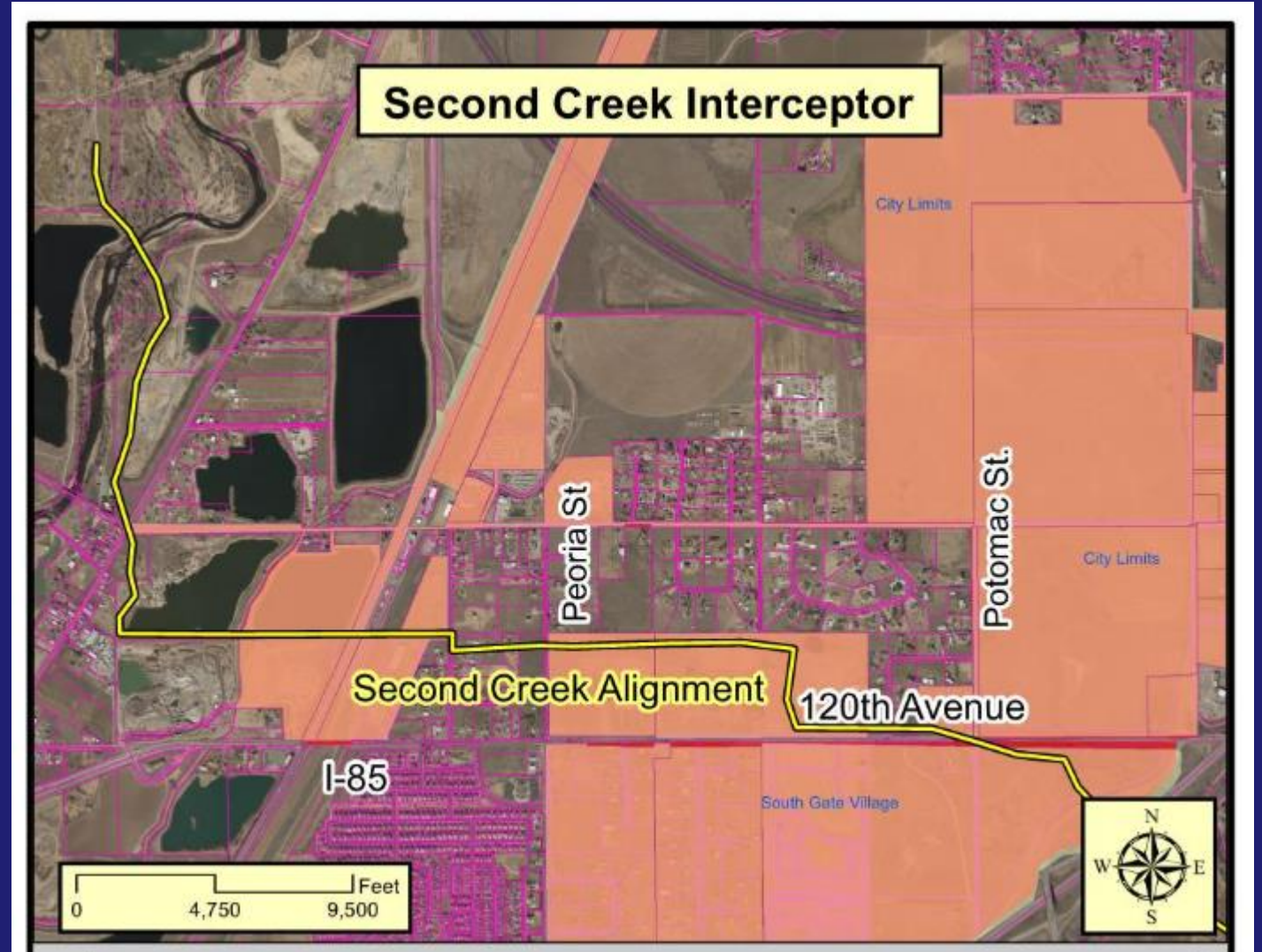
Subject Property Location



Aerial Map

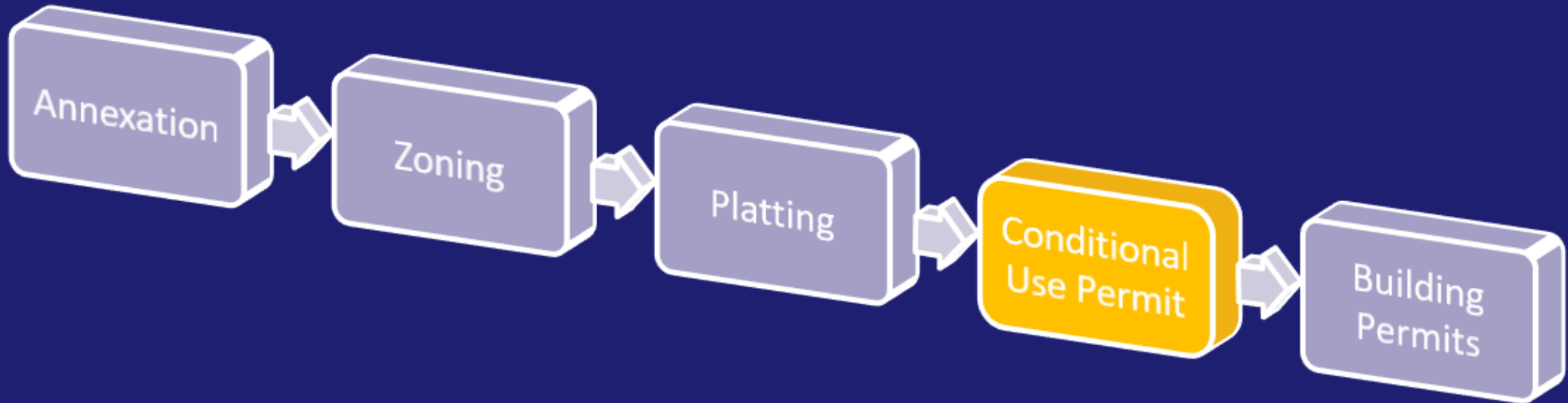
Purpose

- Request for a Conditional Use Permit to allow Metro Wastewater to install the Second Creek Interceptor. A pipeline that goes from the Aurora Lift Station, through the Denver International Airport, through Adams County, through Commerce City and finally through the City of Brighton to connect to the existing lines that go to the Northern Treatment Plant located at Baseline Road and U.S. Highway 85.



Aerial Map

Development Process

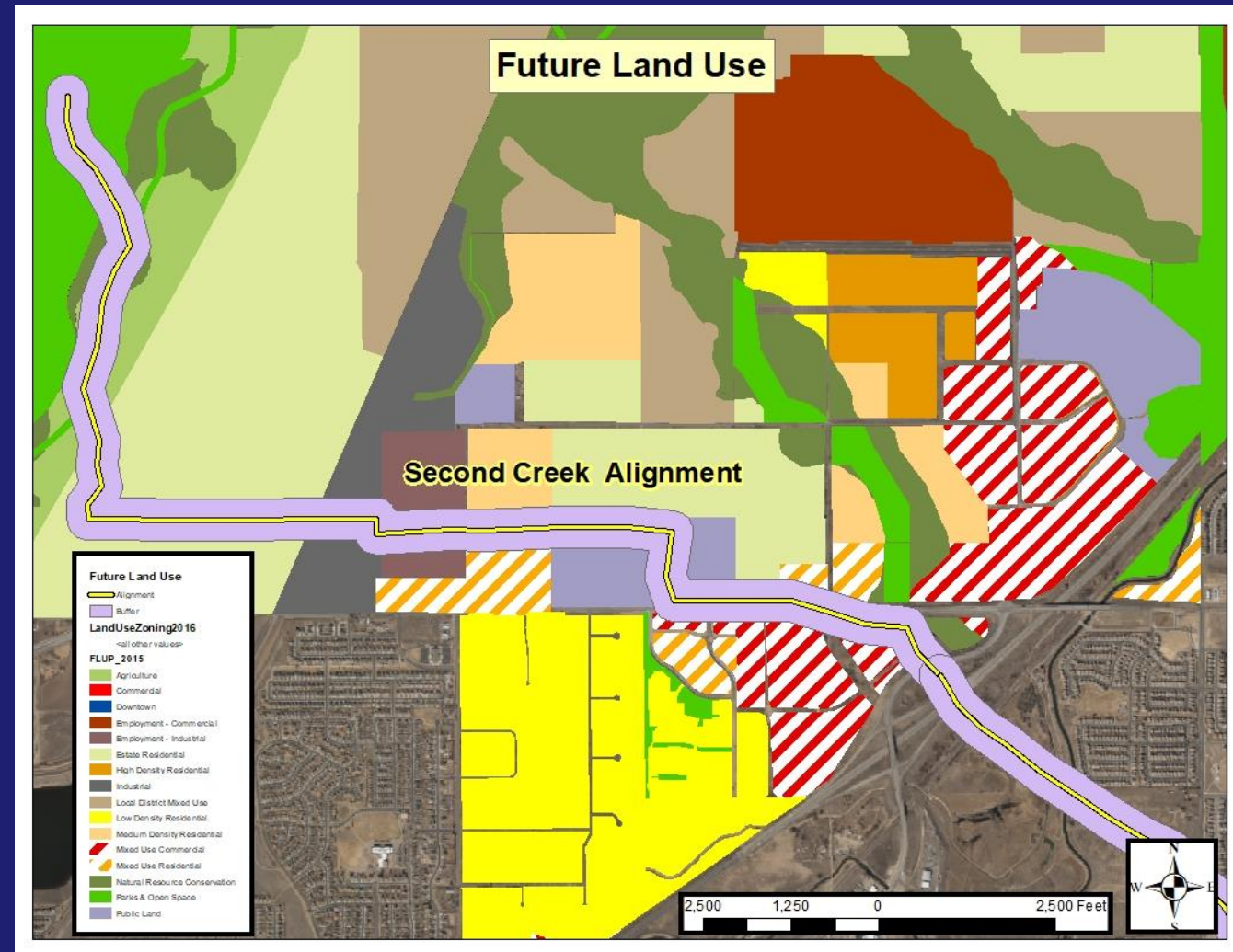


Proposal

The SD Interceptor Project includes design and construction of the Metro District's proposed 17.5-mile-long SD Interceptor extending from the City of Aurora to Adams County, which includes approximately 2 miles in Brighton. The project recommends the alignment for the SD Interceptor on private parcels north of the E. 120th Avenue right-of-way (ROW).

Comprehensive Plan

- The proposed project goes through different land uses.



Future Land Use Map

Land Use and Development Code

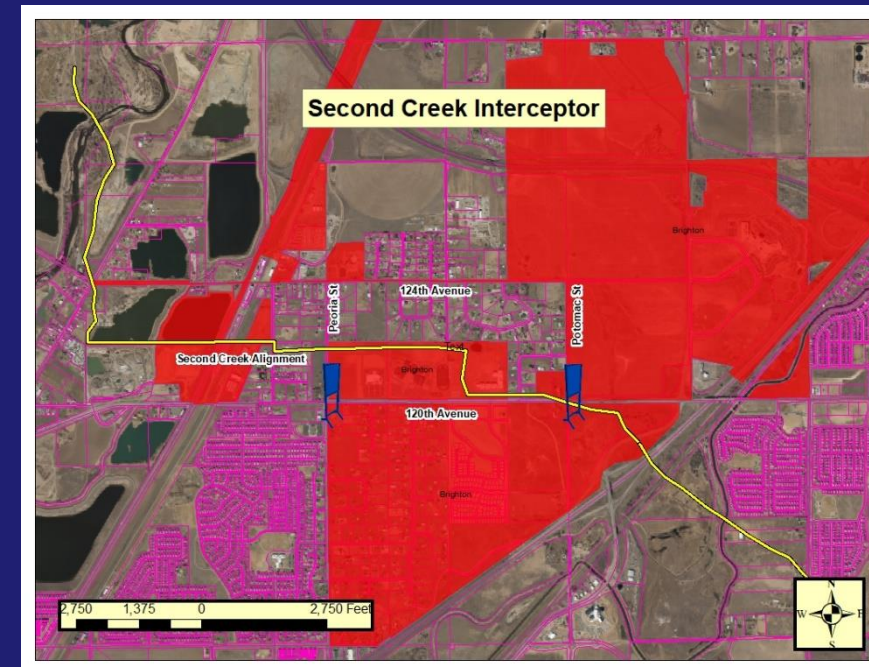
- Conditional Use Permit (CUP) Review Criteria in Summary (Section 17-8-60):
 1. *Consistent with the Brighton Comprehensive Plan and other master plans;*
 2. *Compatible with the existing and future land uses within the general area and will not be detrimental to neighboring uses. Allows for conditions 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*.
- On August 10th:
 - ✓ Two signs were posted for public notice. One at the intersection of Peoria St and 120th Avenue and one at the intersection of Potomac St. and 120th Avenue.
 - ✓ Written notice was mailed to all property owners within 300 feet of the subject property.
 - ✓ Notice was published in the *Brighton Standard Blade*.
- Planning staff has not received any formal comments.



Posted Signs



Sign Locations Map

Staff Recommendation

- ❖ Staff is recommending approval with the following ten conditions in summary:
1. Metro Wastewater shall be responsible for obtaining all necessary easements to construct the pipeline alignment of the SD Interceptor in strict compliance with the approved Site Plan;
 2. Any additional modifications made during the preliminary design phase construction, or expansion of the SD Interceptor beyond what is depicted in the Site Plan, shall require a subsequent Conditional Use review by the City Council;
 3. All disturbed land shall be restored back to original condition with a ground cover that matches original condition;
 4. Metro Wastewater shall be responsible for construction impacts, interceptor alignment, easement obtainment, and restoration plans;

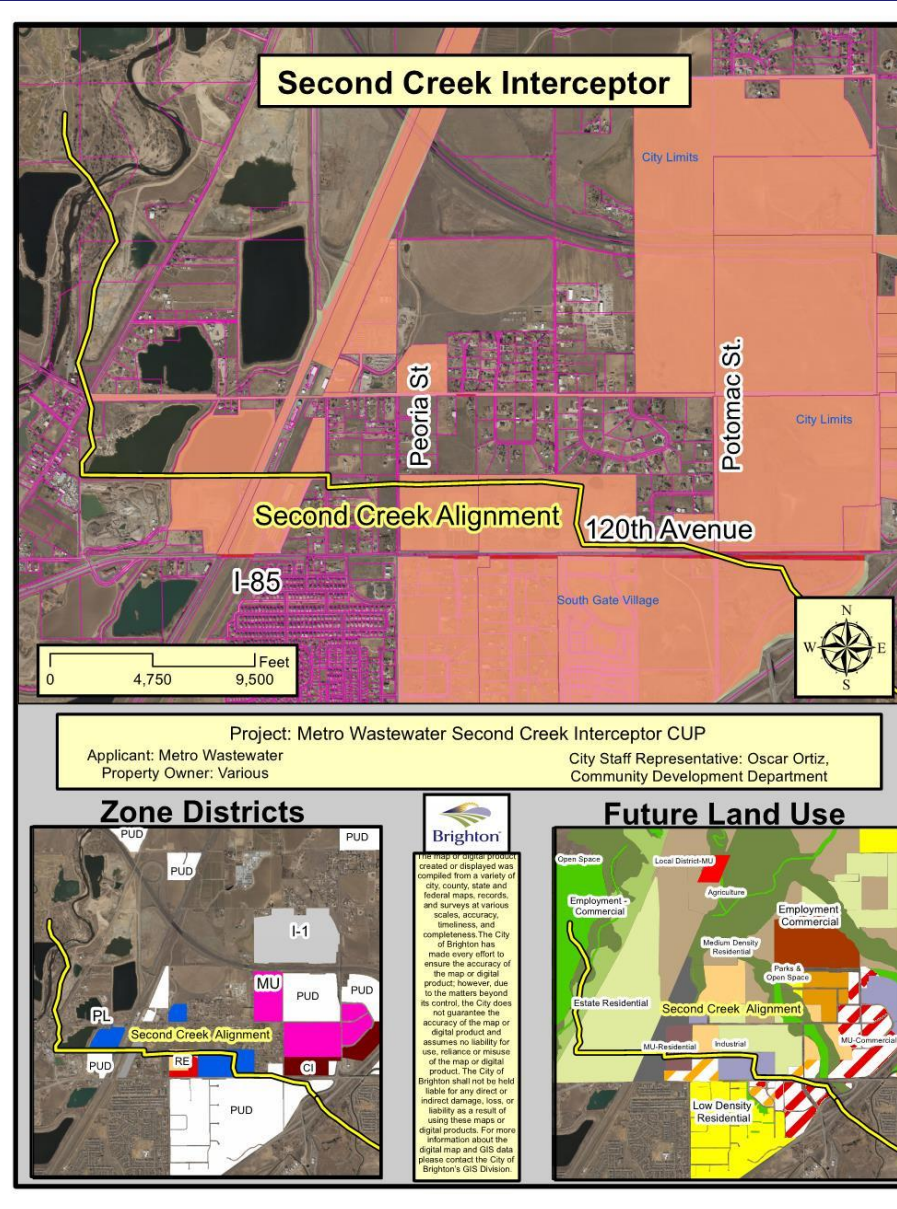
Staff Recommendation

5. Any and all signs on the Property shall be approved by the City of Brighton prior to installation, and shall conform to applicable provisions of the Sign Code in effect at the time of application;
6. Metro Wastewater is responsible for easement acquisition and negotiations with private landowners, permits, and other approvals;
7. Metro Wastewater shall obtain building permits and pay all applicable fees before construction within the City of Brighton's boundary;
8. Any approvals by the City Council will be considered null and void should easement acquisition not be obtained;
9. Metro Wastewater is required to get all Rights-Of-Way (ROW) permits in advance of the closing of any (ROWs), located within the City of Brighton's area;
10. A signed and completed contract or easement, between Metro Wastewater and the owner(s) of each property within the City of Brighton boundary, allowing the construction of the pipeline on private property shall be provided to the City of Brighton before construction of said interceptor begins.

Options for City Council

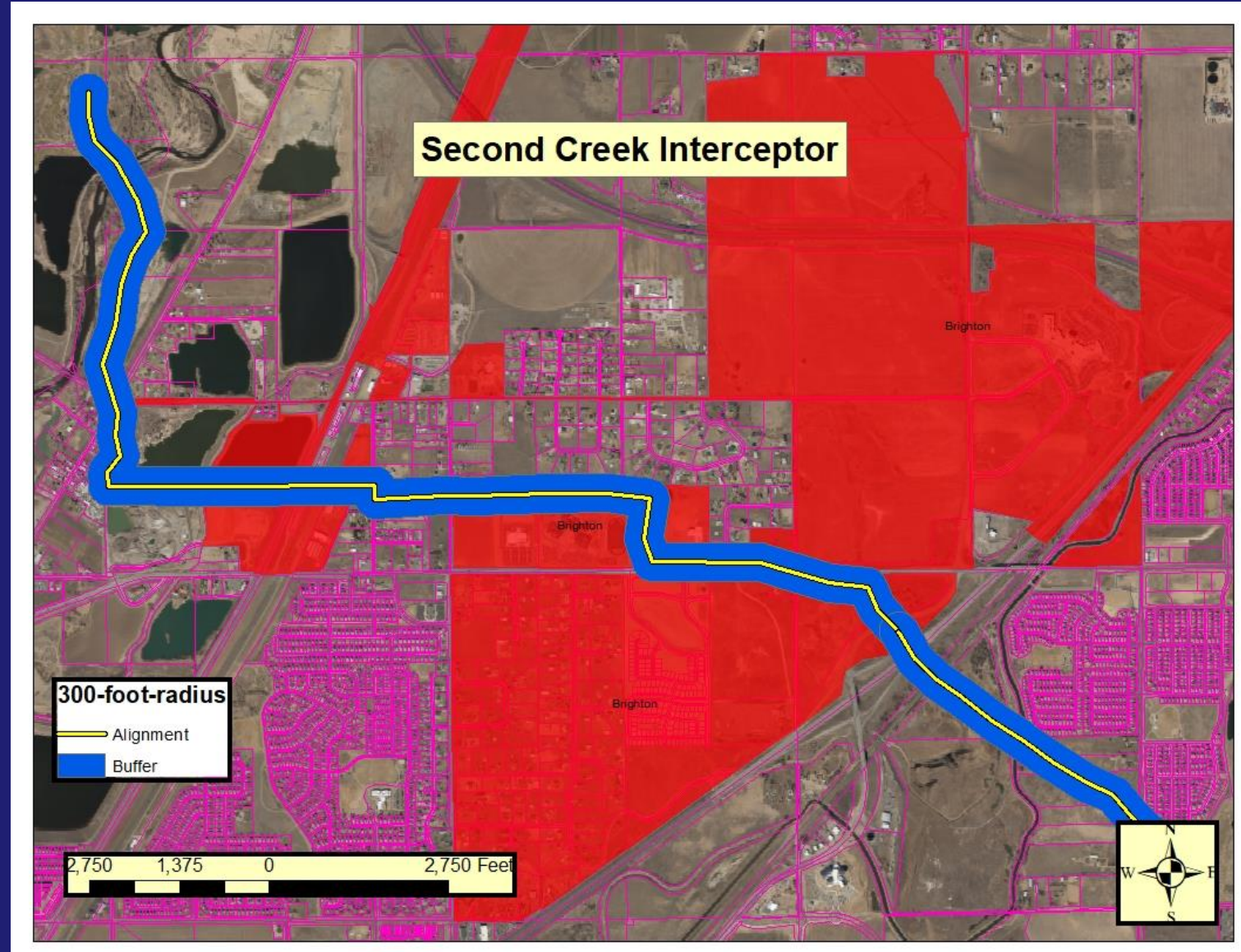
- ☐ Approve the Conditional Use Permit (CUP) as presented via resolution;
- ☐ Approve the CUP with specific additional (or modified) conditions via resolution;
- ☐ Deny the CUP with justification regarding the denial; or
- ☐ Continue the CUP to be heard at a later specified date.

Maps



Appendix

300-foot radius buffer



Appendix

Future Land Use

