



Metro Water Recovery Conditional Use Permit Amendment

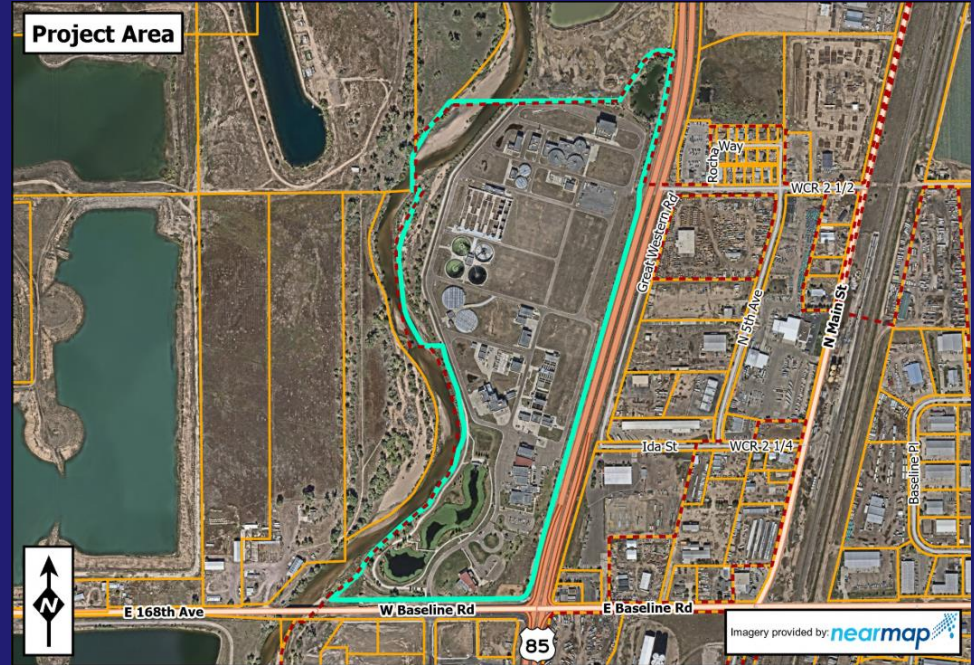
City Council – April 7, 2026

Project Representative:
Property Applicant/Owner:
City Staff Representative:

Aiden Travers, P.E.
Metro Water Recovery
Hampton Moore, Planning Technician

Subject Property Location

- The property is generally located to the north of Baseline Rd., west of Highway US-85, and east of the South Platte River.



Aerial Map

Conditional Use Permit (CUP)

- A Conditional Use Permit “provides flexibility for different uses within a zoning district and allows the potential for additional uses subject to specific conditions” (LUDC Sec. 2.07 A.).
- Conditional Uses are "not generally appropriate throughout [a zoning] district" but they may be evaluated on a case-by-case basis to determine if they are appropriate for the area (LUDC Sec. 2.07 A.).
- This permit is required per Article 4.03 of the *Land Use & Development Code*.

Purpose

- The request is to approve an Amendment to Conditional Use Permit 2012-132 to allow the Applicant to install temporary construction yards in support of the site buildout approved in the original CUP.
- This is the fifth step in the City's current land development process.
 1. Annexation
 2. Zoning
 3. Subdivision Plan
 4. Final Plat
 5. Conditional Use Permit/Site Plan
 6. Permits

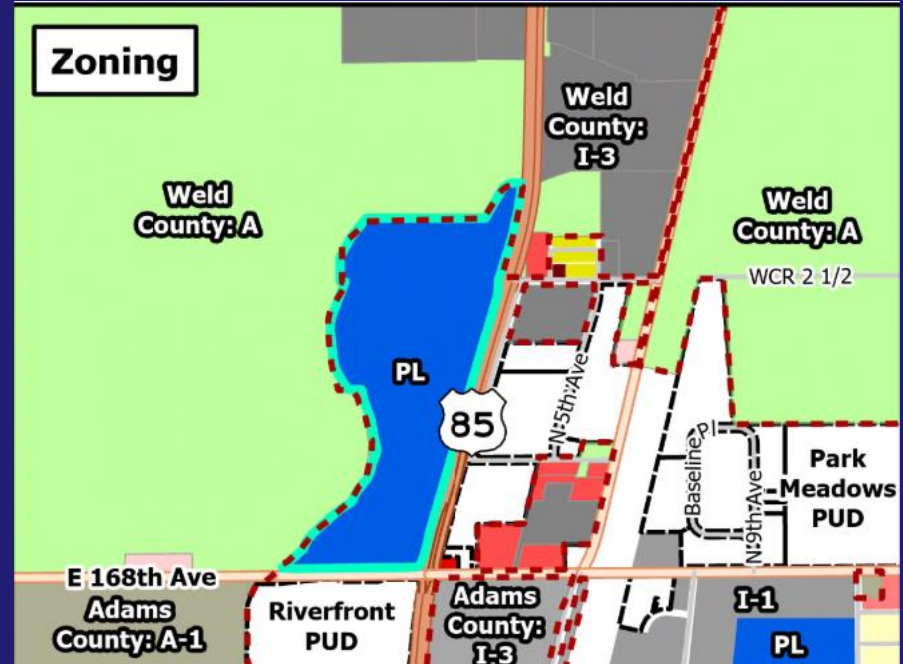
Process

- The *Land Use & Development Code* describes the review process for a Conditional Use Permit.
- The Planning Commission typically reviews Conditional Use Permits, but as Conditional Use Permit 2012-132 was approved by City Council, any amendment to CUP 2012-132 would also need to be approved by City Council.
- Staff used the review criteria from the *Land Use & Development Code* to evaluate the proposal. (Section 2.07)

Background

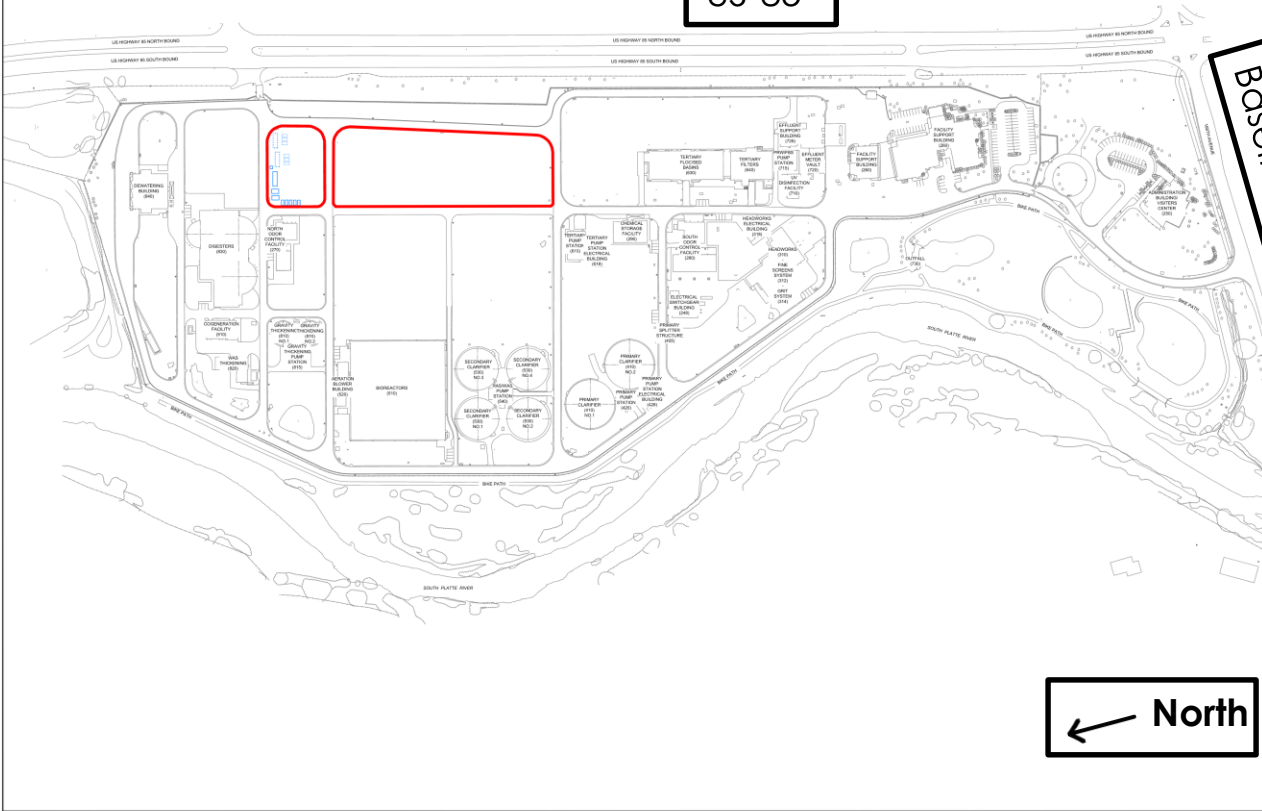
The Property:

- Is 82.687 acres.
- Was annexed as part of the MWWRD – North Treatment Plant Annexation.
- Platted under the MWWRD North Treatment Plant subdivision.
- Is zoned “Public Lands”.



Zoning Map

US-85



Baseline Rd

North

DESIGNED BY: J.N.L. DRAWN BY: J.N.L. CHECKED BY: J.R.L. APPROVED BY: J.C.E.B. ORIGINAL MAP NO.:	DATE: 11/11/11 DATE: 11/11/11 DATE: 11/11/11	REVISION DESCRIPTION	BY	DATE
		STAMP OR SEAL	DATE	DATE
N-220 SPECIAL MAPS LOCATION MAPS DATE: 11/11/11 PLANT/STAGE: LMP		METRO WATER RECOVERY 		
DWG NO: N-220-MAP-C-SP-002		ORIGINAL DTD NO: N-220-MAP-C-SP-002		
SHEET: 1		CONSULTANT		

Proposed Location of the Construction Yards

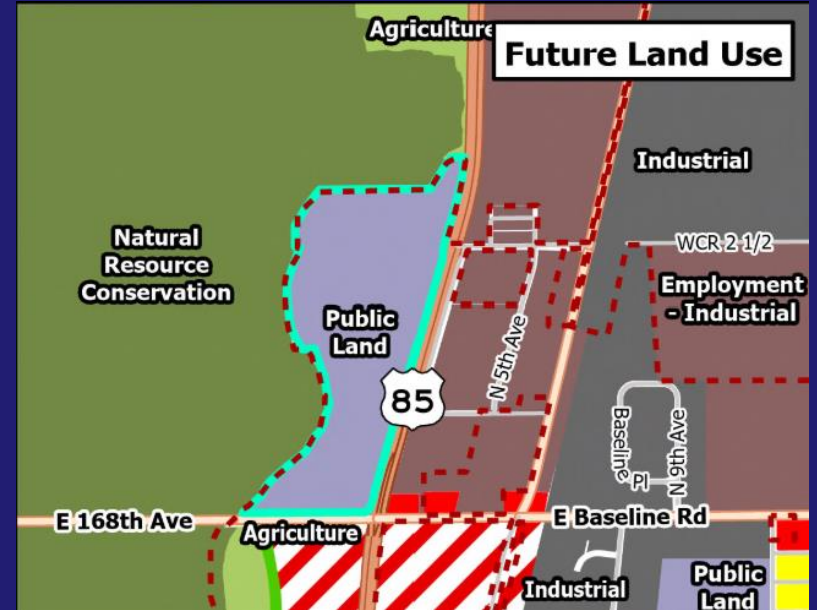
Proposed CUP Amendment Conditions

City staff is proposing the following eight (8) conditions after review of the application materials. Staff finds that the proposed use is acceptable with the conditions drafted.

1. *The temporary construction yard shall be limited to the area shown in the Conditional Use Permit application.*
2. *The temporary construction yard shall be fully screened from public spaces, and no materials shall be stacked higher than the screening.*
3. *The maximum fence height to be used for screening shall be ten (10) feet.*
4. *Screening shall be permanent decorative, opaque fencing that complements the architecture and materials of the surrounding buildings.*
5. *A stabilized, dust-free surface shall be used in the temporary construction yard.*
6. *Site landscaping shall be maintained in the original condition as approved by Conditional Use Permit 2012-132.*
7. *The temporary construction yard is permitted for a period no longer than ten (10) years.*
8. *The conditions of the Conditional Use Permit 2012-132 remain in full force and effect.*

Future Land Use Map

- The Property is designated as Public Land.



Future Land Use Map

Comprehensive Plan

Chapter Four: Citywide Principles, Policies & Strategies

- **Policy 1.2** – *New Municipal Investments in Infrastructure and Public Facilities Should Strategically Further the Plan’s Broader Vision and Principles*
- **Policy 1.5** – *Carry Out Ongoing, Transparent, and Cooperative Interagency and Interdepartmental Planning Efforts*

Land Use & Development Code (Part I)

In making its decision, the City Council shall use the following criteria (Section 2.07 B):

- 1. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.*
- 2. Any associated site development or construction complies with requirements of this code, including any conditions identified with any particular use.*
- 3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or to mitigate any other potential impacts that are specific to the proposed use.*
- 4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.*
- 5. The adequacy of drainage, utilities, and other public facilities.*

Land Use & Development Code (Part II)

6. *Compatibility with the character of the area in terms of building scale, building form, architectural character and quality, landscape and site design.*
7. *Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.*
8. *Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.*
9. *The application will not have negative impacts on development and use of the neighboring property in accordance with the applicable development regulations.*
10. *The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.*
11. *The recommendations of professional staff or other technical reviews associated with the application.*

Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On March 23
 - ✓ Written notice was mailed to all property owners within 1,000 feet of the Subject Property.
 - ✓ Two signs were posted on the Subject Property.
 - ✓ Notice was published on the City's Website.
- City staff posted information for the public hearing on Facebook and NextDoor.
- A neighborhood meeting was held on July 18, 2025.
- Planning staff has not received any formal comments in advance of this hearing.

Summary of Findings

- ✓ The Development Review Committee has reviewed this project and recommends approval.
- ✓ Staff finds the Conditional Use Permit Amendment proposal is in general compliance with the requirements as outlined in the *Land Use & Development Code*, if approval is subject to the proposed conditions outlined in this presentation.

City Staff Recommendation

- ✓ Staff recommends approval of the Conditional Use Permit Amendment with the eight (8) conditions as outlined in the draft resolution.

Options for City Council:

- Approve the CUP Amendment;
- Approve the CUP Amendment with changes to the drafted resolution;
- Deny the CUP Amendment with specific findings to justify the denial; or
- Continue the CUP Amendment to be heard at a later specified date.