



- Location: The pipeline extends from Brighton Blvd through Belle Creek to E 104th Ave, then to approximately E 104th Avenue and Interstate 76.
- Applicant: Public Service Company of Colorado (PSCo)
- Request: Conditional use permit for the replacement of an approximately 1-mile long section of existing natural gas pipeline

Case # CU-129-21

V-Map – Commerce City






I-76 to Leyden Street Natural Gas Project



Vicinity Map




Project Features

-  Existing 10" Line to be Replaced
 Existing PSCo Easement
 Proposed PSCo Easement

Transportation

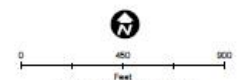
-  Interstate Highway
-  U.S. Highway
-  State Highway
-  Local Road
-  Railroad

Boundaries

-  Commerce City
 Subdivision
 CDOT Right-of-Way

Natural Features

- Park

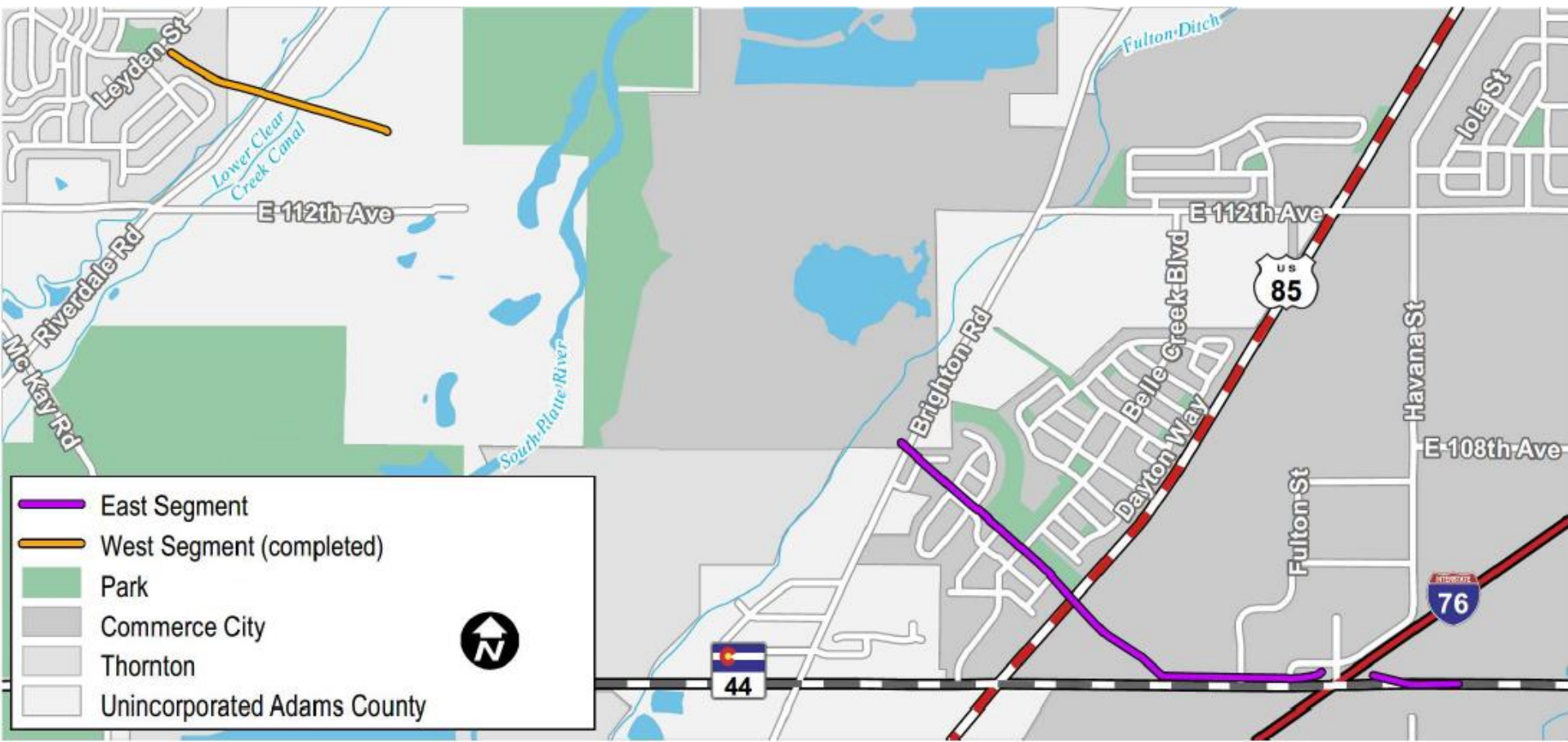


NOT FOR CONSTRUCTION




























Source: NACP 2019, U.S. Census 2019, Adams County 2020

Overall Project

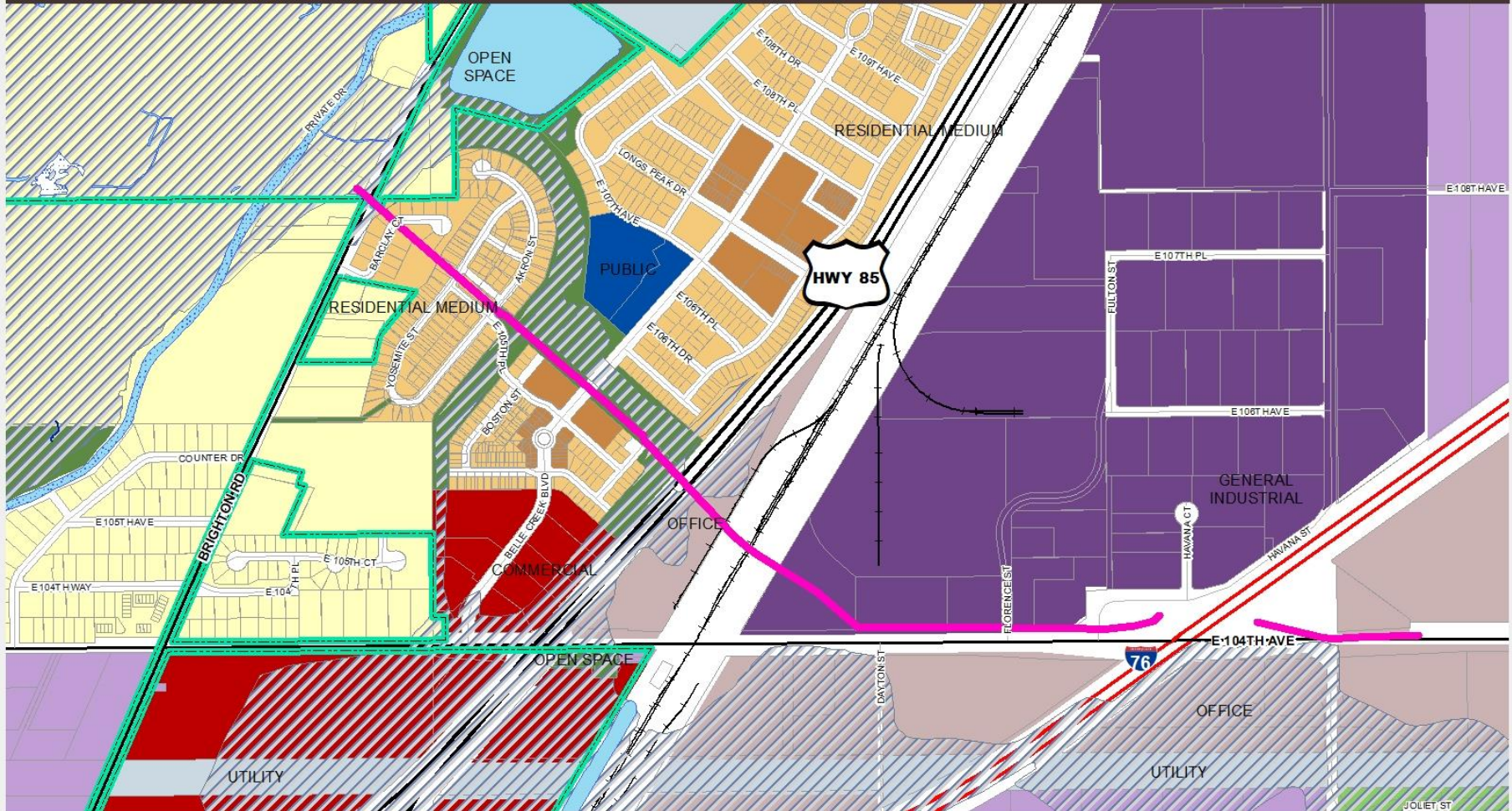




A horizontal scale bar with a black background and white markings. The bar is divided into four equal segments by white tick marks. Below the bar, the numbers 0, 500, 1,000, and 2,000 are written in white. The word "Feet" is written in white at the right end of the bar.

	Subject Property		AG - Agricultural District		I-2 - Medium Intensity Industrial District		R-1 - Single-Family Detached Residential District		RU - Residential Unit District
	City Limit Boundary		C-1 - Local Commercial District		I-3 - Heavy Intensity Industrial District		R-2 - Single-Family Attached Residential District		THOR - City of Thornton
	IGA Annexation Growth Boundary		C-2 - General Commercial District		MHP - Mobile Home Park District		R-3 - Multi-Family Residential District		UNK - Unknown
Zoning			C-3 - Regional Commercial District		MU-1 - Mixed Use District		R-4 - Townhouse Residential District		
ZONING CODE			I-1 - Light Intensity Industrial District		PUBLIC - Public District		RMA - Rocky Mountain Arsenal		
	ADCO - Unincorporated Adams County		I-1S - Industrial Park Storage District		PUD - Planned Unit Development District		ROW - Right-of-Way District		

Commerce City Planning Division
Prepared By: CD MARTINELLI
Date Saved: 5/24/2021
Document Path: O:\PC_Planning Commission\Conditional Use
Cases\CU-129-21 PSC Co Natural Gas Project
(DM)\Map_Landscape_Aerial - 1 SqMi.mxd



Zoning
ZONING CODE

ADCO - Unincorporated Adams County

AG - Agricultural District
C-1 - Local Commercial District
C-2 - General Commercial District
C-3 - Regional Commercial District
I-1 - Light Intensity Industrial District
I-1S - Industrial Park Storage District

I-2 - Medium Intensity Industrial District
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R-4 - Townhouse Residential District
RMA - Rocky Mountain Arsenal
ROW - Right-of-Way District

RU - Residential Unit District
THOR - City of Thornton
UNK - Unknown

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History & Purpose

- Existing 10” natural gas pipeline has been in place since early 1950’s
- All development in the area has been planned around the existing infrastructure
- No history of leaks, accidents, or spills
- Replacement of portions of the pipeline are required under the Pipeline and Hazardous Materials Safety Administration (PHMSA) “Mega Rule” passed last year

Need for Conditional Use

- LDC Article V:
 - Public Utility Installation (Conditional Use Permit in all zone districts).
 - Pipeline activity (Conditional Use Permit in all zone districts).



Statistics

Item	Proposed	Existing
Approximate Pipeline Length in City	1 mile	1 mile
Pipeline Outside Diameter	10 inches	10 inches
Approximate Width of Construction	30 feet of permanent easement (minimum)	30 feet of permanent easement (minimum)
Pipeline Cover Depth	4 feet	4 feet



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Construction Schedule

- Construction beginning in Summer 2021
- Expected to last 6 months
- Bore vs open trench
 - Boring will occur generally at road and railway crossings
 - All other areas open trench





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Regulatory Review

- US Army Corps of Engineers
- US Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMAS)
- Colorado Department of Public Health and Environment – Air Pollution Control Division
- Colorado Department of Public Health and Environment – Water Quality Control Division
- Colorado Department of Public Health and Environment – Hazardous Materials and Waste Management Division
- Colorado Department of Transportation
- City of Commerce City



External Agency Review

- The following entities were referred the Conditional Use Application, and are supportive of the request:
 - United Power
 - Xcel
 - Tri-County Health Department
 - CDOT
 - South Adams County Fire Protection District



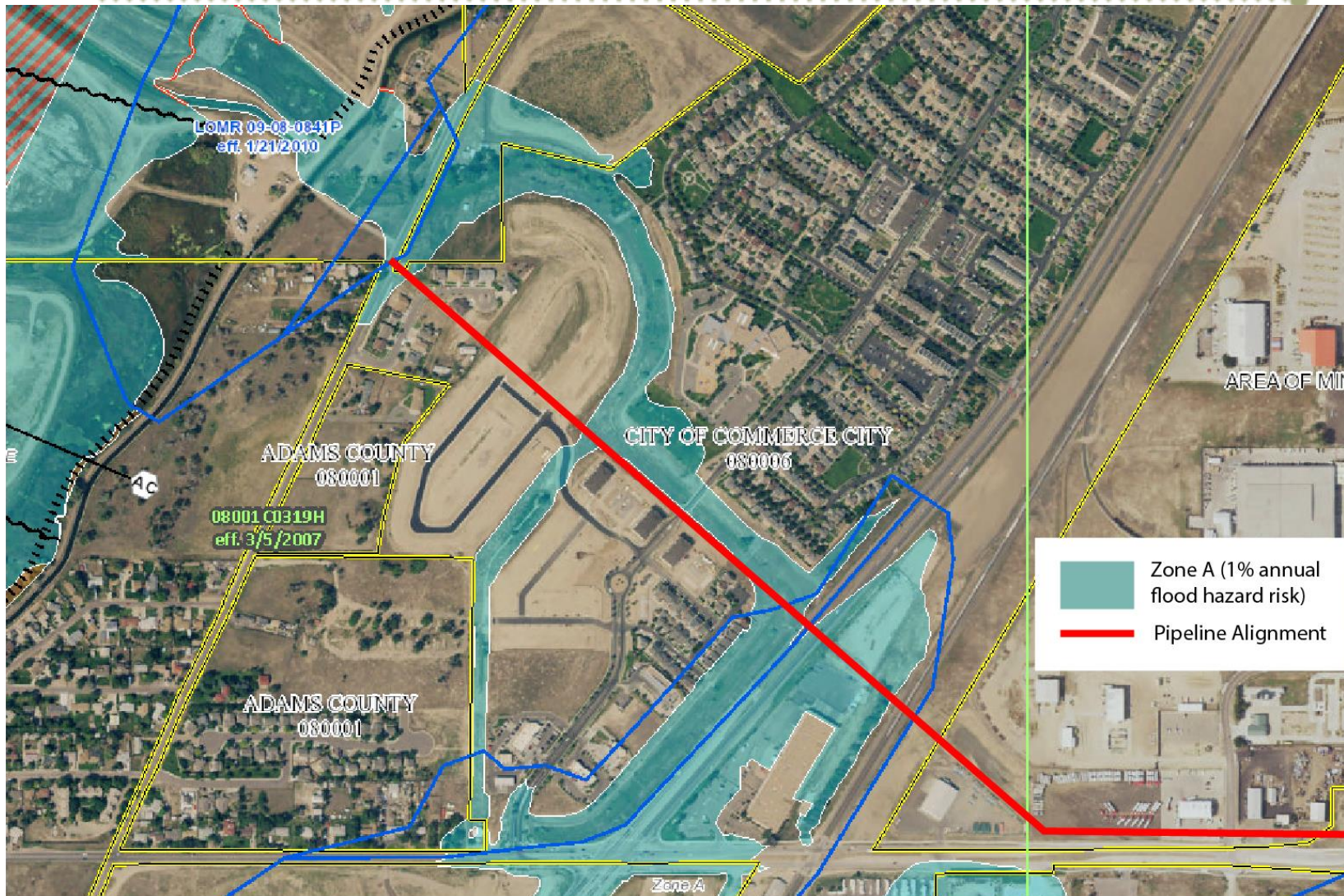
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Required Permits

Agency	Permit	Status
Colorado Department of Public Health and Environment (CDPHE)	General Construction Stormwater Permit	PSCo will submit the Stormwater Management Plan to CDPHE prior to construction
Colorado Department of Public Health and Environment (CDPHE)	Construction Dewatering Permit	PSCo will submit a construction dewatering permit application to CDPHE prior to construction
Colorado Department of Public Health and Environment (CDPHE)	Hydrostatic Testing Permit	The Project will use PSCo's CDPHE-approved permit for the disposal of hydrostatic test water
Colorado Department of Transportation (CDOT)	Utility / Special Use Permit Application	PSCo will submit the Utility/Special Use Permit application prior to construction
Union Pacific Railroad	Pipeline Crossing Agreement	PSCo has obtained a Pipeline Crossing Agreement from UPRR for the installation of the Project in railroad ROW
Commerce City	Conditional Use Permit	Submitted – pending approval from City Council
Commerce City	Floodplain Permit	Submitted – under review. Applies to the portions within the 100 year floodplain within Belle Creek.
Commerce City	Right of Way Permit	PSCo will submit Right-of-Way Permit applications for the portions of the Project in Commerce City Road ROW prior to construction
Commerce City	Grading Permit	PSCo will submit a Grading Permit application for the surface disturbing activities prior to construction



Floodplain



Proximity to Residential

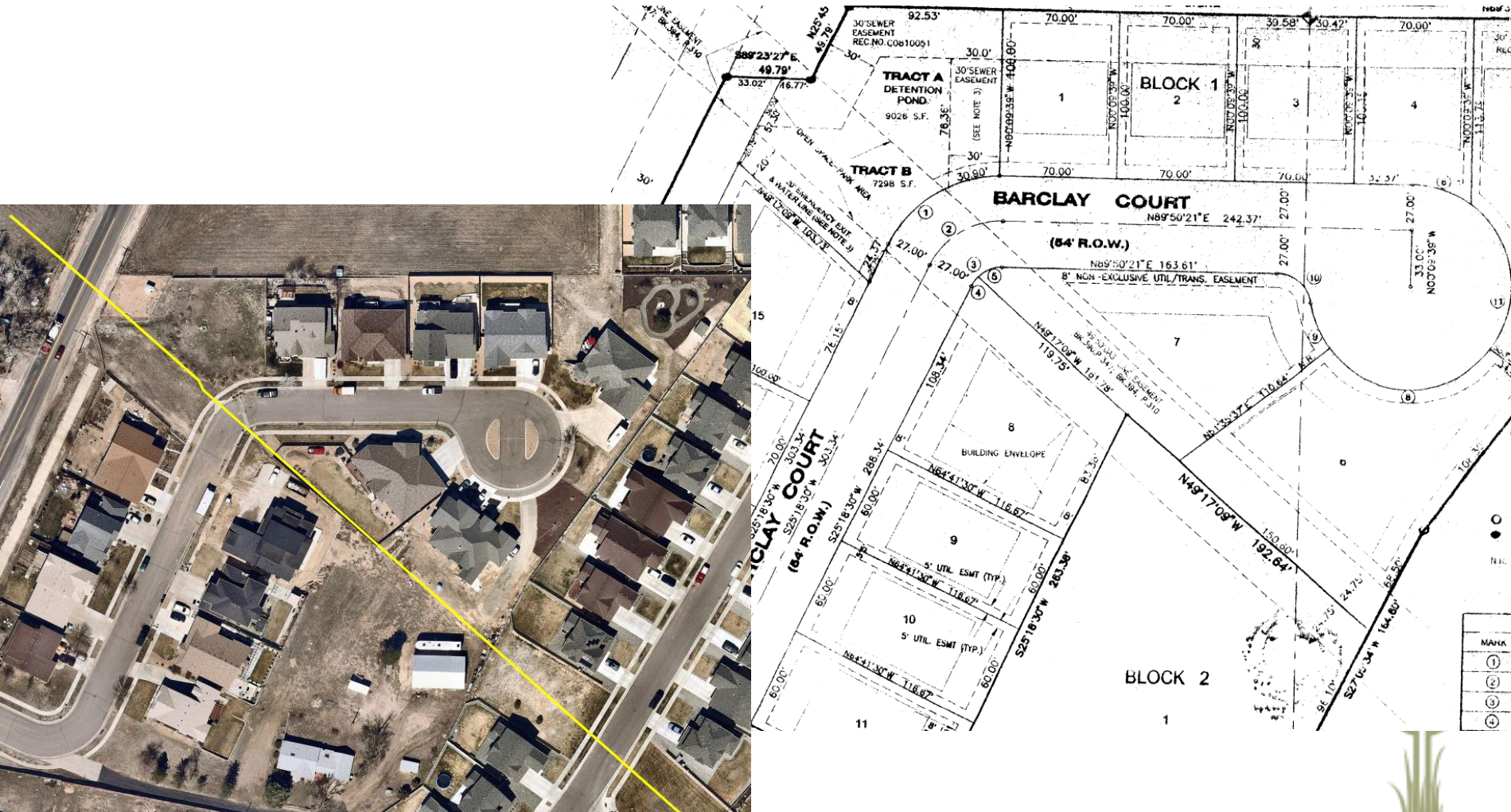
- 30' easement width minimum throughout project (15' on each side)
- At least 40' from property boundary to pipeline centerline in Belle Creek
- 30' from two homes in Claybar Creek (measured from centerline to edge of home)



Proximity to Residential



Proximity to Residential



Alignment Considerations

- Majority of residential growth occurred around current alignment
- Existing easements already in place (except for under UPRR)
- No project alternatives analysis was conducted by applicant, given timeline for replacement under federal law (PHMSA)



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PC Analysis

- Conditional Use Criteria:
 - Characteristics of the site are suitable;
 - Use will be served by the City;
 - Proposed use will not result in substantial adverse effects and adverse effects have been mitigated to the maximum extent feasible;
 - Ongoing maintenance;



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PC Analysis

- Conditional Use Criteria:
 - Use does not violate federal, state, or local requirements;
 - Community need exists;
 - Proposed changes:
 - Improve level of service
 - Reduces energy use and carbon footprint
 - Decreases long-term operations and maintenance (O&M) costs
 - Provides service for future development



CUP Approval Criteria

- The case is compliant with the following approval criteria, as defined in LDC Section 21-3230(3)
 - No substantial or undue adverse effect on adjacent property
 - Any adverse effect mitigated to maximum extent possible
 - Characteristics of the site suitable for proposed use
 - Adequately served and will not put undue burden on improvements, facilities, services
 - Adequate assurance of continuing maintenance
 - No evidence use violates federal, state, or local requirements
 - There is a community need for the use at the proposed site or the use complies with the comprehensive plan and all other plans or programs adopted by the City



Public Notification/Outreach

- Virtual neighborhood meeting held on April 15
 - 12 members of the public in attendance
- Website with latest information at:
<https://my.xcelenergy.com/customersupport/s/projects/i76-to-leyden>
- No requests for additional information since

Required Public Notification

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Code Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 500 feet	✓	283 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	✓	Notice in Commerce City Sentinel-Express
Placard/Sign on Property	At least one sign on subject property	✓	8 Signs Posted

All public notification met the requirements of Resolution 2020-30 to provide notice that the meeting may be conducted electronically; advance registration for testifying is required; and information for participation is provided in the published agenda.

Conditions

- Conditions generally dealing with:
 - Approval permits
 - Obtaining easements and property rights
 - Requirement to obtain a floodplain permit
 - Mitigation on construction and disturbance activity
 - Noise, dust, hazardous materials and odor
 - Notification of changes to the City



PC Recommendation

- On June 1, 2021, the Planning Commission voted 5-0 to recommend **approval with conditions** to City Council for CU-129-21



Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the board may have.

