

District response: Please see below, as provided in the Statement of Operations.

a. All of the following criteria are met:

- i. The proposed use will not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, either as they presently exist or as they may exist in the future as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city;

District response: As noted in the Description of Proposed Use: *Adjacent parcels are either undeveloped or owned by applicant. Effects to adjacent property owned by applicant will only be affected during construction from construction-related activities. No mitigation steps are necessary for these impacts. Undeveloped adjacent property will not be impacted.*

- ii. Any adverse effect has been or will be mitigated to the maximum extent feasible, including but not limited to sufficient landscaping and screening to ensure harmony for adjoining uses;

1. **District response:** As noted in the Description of Proposed Use: *The existing Klein WTF is directly east of the proposed project site, so an expansion of that facility on the proposed project site is compatible with surrounding land use. Additionally, SACWSD is only construction on the parcel of land needed for the project, and therefore not impacting any of the other surrounding neighborhood, or altering the character of the neighborhood.*

- iii. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;

District response: As noted in the Description of Proposed Use: *The existing site is a relatively flat, undeveloped parcel with a self-contained drainage pattern.* Additionally, adjacent parcels are either undeveloped or owned by the applicant for a similar use.

- iv. The proposed use will be adequately served by and will not impose an undue burden on any of the existing improvements, facilities, and services of the city or its residents. Where any such improvements, facilities, utilities or services are not available or are not adequate to service the proposed use in the proposed location, the applicant shall, as a part of the application and as a condition of approval, be responsible for establishing an ability, a willingness, and a binding commitment to provide such improvements, facilities, utilities and services in sufficient time to serve the proposed use;

District response: As noted in the Utility Plan Memo: The South Admas County Water and Sanitation District (District) is the applicant for this project and is also the supplier for potable water and sanitary sewer services. As the supplier of these services the District has evaluated the potable water resources and the sanitary sewer resources necessary for this project and has identified adequate resources and infrastructure are available.

The Project will require upgraded electrical service to the site due to increased electrical load for the treatment processes. The District is working with the electrical supplier for this site, Xcel Energy, to design and construct the necessary upgraded services by the necessary timeline of Q2 2026. Xcel Energy has committed to being able to meet this timeline.

As this facility is critical infrastructure providing potable water to the District customers (residents of Commerce City) the District has identified the need to have adequate backup emergency power in the event power is interrupted from the main Xcel electrical feed. The alternatives to back up power are on-site emergency generators or a second electrical feed from Xcel Energy. The options and cost of the second electrical feed from Xcel are still being evaluated by the District against on-site emergency generators. The decision as to which alternative will be the most cost effective will not be made for several months.

The District also relies on communication utilities to the site. The communication utilities that are currently in place are adequate for the additional treatment facilities therefore no upgrades are necessary for these services.

- v. The applicant has provided adequate assurances of continuing maintenance;
District response: This District will own and maintain the facility and its grounds to the same standard of care as the existing Klein WTF.
- vi. There is no evidence to suggest that the use violates any federal, state, or local requirements; and
District response: There is no evidence to suggest that the use violates any federal, state, or local requirements; this criteria is met.
- b. One of the following criteria is met:
 - i. There is a community need for the use at the proposed location, given existing and proposed uses of a similar nature in the area and of the need to provide and maintain a proper mix of uses both within the city and the immediate area of the proposed use; or
District response: As noted in the Description of Proposed Use: *This project will facilitate a much-needed facility expansion to treat for PFAS, which does satisfy a community need.*
 - j. The use complies with the general purposes, goals, objectives, policies, and standards of the comprehensive plan and all other plans or programs adopted by the city.
District response: As noted in the Description of Proposed Use: *The South Adams County Water and Sanitation District (SACWSD) believes the project is consistent with the policies and goals of the comprehensive plan. The Comprehensive Plan outlines five goals, developed by City Council, for growth and development of Commerce City, which include: (1) Promote a balanced and thriving economy; (2) Promote efficient and effective city government to improve levels of service; (3) Develop and maintain the public infrastructure to improve community appearance and encourage continued development; (4) Promote resident health, safety, and education; and (5) Improve community involvement and trust. This proposed zone change aligns with all of the goals in the following ways:*
 - i. *This project is supporting the City's goal of promoting a balanced and thriving economy by completing this project and enforcing confidence in SACWSD's ability to enhancing and maintaining water quality.*
 - ii. *Levels of service are improved by ensuring water treatment capabilities for the recipients of SACWSD water through the improvements proposed in this project.*
 - iii. *The successful completion of this project, after a successful zone change, will improve drinking water infrastructure and by doing so encourage development and improve community appearance.*
 - iv. *The proposed project will treat PFAS in SACWSD's source water, therefore promoting resident health and safety. Additionally, SACWSD has held public meetings, including regular board meetings, about the project and its importance to resident health.*
 - v. *Through transparency with the community, and ensuring its ability to treat PFAS in the source water, SACWSD is improving community involvement and trust through the successful completion of this project.*