



REQUEST FOR ORDINANCE

TO: John McGrath, City Attorney's Office

FROM: Glen Blackburn 

PROJECT NO: 2023PM0000279

DATE: April 24th, 2024

SUBJECT: Request for an Ordinance to connect City wastewater facilities to a property outside of the limits of the City.

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Danny Harris of the City and County of Denver on behalf of the property at 5270 Fox Street, Adams County, Colorado. This matter has been checked by this office and has been coordinated with DES - Wastewater who has indicated their agreement.

Therefore, you are requested to initiate Council action to connect City wastewater facilities to the following described areas:

SEE ATTACHED FOR PROJECT DESCRIPTION

Cc:

DOTI: Jason Gallardo

DOTI: Alba Castro

DOTI: Nancy Kuhn

Development Engineering Services: Jim Turner

Development Engineering Services: Danny Harris

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo at
Jason.Gallardo@denvergov.org by **NOON on Monday**.

All fields must be completed.

Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: April 24, 2024

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)*

Request for an Ordinance to connect to City wastewater facilities for 5270 N. Fox Street per DRMC Sec. 56-97

3. Requesting Agency: DOTI ROWS DES Wastewater

4. Contact Person: *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** Danny Harris
- **Phone:** 720-913-0816
- **Email:** Danny.Harris@denvergov.org

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)*

- **Name:** Jason Gallardo
- **Phone:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. General description of proposed ordinance including contract scope of work if applicable:

This is a property outside of the limits of the City that needs to connect to City wastewater facilities, which requires an Ordinance.

****Please complete the following fields:** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. **Contract Control Number:** N/A
- b. **Duration:** Permanent
- c. **Location:** 5270 N. Fox Street
- d. **Affected Council District:** 9
- e. **Benefits:** Collection of sanitary sewer usage fees
- f. **Costs:** N/A

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?)
Please explain.

No.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____



EXECUTIVE SUMMARY

Project Title: Request for an Ordinance to connect to City wastewater facilities. City project number 2023PM0000279.

Description of Proposed Project: This is a property outside of the limits of the City that needs to connect to City wastewater facilities, which requires an Ordinance.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The Fox Street Right-of-Way will be utilized for a private sanitary service line, in order to connect the property to Denver's existing public sanitary main in Fox Street.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of an MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

Will an easement be placed over a vacated area, and if so explain: N/A

Will an easement relinquishment be submitted at a later date: N/A

Additional information: None.

LEGAL DESCRIPTION:

PARCEL A:

LOT 1, BLOCK 1, BURLINGTON INDUSTRIAL PARK NO. 5, FIRST FILING,
COUNTY OF ADAMS, STATE OF COLORADO.



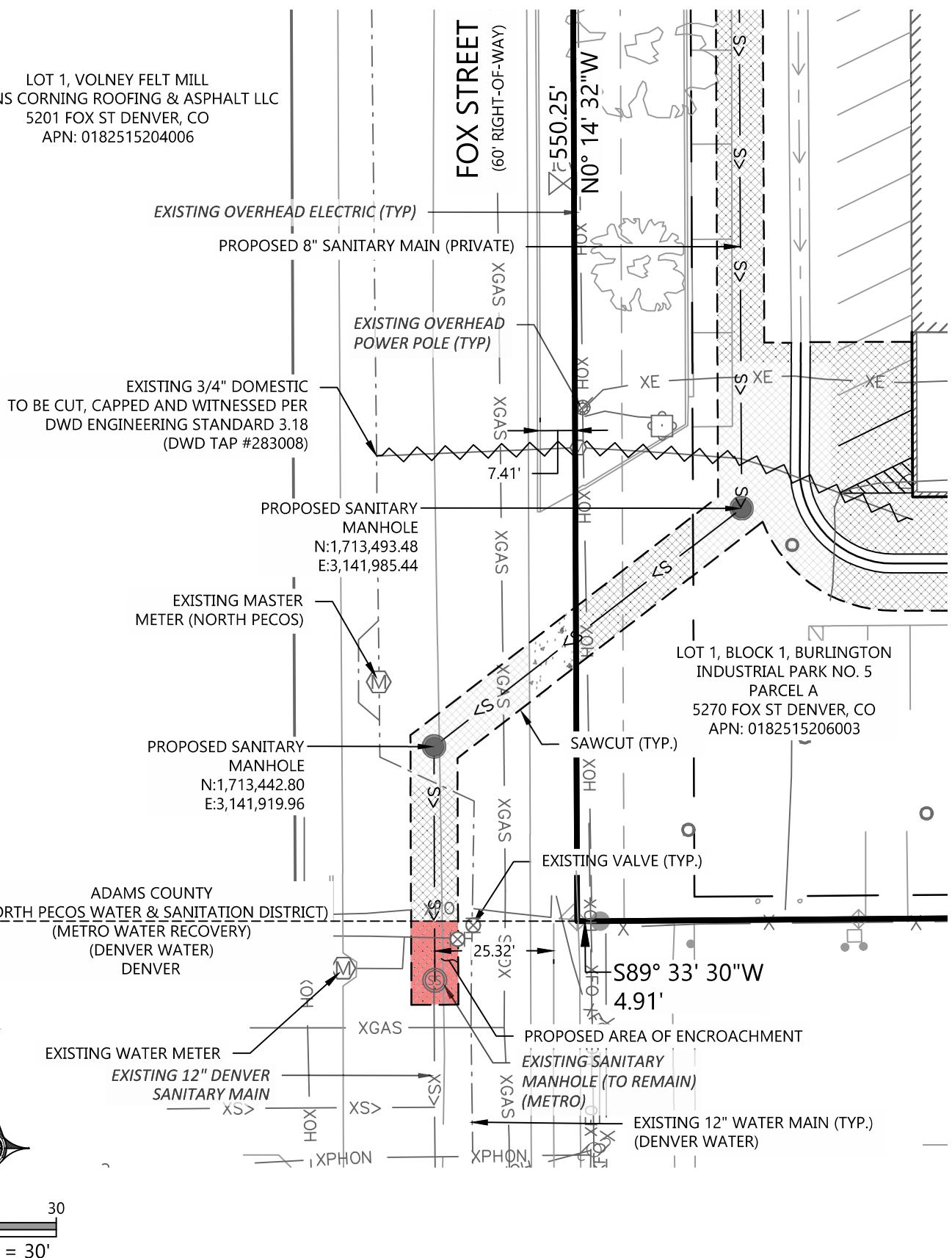
PROOF CIVIL
consulting engineers

600 Grant Street | Suite 210 | Denver, CO

LEGAL DESCRIPTION
READY FOODS

REF. NO.:	22021	SCALE:	N/A	DRAWING NO.
DATE:	09/25/2023	DRAWN BY:	ANM	EX2

LOT 1, VOLNEY FELT MILL
 OWENS CORNING ROOFING & ASPHALT LLC
 5201 FOX ST DENVER, CO
 APN: 0182515204006



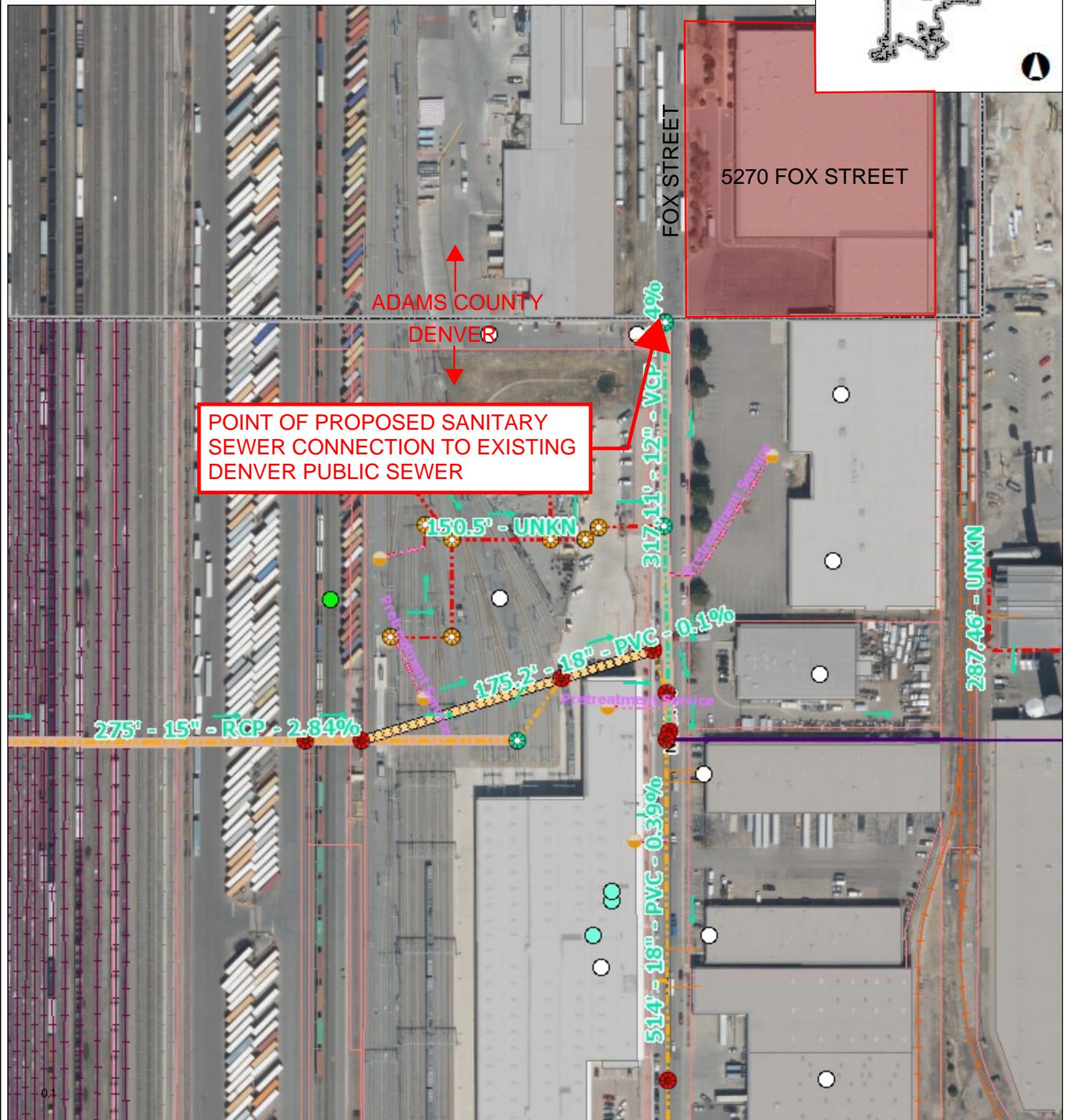
PROFCIVIL
 consulting engineers

600 Grant Street | Suite 210 | Denver, CO

SITE PLAN EXHIBIT

READY FOODS

REF. NO.:	22021	SCALE:	N/A	DRAWING NO.
DATE:	09/25/2023	DRAWN BY:	ANM	EX3



The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to the fitness for a particular use.

**NORTH PECOS
WATER & SANITATION
DISTRICT**

6900 Pecos Street
Denver, Colorado 80221
(303) 429-5770
Fax (303) 650-8863

December 15, 2023

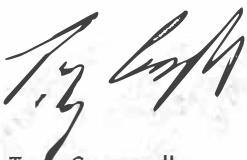
Jim Turner
Public Works—Development Engineering Services—Wastewater
City and County of Denver
201 W. Colfax
Denver, Colorado 80202

Re: Ready Foods; 5270 Fox Street; Sanitary Sewer Service

Dear Mr. Turner:

The North Pecos Water and Sanitation District (the “District”) cannot feasibly provide sanitary sewer service to the Ready Foods facility, located at 5270 Fox Street in unincorporated Adams County (“Property”). This letter confirms that the District Board approved the Property’s exclusion from the District boundaries. The District acknowledges that the City and County of Denver will provide sanitary sewer service and collect all associated fees for that service. The District will continue to provide the Property water service under an out-of-district water service agreement.

Sincerely,



Tony Cocozzella
District Manager

31076639_v1



CITY AND COUNTY OF DENVER

Department of Transportation and Infrastructure

Development Engineering Services



Sewer Use and Drainage Permit

Address:

5270 N Fox St (5180 N Fox St - CCD DAD address)

Permit # 2023-SUDP-0004787

Project Name: Outside of CCD connection for Ready Foods - SUDP only

Application Date: 12/19/2023	Ready Date: 12/19/2023				
Type of Work: Alteration Service Area Code: 04080000	Use: Commercial SFRE: 86	Reduced or Exempt Fee: Tap Size: 4.00			
Fee Type	Fund/Org/No	Fee Amount	Transaction Number	Payment Date	Void
Report to Metro:	Total Permit Fees:		Exemption or Fee Reduction:		

Upon proper inspection and issuance of a Sewer Connection Permit and compliance with the terms and conditions of this Permit as well as those of the associated Application, authorization to connect to the sewer system is hereby granted. All Wastewater Management Division rules and regulations, criteria, standards, details, etc., shall apply as a minimum unless specifically exempted in writing. All inspection requests must be emailed to Wastewater, at dotipermitoperations@denvergov.org, no later than 3:30 P.M. on the previous business day. No inspection requests will be accepted after 3:30 P.M. If work under this Permit is not properly completed, this Permit shall become void. If work under this Permit is not commenced within one year from the date of issuance or, if after partial completion, the work is discontinued for a period of one year, this Permit shall become void. Failure to comply with this Permit may result in the imposition of civil penalties (up to \$10,000 per day) pursuant to DRMC 56-107. Disputes regarding this permit shall be resolved by administrative hearing pursuant to DRMC 56-106.

TYPE OF CONNECTION: New

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REQUIRED INSPECTIONS FOR THIS PERMIT

See permit conditions below for more detailed information.

Inspection Type	Inspection Status	Inspection Scheduled Date/Inspection Date
Sanitary Sewer Inspection	Pending	
Control Manhole /Sampling Manhole or Chamber	Pending	
As-Built Acceptance	Pending	

SEWER PERMIT CONDITIONS:

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Number: Condition:
1 This permit is for the Ready Foods manufacturing / processing building addressed as 5270 N Fox St which is located outside of the City boundaries to connect to the City and County of Denver's sanitary sewer system only.

2 Billing for ongoing carriage, treatment and disposal charges will be based on water usage and shall be 150% of the amount that would be charged for areas inside the boundaries of the City in accordance with RMC 56, article 3, Division 3, Secs 56-97 through 56-101.

3 Per plans Ready Foods is to be served by a 4 inch domestic water meter. Anytime an existing domestic water tap is reactivated or increased in pipe size, or a new domestic water meter is added, a Sewer Use & Drainage Permit must be obtained from DOTI Wastewater.

Configuration of the Metro and CCD Wastewater meter and monitoring facility shall be installed per the

Office Copy

Site Copy - MUST BE POSTED ON SITE

Printed On: 4/24/2024

Issued Date:

Issued By:

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	<p>4/23/2024 Metro and CCD approved plans downstream of the previously installed 10,000 gallon grease interceptor must be inspected prior to any discharge or connection to the CCD manhole. Request for inspection of the monitoring facility must be emailed 2 business days in advance and include the the permit number, site address and site contact information (name and phone number) to Michel.Menard@denvergov.org</p>
4	<p>Monitoring requirements may be subject to change in the future. Metro and/or City & County of Denver (CCD) may require Ready Foods, at its own expense, to modify its existing monitoring facility. Ready Foods is responsible for submitting any required monitoring facility upgrades to Metro and CCD prior to installation or modification.</p>
5	<p>Metro Monitoring Facility Approval 1.3.1, design maximum facility industrial instantaneous discharge flow rate is 265 gallons per minute (gpm). Increased or changes to flow rate may require modification to the monitoring facility as stated above</p> <p>The portion of the new 8 inch sanitary sewer lateral from the CCD boundary to the existing terminal manhole located south of the CCD boundary in N Fox St must be inspected by DOTI Plumbing Inspection. Installation must conform to DOTI WW standards regarding workmanship and materials, to include the use of Class B bedding material conforming to ASTM C-33, gradation size 67. All work must be done by a properly licensed Plumbing or Sewer Contractor and the licensed Plumbing or Sewer Contractor must email DOTIPermitOperations@denvergov.org with valid license number, permit numbers, type of inspection being requested, location of the card and including additional inspection related information with valid license and permit numbers, no later than 3:30 pm. on the previous business day, to schedule inspections. bkb</p>
6	<p>The portion of the sanitary sewer located outside of the City & County of Denver boundary is the sole responsibility of Ready Foods at 5270 N Fox St to obtain proper permits and inspections</p> <p>As-Built drawings are required for the proposed outside Denver connection to the terminal manhole.</p> <p>As-Built electronic submittals are to be submitted to DES Wastewater at wastewaterpermits@denvergov.org upon completion of the project including the SUDP record number and primary site contact email and phone number. As-Built drawings are to be reproducible copies (or originals) of the Approved Construction Drawings. Any field changes are to be noted. The drawings will state As-Built in large block letters. The "As-Built" electronic submittal or prints are to be signed, dated, and stamped by a Colorado Registered Engineer. No Certificate of Occupancy will be validated prior to receipt and approval of the required As-Built plans by DOTI Wastewater.</p>
7	<p>No storm sewer construction is authorized under the terms of this permit.</p> <p>The Owner, Site Developer, Contractor and/or their authorized agents shall ensure that all potential pollutants generated during demolition or construction work associated with this Project, be prevented from discharge to stormwater conveyance systems in the vicinity of this Project Site in accordance with the following:</p> <ol style="list-style-type: none"> 1. The Owner, Site Developer, Contractor and/or their authorized agents shall prevent sediment, debris and all other pollutants from entering the storm sewer system during all demolition, excavation, trenching, boring, grading, or other construction operations that are part of this Project. The Owner, Site Developer, Contractor and/or their authorized agents shall be held responsible for remediation of any adverse impacts to the Municipal Separate Storm Sewer System, receiving waters, waterways, wetlands, and or other public or private properties, resulting from work done as part of this Project. 2. The Owner, Site Developer, Contractor and/or their authorized agents shall remove all sediment, mud, construction debris, or other potential pollutants that may have been discharged to or, accumulate in the flow lines storm drainage appurtenances, and public rights of ways of the City and County of Denver as a result of construction activities associated with this Project. All removals shall be conducted in a timely manner. 3. The Owner, Site Developer, Contractor and/or their authorized agents shall insure that all loads of cut and fill material imported to or exported from this site shall be properly covered to prevent loss of the material during transport on public rights of way. (Sec.49-552; Revised Municipal Code) 4. The use of rebar to anchor best management practices, other than portable toilets, is prohibited. 5. The Owner, Site Developer, Contractor and/or their authorized agents shall implement the following Best Management Practices (BMPs) on site during construction: <ol style="list-style-type: none"> i. Vehicle Tracking Control: Vehicle Tracking Control: This BMP is required at all access points for ingress/egress from off-site impervious surfaces to construction site pervious areas that are used by vehicular traffic or construction equipment. ii. Inlet Protection: This BMP is required on all existing or proposed storm sewer inlets in the vicinity of the construction site that may receive site runoff. The BMP must be appropriate to the type of storm inlet and appropriate for the ground surface at the inlet. iii. Interim Site Stabilization: This BMP is required to provide a measure for preventing the discharge of sediment from construction sites where overlot grading or other site disturbance has occurred. This BMP is particularly necessary on sites where construction activities/disturbance will be limited to small

areas of the Project site. Acceptable BMPs include:

- a) Preserving existing vegetation
- b) Seeding and planting
- c) Mulching
- d) Mulching and seeding
- e) Temporary/Permanent re-vegetation operations
- f) Chemical soil stabilizer application (requires WW approval)

iv. Waste Management/Containment: This BMP requires that all construction wastes, fuels, lubricants, chemical wastes, trash, Sanitary wastes, contaminated soils or debris shall be contained on site, protected from contact with precipitation or surface runoff, periodically removed from the construction site, and properly disposed of.

v. Spill Prevention /Containment: This BMP defines the measures proposed for preventing, controlling, or containing spills of fuel, lubricants, or other pollutants; and protecting potential pollutants from contact with precipitation or runoff.

8 vi. Chute Washout Containment: Water used in the cleaning of cement truck delivery chutes shall be discharged into a predefined, bermed containment area on the job site. The required containment area is to be bermed so that wash water is totally contained. Wash water discharged into the containment area shall be allowed to infiltrate or evaporate. Dried cement waste is removed from the containment area and properly disposed of.

a) The direct or indirect discharge of water containing waste cement to the storm sewer system is prohibited (Sec.56-102a, c; Revised Municipal Code, City and County of Denver).

vii. Sweeping: This BMP requires that impervious surfaces which are adjacent to or contained within construction sites be swept on a daily basis or as needed during the day when sediment and other materials are tracked or discharged on to them. Either sweeping by hand or use of Street Sweepers is acceptable. Street sweepers using water while sweeping is preferred in order to minimize dust.

Flushing off paved surfaces with water is prohibited.

viii. Perimeter Control: This BMP requires that a construction site install a perimeter control measure along the edge of the construction Site, to prevent, or filter the discharge of surface runoff from the construction site. The type of perimeter control used shall be determined based on site conditions and location. Maintenance and repair of the control measure shall occur as needed, in a timely manner.

ix. Stock Piles: Soils that will be stockpiled for more than thirty (30) days shall be protected from wind and water erosion within fourteen (14) days of stockpile construction. Stabilization of stockpiles located within 100 feet of receiving waters, or with slopes 3 to 1 or greater shall be completed within seven (7) days following stockpile construction. Stabilization and protection of the stockpile may be accomplished by any of the following: Mulching, Temporary/Permanent Revegetation Operations, Chemical Soil Stabilizer Application (requires Denver DOTI approval), or erosion control matting/Geotextiles. If stockpiles are located within 100 feet of receiving waters, a drainageway or the site perimeter, additional sediment controls shall be required.

x. Saw Cutting Operations: The Contractor shall protect all storm sewer facilities adjacent to any location where pavement cutting operations involving wheel cutting, saw cutting, or abrasive water jet cutting are to take place. The Contractor shall remove and properly dispose of all waste products generated by said cutting operations on a daily basis or as needed throughout the work day. The discharge of any water contaminated by waste products from cutting operations to the storm sewer system is prohibited." (Sec.56-102a, c; Revised Municipal Code, City and County of Denver)

xi. Structural controls: Development sites that are required to provide detention and water quality enhancement facilities for storm runoff need to install the detention facilities early in the construction build-out of the site. Projects that are using underground detention are required to install a pretreatment structure or sedimentation basins as a means of treating potentially polluted storm water prior to entering the detention structure. Use of these structures is required for entrapping sediment and construction debris during the active construction phase of the project. The narrative section of the Management Plan is also required to address operation and maintenance of the structural controls being used as an active construction BMP.

6. Erosion and sediment control Best Management Practices (BMP)shall be maintained and kept in effective operating condition for the duration of this Project. All necessary maintenance and repair shall be completed immediately upon discovery of any deficiency or defect.

FLOODPLAIN PERMIT CONDITIONS:

Number: Condition:

Standard Comments and Condition:

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Conditions:

Anytime an existing domestic water tap is reactivated or increased in pipe size, or a new domestic water tap is added, a Sewer Use & Drainage permit must be obtained from DOTI-Wastewater

PLEASE NOTE: The owner/developer is responsible for improvements/repairs in the right-of-way adjacent to this site. No Certificate of Occupancy will be validated by DOTI Construction Engineering until these improvements/repairs are complete. Contact the ROW Inspector PRIOR to starting construction. Call 303-446-3469 for the name and number of the inspector. Any work within the public right-of-way will require a Street Cut, Construction, and/or Street Occupancy Permit(s) from DOTI Permit Operations, at dotipermitoperations@denvergov.org, 303-446-3759. It is the Licensed Contractor's responsibility to obtain the proper permit(s).

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