



ARAPAHOE COUNTY
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**Lowry Environmental Protection Cleanup
Trust Fund Filing No. 1
Use by Special Review with 1041 and Minor
Subdivision
UASI23-001 and PM23-001**

May 13, 2025





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Applicant: Front Range Energy Storage LLC

Project Proposal: Subdivide a 102.75-acre parcel into a 19.10-acre lot and an 83.65-acre tract, and to locate a battery storage facility on the 19.10-acre lot.

Project Location: Southwest corner of E. Quincy Avenue and S. Harvest Road

Staff: Case Engineer – Sue Liu



Process



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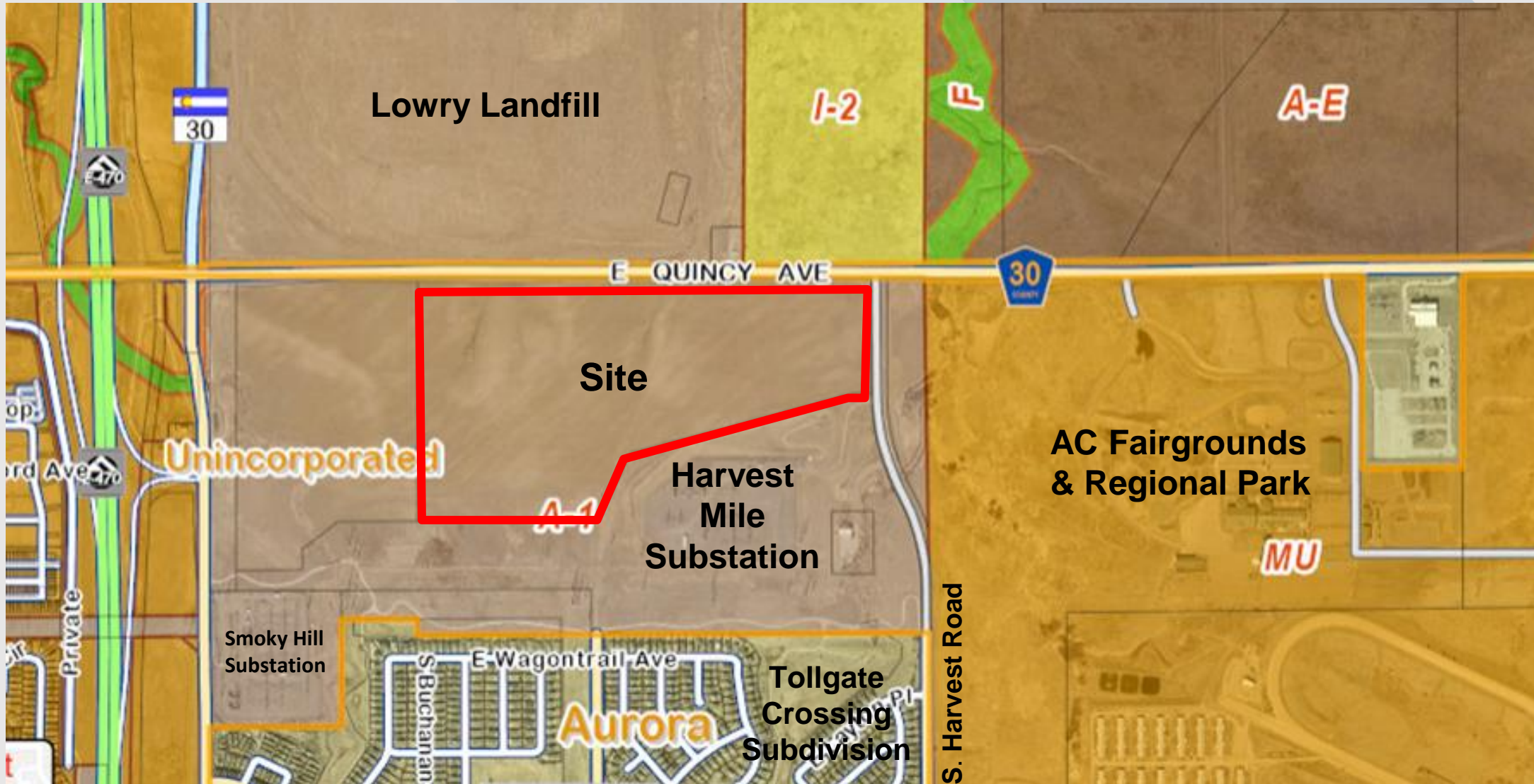
- Reviewed through the Minor Subdivision and Use by Special Review with a 1041 processes.
- Minor Subdivision reviewed per Section 5-5.6 of LDC.
- Under the 1041 Regulations the application is being reviewed as a Major Electric Facilities of a Private Utility
- Must comply with the 1041 Regulation approval criteria in Section V, Parts A and C.



Vicinity & Zoning Map



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Project Details – Minor Subdivision



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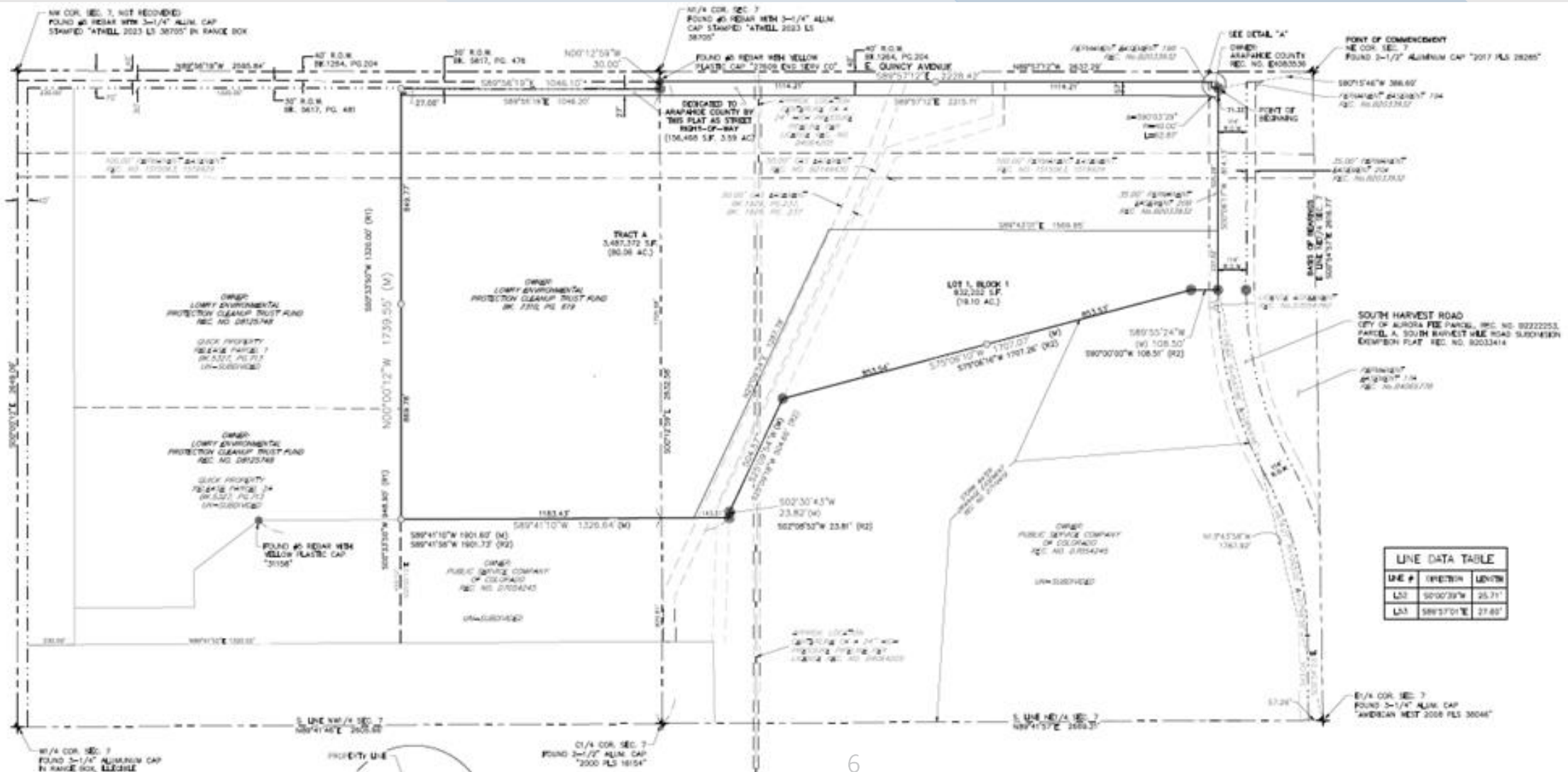
- Subdividing 102.75-acre parcel
- Lot 1 - Proposing to build a battery storage facility on 19.10 acres that will connect to the Xcel Energy's Harvest Mile Substation.
- Tract A – 83.56-acres to be developed in the future.
- 3.59-acres of Tract A will be dedicated to the E. Quincy Avenue right-of-way.



Minor Subdivision Plat



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Land Development Code - Minor Subdivision



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- Application complies with the LDC:
 - Meets minimum lot size
 - Adequate access
 - Development can be served by the sheriff and fire district
 - No water and sewer service is proposed since the 19.10-acre site is unmanned
 - Compatible with the surrounding area



Battery Storage Facility Location



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Project Details – USR/1041



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- Proposing to build a battery storage facility will connect to Xcel Energy's Harvest Mile Substation.
- The facility will contain rechargeable batteries, a site-specific substation, and a detention pond. The entire site is to be enclosed by a seven-foot fence.
- Purposes to store electricity and then provide electricity to Xcel Energy during periods when energy is in demand.
- The goal is to make the power grid more reliable and resilient, helping to avoid situations like rolling brownouts during hot summer months.



Project Details



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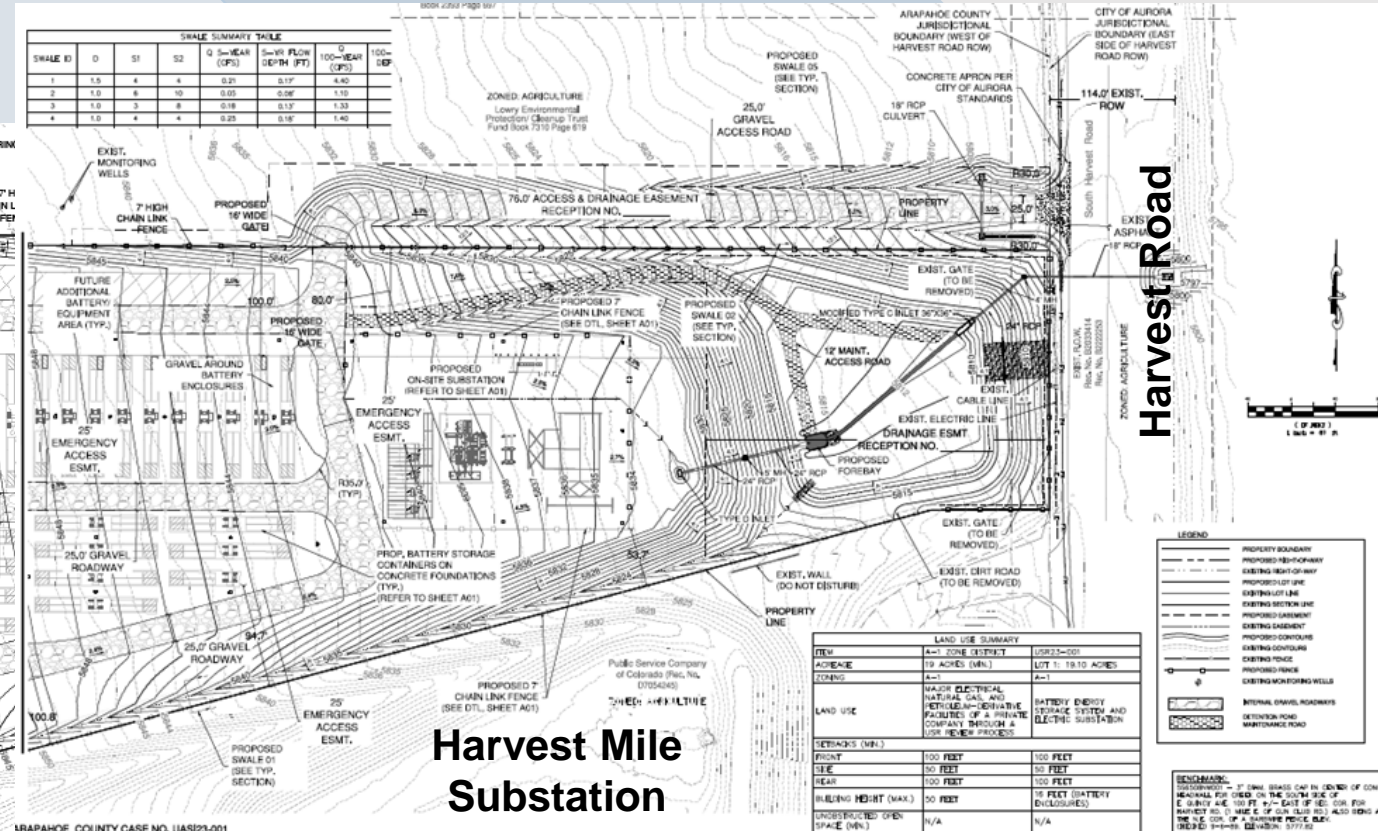
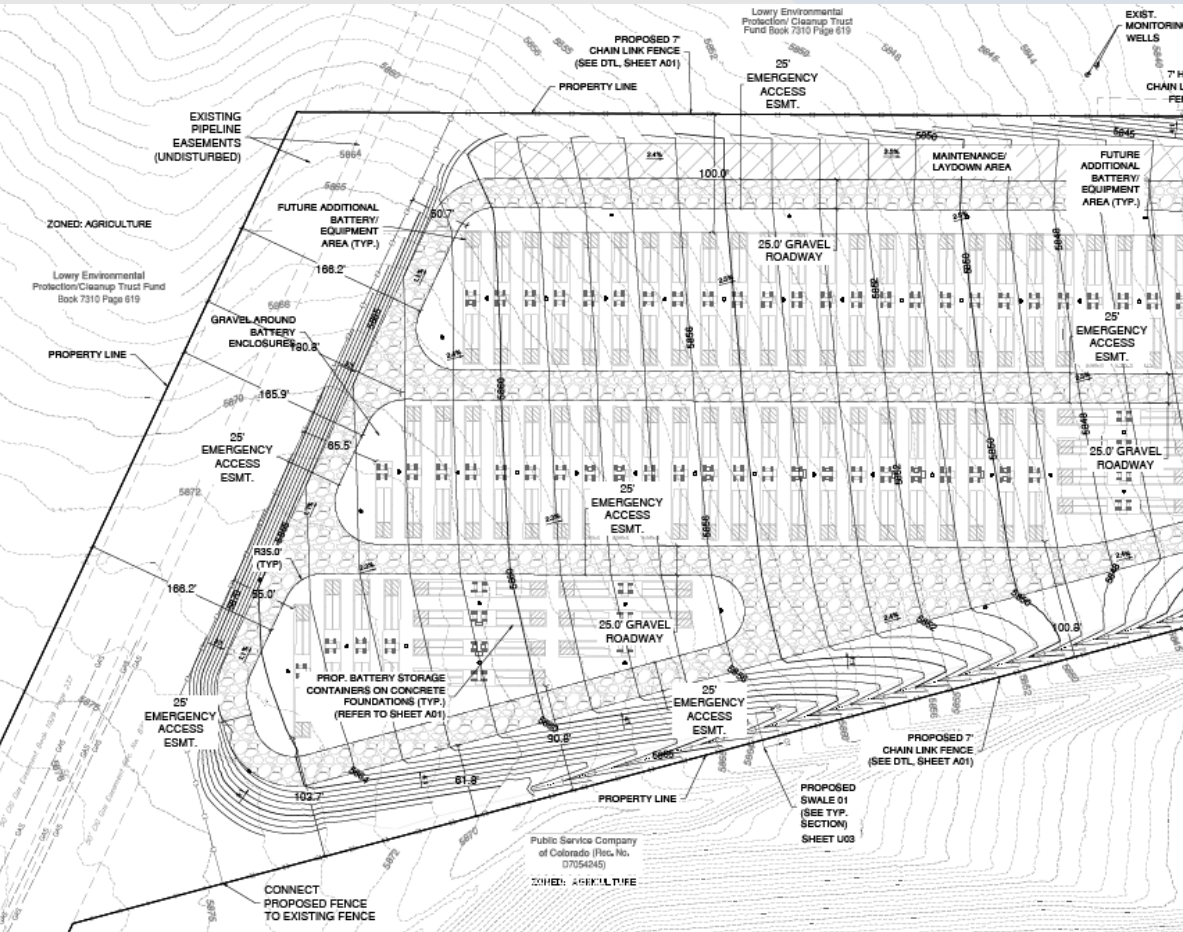
- Xcel Energy is proposing Harvest Mile Substation as an end point for the Colorado Power Pathway project.
- The Power Pathway project is to connect customers along the Front Range with renewable wind and solar power that is generated on the eastern plains.
- Locating the battery facility next to the Harvest Mile Substation enables this facility to support Xcel's project.
- Development Agreement is running concurrently with this application.
- Development Agreement – requesting a vesting period of 7 years.



Use by Special Review - Exhibit



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Harvest Mile Substation



Comprehensive Plan



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- Comprehensive Plan identifies the subject property as Lowry Trust Properties.
- Property is managed by the Lowry Trust and future development on the property is guided by the Lowry Trust Master Plan.
- The subject site is located in the Section 7 of this master plan.
- Lowry Trust Master Plan supports the subdivision of a 19.10-acre parcel and utility services.
- Battery storage facility is considered a utility service.



Comprehensive Plan-USR/1041



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- The proposed battery storage facility complies with the Comprehensive Plan as follows:

Policy NCR 6.2 – Encourage the Development and Use of Alternative Energy Sources

Strategy PFS 6.1(a) – Continue Collaboration with Utility Companies

Strategy PFS 6.1(c) – Provide Alternative Energy Access

Policy NCR 6.2 – Encourage the Development of Solar Energy Facilities

Policy EH 1.2 - Encourage Environmentally Friendly Businesses and Jobs in Arapahoe County

Strategy EH 1.2(b) Support Efforts to Attract Companies that Research or Provide Manufacturing Support for Alternative Energy Sources

Policy PFS 12.3 - Require Land Use Compatibility when Siting Local and Regional Utility Facilities



Referral and Public Comment



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- Referral comments received.
 - Sable Altura is working with the applicant to serve the facility.
 - Open Spaces had concerns about the views of the facility. Applicant and Open Spaces agreed to have landscaping on the fairground's property. Applicant to pay \$50,000 for the landscaping.
 - Colorado Parks and Wildlife - commented on raptor nesting in the area and burrowing owl studies to be done if disturbance is to occur between February/March through August.
 - No public comment received.



Neighborhood Meeting



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- Neighborhood Meeting – held on February 23, 2023, 1 attended.
- Public that did attend the meeting thought the facility would be an asset to the community.



Condition of Approval – Minor Subdivision



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1. Prior to the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. No permits shall be issued, grading or otherwise, until the applicant has conveyed all necessary right-of-way to the County free and clear of any encumbrances with the exception of the 50' gas easement, recordation no. B2144430, and the 50' gas easement recorded at book 1929, pg. 237, and recorded at B4064205.



Condition of Approval – USR/1041



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1. Prior to the signature of the final copy of these plans, the applicant must address Public Works and Development staff's comments and concerns.
2. Prior to the signature of the final copy of these plans, the applicant shall provide an avigation and hazard easement.
3. If site disturbance is to occur between February 15 and August 31, a nesting raptor study shall be conducted. If an active raptor nest is observed, appropriate buffers should be maintained until the young are no longer dependent on the nest. Contact the Colorado Parks and Wildlife (303) 291-7227 if raptors are present.
4. If there are prairie dogs present on the subject site when earthmoving occurs between March 15th and August 31st, a burrowing owl survey shall be conducted. Contact the Colorado Parks and Wildlife (303) 291-7227 if burrowing owls are present.
5. The Decommissioning Plan Agreement shall be signed and bonded before the issuance of a Certificate of Completion by the County. The Decommissioning Plan cost estimate shall be reviewed every five years by the Planning and Building Divisions commencing from the year of the issuance of the Certificate of Completion. This cost estimate shall be submitted by December 31st every five years.
6. The Minor Subdivision Plat shall be approved and recorded before the signing of the final copy of the Use by Special Review final plans.
7. The applicant shall make a one-time payment to the County of \$50,000.00 for the purchase and installation of landscaping for a buffer at the Arapahoe County Fairgrounds. This payment shall be made at the time of issuance of the first building permit for the installation of foundations or vertical improvements on the subject property. The amount of the one-time payment shall be adjusted upward for inflation annually following the date of approval of Case No. UASI23-001 – Front Range Energy Storage - Use by Special Review/1041, until paid by an amount equal to the annual cost of living increase from the Denver-Aurora-Lakewood consumer price index, cost of living.



Conclusion



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- Based on the findings in the staff reports, staff is recommending approval for the Minor Subdivision and USR with a 1041.

