

**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, JUNE 18, 2024**

<p>ATTENDANCE</p>	<p>A regular meeting of the Arapahoe County Planning Commission (PC) was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code.</p> <p>The following Planning Commission members were in attendance: Rodney Brockelman; Kathryn Latsis; Dave Mohrhaus, Chair Pro-Tem; Richard Sall; and Jamie Wollman.</p> <p>Also, present were Robert Hill, Senior Assistant County Attorney; Jason Reynolds, Planning Division Manager; Ava Pecherzewski, Development Review Planning Manager (moderator); Molly Orkild-Larson, Principal Planner; and Kim Lynch, Planning Technician.</p>
<p>CALL TO ORDER</p>	<p>Mr. Mohrhaus called the meeting to order at 6:30 p.m. and roll was called. The meeting was held in person and through the Granicus Live Manager platform with telephone call-in for staff members and public.</p>
<p>GENERAL BUSINESS ITEMS:</p>	
<p>APPROVAL OF THE MINUTES</p>	<p>The motion was made by Ms. Wollman and duly seconded by Mr. Brockelman to accept the minutes from the May 21, 2024, Planning Commission meeting, as submitted:</p> <p>The vote was:</p> <p>Mr. Brockelman, Yes; Ms. Latsis, Abstain; Mr. Miller, Absent; Mr. Mohrhaus, Yes; Ms. Sauve, Absent; Mr. Sall, Yes; Ms. Wollman, Yes.</p>
<p>PUBLIC HEARING ITEMS:</p>	
<p>ITEM 1</p>	<p>CASE NO SDPZ21-006, OAKESDALE SUBDIVISION / B7 L 2-18 / [TRAILSIDE TOWNHOMES] / SPECIFIC DEVELOPMENT PLAN WITH ZONING (SDPZ) – MOLLY ORKILD-LARSON, PRINCIPAL PLANNER; SUE LIU, ENGINEER– PUBLIC WORKS AND DEVELOPMENT (PWD)</p> <p>Mr. Mohrhaus asked the County Attorney if the PC had jurisdiction to proceed. Mr. Hill said that SDPZ21-006 had been properly noticed and the PC had jurisdiction to proceed.</p>

Ms. Orkild-Larson explained the applicant, Alpert Development, sought approval to rezone four parcels located at 2520, 2540, 2550, and 2576 S. Syracuse Way from RR-A to Planned Unit Development (PUD) to build a three-story townhome development with a proposed density of 19.35 dwelling units per acre. She added two of the four existing parcels contained single-family residences with garages. She added these properties were originally zoned A-2 in 1961, as single-family residential with agricultural activities as their primary uses and in 2018, this zone district's name changed to RR-A, Rural Residential A as part of the code's update. She explained, under the existing code, this zone district's primary use was single-family detached residential along with limited non-commercial agricultural uses (including small agricultural animals or fowl for the private use of the residents only). She reported, in 2005, the Four-Square Mile Sub-Area Plan was created and identified the land use category for these properties as Multi-Family, shifting the use of these properties from rural residential housing to higher-density residential. She declared this application would be processed through the two-step Planned Unit Development review process since it met the eligibility criteria regarding project location, property size, land use, density, and height. She added this application proposed redeveloping an infill property and included housing diversity by adding townhomes to an area with apartments, pedestrian connections, access to employment, and retail services that could be adequately served by utilities and services. She said the applicant was proposing a rain garden with grasses and perennials which would be more visually attractive to neighboring properties. She concluded that staff recommended approval of this application,

Mr. Brian Alpert, of Alpert Family Homes, demonstrated the dilapidated condition of the project property as it is now. He presented the proposed concept elevations of the 3-story townhome project and presented various other similar successful projects they had developed in the area.

There was discussion around the following questions:

- What would be the price range of the town homes?
- What was the square footage of the town homes?
- How would these fit in with the current community?
- What was the parking proposed for each unit?

Mr. Alpert affirmed the units would range from \$400,000 to \$550,000. He said they would range from 1100 – 1500 square feet. He described a single-family home neighborhood to one-side with high density 3 story condos and apartments to the other two sides of the proposed development. He stated the single-family neighborhood was newer and this development would be much newer than the condos and apartment communities. He concluded that each unit would have an attached

garage, with additional onsite guest parking and more on Cherokee Street.

Mr. Mohrhaus opened the hearing for public comments. There were 4 members of the public present, all of whom wished to speak about parking issues in the area. All were in favor of the application. There were no callers, The concerns voiced are summarized here:

- Parking problems due to unhoused auto businesses being conducted in the public right of way.
- Residents gave descriptions of engine swaps taking place on the sidewalks and under vehicles parked in the street resulting in traffic hazards, oil stains and other pollution degrading existing infrastructure.
- One resident reported witnessing the dumping of oil in the storm drain.

The public hearing was closed.

Ms. Orkild-Larson reminded those gathered that any pollution of storm drains should be reported to Southeast Metro Storm Water Authority (SEMSWA). Mr. Reynolds spoke about jurisdictional enforcement of zoning and outlined the difficulties faced by a county that was not allowed by state statute to require business license issuance to prevent these types of businesses from operating the public right of way.

The motion was made by Mr. Brockelman and duly seconded by Ms. Latsis, in the case of SDPZ21-006, Trailside Townhomes, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

- 1. Prior to the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.**
- 2. Prior to the signing of the Administrative Site Plan, the existing well on-site shall be either covered by a court-approved augmentation plan or plugged and abandoned.**
- 3. Prior to the signing of the Administrative Site Plan, all existing septic systems shall be abandoned and removed from the subject property.**
- 4. If the construction of the east retaining wall spread footer along the High Line Canal property impacts and encroaches on County property, the developer shall pay the County \$250.00 per linear foot for encroachment impacts to County property. Payment shall be made before any Building Permits are issued.**

	<p>The vote was:</p> <p>Mr. Brockelman, Yes; Ms. Latsis, Yes; Mr. Miller, Absent; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Absent; Ms. Wollman, Yes.</p>
<p>ITEM 2</p>	<p>CASE NO UASI23-002, SECRET STASH WELL CONNECT PROJECT / USE BY SPECIAL REVIEW (USR) WITH 1041 PERMIT (ASI) – CHRIS LARAMIE, ENERGY SPECIALIST; AVA PECHERZEWSKI, DEVELOPMENT REVIEW PLANNING MANAGER; SUE LIE, ENGINEER– PUBLIC WORKS AND DEVELOPMENT (PWD)</p> <p>Mr. Mohrhaus asked the County Attorney if the PC had jurisdiction to proceed. Mr. Hill said that UASI23-002 had been properly noticed and the PC had jurisdiction to proceed.</p> <p>Mr. Laramie introduced the applicant, Tenderfoot Pipeline Company, LLC, acting on behalf of the property owner, Colorado State Land Board. He said the owner proposed an amendment to the Tenderfoot Pipeline Project Use by Special Review (USR) Permit Application (Case No. UASI21-002) in accordance with Arapahoe County Land Development Code provisions for a Major Electrical, Natural Gas, and Petroleum-Derivative Facilities of a Private Company. He said this amendment sought to add the Secret Stash Well Connect Project to the existing permit without altering previously approved information. This proposal calls for the following:</p> <ul style="list-style-type: none"> • Natural Gas Pipeline: Installation of a 5.10-mile, 8-inch diameter pipeline from the Secret Stash Well Pad to the existing Tenderfoot Pipeline, to be operational by Q3 2024. • Oil Pipeline: Installation of a 6-inch diameter pipeline along the same route and timeline as the natural gas pipeline. • Water Pipeline: Application sought approval for an up to 8-inch diameter pipeline for fresh and produced water, to be installed later depending on infrastructure needs. This pipeline will support hydraulic fracturing and water disposal, reducing truck traffic and associated costs. <p>He described how the proposed project would impact 49.26 acres during construction, with minimal operational impacts and no changes to existing zoning. He explained measures would be taken to minimize impacts on sensitive wildlife, in consultation with Colorado Parks and Wildlife. Construction was scheduled to begin in Q3 2024 and last six to eight weeks.</p> <p>Mr. Laramie explained how the project would allow the transport of natural gas and oil from the proposed Secret Stash Well Pad to the existing Tenderfoot Pipeline Project. He stated if the natural gas and oil pipelines were not constructed, there would be no means of capturing and transporting the natural gas produced by the well. He declared</p>

natural gas was cleaner burning than many traditional fuel sources such as coal and was considered a “bridge” fuel between coal and renewable energy sources (e.g., wind and solar resources) that are currently unable to meet demand without supplementing other energy sources. He added the project would promote resource conservation by reducing the amount of gasoline or diesel used in transporting oil and water via truck (as compared to the use if the pipeline system was not built). He concluded that staff recommended approval of this application based on the review of applicable policies and goals set forth in the Comprehensive Plan, Lowry Range Subarea Plan, review of the USR and applicable 1041 regulations, and analysis of referral comments received. He presented the will serve letter from Bennett-Watkins.

Mr. Maxwell Blair, of Tenderfoot Pipeline a subsidiary of GMT Exploration, explained the origin of name of the new well Secret Stash was based on the name of a pizza place in Crested Butte. He further described the benefit of having a pipeline to create a natural gas development opportunity in addition to the hydraulic wells while limiting the emissions created by truck transport of resources pumped out of the wells served.

There was discussion around the following questions:

- What was the response to Open Spaces concerns about their access to a project that would cross the proposed pipeline?
- When would construction begin?
- How would Bennet Watkins concern about source of water for firefighting be addressed?
- Were there alarm systems in place for continuous measurement for leaks?

Mr. Blair responded that the project had taken the Open Spaces concerns into consideration and would work to ensure access to trail development as it occurred during project construction. He said if approved, construction of the project would begin in the 4th quarter of 2024 rather than the 3rd as originally planned. He addressed the fire safety measures outlined in the project and stated that Rattlesnake Fire District of Elbert County was closer to the site and the company had strong relationship this provider. He said the application stated the water lines to the project were for taking produced water to a disposal site, were not permanent and were not suitable for firefighting. He added there were water wells on the property that could be tapped in an emergency. He explained that in the event of a fire a shutdown system with pipe isolation was built in to stop the flow of hydrocarbons to starve the fire and it would eventually burn itself out with little chance of spreading. He added this project was routed on Land Board property and not on any privately owned acreage. He explained the drone and

LDAR technology that would be used to ensure the integrity of constructed pipeline.

Mr. Mohrhaus opened the hearing for public comments. There were no members of the public present or in the queue for callers. The public hearing was closed.

The motion was made by Ms. Wollman and duly seconded by Mr. Brockelman, In the case of UASI23-002, Secret Stash Well Connect Project Use by Special Review/1041, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the hearing and hereby move to recommend approval of this application based on the following conditions:

- 1. Prior to signature of the final copy of these plans, the applicant will address all Public Works' comments.**
- 2. The applicant shall comply with all applicable Colorado Department of Public Health and Environment rules and regulations for solid and hazardous waste, water quality and air quality.**
- 3. The applicant shall provide a copy of all required state and federal approved permits to the Planning Division prior to construction.**
- 4. The applicant shall notify the Crosswinds Radio Control Club prior to HDD activities via mail at least 1 week prior to the commencement of those activities and provide a copy of the notice to the County.**
- 5. The applicant shall notify the nearest residents within a quarter mile at least 1 week prior to the commencement of those activities and provide a copy of the notice to the County.**
- 6. The applicant shall conduct a burrowing owl survey prior to the mobilization of construction equipment if construction begins between late March and August 31.**
- 7. The applicant shall conduct a nesting raptor survey prior to the commencement of construction if construction begins between December 1 and July 31.**
- 8. The applicant shall construct the project outside of seasonal restrictions associated with High Priority Habitat, as designated by CPW.**
- 9. The applicant shall construct, maintain, and operate the pipeline in compliance with all applicable federal and state laws and regulations, including but not limited to: Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Transportation Security Administration, and Colorado Public Utility Commission.**
- 10. The applicant shall secure a will serve letter with Bennett-Watkins Fire District.**

	<p>The vote was:</p> <p>Mr. Brockelman, Yes; Ms. Latsis, Yes; Mr. Miller, Absent; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Absent; Ms. Wollman, Yes.</p>
ANNOUNCEMENTS	Ms. Orkild-Larson announced meeting July 2 nd would be held at the Lima Arapahoe Hearing room.
ADJOURNMENT	There being no further business to come before the Planning Commission, the meeting was adjourned.