Re-submittal Form

Case Name/ Number: VSP2019-00030

Case Manager: Holden Pederson

Re-submitted Items:

☐ Development Plan/ Site Plan
☐ Plat
☐ Parking/ Landscape Plan
☒ Engineering Documents
☐ Subdivision Improvements Agreement
☒ Other:

* All re-submittals must have this cover sheet and a cover letter addressing review comments.

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:
- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted: 11/27

Staff (accepting intake): Kevin Muse

Resubmittal Active: Addressing, Building Safety, Neighborhood Services, Environmental, Parks, Planner, ROW, SIA—Finance, SIA—Attorney
November 21, 2019

Holden Pederson
Community & Economic Development Department
Adams County Colorado
4430 S Adams County Pkwy
1St Floor, Suite W2000
Brighton, CO 80601

RE: Pecos Logistics Park Special Use Permit – Case Number VSP2019-00030

Mr. Pederson,

We have reviewed the Special Use Permit Comments dated 11/5/19 and provide the following response to the items.

Planner Review – Holden Pederson

PLN1: Applicant must describe the amount of fill material that is being requested for the initial 10-acre portion of the site. Chapter 4, Section 4-04-02-02-02 of the Adams County Development Standards and Regulations states that the maximum amount of fill material that can be approved by a Special Use Permit is 500,000 cubic yards.
Response: Approximately 103,000 CY of fill material is being requested for the initial phase.

PLN2: Applicant must describe the period of operation for the infill activity and specify the length that the permit is being requested for. Special Use Permits may only be issued for a maximum of 5 years.
Response: The permit is being requested for December 2019 through December 2022.

PLN3: Applicant must describe the height of the dirt stockpiles as well as any techniques that will be utilized to reduce fugitive dust as a result of the infill activities or any techniques that will be utilized to reduce the adverse impacts of the infill operation on the surrounding neighborhood.

a. The Board of Adjustment may include Conditions of Approval for the Special Use Permit in order to mitigate adverse impacts of the operation on the surrounding neighborhood.

b. Staff envisions impacts on the surrounding neighborhood if the trucks hauling the infill dirt are not covered or if the dirt stockpiles are not protected during windy conditions.

c. Tri-County Health Department addresses fugitive dust concerns through their external agency referral letter. Please reference the comment letter for more information or for control measures that may be necessary to minimize the amount of fugitive emissions from site activities including haul roads, stockpiles, and erosion.

d. In order to receive feedback from Tri-County Health Department and the Colorado Department of Public Health and Environment Air Pollution Control Division about proposed control measures, the applicant must provide a response to staff through the resubmittal that will be forwarded to Tri-County for a second round of external referral agency comments.
Response: Understood. The stockpiles will have a maximum height of 30ft. Trucks hauling infill dirt will be covered, stockpiles will be watered appropriately during windy conditions. Vehicle speed on all unpaved roads and disturbed areas shall not exceed a maximum of 15mph. Speed limit signs will be posted. No earthwork activities shall be performed when the wind speed exceeds 30mph. Gravel entryways shall be utilized to prevent mud and dirt carryout onto paved surfaces. Any mud and dirt carryout onto paved surfaces shall be cleaned daily.

PLN4: Xcel Energy has provided an external agency referral letter stating that there is conflict with the project. Xcel Energy “owns and operates an existing natural gas distribution main pipeline within an easement in the subject property – no earthwork operations can take place until these facilities have been deactivated and removed and/or relocated to a replacement easement.”
   a. Applicant must provide written confirmation from Xcel Energy that this issue has been resolved prior to scheduling a public hearing.
   b. Applicant can reach out directly to the reviewer, Donna George, to resolve the conflict or provide a response to staff through the resubmittal that will be forwarded to Xcel Energy for a second round of external referral agency comments.
Response: Xcel provided an amended response dated 11/7/19, refer to response below.

PLN5: A comment was received from the Adams County Fire Rescue that will likely be included by the Board of Adjustment as a Condition of Approval for the Special Use Permit: “During the inert fill operations, fire and emergency access needs to be maintained or provided to the site at all times.”
Response: Understood.

PLN6: Applicant should be advised that infill operations can begin once the Special Use Permit is approved by the Board of Adjustment and can continue until the expiration date attached to the Special Use Permit; however, this request will not impact the approval or denial of other land use applications that are currently under review by the Community and Economic Development Department. Those applications will require separate approvals from the Board of County Commissioners, while this inert fill request will be decided upon by the Board of Adjustment.
Response: Understood.

Development Engineering Review – Matt Emmens

ENG1: Fill cannot be placed or stockpiled in such a way as to change historic storm water drainage patterns. The applicant is required to submit a grading plan showing the location and grading of the stored fill.
Response: Grading plan provided with this submittal.

ENG2: The County needs to know the haul route(s) used by the trucks bringing in the fill. Include a map of the haul route(s) in the next submittal. The traffic impact study included with the original submittal is insufficient for this purpose.
Response: Haul routes provided with this submittal.

Environmental Analyst Review – Katie Keefe
ENV1: Applicant provided soils testing results under permit TVM2019-00021 that sufficiently demonstrated source fill material is inert (clean).
Response: Proof of Clean Material provided with this submittal.

Adams County Fire Rescue - Whitney Even

1. During the inert fill operations, fire and emergency access needs to be maintained or provided to the site at all time
   Response: Understood, access will always be maintained.

2. Building and site demolition shall be in accordance with Chapter 33 of the 2018 International Fire Code. This can be accessed for free at https://codes.iccsafe.org/content/IFC2018/CHAPTER-33-FIRE-SAFETY-DURING-CONSTRUCTION-AND-DEMOLITION.
   Response: The project will comply.

3. Please be aware that site development and utility plans must be electronically submitted to us, reviewed, and approved before site development begins. A meeting was held last year in October, however we always encourage additional meetings to ensure all fire code requirements will be met.
   Response: Appropriate plans will be submitted and permitted prior to site development.

Department of Public Health & Environment – Sean Hackett

The property appears to be within, or near, the Adams County Flammable Gas Overlay area, so may be required to evaluate methane presence, and if required, mitigation. Adams County or Tri-County Health Department (TCHD) would make that determination. If mitigation plans are required, HWWMD would review mitigation plans, along with TCHD.
Response: A flammable gas investigation was performed, and a report was submitted to TCHD on August 20, 2019 which demonstrated that a flammable gas risk is not present on the site. Warren Brown with TCHD provided a "No Further Action" letter with regard to our Flammable Gas Investigation Plan on August 28, 2019.

Tri-County Health Department – Kathy Boyer

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease. The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions, including fugitive dust. Control measures may be necessary to minimize the amount of fugitive emissions from site activities including haul roads, stockpiles, and erosion. The applicant shall contact the APCD, at (303) 692-3100 for more information. Additional information is available at https://www.colorado.gov/pacific/cdphe/categories/services-and-information/environment/air-quality/air-emissions-business-and-industry
Response: Understood, see response to PLN3.

Xcel Energy – Donna George
Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Pecos Logistics Park Inert Fill**. Please be aware PSCo owns and operates existing electric distribution facilities within the proposed project area. Bear in mind that per the National Electric Safety Code, a minimum 10-foot radial clearance must be maintained at all times from all overhead electric facilities including, but not limited to, construction activities.

*Response: Understood.*

PSCo owns and operates an existing natural gas distribution main pipeline within an easement in the subject property, and requests that this PSCo easement that was recorded on July 1, 1959 in Adams County at Rec. No. 58576 Book 786 Page 562 is shown and labeled on the plans.

*Response: The gas pipeline will be shown and labeled on plans.*

Best Regards,

Israel Carreón, E1, Project Engineer II
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Mortenson
Begin stockpiling/filling to grade here (1) in order to maintain flow line, continuing to lowest area (5)

Initial Phase Outline