

PLANNING COMMISSION

Commerce City Planning Commission
June 4, 2013

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CU-102-13 (Conditional Use Permit for an underground crude oil pipeline): Ms. Stevens introduced the case and asked that the record reflect that the file contained the relevant notice and publication information.

Lisha Burnett, representing Suncor Energy, introduced the Suncor team. Mr. Randy Lowry reviewed the applicant's presentation of the subject request. Mr. Workman reviewed the staff report and presentation. He stated that the Development Review Team determined the request met the approval criteria. Therefore, the DRT recommended that the Planning Commission forward the Conditional Use Permit request to the City Council with a favorable recommendation for both Request A and Request B.

Chairman McFarlin opened the hearing to the public.

Testimony from the public:

Mr. Juhl, 12290 Levi Circle, Henderson, CO 80604

Mr. Juhl stated that he did not receive notification for the public hearing at his current address in Henderson, CO. However, a notification was mailed to the attention of a deceased relative with an incorrect address. Mr. Juhl voiced his concern with the easements and the adverse effect they may have on his future property development. He was also concerned with the proximity of the pipeline construction to former landfill sites.

In response, Staff informed Mr. Juhl that the City uses address records from the Adams County Assessor for adjacent property notifications. The easement negotiations between the property owner and Suncor are pursuant to the State Statute and do not fall under the Commission's review for the recommendation of the requests. Mr. Lowry stated that Suncor is aware of the former landfill areas and will take the necessary safety measures for construction in these areas.

There being no further inquiries from the public, the public hearing was closed.

DISCUSSION ON THE VOTE:

The Commission asked what precautions would be taken when constructing in landfill areas. In response, Mr. Lowry explained that a similar scenario took place in Cheyenne, Wyoming where third party personnel were hired onsite to monitor construction as well as complete soil testing.

At the Commission's request, Ms. Stevens reviewed the Approval Criteria for a Conditional Use Permit. There being no further discussion, a motion was requested.

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Motion For Request A:

Commissioner Robertson made the following motion “I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Conditional Use Permit for the requested alignment as described in the “Background Information” section of this staff report contained in case CU-102-13 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit for the new 16-inch pipeline.” Commissioner Jones seconded the motion.

McFarlin	Yes	
Jones	Yes	
Cammack	Yes	
Dreiling	Yes	
Robertson	Yes	5 Yes

Motion passed.

Motion For Request B:

Commissioner Jones made the following motion “I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Conditional Use Permit for the requested alignment as described in the “Background Information” section of this staff report contained in case CU-102-13 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit for the re-route of the existing 10-inch pipeline. Commissioner Cammack seconded the motion.

McFarlin	Yes	
Jones	Yes	
Cammack	Yes	
Dreiling	Yes	
Robertson	Yes	5 Yes

Motion passed.