



AGENDA - Revised
WOODLAND PARK PLANNING COMMISSION
Thursday, January 23, 2025, 6:30 P.M.
Council Chambers – 220 W. South Avenue
Rescheduled from January 9, 2023

Zoom link from the calendar at the bottom of the front page of the City website (www.city-woodlandpark.org).

- 1. CALL TO ORDER & ROLL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ELECTION OF OFFICERS – CHAIR, VICE-CHAIR**
- 4. APPROVE MINUTES:** December 12, 2024
- 5. WORK SESSION**
 - A. Code Review Project – Review & Discussion**
- 6. REPORTS**
- 7. ADJOURN**

For more information, please contact the Planning Department 719.687.5202

WOODLAND PARK PLANNING COMMISSION

MEETING MINUTES for December 12, 2024

Council Chambers, 220 W. South Avenue, Woodland Park

This meeting was a hybrid meeting with in-person and virtual attendance. The Zoom meeting link is in the calendar on the City website front page. Public input is very important to the Planning Commission. Comments were encouraged in writing in advance of the meeting to be submitted by mail to the Planning Department at PO Box 9007, Woodland Park, CO, 80866 or email to kschminke@city-woodlandpark.org.

1. CALL TO ORDER & ROLL:

Chair Hartsfield called the meeting to order at 6:30 p.m.

Present	Chair Ken Hartsfield
Absent	Vice Chair Lee Brown
Present	Commissioner Don Dezellem
Present	Commissioner Jarrod Newcom
Present	Commissioner Kenneth Kennedy (via Zoom)
Present	Commissioner Larry Larsen
Present	Commissioner Don Hoying
Absent	Commissioner Koal Middleton
Staff Present:	Senior Planner CJ Gates
	Planning Director Karen Schminke
	Permit Technician Amy Wolin (via Zoom)

Quorum requirements are satisfied.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC HEARING

- A. A24-0146:** Consider a Flood Hazard Development Permit (FHDP) requested by Andrew Pankopp of Atlas Technical Consultants (applicant) for environmental remediation cleanup of a fuel spill on land owned by the City of Woodland Park, legally described as Lot 7 Woodland Park Plaza, which is located along Fountain Creek west of 1017 A-B East US 24, and southeast of the intersection of Laura Lane and Rosemont Road, in the Planned Unit Development (PUD) zone.

Senior Planner Gates gave an overview of the Code that outlines the Flood Hazard Development Permit (FHDP) Review Process; Title 20, the definition of “development,” and Section 20.05.020 E. He then presented some background information: On May 16, 2023, a fuel tanker truck overturned at Gold Hills south, immediately northwest of 717 Gold Hill Place (Sherwin Williams). Approximately 2100 gallons of red-dye diesel were released onto an asphalt surface and into the storm drain system, flowing above and below ground. The diesel then travelled about one-mile, entering the storm drain system in Fountain Creek. The fuel was contained in a City-owned area west of AutoZone/south of the Trail Ridge Apartments with berms, sandbags, and polyurethane sheeting. The contractor also placed a hydrophobic boom and absorbent pads in multiple spots. The majority of the diesel was collected by skimming followed by de-watering at this location. Due to the emergency situation associated with the fuel spill, the work has already been performed. The FDHP is presented to PC to meet all requirements by FEMA and City Code. No other excavation activities are planned for further remediation, but ongoing monitoring of the sediments to evaluate their conditions will occur. The application was referred to all required internal departments. The City’s on-call engineer’s response letter supports the FDHP approval. No public comments were received.

Staff finds this proposal in compliance with City Codes for the following reasons: Section 20.04.020.C is met; this application complies with City requirements; there appear to be no negative impact to drainage channel; and a no-rise certification was stamped by professional engineer.

Staff recommends that Planning Commission approve the FDHP requested by Andrew Pankopp of Atlas Technical Consultants (applicant) for environmental remediation cleanup of a fuel spill on land owned by the City of Woodland Park, legally described as Lot 7 Woodland Park Plaza, which is located along Fountain Creek west of 1017 A-B East US 24, and southeast of the intersection of Laura Lane and Rosemont Road, in the Planned Unit Development (PUD) zone. Subject to one condition:

1. Prior to any future land disturbing activities located within the floodplain a FHDP must be issued by the City of Woodland Park.

Chair Hartsfield explained the meeting procedure.

Andrew Pankopp, of Atlas Technical Consultants, introduced himself as representing the applicant. He thanked the Planning Commission for reviewing this application, explaining that this retroactive application is atypical because it was an emergency situation. The completed work includes: excavation of soils, hazardous material removal, and testing by GEI to confirm no more organics in the soil for the one-mile stretch. The work that still needs to be performed is in the erosion control plans, including permanent seeding, stabilization, some stones & riprap replacement, and possibly replacing a section of fence. The no-rise report notes that through these excavation activities the channel was disturbed and replaced to match the existing conditions. Based on these changes to the site, there have been no detrimental changes to the flood plain, flood ways, or any of the adjacent properties.

Scott Kahler confirmed via Zoom that Mr. Pankopp's description was complete.

Planning Commission confirmed that soils and site meet the metrics for being restored. The Acorn fuel truck company is responsible for financials; the City is not financially responsible. They clarified with Mr. Kahler that because this was an emergency situation, the work was authorized through the Dedicated Emergency Response Authority (DERA). The Army Corps of Engineers issued a Nationwide Permit-38, which specifically deals with this type of petroleum cleanups, authorizing Atlas Technical Consultants to work under their authority. Ultimately Section 404 (Clean Water Act) must be followed for the erosion control. The work began almost immediately after the spill, thus the non-traditional permit process. Once the spill happened, TC Environmental Response Team and Army Corps of Engineers responded with mitigation; a containment berm was established, all of the hydrophobic absorption mats were installed in this location to contain the diesel.

Chair Hartsfield opened and closed the public hearing with no comments, thus there was no rebuttal.

Planning Commission further discussed that this is the final approval of the FHDP, this case does not go to City Council. The swift response and containment is a testament to the Teller County Environmental Response Team. While the Planning Commission is finally reviewing the scope of work in this FDHP, any additional work would be presented to the Planning Commission

before it begins. Staff was comfortable with the erosion control plan and the Army Corps of Engineer permits. The FHDP is active as long as there is activity, but the nationwide permit from Army Corps goes through 2026, and can be extended. According to the testing by GEI, the remediation is complete; only finish work is left. The applicant estimated that the project may be finished in about 45 more days, plus establishing vegetation.

MOTION: Commissioner Hoying motioned, and Commissioner Newcom seconded, to approve a Flood Hazard Development Permit (FHDP) requested by Andrew Pankopp of Atlas Technical Consultants (applicant) for environmental remediation cleanup of a fuel spill on land owned by the City of Woodland Park, legally described as Lot 7 Woodland Park Plaza, which is located along Fountain Creek west of 1017 A-B East US 24, and southeast of the intersection of Laura Lane and Rosemont Road, in the Planned Unit Development (PUD) zone, with the condition:

1. Prior to any future land disturbing activities located within the floodplain a FHDP must be issued by the City of Woodland Park.

With no additional discussion, the Chair called for the vote:

YES: Newcom, Kennedy, Larsen, Hoying, Dezellem, Hartsfield.

NO: None.

Motion carries 6-0.

4. WORK SESSION

A. Code Review Project—Review & Discussion CANCELED

5. **REPORTS:** Planning Director Schminke thanked the Planning Commission for their continued work on the Code update. The Code update will be the focus of the next meeting on January 9, 2025 (since the December 26, 2024 meeting is canceled). Also, the State is considering legislation around healing centers for medical mushrooms. The City is a home rule city, which can thus regulate or prohibit these centers, but City Council has yet to provide direction and will likely conduct a work session on this topic. All Planning Commission reappointments will be made by City Council on January 2, 2025, which begins at 6:30 p.m.
6. **ADJOURN:** The meeting was adjourned at 7:01p.m.

Approved this _____ day of _____, 2024 by

Ken Hartsfield, Chair