



## REGULAR PLANNING COMMISSION MEETING

Tuesday April 25, 2017

Prior to Planning Commission Meeting:  
Planning Workshop 6:00 p.m.

Chair Fuller called the Regular Planning Meeting to order at 7:02 p.m.

Chair Fuller led the Planning Commission and audience in the Pledge of Allegiance.

### **MEMBERS PRESENT AT ROLL CALL**

**Fuller, Strode, Pettinger, Caldwell, Marantino, Rogers, Villasenor and Steffen**

Commissioner Marantino moved to **EXCUSE** Commissioner Barnett from the April 26, 2017 meeting  
Commissioner Rogers seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Fuller, Strode, Pettinger, Caldwell, Marantino, Rogers and Villasenor**

### **OTHERS PRESENT**

Planning Director Nathan Lindquist, Planning Administrative Assistant Charlotte Squires, City Attorney Jim Neu and Jeff Conklin, Ch. 10 Salvador Tovar-Guzman, Al Scholz, Marsha Weigum, Kris Weigum, Amanda Bingman, Halene Burklow

### **APPROVAL OF MINUTES**

Commissioner Rogers moved to **APPROVE** minutes from the February 28, 2017 meeting with changes to page 3 under motion made for Text Amendment to remove Strode and Caldwell for they were not in attendance and moved to **APPROVE** minutes from the March 25, 2017 meeting. Commissioner Marantino seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Fuller, Strode, Pettinger, Caldwell, Marantino, Rogers and Villasenor**

### **ADDITIONS TO OR DELETIONS FROM THE AGENDA**

None

### **PUBLIC MEETING OPENED: 7:06 P.M. CONDITIONAL USE PERMIT 2017-4, 925 E. 17<sup>th</sup> STREET**

Sworn in applicant – Al Scholtz

Confirmed Public Notice was met

### **PURPOSE**

Applicant requests approval of a Conditional Use Permit to allow a 45 foot Ham Radio Tower

### **APPLICANT PRESENTATION**

Mr. Scholz explained due to being disabled due to chronic pain from back injury and home most of the time he has enjoyed talking with people on the radio. With the current antenna frequency has a lot of interference.

### **STAFF REPORT**

Planning Director Nathan Lindquist explained Mr. Scholz did a great job explaining the process and need for the antenna. Nathan continued going over the code requires a Conditional Use Permit under Section 16-3-350(C):

*Height of structures. Any structures that is not a building, such as industrial air exhaust, structures of communication towers, may exceed the maximum permitted building height in any zone district upon approval of a conditional use application.*

Planning Commission may approve, approve with conditions, or deny the application

### **PUBLIC COMMENT OPENED**

Amanda Bingman was sworn in. Ms. Bingman shared she lives right next door, in the middle unit of the triplex and has concerns of the site of the tower and the effect it might have when she goes to sell her unit. Another concern was this is his 3<sup>rd</sup> plan and what if he decides this does not work and needs something different or needs to add on to the antenna.

Mr. Scholz shared he spoke to the neighbor, Ms. Bingman and understood she did not care if the antenna went up or not.

City Attorney Jim Neu explained the conditional use permit is for the visual of the tower at hand, it would be for the owner now or owners in the future and the Planning Commission to decide visual impact.

Commissioner Rogers asked if the other towers had conditional use permits.

Planning Director Nathan Lindquist replied yes, they all have gone through the process regarding the height.

### **PUBLIC COMMENT CLOSED**

### **COMMISSION QUESTIONS AND COMMENTS**

Commissioner Rogers asked about painting the tower to match the skyline and to confirm the old antenna tower would be removed when the new towers is erected.

Mr. Scholz explained he was planning on painting the antenna a light blue and yes the old antenna will be removed when with the new tower is in place.

Commissioner Marantino asked if there is any noise associated with the tower-batteries.

Mr. Scholz replied there is no noise with the system.

Commissioner Steffen asked about guide wires to stable the tower

Mr. Scholz replied there are none and he will install as the instructions per the kit.

City Attorney Jeff Conklin reminded the commissioners they have the right to add conditions when they approve as is or approve with conditions or deny the project.

### **PUBLIC HEARING: CLOSED 7:35 P.M.**

### **COMMISSION DISCUSSION**

Commissioners discussed among themselves regarding the color and guide wires.

### **Motion Made:**

Commissioner Rogers moved to **APPROVE** CUP 2014 925 E. 17<sup>th</sup> Street with the following condition(s); 1) Paint antenna to match the sky line color. 2) Current antenna is to be removed. 3) Must be a standalone – no guide wires allowed. Commissioner Pettinger seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Strode, Pettinger, Caldwell, Rogers and Villasenor  
No- Fuller, Marantino**

**PUBLIC MEETING OPENED: 7:06 P.M. CONDITIONAL USE PERMIT 2017-6, 1397 FIRETHORN DRIVE**

Sworn in applicant – Marsha & Christopher Weigum

Confirmed Public Notice was met

**PURPOSE**

Applicant requests approval for a group child care center to have 12 children.

**APPLICANT PRESENTATION**

Ms. Weigum explained she has a daycare and would like to expand to 12 children, currently has 10 children.

Mr. Weigum explained this would allow for him to be the additional staff needed.

**STAFF REPORT**

Planning Director Nathan Lindquist went over the Staff Report and Recommendations.

**COMMISSION QUESTIONS AND COMMENTS**

Commissioner Strode asked how long they were licensed with the State

Ms. Weigum replied since August of 2016.

Commissioner Villasenor asked about the time for drop off and pick up and location.

Ms. Weigum replied the children are dropped off and picked up at different times and there have not been any issues of blocking the neighbor driveways, there is an extra space in the drive way at their home for a car to park too.

Commissioner Marantino asked if the neighbors are okay with the increase.

Mr. Weigum replied he visited with some neighbors and they had no problems or concerns.

Planning Director Nathan Lindquist shared that the City of Rifle Building Inspector did a walk through and passed inspection.

**PUBLIC COMMENT OPENED**

None

**PUBLIC COMMENT CLOSED**

Chair Fuller asked the applicant to address the citizens' concerns.

**PUBLIC HEARING: CLOSED 7:45 P.M.**

**COMMISSION DISCUSSION**

**Motion Made:**

Commissioner Marantino moved to approve CUP 2016-1 with the following recommendations: 1) The Conditional Use Permit is valid for the number of children permitted by State and County licensing, up to a maximum of 12 children. 2) The Conditional Use Permit shall only be valid in conjunction with a valid license from the appropriate authorities and conformance with all building code and fire code standards. 3) Once a Conditional Use is established, any discontinuance of the use for a period of one (1) year, for any reason, shall result in automatic expiration of the Conditional Use Permit. Commissioner Barnett seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Pettinger, Fuller, Marantino, Strode, Caldwell, and Barnett**

**ELECTION FOR CHAIR AND VICE CHAIR**

Ballots were handed out to each Commissioner to select choice for Chair and Vice Chair - Ballots was counted up by Charlotte Squires, Planning Administrative and Jim Neu, City Attorney. There was six (6) for Commissioner Fuller and one (1) for Commissioner Rogers to be Chair and six (6) for Commissioner Strode for Vice Chair and one (1) for Marantino. Commissioner Fuller and Commissioner Strode was asked if they would accept the positions, they both said yes.

Commissioner Rogers moved to **ELECT** Commissioner Fuller as Chair and Commissioner Strode as Vice Chair Commissioner Villasenor seconded the motion. The motion **CARRIED** with the following vote:

**ROLL CALL: Yes- Fuller, Strode, Pettinger, Caldwell, Marantino, Rogers and Villasenor**

**PLANNING COMMISSION ITEMS**

Shared the downtown clean up with end of April and first of May along with the creek trail clean up.

**STAFF ITEMS**

Comprehensive Plan Workshop that will be held May 10, 2017 at City Hall.

**REGULAR MEETING ADJOURNMENT**

The meeting was adjourned at 8:10 p.m.

**COMMISSIONERS CONTINUED WITH WORKSHOP**

From 8:15 p.m. to 9:00 p.m.

\_\_\_\_\_  
Steve Fuller, Chairman

\_\_\_\_\_  
Date

SIGNATURE ON FILE

Charlotte Squires, Planning Administrative Assistant

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Date