

**Town of Timnath
Planning Commission
Regular Meeting Minutes
May 13, 2008
7:00 p.m.**

1. Call to Order

Chairman Wright called the meeting to order at **7:02 p.m.**

a. Roll Call

Chairman	Raymond Wright	Y
Commissioner	Carl Elliott	Y
Commissioner	Russ Miller	N
Commissioner	Dick Weiderspon	Y
Commissioner	Cody Speaker	Y
Alt. Commissioner	Susie Saunders	Y

Community Development Coordinator Linda Griess, Community Development Director Linda Martin, Town Planner Karen Bryant, Town Manager Becky Davidson, Town Attorney Gerald Dahl

2. Amendments to Agenda

- a.** There was one amendment to the Agenda Item **d. Discussion: Quasi-judicial ex-parte contacts.**

3. Consent Agenda: Minutes

- a.** Minutes: April 22, 2008

Commissioner Dick Weiderspon made a motion to approve Minutes from the April 22, 2008, meeting. Commissioner Cody Speaker seconded the motion. Minutes were approved unanimously by voice vote.

4. Business & Discussion Items

a. Discussion/Possible Motion: Wild Wing Landscape Plan

Town Planner Karen Bryant addressed the Commissioners with the Wild Wing Landscape Plan, the Landscape Plan has been reviewed by both the Town Planner and Town Engineer for compliance with all applicable Town of Timnath Codes, with the exception of two (2) items:

The two (2) items that are not in compliance are:

1. The number and spacing of trees along the internal streets and in the open space and park areas. The applicant has requested and received a waiver from these requirements due to the intent of the development to be prairie like in nature and the significant amount of planting requirements that are required on the single family lots by the covenants and design guidelines of the Subdivision.
2. Larimer County Road 1 does not show any landscaping due to issues with placement of the utilities. The applicant has agreed to add a clause to the Subdivision Improvement Agreement that will require the landscaping along this roadway occur to meet the applicable code standards when Larimer County Road 1 is paved and the sidewalk along CR 1 is installed.

The Final Landscape Plan for Wildwing Subdivision is consistent with the approved of the Final Plat for Filing #1.

All referral agency comments have been answered satisfactorily.

Chairman Wright asked for a motion on the **Wild Wing Subdivision approving the Final Landscape Plan with the condition that a clause be added to the Subdivision Improvement Agreement that will require the landscaping along this roadway occur to meet the applicable code standards when Larimer County Road 1 is paved and the sidewalk along CR 1 is installed.** Commissioner Speaker made the motion. Commissioner Saunders seconded the motion. The motion passed unanimously by voice vote.

b. Discussion/Resolution: Mountain Range Storage Annexation Resolution

Community Development Manager Linda Martin addressed the Commissioners on the Annexation for Mountain Range Storage. The annexation is approximately 4.4 acres, located west of 3721 South County Road 5. They would like to zone the property I-2. The requested zoning would allow the applicant to construct a state of the art self-storage facility. The facility would include some climate controlled units and outside storage for boats and RVs. It is recommended that allowed uses be limited to the planned self-storage facility use and at such time as the use is discontinued, the zoning will revert to B zoning as is currently defined in the Timnath Land Use Code.

The property located directly adjacent to Main Street, which is currently within the Town Limits, will remain zoned as B and will be utilized according to the existing B zoning.

Applicant has met all submittal requirements for annexation and zoning. Additional site planning will be required of the applicant should the annexation and zoning be approved.

Developer Jim Weber presented a power point presentation to the Commissioners on the proposed Mountain Range Storage project.

Community Director Linda Martin updated commissioners with 4 letters of support of the project from residents.

Attorney Gerald Dahl explained to the Commissioners the quasi-judicial ex-parte and how it pertains to this project.

c. Public Hearing/Possible Motion: Mountain Range Storage Initial Zoning

Chairman Wright Opens Public Hearing at 7:42PM

Developers Presentation to the Public and Commissioners – Jim Weber presented a power point presentation to the Commissioners explaining the project and how it will affect the Town.

Staff Presentation – Linda Martin, Community Development Director presented to the Commissioners the Mountain Range Storage Initial Zoning proposal.

Public Comments (Please limit to three minutes each)

Diane Fusaro asked the question concerning Raymond Wright serving on both the Planning Commission and the Town Council and if this was not a conflict and if it should be considered a quasi judicial issue. She feels it is not right that Ray Wright will have the ability to vote twice. Attorney Dahl will ask Ray if he has had information on this project during the Town Council. Ms.

Fusaro is strongly opposed to the current 4.4 acre annexation proposal which includes the rezoning to I-2. She also handed out typewritten pages of all her concerns, these notes will be submitted into the record (packet).

Marjolean Vandegraaf, also express that she is opposed to the project and zoning to Industrial in a residential area.

John Fusaro would like to see some of the old town mom and pop type stores return to Timnath. If this project is approved then the downtown project does not need to be continued.

Denise Fischer, read from the Comprehensive Plan and is opposed to the project. She stated information from page 46 of the Comp Plan. She feels this project is not consistent with the Comp Plan. Down Town Core project should be given special considerations according to Comp Plan page 38. She also expressed her concern for the residents of Fair View Village and the School which are on both sides of the Storage area. The extra traffic does not fit in this small residential area. She has heard and researched that these types of Storage Units invite crime and are not safe. The style of the storage units do not fit into the Historical neighborhood.

Denton Slovacek, neighbor adjacent to the property on the west side. Concerned about the irrigation ditch behind the area, who will maintain this ditch and water, drainage must go east away from the houses, what about the noise, lights, partying on the sight from 6:00-9:00pm? What happens when the storage units are sold? What are the plans on the north side, what type of landscaping can be expected? How will this project affect his property value and zoning?

David Hartley, neighbor to the south of the project, inquired about the south fence and how will it be landscaped? He was not in favor of Boats and RV's being stored there. He also inquired whether the landscape was going to provide coverage so they are not able to be seen? Mr. Hartley questioned the zoning change from residential to Industrial and whether there would be an entrance from Fairview Village estates.

Joe Halenbeck, is not in agreement with the zoning to Industrial, he feels Council should reconsider this project.

Brian Leagjeld, he is a direct neighbor to this project and is very concerned about his property value and does not want to see the value decrease because of the Industrial zoning.

Robert Scrivener, he is questioning if there is a shortage of zoning. Could the developers not find another place in Timnath that is already zoned Industrial? He feels strongly that there should not be industrial in a residential area.

Kate Winreech, is totally opposed this project.

Pauline Henn, is very opposed to this project and does not understand why this project is being brought to the commissioners since it is in violation to the Comp Plan.

Planning Commissioners Questions and Comments

Commissioner Saunders appreciated the comments from the public. She is also opposed to this project.

Commissioner Elliott asked is there going to be landscaping on the south side. What will the Parking lot be like, mostly gravel?

Commissioner Speaker is opposed to the project; he thanked the developers for coming.

Commissioner Weiderspon had no comment.

Additional Public Comments (Please limit to three minutes each) – no additional comments

Chairman Wright Closes Public Hearing at **8:20PM**

Chairman Wright thanked everyone for there comments and feels that the majority of the residents present are opposed to this project.

Developer Jim Weber wanted to express that Storage Units of this type has very low crime rate.

Commissioner Carl Elliott made a motion to deny the project. Commissioner Speaker seconded. Vote was unanimous not to proceed with this project.

d. Discussion: Quasi-judicial ex-parte

Attorney Gerald Dahl addressed the Planning Commissioners on quasi-judicial actions and explained the legal ramifications of such actions.

5. Reports

a. Community Development Director:

Downtown Core Visioning Project - Britina: There has been one meeting held on the downtown core project. There is a web site that residents can visit to see what is going on with this project the website is: www.britina.com/timnath

b. Town Planner

Swift Ponds is located 1 mile south of Cty Rd. 36 and west of Cty Rd 5. Colorado Youth Outdoors is proposing an outdoor recreational area, which will include a shooting range. Town of Timnath is being asked for a referral from the County. Commissioners would like to have the Colorado Youth Outdoors group give a presentation, Planner Bryant will see if she can schedule something.

c. Current Projects:

1. Timnath South/Ranch: Club House and Pool
2. Serratoga Falls: 2nd Phase Filing
3. Riverbend Project: Annexation, Initial Zoning and Sketch Plan

Adjournment

a. Commissioner Weiderspon moved to adjourn the meeting. Commissioner Speaker seconded the motion. The motion passed unanimously by voice vote. Chairman Wright adjourned the meeting at **8:57 p.m.**

**TOWN OF TIMNATH
PLANNING COMMISSION**


Raymond Wright, Chairman

ATTEST:


Linda Griess, Community Development Coordinator