



## REGULAR PLANNING COMMISSION MEETING

Tuesday, January 31, 2017

Prior to Planning Commission Meeting:

Planning Workshop 6:00 p.m.

Chair Fuller called the Regular Planning Meeting to order at 7:00 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, Barnett, Rogers, Villasenor and Steffen**

### **OTHERS PRESENT**

Planning Director Nathan Lindquist, Planning Administrative Assistant Charlotte Squires, City Attorney Jeff Conklin, Ch 10 Michael Churchill, Don Porter, Paul Swan, Cole Wright, Robert Main, Tim Blackham, Sharalee Rew, Frank Breece, Frank Romero, Del Whittington, and Michael Langhorne

### **APPROVAL OF MINUTES**

Commissioner Caldwell moved to **APPROVE** August 31, 2016 Regular Planning Commission Meeting Minutes. Commissioner Marantino seconded the motion. The motion **CARRIED** with the following vote:

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

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

**None**

### **PUBLIC MEETING OPENED: 7:07 P.M. CONDITIONAL USE PERMIT 2017-2, 1400 ACCESS ROAD**

The Chair called applicant(s) and swore in Sharalee Rew and Frank Breece

Confirmed Public Notice was met

### **PURPOSE**

Applicant requests approval of a Conditional Use Permit for the installation of a crematory at their 1140 Access Road location in West Rifle. The property is zoned Tourist Commercial (TC). Crematories are a conditional use in this zone district.

### **APPLICANT PRESENTATION**

Frank Breece explained there were 113 cremations, 5500 miles driving to Glenwood Springs and back, to add a crematory to the current facility will be very beneficial to the locals. With three (3) funeral homes, Glenwood Springs, Rifle and Grand Junction this would help expedite the process and put closure for loved ones.

Sharalee Rew explained the crematory will only be operational during regular business hours Monday thru Friday, there will be no cremations done during the weekends.

### **STAFF REPORT**

Planning Director Nathan Lindquist explained the property is zoned Tourist Commercial (TC) and requires a condition use permit to operate a crematory in the TC zone district. This will be located in the existing garage in the southwest part of the building.

**PUBLIC COMMENT OPENED**

Dale Whittington after being sworn in explained he has the property west of the funeral home and was concerned about the odor. Dale explained he was told that with other crematories you knew when the crematory was in use due to the odor. Dale also asked how high out from the roof will the pipe be extended.

Mr. Breece explained with the new crematories no odor come out and the system is under EPA regulations. For the pipe it depends on the size of unit.

Planning Director Nathan Lindquist explained he called the City of Glenwood Springs and they shared there were no complaints from the crematory there.

Ms. Rew shared she has never noticed smoke coming out of the pipe at the Glenwood facility when it is in use.

**COMMISSIONERS QUESTIONS AND COMMENTS**

Commissioner Pettinger asked how often State inspections are done.

Mr. Breece explained they are done at random. The State could show up one or more times and unexpected each time.

Chair Fuller asked the size of the crematory.

Mr. Breece explained the one they are looking at is 10X4 inside; the temp is around 1700 degrees and is a gas unit.

Commissioner Strode asked if there is any associated sound to be heard outside the garage.

Mr. Breece explained there is sound from the pressure of the burn; there is no sound that can be heard outside the garage area.

**PUBLIC COMMENT CLOSED**

**COMMISSION DISCUSSION**

Commissioners were all in agreement to add noise to the recommendation with order and debris.

**Motion Made:**

Commissioner Marantino moved to **APPROVE** CUP 2017-2 with the following condition(s); 1) Odor, debris or noise shall not be noticeable outside of the building. Commissioner Barnett seconded the motion. The motion **CARRIED** with the following vote:

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

**PUBLIC MEETING OPENED: 7:15 P.M. CONDITIONAL USE PERMIT 2017-1, QUESTAR PIPELINE**

The Chair called applicant(s) and swore in Cole Wright

Confirmed Public Notice was met

**PURPOSE**

Applicant requests approval of a conditional use permit for impacts associated with the replacement of 9,425 feet of 14' pipeline through several North Rifle neighborhoods. See Attachment.

**APPLICANT PRESENTATION**

Cole Wright explained this is phase two (2) of a five (5) year phase to replace the Questar Pipeline. Phase one was done last year replacing the line through the county from Divide Creek by Cottonwood Springs Mobile Home Park. The pipeline was originally built in 1965. The replacement will be like for like fourteen inch (14”) for

fourteen inch (14") line, the current pipe is safe and the replacement is being done for integrity and safety. With the housing built around the pipeline this is considered a high consequence area and there is nine thousand (9,500) feet of pipe to be replaced.

Cole explained the pipeline goes from the water tower located above Deerfield Park to the gun range. The gap under Highway 13 was replaced in the late 90's. Questar has asked for a new Right of Way (ROW) from the City to relocate in two (2) areas to have a minimal impact on traffic and local residents. The project will start up around May 15, 2017 to Aug 2017 and cleanup will be in September of 2017. Traffic control plan and updates through a web page with the City of Rifle and door to door notification will take place to help with impacts. The plan is to keep traffic flowing much as possible by using steel plates and working multiple ways to enter properties. There will be a Spanish speaking person on site at all times to help with language barriers

Cole went on to explain the pipeline under Grand Tunnel Ditch will be removed and the other pipeline will be abandoned in place.

### **STAFF REPORT**

Planning Director Nathan Lindquist thanked Cole, Tim and their staff working on the project for their efforts and hard work to bring this to the public hearing in a timely manner and the footwork working with the residents.

Nathan went over the Staff Report and highlighted on the following areas:

"It is an unusual situation for an entity other than the City of Rifle to be in charge of such a large infrastructure project within existing neighborhoods. **Therefore, it is important for residents and property owners to know that Questar and their contractor are the main point of contact for work on private property.** Residents and private property owners should be aware of their individual agreement with Questar, and with Federal Energy Regulatory Commission regulations and procedures that may pertain to their situation. Questar has indicated their intent to work closely with property owners regarding mitigation of construction impacts, and the City expects this to continue throughout the project".

Nathan went through each of the Recommendations one by one to see if there were any questions or additions to be made. Condition four (4) "The City of Rifle expects that Questar will reasonably work with private landowners on reclamation and timing of work as Questar has stated and FERC regulations require, and make reasonable efforts to save mature vegetation".

Commissioner Rogers asked about replacing the vegetation being taken out.

Mr. Wright explained Questar has rules and stipulations what can be located in the ROW and will work with the City and residents to replace the vegetation with the correct vegetation, and will replace the sod of residents and material removed from the ROW.

Nathan went through the findings and emphasized on the following findings:

#3 "The replacement of the pipeline is desirable given the improvement in safety for the neighborhoods in question" and #4 "The regulations of the Federal Energy Regulatory Commission (FERC) are in place to guard against adverse environmental effects.

### **PUBLIC COMMENT OPENED**

None

### **COMMISSION QUESTIONS AND COMMENTS**

Commissioner Marantino asked if any gas services would be interrupted.

Mr. Wright replied the line does not provide any services.

Chair Fuller asked how long before the line will need to be replaced again.

Mr. Wright explained we got 50 plus years, the old line is still in good condition and it has been 50 years, this replacement is for safety.

Commissioner Strode asked if the property owners knew about the ROW for the gas pipeline when they bought the property.

Tim Blackham was sworn in and replied when the property is purchased it goes through a title search and the ROW will show up at that time for any property that the ROW effects.

Commissioner Strode asked if easements have been made.

Mr. Blackham replied working with property owners and the City currently to obtain new ROW and stating areas needed.

Commissioner Strode asked the reason to do an open ditch over boring.

Mr. Wright replied boring is costly and can create other complications. The open cut is preferred and best economically.

Commissioner Strode asked if there is any warranty for the repair to the road and sidewalks they will be tearing up.

Planning Director Nathan replied he would follow up with City Engineer Rick about the regulations for repair work.

Commissioner Strode asked why abandon and not remove all the non-working pipelines.

Mr. Wright explained it is safer to leave in the ground and fill with nitrogen, to remove the pipe the coating will be disturbed, the process is to burrito wrapping the pipe dispose per environmentally regulations. The new line is advanced and is environmentally safe and should last longer.

Commissioner Barnett asked about the construction regarding Government Creek and Rifle Creek.

Robert Main was sworn in and explained Government Creek will be bored under and Rifle Creek will be open cut. Pipe will be brought in and covert the water during the construction of replacing the pipe.

City Attorney Jeff Conklin replied one of the conditions is for Questar is to work with the Army Corps of Engineers regarding all wetlands.

Commissioner Strode asked if pictures and videos were being taken of the properties.

Mr. Wright replied lots of pictures will be taken.

### **PUBLIC COMMENT CLOSED**

### **COMMISSION DISCUSSION**

Commissioner Strode shared we don't have much say if it goes in and shared his concern of the vegetation regarding Rifle Creek.

Planning Director Nathan replied he will let City Engineer Rick know the concern and look into it.

Chair fuller asked the applicant about the vegetation replacement regarding Rifle Creek.

Mr. Blackard replied they work close with the Army Corps of Engineers which is mandatory in all wet lands, the vegetation will be addressed.

### **Motion Made:**

Commissioner Caldwell moved to **APPROVE** CUP 2016-1 with the following conditions:

1. All work within City of Rifle Right-Of-Way and the City Parks property shall be completed following the standards of the City of Rifle Public Works Manual, Federal Energy Regulatory Commission regulations,

and construction “best practices” as identified by the City of Rifle. All impacted areas shall be, at minimum, returned to their former condition. General standards to be met include:

- a. Minor concrete work adjacent to the proposed alignment, such as valley pans and curb aprons at intersections, shall be completed as part of the project as identified by the Public Works Director.
  - b. Replace all impacted irrigation equipment and vegetation in disturbed park areas. Provide alternate watering methods during construction to maintain vegetation while the irrigation system is out. City Parks staff will provide Questar with information regarding the City’s preferred seed mix for native grass replacement near Rifle Creek Trail.
  - c. Questar will apply for a ROW permit and post a bond as required, with the City as beneficiary.
  - d. At the end of construction Questar will provide City GIS with as-builts of the new line and the abandoned line.
  - e. A pre-construction meeting shall be scheduled with the contractor, City, Fire District and other relevant agencies before any work commences.
2. City Staff shall recommend that City Council grant an expanded ROW for Questar’s preferred “Option A” pipeline alignment. In return Questar shall agree to, at a future time of the City’s choosing and in coordination with the City’s contractor and construction schedule, remove the abandoned pipeline at certain critical locations to be identified by the City. An agreement will be created and presented to City Council. Questar will prepare a survey of the new ROW and provide it to the City to include with the ROW agreement.
  3. The old gas pipeline shall be abandoned, end-capped, and filled according to federal standards. As the old pipeline will remain within the Questar right-of-way, Questar shall retain all responsibility for the abandoned pipeline. This includes future work on, or removal of, the abandoned pipeline. Federal regulations require that Questar select properly licensed contractors to do any work on the abandoned pipeline due to hazards within the material of the pipeline.
  4. The City of Rifle expects that Questar will reasonably work with private landowners on reclamation and timing of work as Questar has stated and FERC regulations require, and make reasonable efforts to save mature vegetation.
  5. Questar/selected contractor shall provide a Communication Plan for review and approval by the City by March 1<sup>st</sup>. The plan shall include, at a minimum, the designation of a point person for the public and the City to communicate with, communication methods such as message boards, Nixel, notices in the paper of the entire project with estimated dates of construction of the various phases and then monthly updates with maps and timelines. A schedule of timing and location of work shall be included. Door hangers shall be placed on all affected residences a month before the beginning of construction.
  6. Traffic control, pedestrian safety and circulation plan. Selected contractor shall submit a traffic control plan by March 1<sup>st</sup>. All road closures shall be confirmed with the Public Works, the Police Department, and the Fire District prior to commencement of closure. Selected contractor/Questar shall communicate with the RE-2 School District regarding safety measures for pedestrians and submit a plan that considers destinations such as parks, timing of when school lets out, pedestrian routes, and pedestrian flaggers at key intersections or sidewalks.
  7. The contractor of the pipeline shall apply for a Hot Work permit from the Fire District for this project due to the welding on the pipeline. Contractor obtaining this permit will need to follow Fire Safety Requirements outlined in chapter 26 of the IFC, 2003 Edition.
  8. Questar and contractor shall coordinate appropriately with the Corps of Engineers regarding Rifle Creek, the Grand Tunnel Ditch Company, CDOT regarding Hwy 13, and all other relevant utility companies and

service providers. Contractor shall “pothole” utilities ahead of time if needed, so as to work with utility company schedules.

9. All staging areas shall be identified prior to construction. For the identified staging area at 24<sup>th</sup> Street and Hwy 13 (Valley Lumber property), curb cuts and site improvements shall be completed per City requirements so as to allow safe and dust-free conditions during construction. Improvements shall not be made so as to encourage a permanent storage land use on the site. Conditions regarding curb cuts shall be included in the ROW permit.

Commissioner Strode seconded the motion. The motion **CARRIED** with the following vote:

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

## **PUBLIC MEETING OPENED: 7:15 P.M. MAP AMENDMENT 2017-1 AND TEXT AMENDMENT 2017-1 GATEWAY REZONING**

City Project

### **PURPOSE**

The City of Rifle requests a rezoning of four parcels in the Central Business District, rezoning the area from the “2<sup>nd</sup> Street mixed –Use Neighborhood” to the “River Gateway Neighborhood”. The current uses of the properties include three gas stations and one vacant parcel.

### **STAFF REPORT**

Planning Director Nathan Lindquist went over the Staff Report and explained the Rifle Reginal Economic Development Corporation has worked with the City and property owners to demonstrate that the properties to be rezoned do not conform to the current zoning.

Nathan explained the zoning “The properties are located on the north side of Centennial Parkway (former Highway 6). They are attractive for redevelopment given their high visibility. However, the high-traffic volumes on Centennial Parkway discourage the “Main Street” style of development that is intended by the “2<sup>nd</sup> Street Mixed-Use Neighborhood” zoning standards. The “River Gateway Neighborhood” zoning standards are more appropriate for this area as they allow more flexibility while maintaining standards for high quality and walkable development. Sidewalks, street trees, and attractive building facades are still required.

The “River Gateway Neighborhood” zoning district is currently made up of the south side of Centennial Parkway, as seen on this neighborhood map of the downtown. This rezoning proposal would result in both sides of the gateway area of Centennial Parkway sharing the same zoning standards”.

Nathan went on to share the rezoning/text would allow more flexibility on the building orientation on the site, the following will be the text changes

- Building coverage of lot: “25% minimum” to “none”
- Building setback from Centennial Parkway: “10-foot maximum” to “none”
- Indoor Maintenance Services: “discouraged” to “prohibited”
- Group Child Care Center: “conditional” to “discouraged”
- Drive-in Sales and Service, Incidental to On-Site Principal Land Use: “discouraged” to “conditional”

Nathan recommends that Planning Commission Approve the Map Amendment and Text Amendment Gateway Rezoning.

### **COMMISSION QUESTIONS AND COMMENTS**

Commissioner Caldwell asked what type of business would this invite into the area

Michael Langhorne was sworn in and replied the business would be a strip center, single restaurant, retail, or something that does not have on street parking. Example: as the zoning is now it would require two restaurants and parking on the street on one of the parcels; the new zoning would allow one restaurant and parking provided on site. Centennial Parkway does not allow street parking, and the corridor plan is sidewalk and streetscape for the corridor into the City of Rifle.

Michael went on to explain Kum-N-Go does not currently meet the zoning of 2<sup>nd</sup> Street Mixed-Use Neighborhood but does meet the zoning of River Gateway Neighborhood. This is just doing some clean up.

Planning Director Nathan added the ideal project would be taken out the two (2) gas stations and enters off West Avenue. This will be up to the Planning Commission when an application comes in for review.

Nathan explained it makes sense to talk about and take action now not when development is happening.

Commissioner Strode asked if the property owners/developers see this as a negative.

Mr. Langhorne replied with the corrections to the zoning it makes it less restrictive.

**PUBLIC COMMENT OPENED**

None

**PUBLIC COMMENT CLOSED**

**COMMISSION DISCUSSION**

Commissioners questioned the text regarding the text amendment.

Nathan explained it was the bullet points in the Staff Report.

**Motion Made:**

Commissioner Rogers moved to recommend to City Council to **APPROVE** Map Amendment 2017-1 and Text Amendment 2017-1 Gateway Rezoning allowing Staff to submit the text amendments per Staff Report to City Council for Approval. Commissioner Pettinger seconded the motion. The motion **CARRIED** with the following vote:

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

**COMMENTS AND ADJOURNMENT**

None

**ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

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

\_\_\_\_\_  
Date

SIGNATURE ON FILE

\_\_\_\_\_  
Charlotte Squires, Planning Administrative Assistant

\_\_\_\_\_  
Date