

Cleared for Takeoff?

Airport developer has momentum and money, but owners aren't going down without a fight

By Dave Curtis

For the past three years, the eventual demise of the Fort Collins Airport, an aged and well-worn runway and terminal just north of Mulberry and Timberline roads, has been all but assured. The late Clair McMillen, who was majority shareholder on the airport's board of directors, agreed to sell the land to a Denver developer in 2004, much to the chagrin of local pilots and aviation businesses that didn't want to relocate to the Loveland/Fort Collins Municipal Airport.

McMillen died in a fiery airplane crash in April 2005, but the controversy of the impending closure has lived on.

In fact, its taken on a life of its own as uncertainty of the airport's future continues to be played out between aviation stakeholders who want the facility to continue flying high and the developer who wants it grounded for good.

Those who are working to keep the airport open had a moment of elation last week, however brief, when rumors circulated that the developer, Lloyd Goff, wouldn't be able to muster the finances to make his development project a reality. The CAA granted Goff an extension on his June 13 deadline to close on his options for the airport land.

The aviator's hopes the Goff would miss the new deadline crashed and burned, however, when the deal was sealed late Thursday, June 22.

In an email to the *Weekly* sent Friday night, June 23, Goff confirmed that his plans were moving forward.

"We closed on the airport option on Thursday", he wrote. "We will now work on laying out a development plan for city processing."

The news is only the latest development in what has been a three-year debate over the airport's future and it certainly won't be the last. In fact, Goff's statement comes not as the final word, but rather as a question mark, ensuring further struggles from both sides of the runway.

"I'm still pretty skeptical of the situation... right now I've got more questions," says James Chrisman, president of Poudre Aviation, an aircraft rental and maintenance business. "You've got to take each step as you get it. Some steps are forward and some are back."

Chuck Vessey, owner of CD Fasteners - a business next to the Downtown Airport - is also skeptical of Goff's plans going forward.

“This guy doesn’t look to me to have much of a success rate,” he says. “Nobody’s ever told me of anything this guy’s succeeded at.”

Vessey believes the property is already serving the right purpose... the airport is surrounded by a less-than dazzling business atmosphere that’s incongruous with the sort of high-end mixed business uses that Goff proposes. An airport, however modest, fits right in with the industrial park ambiance.

“This deal about putting in a tech center is pure folly,” says Vessey, “Between a trailer park and an industrial park is not a good place for something. It doesn’t have good access, you’ve got no way of getting people there. I don’t know, I graduated from college in real estate and finance and I know better than that.”

Vessey’s brother Steve, who uses the airport to fly a Mooney executive for his personal use and a Cessna 152 that he leases through Poudre Aviation, is crushed by what he says will be a blow to the Fort Collins community should the airport close.

“The only thing I can say is that if it actually did sell, I am just sick,” he says. “The people who did this to all the people of Fort Collins should be ashamed of themselves. It’s nothing more than greed. They don’t care about people; they just care about their own pocketbook.”

“I’m trying to put my daughter through college with my airplane investment,” he continues, “and if they shut it don’t I don’t know what I’ll do.”

To the Vesseys the airport is an investment in all of Fort Collins.

“Our dad was one of the founders of the airport, it was meant to be a gift to the people of Fort Collins - a gift for perpetuity,” he says. We didn’t buy it to make money; we bought it to give back to the community. If we could have the airport forever we would just give up the stock - just turn it in.”

Some share a similar opinion of the Downtown Airport’s influence on the city, and consider its potential redevelopment a blow whose full impact has not been realized or even properly considered by the citizens of Fort Collins.

“for us it’s a huge loss. It’s a huge loss for the city of Fort Collins,” says Kelly Rizley, president of the Downtown Pilot’s Association, and the Save the Airport Association. “It’s a loss of an airport that down the road, I bet the city of Fort Collins wished they had not let close.

For Rizley and others working to save the airport, a study conducted three years ago by the Colorado Department of Transportation highlights just how important the Downtown Airport was to Fort Collins.

The study analyzed the economic impact from airports from all around the state. One of the much debated figures arising from the report concerns the number of jobs that will be lost when the airport is sold. The report sets that figure at 240.

But according to Susanne Durkin-Schindler, a spokeswoman for Goff, that figure is way off the mark.

“We found out by talking to the person who actually put the report together that they included positions like the guy that refuels the gas tank, who is not actually an employee of the airport,” She says.

Durkin-Schindler says that a percentage of employees at motels that benefit from people who fly in to the airport and need a place to stay are also included in the number of jobs created by the airport.

“Since 2002, Durkin-Schindler says, “things have changed for the worse. For example... Loren Maxey (vice-president of the CAA) said that they would be lucky if the airport generated 23 general aviation and operation activities per day.

“It’s not very busy,” she says.

But according to Rizley, the airport is “busy as ever” and the last three weeks have shown a surge in traffic.

Regardless of what the actual economic impact of the airport might be - or might have been - one thing is certain, redevelopment of the airport property does not mean existing jobs and property investments will be lost.

For Rizley, the closing and redevelopment of the Downtown Airport will mean he will lose not only his \$18,000 investment in a hanger for his airplane, but the airplane itself, and possibly his aviation lifestyle.

“Dadgum, that hurts,” he says, “We’ve been working on this for three years trying to find alternatives and had new people to invest in it and doing anything we could to save it. For me, aviation has just closed its door on me.”

“It’s like giving up a part of your soul.”

When the idea of selling the airport was first heard, much of the debate centered on *why*. Clair McMillen, the airport’s vocal and unreserved majority stockholder at the time, was more than willing to offer his reasons. In his view, he was single-handedly financing the airport’s operations and he characterized the aviation business that use the runway as little more than freeloading bums.

“The attitude that it’s a public use airport and that it would be free to everybody,” McMillen said in an interview with the *Weekly* in 2004. “Some users have not lived up to

agreements to finance this airport. They constantly reneged on paying agreed-to commercial use fees. There's been a lack of cooperation from these people.

Most aviation businesses disputed his opinion, but nevertheless the airport proved to be stubbornly unprofitable for McMillen and his fellow stockholders. The property tax alone was \$30,000 and that, in conjunction with the already adverse climate between McMillen and some of the business owners at the airport, bolstered his decision to sell the airport.

His decision to sell the property to Goff filled the air with controversy and bad feeling that linger today. If anything, the lines between the two camps have only been reinforced in the years that followed, with airport proponents now threatening legal action in spite of last week's announcement that the development will go forward.

"It ain't over 'til the fat lady sings," Chuck Vessey says. "Not by a long shot. I'm sure there are people who purchased access permits and people who are going to try this in courts. I don't know if he's (Goff) aware of all the problems he has."

"It's gonna be exciting, that's all I can say."

Many business owners are closed-mouthed concerning the exact details of various court disputes that might arise. But what is revealed is complex and mysterious enough to pique the interest of any aspiring Grisham.

The focal point of possible litigation against Goff and his associates may well concern a parcel of land known as Tract D, a taxiway that runs parallel with the runway and concerns many business that line it.

"If they, in fact, did close, there are some issues with Tract D, and access rights. My understanding is that there could be lawsuits regarding that," says Chrisman, the president of Poudre Aviation.

John Pernicka, owner of Pernicka Corp., and one of the most vocal of the business owners surrounding the tract contends that Tract D is legally the property of those businesses, and as such, can not be sold in conjunction with the rest of the airport.

"I'm a former Fort Collins Community Airpark Association (CAA) board member, and if we just look at history, the position that the airport always took toward Tract D is that it was a part of the Fort Collins industrial-park common area," Pernicka says. "And also, it was part of the land used to access the airpark, and as such all of the Fort Collins industrial-park owners were responsible for maintaining that part of the land."

It would be akin to a golf course selling plots of land to the neighboring community and then trying to redevelop the course without asking those landowners.

For Goff, the issue is moot - what use would the taxiway be without an airport funneling traffic into it? Tract D's importance should be drastically reduced if the airport is redeveloped and the runway no longer exists.

Still, there are some business-owners who are interested in having the taxiway remain just as it is, if only so they might continue business as usual to some degree.

According to Larry Will, project manager for Vintage Aircraft, Ltd.. Tract D is land that his business can utilize to remain open, if only for a limited time. As it is, if Tract D is built on, Will's business might have no way to move airplanes in and out.

"What we're going to have to do is sue for this property out behind the hanger," he says.

But according to Goff, the land is owned outright by CAA and is therefore subject to the sale.

"It's a long, complicated story," he says, "It's been before a judge who issued a tolling and forbearance agreement... It denied them (the business owners) any ownership but allowed them their easement. If they were to go back to court and win, they would earn the right to use it as a taxiway but wouldn't have any ownership.

"It's a dead issue to us," he continues, "It's not going to be developed - we're going to make a flight path from it for the helicopter people. We agreed with the City Council that we would turn it into a flight path."

But the issue is not dead to business owners like Pernicka and Chuck Vessey who prefer to go down swinging. In fact, Pernicka says that the document that is said to concede ownership of Tract D to the CAA is forged.

"I don't know where he comes with that story," Goff says, "It's just a deed that he doesn't agree with."

Another avenue of possible litigation involves access rights to the runway that were allegedly sold to the airport businesses. And there is also concern regarding a noise ordinance violation that surrounding developments might experience due to helicopter traffic through the area.

Regardless of future challenges to Goff's plans, perhaps the only certainty is that they're moving forward, however hard fought they may be at every step of the way. The land has already been annexed and zoned for a mixed-use community by City Council. As determined as airport proponents are to save their runway and terminal, Goff is equally determined to see it converted into a state-of-the-art mixed-use facility that, he says, will not only be a showcase for the city's eastern gateway, but which will result in new jobs.

And Goff is incredulous as to how anyone could continue to fight the inevitable.

“I don’t see how they can keep putting out the energy they’re putting out and not getting anywhere,” he says.