

**CITY OF LOVELAND**  
**PLANNING COMMISSION MINUTES**  
**September 23, 2013**

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A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on September 23, 2013 at 6:30 p.m. Members present: Chairman Meyers; and Commissioners Middleton, Massaro, Molloy, Dowding, Krenning, and Prior. Members absent: Commissioners Crescibene and Ray. City Staff present: Bob Paulsen, Current Planning Manager; Judy Schmidt, Deputy City Attorney.

*These minutes are a general summary of the meeting. For more detailed information, audio and videotapes of the meeting are available for review in the Community Services office.*

**CITIZEN REPORTS**

There were no citizen reports.

**STAFF MATTERS**

1. **Mr. Bob Paulsen, Current Planning Manager**, shared that there are items on the Planning Commission Meeting agenda for the remainder of the year. He added that at the last Title 18 Committee meeting, the Concept Review process was discussed. He recommended that the Planning Commission hold a study session later this year to review the Concept Review meeting process. This can be done during a regular scheduled Planning Commission meeting.

**COMMITTEE REPORTS**

**Commissioner Rob Molloy** stated that he also felt there was a good discussion regarding the Concept Review process at the last Title 18 meeting.

**COMMISSIONER COMMENTS**

**Commissioner Troy Krenning** questioned what process an established business impacted by the recent flooding in Loveland would have to follow should they make the decision to make repairs in order to reopen. **Mr. Paulsen** responded that the owners of the affected building would have the option to rebuild within their same footprint, inside a period of one year, through the building permit process. **Mr. Krenning** asked if they would have to bring their buildings up to code given the fact that building codes have changed dramatically since some of the businesses were established in the late 1960's and 1970's. **Mr. Paulsen** explained that from a Planning perspective, as long as their plans remained the same in the site design, Planning would not be implementing new standards. He stated that if a business was non-conforming, they could remain non-conforming when reopening.

**Commissioner Massaro** applauded the City's response to the devastating floods that hit Loveland over the past week. He stated the volunteers and city staff did an outstanding job.

**Chair Meyers** stated that during the Title 18 Committee meeting, there was discussion on how to expedite the building process for those impacted by the flooding. He made a commitment that the Planning Commission would do everything possible to ensure an accelerated process for anyone trying to rebuild.

**Ms. Judy Schmidt**, Deputy City Attorney, clarified that city code provides any business with a non-conforming use wishing to rebuild after the flood, can do so if they begin work within six months and complete the work by eighteen months. Any extension to this timeframe would require an act of Council because it is set forth in the Municipal Code.

**Mr. Krenning** congratulated **Mr. Kevin Gingery, Stormwater Engineer**, for his excellent work on a project he did several years ago regarding storm water predictions on the north and west side of town. His work and planning helped mitigate the damage in the city flood zone.

### **APPROVAL OF THE MINUTES**

**Chair Meyers** asked if there were any corrections needed in the September 9, 2013 meeting minutes. Needing no amendments, **Commissioner Middleton** moved to approve the minutes. Upon a second by **Commissioner Dowding**, the meeting minutes were approved unanimously.

### **CONSENT AGENDA**

The consent agenda includes items for which no discussion is anticipated. However, any Commissioner, staff member or citizen may request removal of an item from the consent agenda for discussion. Items removed from the consent agenda will be heard at the beginning of the regular agenda.

Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption by the Planning Commission and acceptance by the Applicant of the staff recommendation for those items.

#### **1. Artspace Project-Vacation of Public ROW**

This is a public hearing to consider a request for vacating public right-of-way within the Loveland Addition. The right-of-way to be vacated includes an L-shaped alley that connects to the south side of W 3<sup>rd</sup> Street and terminates on the west side of the Feed & Grain Building. The subject portion of right-of-way will need to continue to provide public access and does include existing utilities. A public access and utility easement will need to be retained in conjunction with vacation.

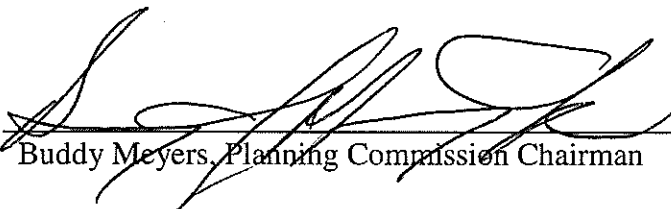
#### **2. Amendment to Chapter 7.18 of the Municipal Code regarding Weed Control**

**Mr. Middleton** made a motion to move item number two (2) on the regular agenda, Amendment to Chapter 7.18 of the Municipal code regarding weed control, to the consent agenda. Upon a second from **Mr. Krenning**, the motion was unanimously approved and the item was moved from the regular agenda to the consent agenda.

**Mr. Middleton** made a motion to approve the consent agenda. Upon a second from **Ms. Dowding** items one (1), and two (2), on the consent agenda were unanimously approved.

### **ADJOURNMENT**

**Commissioner Middleton** made a motion to adjourn. Upon a second by **Commissioner Dowding**, the motion was unanimously adopted and the meeting was adjourned.

Approved by:   
Buddy Meyers, Planning Commission Chairman

  
Kimber Kreutzer, Planning Commission Secretary