

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
May 12, 2014

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on May 12, 2014 at 6:30 p.m. Members present: Chair Meyers; and Commissioners Middleton, Molloy, Dowding, Crescibene, and Jersvig. Members absent: Forrest, Prior, and Ray. City Staff present: Bob Paulsen, Current Planning Manager; Sharon Citino, Assistant 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**, welcomed **Commissioner Jersvig** as the new member of the Planning Commission.

He indicated that a red-lined version of the Board and Commissions Handbook will be emailed to the commissioners.

He reminded the commission that there will be no meeting on Memorial Day.

Chair Meyers mentioned that he will be out of town for the June 9th meeting.

2. **Karl Barton, Senior Planner**, gave an update on the Comprehensive Plan. It is now branded: *Create Loveland*. Workshops will be held on June 10th and 11th at Bill Reed Middle School from 4-8 pm. Only one date needs to be attended; they are not sequential. There is no need to RSVP.

There will be a series of stakeholder meetings in July or August that will be comprised of about 15-20 people who represent different segments of the community. The five evening meetings will be about two hours each. The meetings will run policies and goals by the stakeholders and develop buy in. Since the Comp. Plan will be brought to the Planning Commission frequently, he would like two members to be a part of the Stakeholder Committee. It was established, upon a drawing of names, that the two commissioners would be **Commissioner Dowding** and **Vice-Chair Crescibene**, with **Commissioner Jersvig** as the alternate.

COMMITTEE REPORTS

Title 18 meeting: Mr. Paulsen stated the last meeting was April 17th with discussion regarding the Site Development Plan amendment. The next meeting is May 22nd at 7:30am in the Current Planning Conference Room.

COMMISSIONER COMMENTS

Commissioner Dowding commented on the April issue of The Magazine of the American Planning Association page 60: Communicating in an Electronic Age. She is concerned about making decisions in emails, such as canceling a meeting, what is the policy? This question was referred to **Ms. Citino, Assistant City Attorney**, she will look into it and let the commission know the open meetings requirements.

APPROVAL OF THE MINUTES

Commissioner Dowding made a motion to approve the March 24, 2014 meeting minutes; upon a second from **Commissioner Molloy**, the minutes were approved with 5 ayes and one abstention.

REGULAR AGENDA

1. Jayhawker Addition Annexation

This is a public hearing item on a legislative and a quasi-judicial matter, continued from March 10, 2014. The City of Loveland is requesting an indefinite postponement of the review of the annexation and zoning applications for the 33-acre area located along the south side of west First Street, adjacent to the River's Edge Natural Area.

Mr. Paulsen, Current Planning Manager, indicated that the City of Loveland is requesting an indefinite postponement of the review of this application. He referred to the information in the staff report packet. The Parks and Recreation Department is working with the Swishers to determine if an agreement can be reached in acquiring their property.

Vice Chair Crescibene questioned if the Swishers still have to clean up the property within 90 days as stipulated by the County Commission. And further, would this matter come before the Planning Commission again prior to the purchase of the property?

Vice Chair Crescibene and **Commissioner Jersvig** indicated that they wished to vote on this matter, stating that they have watched the prior Planning Commission meetings regarding the matter on video. **Chair Meyers** stated that it would be appropriate for them to vote on the issue.

Chair Meyers opened the public hearing.

Seeing no citizen comments, the public hearing was closed.

Commissioner Middleton expressed a desire for clarity, regardless of what the County has required of the Swishers; he emphasized that the annexation has nothing to do with the zoning issue or the code violation.

Mr. Paulsen stated the County's actions are independent of the City's postponement of the annexation; the two are not legally connected.

Commissioner Dowding asked if Mrs. Swisher would like to make a comment. **Mrs. Patricia Swisher** stated she can appreciate the Planning Commission's position. She stated she hoped for

a level playing field and they could come to an agreement with the City regarding the purchase of their property, but feels that good faith has been taken off the table. She will continue to negotiate with the City. **Commissioner Dowding** thanked **Mrs. Swisher** and noted that it's important to have Mrs. Swisher's feelings be heard.

Commissioner Middleton reiterated that the two actions (the annexation application and the use of the property) have nothing to do with each other.

Mrs. Swisher stated she thought the first complaint concerning the use of the property came from the City of Loveland.

Commissioner Molloy said he feels it's unfortunate that the City did what they did by initiating a complaint regarding the use of the property.

Chair Meyers stated now that another government entity is involved it will need to run its course. **Mrs. Swisher** stated that she would like to sell the property and purchase a new property for the business use and move on.

Vice Chair Crescibene disagreed with **Commissioner Molloy** that the city was being devious or insensitive in any way.

Commissioner Middleton stated that code enforcement works off citizen complaints.

There was consensus by the commissioners on letting the process work itself through.

Mr. Paulsen stated an indefinite postponement will require a full re-notification process when it is once again scheduled for public hearing.

Commissioner Dowding made a motion to approve an indefinite postponement seconded by **Vice Chair Crescibene**. The motion was unanimously approved.

2. Planning Commission/Construction Advisory Board Joint Study Session Follow-Up

This is a follow-up discussion to the May 7, 2014, joint meeting between the Planning Commission and Construction Advisory Board.

Mr. Paulsen reviewed the May 7th joint meeting. He indicated that the feedback from the commissions was very valuable to staff in efforts to identify strengths and weaknesses in the development review and building permit processes. He emphasized the commitment staff has made to continuous improvements—understanding that there is more room to improve the City processes. He indicated that some in attendance at the joint meeting requested a break down indicating the review times for special and expedited applications versus all others.

Commissioner Molloy would like staff to do a comparison of three projects: a high profile, medium and small project. He asked that planners call the applicants following the completion of a project to ask them how the process went rather than relying on a written survey. .

Commissioner Middleton would like to know if there is a way to determine the effects on the city processes from outside forces, e.g. weather, budget director, or workload, etc.

Chair Meyers commented the more measuring ability the more buy-in you will have.

Mr. Paulsen stated an event that caused processing delays in 2013 was the flood. City staff from several departments worked on the flood recovery as a priority.

Vice Chair Crescibene commented that he was amazed by the amount of work the Planning Division accomplishes and pleased that the Construction Advisory Board was included in the discussion.

Commissioner Jersvig was also impressed with the figures.

Mr. Paulsen stated he will prepare additional information based on comments from the joint meeting and from the request of commissioners. He emphasized that staff is not beyond criticism, but sometimes it's not simply the fault of city staff, there are times when a consultant team does not perform very well. He further emphasized that it not an "us versus them" scenario. We are working together with the private sector to come up with a project that will be successful.

Chair Meyers commented it would be good to be able to identify where the fault is.

Commissioner Molloy suggested a follow up with the owner since the applicant is not always the owner. He stated some comments by reviewers can almost require doing the process all over again.

Chair Meyers asked if there were stats regarding entities that get preference or an expedited process?

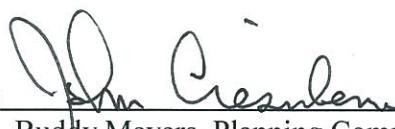
Mr. Paulsen responded Millennium standards specify a timetable for reviews, but most reviewers performed by the development review team meet the timetables established for Millennium projects. He also stated other projects are designated for expedited review, including those that receive incentives from the City Council. He stated however, that projects are very rarely bumped or require rescheduling due to another project's priority.

The commissioners would like to have another joint meeting the first week in September with the possibility of including Economic Development. **Mr. Paulsen** agreed and stated we will have some direction on how the Development Review Center will run by then.

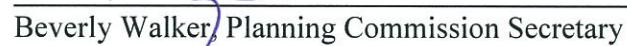
ADJOURNMENT

Commissioner Middleton made a motion to adjourn. Upon a second by **Vice Chair Crescibene**, the motion was unanimously adopted.

Approved by:


John Crescibene

Buddy Meyers, Planning Commission Chair Vice Chair
John Crescibene


Beverly Walker, Planning Commission Secretary