

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
March 24, 2014

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on March 24, 2014 at 6:30 p.m. Members present: Chairman Meyers; and Commissioners Middleton, Massaro, Molloy, Dowding, Forrest and Ray. Members absent: Crescibene and Prior. 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 Kimber Kreutzer's last day was today and her replacement through internal transfer, Beverly Walker, will begin tomorrow.
2. There are no items for the scheduled April 14th regular meeting unless there are items the commission needs to discuss; **Mr. Paulsen** recommends that the commission vote on a motion to cancel that meeting. **Commissioner Ray** made a motion to cancel the April 14th meeting, upon a 2nd from **Commissioner Massaro** the motion passed unanimously.
3. **Mr. Paulsen** proposed to have a joint meeting/workshop of the Construction Advisory Board and the Planning Commission regarding the Development Review Center, which will be a consolidated facility including the Building and Planning Divisions. This meeting would provide a briefing of where the two divisions are in the process and give the committees and public an opportunity to provide any comments they have to staff. The main floor of the Fire Administration will be available the latter part of this 2014 and ready for renovations from that point on. Members of the public are welcome to attend.
4. **Ms. Judy Schmidt, Deputy City Attorney** announced that she would be stepping in as acting City Attorney beginning April 2nd. She introduced **Ms. Sharon Citino**, as her replacement to assist the Planning Commission.

COMMITTEE REPORTS

287 Strategic Corridor Committee: **Commissioner Forrest** reported that the committee met last week to review community comments on the survey, compiled the comments and reviewed artist rendering of the 287 corridor. The advisory committee will post comments on the artist rendering and review those at the next meeting.

Title 18 Committee: **Chair Meyers** shared that the committee reviewed work on Title 16.40 at the meeting last week, **Ms. Kerri Burchett, Principal Planner**, advised discussion on the new financial information required from applicants and that it is a much more streamline process. The committee also had a discussion on the review of the Title 18 committee's accomplishments over the years since its formation and if they are meeting the goals.

COMMISSIONER COMMENTS

There were no comments.

APPROVAL OF THE MINUTES

Chair Meyers asked if there were any corrections needed to the March 10, 2014 meeting minutes. No amendments were requested. Commissioner Molloy made a motion to approve the March 10th meeting minutes; upon a second from Commissioner Dowding the minutes were approved with 6 ayes and one abstention.

REGULAR AGENDA

1. Sweetbriar Planned Unit Development (PUD)

Mr. Troy Bliss, City Planner II, addressed the commission regarding the application to request for approval of a PUD on 2.15 acres. He stated there are two separate components: Preliminary Development Plan (PDP) (Non-phased) which is limited in scope and being presented as one phase. The City Council makes the final decision on it. The findings:

- Adequate City services and facilities are or will be available to the property;
- The PDP poses no detrimental impacts to the surrounding uses and the environment;
- Meets the objectives for a PUD (LMC 19-41-020), and;
- Compatible – the PDP is complementary to and in harmony with existing development.

The second component is the Preliminary Plat. The Planning Commission is the final decision maker, but contingent on the City Councils approval of the PDP.

- Same general findings as the PUD.

Mr. Bliss spoke of the details of the project: access from S. Wilson Avenue; surrounded by existing development; spatial challenges due to location and shape of the property, the east is bordered Home Supply Ditch; North of Fire Station #3; zoned R1, Low Density Residential

Project background: recommended for approval of a PDP for generally the same project on August 12, 2002. Information associated with previous approval provided in packet as Attachments 2 and 3.

He stated the applicant does not currently own the property, it is contingent upon approval.

John Baker, Sweetbriar on Wilson LLC, Applicant, presented the Planned Unit Development, showing elevations, landscaping plans, and explained siding materials. Elevation plans show oversized single car garages so as much of the house is showing from the street. Some lots slope in the back so some units would have partial garden level and walkout basements. Mr. Baker spoke of the changes to the original approved application due to comments from the neighborhood meeting. The original had two-story units and by taking it down to single-story plans it would be more compatible with the surrounding neighborhood. The concerns regarding density didn't change the overall layout and having

fewer units would make the project financially unviable.

Commissioner Middleton asked if the applicant has a contract and is prepared to move forward if this is approved. Mr. Baker's response was; the contract is contingent on approval. Commissioner Middleton also commented; what is the time frame, completion date, and if the project doesn't go through will client reimburse the City for time spent.

Commissioner Forrest addressed concerns regarding the cobblestone walkway to the bus stop for seniors and disabled persons. The applicant agreed that they could change the material to make it smoother. Another concern was the fence along the ditch and why it wasn't included. Trash pick-up, awkward; will the design accommodate trash pick-up? Snow removal may be awkward; designate snow removal space. The response was that the HOA would be responsible for snow removal and there would be a place for the snow to go.

Commissioner Dowding stated that a fence on the property line along the ditch is needed. Commissioner Dowding asked what the target market would be. Mr. Baker answered possibly older people who want exterior elements taken care of. She is concerned that the space between buildings of only 6 feet is too close. Wind in area, could cause trash accumulation between buildings. She is also concerned trash trucks won't have room and bins would have to be pushed too far for pick-up on the sidewalk along Wilson.

Commissioner Molloy voiced concerns that single car garages would not allow for enough parking on sites. Front property line location is not clear and maneuvering the drive-way would be difficult. He also agrees that fencing is an issue.

Commissioner Massaro asked about the size of deck area and commented that a lot is being put into a very tight space. He also voiced concern regarding the cost of the HOA.

Chair Meyers questioned the fence issue and urges the applicant to have a fence included for the safety of the children that may be tempted to use the open space as a shortcut. He also asked about clarifying where the mailboxes would be in relation to where the trash carts would be located. He stated the cluster mailboxes would need to be shown on the plan.

Commissioner Ray asked if the HOA would be a stand-alone; to which, the answer given was yes, for the twelve units. He asked if access would be right in and right out.

Mr. Jeff Bailey, Senior Civil Engineer, stated Wilson Avenue is four lanes and currently under capacity, therefore full movement access is ok.

The Planning Commission took a 10 minute recess at 7:50 p.m.
At 8:00 the meeting resumed.

Chair Meyers called the meeting back to order and opened the meeting for public hearing.

Mr. Richard McKee, 578 S. Wilson Ave., objects to the proposal; rezoning, septic and waterline is 50 years old and inadequate. The trash receptacles would impact the bike lane

and snow removal will require hand shoveling. He feels the project is in compatible with surrounding community.

Ms. Lorna McKee, 578 S. Wilson Ave., submitted a petition with signatures of neighbors opposed to the development. She stated she went door to door and 51 out of 87 answered with 48 of those objecting the project. She feels the development would have too much density.

Ms. Carol Cochran, 551 Kathryn Ct., is concerned that it will be too dense. There will be nothing to block the noise from the busy street and no play area.

Mr. Don Coseo, 620 W. 57th St., stated that the development is nowhere near existing homes; not enough space, 10 feet rear yard; and not enough parking.

Mr. Gale Racine, 528 S. Wilson Ave., feels the density is too high compared to the area. He has concerns with the trash pick-up, snow removal, and a fence is needed.

Ms. Theresa Racine, 528 S. Wilson Ave., spoke of her concern with the density. Feels fencing is needed as people will try to access school yard. She has fire emergency concerns and the trash carts being on street. She stated neighborhood opposition is strong.

After public comments the Commissioners had further discussion addressing the public's concerns.

Commissioner Ray commented that the project puts too much into too small of a place and it is not harmonious with surrounding development. He stated he does not like rezoning, it's unfair to the neighbors.

Chair Meyers agreed with Commissioner Ray and concerned whether it's the right thing to do, more cons than pros. Considering all the factors the project doesn't fit and is not compatible.

Commissioner Molloy while he disagreed about the zoning not working in the area; he agreed the development doesn't fit on the lot, it's too forced, and the area needs fewer units. He feels the trellis parking in front is not acceptable.

Commissioner Middleton does not like changing zoning. He calculated that the HOA fees would be too much, just for snow removal, the fees would need to be \$40 a month per unit. He feels the project is flawed.

Commissioner Forrest is concerned with the look and materials used and cost of HOA, it won't be acceptable and accommodate single family use.

Commissioner Middleton moved to make the findings listed in Section VIII of the Planning Commission staff report dated March 24, 2014, and based on those findings recommend that City Council approve the rezoning of Lot 2, Block 1, Sweetbriar 1st Subdivision from R-1

Developing Low Density Residential to Sweetbriar Planned Unit Development and approve the Sweetbriar PUD Preliminary Development Plan, subject to the conditions listed in Section IX, as amended on the record.

Commissioner Ray seconded and the motion failed unanimously.

Commissioner Middleton moved to make the findings listed in Section VIII of the Planning Commission staff report dated March 24, 2014, and based on these findings approve the Sweetbriar Third Subdivision Preliminary Plat, subject to the conditions listed in Section IX, as amended on the record.

Commissioner Ray seconded and the motion failed unanimously.

2. Les Schwab GDP/PDP

Commissioner Ray proposed to move this item from the regular agenda to a consent agenda. **Chair Meyers** asked if the City and applicants were acceptable to going to immediate vote with the item.

Mr. Troy Bliss, City Planner II, agreed to move the item to a consent vote.

Ms. Courtney Colbert, applicant representative, agreed to move the item to a consent vote.

Staff Recommendations:

1. **Commissioner Middleton** moved to make the findings in Section VIII of the Planning Commission staff report dated March 24, 2014, and, based on those findings; recommend that City Council approve the Peakview Commercial Park PUD General Development Plan Amendment, subject to the conditions listed in Section IX, as amended on the record.

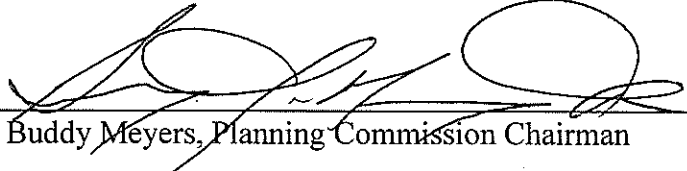
The motion was 2nd by Commissioner Ray. Upon the acceptance of the conditions in section IX of the report by the applicant representative, the motion passed unanimously.

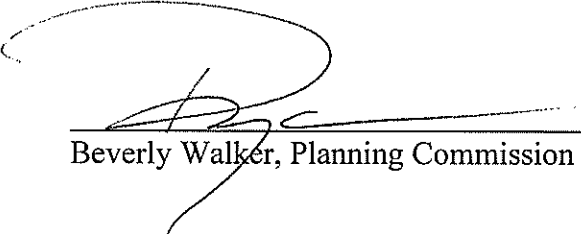
2. **Commissioner Middleton** moved to make the findings listed in Section VIII of the Planning Commission staff report dated March 24, 2014, and, based on those findings, adopt resolution #R 14-02, approving the Peakview Commercial Park PUD Preliminary Development Plan Amendment, subject to the conditions listed in Section IX, as amended on the record.

The motion was 2nd by Commissioner Ray. Upon the acceptance of the conditions in section IX of the report by the applicant representative, the motion passed unanimously.

ADJOURNMENT

Commissioner Ray, made a motion to adjourn. Upon a second by **Commissioner Molloy**, the motion was unanimously adopted.

Approved by: 
Buddy Meyers, Planning Commission Chairman


Beverly Walker, Planning Commission Secretary