

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
January 25, 2016

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on January 25, 2016 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Meyers, Molloy, Dowding, Forrest, Ray, and McFall. Members absent: Commissioner Crescibene. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, 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 Development Services office.

CITIZEN REPORTS

There were no citizen reports.

STAFF MATTERS

1. **Bob Paulsen, Current Planning Manager**, welcomed the new Planning Commission officers.
2. **Mr. Paulsen** noted that on February 10, 2016 the Planning Commission will participate in a Joint Study Session with the Larimer County Planning Commission. This study session is regarding the Highway 402 Corridor/Loveland Intergovernmental Agreement Overlay Zone Planning Project.
3. **Mr. Paulsen** noted that the start time for City Council Meetings has changed from 6:30 p.m. to 6:00 p.m. The start time for City Council Study Sessions will remain at 6:30 p.m.
4. **Mr. Paulsen** provided the commissioners with an email he received from a citizen regarding an accessory dwelling unit that the Planning Commission heard the special review for in 2013. This citizen has concerns with the accessory dwelling unit and had asked that her concerns be forwarded to the Planning Commission. **Mr. Paulsen** noted that Code Enforcement is looking into the issue and there is no action the Planning Commission needs to take at this time unless the Commission has specific direction for staff.
5. **Mr. Paulsen** noted that on January 19th the City Council approved the Title 16, 17, 18, and 19 Zoning Code Amendments.
6. **Mr. Paulsen** stated that at the January 11th Planning Commission meeting, several citizens expressed concerns that the proposed Mariana Butte 27th Subdivision would adversely affect their water pressure. The commissioners requested that the city address these concerns and **Mr. Paulsen** provided the commissioners with a water assessment update from **Melissa Morin**, Water Division Engineer. **Ms. Morin** evaluated the water pressure in the area and noted that water pressure levels are sufficient at 65-70 psi; therefore, there shouldn't be concerns with water pressure.
7. **Mr. Paulsen** noted that city staff recently identified several Title 18 notification requirements that include notification to the Planning Commission and City Council

regarding certain zoning actions. Therefore, zoning action notifications are now being provided to the Planning Commission and City Council on projects that meet these criteria.

8. **Mr. Paulsen** provide a draft of the Current Planning Update and asked the commissioners to provide any suggestions or comments regarding this update.

COMMITTEE REPORTS

- **Commissioner Meyers** noted that the January Title 18 meeting was cancelled.
- **Commissioner Forrest** noted that a ZBA hearing is scheduled for February 8th at 4:00pm.

COMMISSIONER COMMENTS AND ACTIONS

- *Commissioner Meyers motioned to amend Item #2 on the Consent Agenda to read: to “prepare a resolution approving the Mariana Butte 27th Preliminary Development Plan” instead of the Flats at Centerra. Upon a second from **Commissioner Molloy** the motion was unanimously approved.*
- **Commissioner Jersvig** and **Commissioner Dowding** will attend the Boards and Commission Summit.
- *Commissioner Meyers motioned to cancel the February 8th Planning Commission meeting. Upon a second from **Commissioner Dowding**, the motion was unanimously approved.*
- **Commissioner Meyers** shared a concern he received from a citizen who is a water quality specialist. This citizen noted that while testing water on the west side of town he was getting chlorine levels at 3 ppm. The citizen was asking if additional chlorine was being added to the water because the typical chlorine level is 0.4ppm. **Mr. Paulsen** stated that he would inquire with the water division and provide a response to the Planning Commission.

APPROVAL OF THE MINUTES

*Commissioner Dowding made a motion to approve the January 11, 2016 minutes; upon a second from **Commissioner Meyers** the minutes were unanimously approved.*

CONSENT AGENDA

Commissioner Ray motioned to remove Item 1, North Lincoln 2nd Subdivision PDP/PP Extension from the Consent Agenda and put it on the Regular Agenda.

1. Mariana Butte 27th PDP/PP Resolution

Project Description: The Planning Commission held a public hearing on January 11, 2016 to consider plans for a 48 lot subdivision for single family home development on a vacant 16-

acre site spanning Rossum Drive. Commissioners unanimously supported the development and instructed city staff to prepare a resolution approving the Flats at Centerra – Preliminary Development Plan. Staff has provided the Commission with a brief memo and a resolution for approval of the Preliminary Development Plan.

Commissioner Meyers motioned to approve the Consent Agenda less Item 1, the North Lincoln 2nd Subdivision PDP/PP Extension. Upon a second from Commissioner McFall, the motion was unanimously approved.

REGULAR AGENDA

2. North Lincoln 2nd Subdivision PDP/PP Extension

Project Description: This request requires quasi-judicial review by the Planning Commission to consider additional two year extension of the North Lincoln Avenue 2nd Subdivision preliminary plat. If granted, this would be the fifth extension of the City approvals, with a total extension of nine years following the initial approvals given effective on December 2, 2008. The Planning Commission has final authority on this matter.

Commissioner Ray expressed concerns with providing another extension and asked why the applicant is requesting a two-year extension instead of just a one-year extension. **Brian Burson**, City Planner, stated that the property has a new owner, **Ms. Weitzel**, and therefore the project may have a new applicant. If the project has a new applicant, the applicant would need to submit a new PDP to the city and this may take more than one year to accomplish.

Larry Melton, commercial real estate broker with Realtec Loveland and representative for Ms. Weitzel, noted that **Ms. Weitzel** owns several properties in Loveland. Her ideal plan for the property also includes redeveloping the property surrounding the North Lincoln 2nd Subdivision. This could take time to develop this plan and therefore is asking for a two-year extension to see if this redevelopment is feasible. **Mr. Melton** noted that the approved Preliminary Development Plan (PDP) and associated Preliminary Plat (PP) is a good project but may be better if it can be developed with additional property.

Commissioner Meyers recommended a 36-month extension with no stipulations. However, at that time, the Planning Commission will evaluate the progress and see if another extension will be granted. **Commissioner Ray** asked that **Mr. Melton** notify the applicant that the Planning Commission may not grant another extension.

Mr. Paulsen noted that the Current Planning Manager can approve the extension of the Preliminary Development Plan associated with the Preliminary Plat. **Mr. Paulsen** noted no objections to extending the Preliminary Development Plan if the Planning Commission extends the Preliminary Plat to 36 months.

Commissioner Meyers motioned to further extend the December 2, 2008 Planning Commission approval of the Preliminary Plat for the North Lincoln 2nd Subdivision from December 11, 2015 to December 16, 2018, which is 36-months from the December 11, 2015 date, subject to the original conditions of approval set-forth in Attachment 3 of the Staff Report dated January 25,

2016. **Commissioner Ray** seconded the motion and **Mr. Melton** accepted the original conditions on behalf of **Ms. Weitzel**. The motion was unanimously adopted.

3. Presentation/discussion of City's Active Consulting Contracts

Bill Cahill, City Manager, provided an updated City Consulting and Contract spreadsheet. **Mr. Cahill** noted that any company or organization that has a Professional Services Contract with the city is included in this spreadsheet. However, there is not a specific line item distinguishing contracts vs. consulting contracts, therefore some items included in this spreadsheet may not be specific to consulting. **Mr. Cahill** explained the reasons why the City may choose to contract out services rather than completing them in house. **Mr. Cahill** also explained several of the projects listed on the spreadsheet as examples of the types of contracts the city has entered into.

COMMISSIONER QUESTIONS:

1. **Commissioner Dowding** asked what Shadow Play Films was. **Mr. Cahill** said he will get more information from Water and Power.
2. **Commissioner Meyers** asked how many contracts are fixed fee versus retainer based. **Mr. Cahill** stated only a few contractors are on retainer; however, such contracts have a specific scope of work.
3. **Commissioner Meyers** asked if there is a central procurement group or if contracts are done through each department? **Mr. Cahill** noted that each department is responsible for their completing their service contracts; however, the City has a Procurement Policy and the Finance Department has a procurement agent that provides advice to departments.
4. **Commissioner Meyers** asked if contractors get a performance bonus for early delivery. **Mr. Cahill** stated that typically contractors are not paid a performance bonus.

Upon response to questions from the Commission, **Mr. Cahill** concluded his presentation.

4. Determine 2015 Accomplishments and 2016 Goals for Boards and Commissions Summit.

Mr. Paulsen noted that once approved by the Commission, the 2015 Accomplishments and 2016 Goals will be presented at the Boards and Commissions Summit. Additionally, commissioners attending the Boards and Commission Summit may be asked to make a brief presentation of the 2016 goals at this meeting.

Mr. Paulsen asked the commissioners if they had any additions or changes to the proposed 2015 Accomplishments and 2016 Goals. After a brief discussion, the commissioners provided changes to the proposed 2015 Accomplishments and 2016 Goals. **Mr. Paulsen** stated he would make the changes and email the commissioners an updated document.

ADJOURNMENT

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

Commissioner Jersvig adjourned the meeting at 7:45 p.m.

Following the adjournment of the Regular Meeting, the Commission opened the Study Session on the Flexible Zoning Overlay District Proposal and Temporary Uses Coded Amendments.

Approved by:



Jeremy Jersvig, Planning Commission Chair



Jenell Cheever, Planning Commission Secretary