

**CITY OF LOVELAND**  
**PLANNING COMMISSION MINUTES**  
**March 28, 2011**

6 A meeting of the City of Loveland Planning Commission was held in the City Council Chambers of  
7 the Civic Center on March 28, 2011 at 6:30 p.m. Members present: Chairman Molloy; Vice Chair  
8 Meyers; and Commissioners Dowding, Crescibene, Krenning, Leadbetter, Middleton and Ray.  
9 Commissioner Fancher was absent. City Staff present: Kerri Burchett, Current Planning; Brian  
10 Burson, Current Planning; Robert Paulsen, Current Planning Manager; Sunita Sharma, Assistant City  
11 Attorney.

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

## COMMITTEE REPORTS

18 **Chairman Molloy** reported on the Pedestrian/Bicycle Committee meeting and reported that the  
19 Committee is working on finalizing its draft of the Plan.

## STAFF MATTERS

23 **Current Planning Manager, Robert Paulsen**, reported that the appeals amendments reviewed by  
24 the Planning Commission on February 28th are scheduled to be heard by the City Council on April  
25 19, 2011. He stated that there are no agenda items scheduled for the April 11, 2011 Planning  
26 Commission hearing and requested a motion to cancel the meeting.

28 *Vice Chair Meyers made a motion to cancel the April 11, 2011 Planning Commission Meeting.*  
29 *Upon a second by Commissioner Crescibene the motion was unanimously adopted.*

## APPROVAL OF MINUTES

33 *Commissioner Middleton moved to approve the Minutes of the February 28, 2011 Planning*  
34 *Commission meeting. Upon a second by Commissioner Meyers the motion passed unanimously.*

## CITIZEN REPORTS

38 There were no citizen reports.

1      **CONSENT AGENDA**

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3      **1.      A Muse PUD**

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5      This is a public hearing to consider rezoning a 0.5 acre site located at 1629 West 8<sup>th</sup> Street from R2  
6      to PUD and approval of a preliminary development plan (PDP). The PDP proposed conversion of a  
7      residential house into a small coffee shop and art gallery. No exterior modifications to the structure  
8      or site are proposed. This item requires a quasi-judicial proceeding by the Planning Commission.  
9      The Planning Commission's authority is to make a recommendation to the City Council for final  
10     action.

11

12     *Vice Chair Meyers made a motion to make the findings listed in Section VII of this report dated  
13     March 28, 2011 and, based on those findings recommend that City Council approve the A Muse  
14     PUD Preliminary Development Plan subject to the conditions listed in said report, as amended on  
15     the record. Upon a second by Commissioner Middleton the motion was unanimously adopted.*

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17     **Kari Adams**, representing the applicant, accepted the conditions.

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19      **REGULAR AGENDA**

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21     *Commissioner Middleton made a motion to remove Item #2 on the Regular Agenda, the  
22     Motorplex Entry Addition, due to the need for additional staff review. Upon a second by Vice  
23     Chair Meyers, the motion was unanimously adopted.*

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25      **1.      Review of the Proposed Location for Loveland Classical Schools**

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27     Loveland Classical Schools (LCS) has recently been granted permission from the State Department  
28     of Education and the Thompson Valley School Board to open a new charter school for the fall of  
29     2011. LCS plans to purchase or lease the existing church property at 3835 SW 14<sup>th</sup> Street and  
30     convert and expand the existing building to accommodate the school. As stipulated by State Statute,  
31     the Planning Commission must be consulted regarding the location of the site in relation to the City's  
32     Comprehensive Plan. This item requires administrative consideration by the Planning Commission.

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34     **Robert Paulsen, Current Planning Manager**, gave a brief staff report on this item and stated that  
35     based on its conformity with the Comprehensive Plan, staff has no objection to location of the  
36     facility and reported that the applicant will provide a site development plan to the City's  
37     development review team in the near future. He clarified that State Statutes also indicate that the  
38     Planning Commission may review the site development plan and he suggested that the Commission  
39     review the site development plan when it becomes available.

1      **Tamara Cramer, founder and Board President of the Loveland Classical Schools**, stated  
2      providing the Planning Commission with a Site Development Plan would be the highest priority of  
3      the school if the item on tonight's agenda is approved.

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5      **Commissioner Krenning** questioned why the Planning Commission is requiring and reviewing a  
6      school district Site Development Plan.

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8      **Mr. Paulsen** stated that based on State provisions the Planning Commission can request the review  
9      of a Site Development Plan ("SDP") for a newly proposed school site. He commented that staff has  
10     always used flexibility when applying City standards to school sites, but noted that proposed school  
11     sites are required to go through the development review process.

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13     **Commissioner Krenning** questioned what would be gained from reviewing the SDP, stating that the  
14     Planning Commission does not have the ability to deny their Plan.

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16     **Assistant City Attorney Sharma** clarified that the Planning Commission does have the ability to  
17     make requests regarding SDPs. She stated that after additional review of the State Statutes, staff has  
18     decided that they should formerly request SDPs for all future schools and commented that staff has  
19     worked with the school district regarding this effort.

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21     There was a further discussion regarding why this school was required to provide a SDP when others  
22     have not been required. Mr. Paulsen reported that the Planning Commission, acting in an advisory  
23     capacity, has recently reviewed both the Ponderosa School SDP and the new Bus Facility.

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25     **Chairman Molloy** stated he was interested in reviewing the SDP and was particularly interested in  
26     the traffic flow for this site. He supported review of such facilities and spoke of the lack of  
27     sidewalks along Wilson Avenue which create some problems for students walking or biking to and  
28     from the Ponderosa School.

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30     **Commissioner Middleton** asked Ms. Cramer if it would create a hardship for the school if they were  
31     to come back to the Commission with their SDP.

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33     **Ms. Cramer** commented that she valued the opinion of the Planning Commission, however coming  
34     back to provide the SDP for review would cause a slight delay in the project.

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36     **Vice Chair Meyers** stated he did not want to cause the school any unnecessary hardships if they are  
37     not able to be placed on the agenda in a timely manner so the Planning Commission can review their  
38     SDP.

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40     **Mr. Paulsen** reiterated that seeing future SDPs for school facilities was completely up to the  
41     discretion of the Planning Commission.

42     **Ms. Cramer** suggested that it might save time to work with a staff liaison to oversee the project.

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2 **Commissioner Krenning** asked if there was a policy shift that would require all schools to provide  
3 SDPs to the Planning Commission in the future.

4  
5 **Mr. Paulsen** commented staff would like to review all major facilities as they come in but clarified it  
6 is ultimately up to the Commission to make the decision whether they want to see the Plans. He  
7 clarified that there is currently an agreement between the City and the School District that they would  
8 provide the City with major facility plans. He emphasized that review of the charter school site was  
9 not a policy departure for the City.

10  
11 **Chairman Molloy** stated that the timing for this particular project is not optimal with regards to  
12 construction. He stated that he would support reviewing all future SDPs for new school sites.

13  
14 **Commissioner Krenning** stated that at the end of the process any recommendation or request by the  
15 Planning Commission would not make a difference to the State. He felt that reviewing the SDPs  
16 would slow down the process and create additional costs for the school. He asked if staff was only  
17 looking at Charter Schools.

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19 **Commissioner Middleton** asked if there were issues that staff had with this particular school.

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21 **Mr. Paulsen** clarified that staff did not have any issues relating to this particular school other than  
22 street engineering issues which are being addressed. He further stated that staff is not strongly  
23 advocating the Planning Commission request review of the school's site development plan,  
24 understanding that the school is facing a tight timeframe for construction. He further stated that the  
25 applicant is required to provide an SDP to the Planning Department regardless of whether or not the  
26 Planning Commission wants to see it.

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28 **Vice Chair Meyers** stated that he was confident in staff's ability to oversee the project.

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30 **Chairman Molloy** stated that one of the elements of the Pedestrian/Bicycle Plan, that he reported on  
31 earlier, addresses how to get students to school safely and stated it was unfortunate that the  
32 Committee did not have any information regarding this project to include in the Plan. He urged Ms.  
33 Cramer to contact Justin Stone when the Site Plan is available so that this school site can be included  
34 in the Pedestrian/Bicycle Plan.

35  
36 He also commented that he would like to see the SDP come back to the Planning Commission, but  
37 understood that any recommendations from the Planning Commission might potentially delay  
38 construction of the project.

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40 **Commissioner Crescibene** stated that he believed it was not necessary to hold up the project so that  
41 the Planning Commission could review the SDP.

1    **Commissioner Dowding** concurred with Commissioner Crescibene and stated that as much as she  
2    would like to see the Plan, she did not want to cause the project any additional delay.  
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4    ***Vice Chair Meyers made a motion to affirm that the proposed Loveland Classical Schools site at***  
5    ***3835 SW 14<sup>th</sup> Street conforms to the Loveland Comprehensive Plan. Upon a second by***  
6    ***Commissioner Middleton the motion was unanimously adopted.***

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8    **2. Annexation and Zoning of the Motorplex Entry Addition.**

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10    This is a public hearing to consider annexation and zoning for 81 acres, including a small City-  
11    owned parcel at the southeast corner of Crossroads Boulevard and Byrd Drive, as well as the  
12    connecting rights-of-way for Crossroads Boulevard, Byrd Drive and I-25 as it extends northward to  
13    Larimer County Road 30. This annexation will assure that highway improvements made to the I-  
14    25/Crossroads Boulevard interchange can be made under the authority of the City of Loveland and  
15    can be funded by the Centerra Metro District #1. The Planning Commission's action is both  
16    legislative and quasi-judicial. The Planning Commission's authority is to make a recommendation  
17    on annexation and zoning to the City Council for final action.

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19    THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

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21    **ADJOURNMENT**

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23    ***Commissioner Middleton made a motion to adjourn. Upon a second by Commissioner Krenning,***  
24    ***the motion was unanimously adopted.***

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 Robert Molloy, Chair

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 Vicki Mesa, Secretary

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