

LARIMER COUNTY PLANNING COMMISSION

Minutes of January 15, 2020

The Larimer County Planning Commission met in a regular session on Wednesday, January 15, 2020, at 6:30 p.m. in the Hearing Room. Commissioners Choate, Johnson, Barnett, Stasiewicz, Wallace, and Jensen were present. Commissioner Dougherty presided as Chairman. Also present were Rob Helmick, Senior Planner; Lesli Ellis, Community Development Director; Steven Rothwell, Civil Engineer II; Lea Schneider Environ Health Planner; Don Threewitt, Planning Manager; Alyssa Martin, Planner I; Chris Ashby, Ranch Fair Grounds and Events complex Director and Christina Scrutchins, Recording Secretary.

COMMENTS BY THE PUBLIC REGARDING THE COUNTY LAND USE CODE:

None.

COMMENTS BY THE PUBLIC REGARDING OTHER RELEVANT LAND USE MATTERS NOT ON THE AGENDA:

None.

APPROVAL OF THE MINUTES FOR THE NOVEMBER 20, 2019, MEETING:

MOTION by Commissioner Jensen to approve the minutes.

Commissioner Wallace seconded the motion.

This received unanimous voice approval.

Motion passed 7-0

AMMENDMENTS TO THE AGENDA:

None.

CONSENT ITEMS:

ITEM #1 –SASS CONSERVATION DEVELOPMENT PRELIMINARY PLAT AND APPEALS TO 8.14.1.M TO ALLOW A PRIVATE ROAD RATHER THAN PUBLIC ROW AND 8.14.1.R NOT REQUIRING CONNECTIVITY AND REDUCTION OF RESIDUAL LAND AREA PURSUANT TO SECTION 5.3.6.A.5, FILE #18-LAND3806:

Rob Helmick gave a brief presentation regarding the applicant's request to subdivide the 45 acres with one existing home to create two new single-family lots of 6.4 acres and 2.3 and a residual lot of 35 acres. There are appeals to 8.14.1.M to allow a private road rather than public ROW (Right of Way), and 8.14.1.R not requiring connectivity, and a request for reduction of residual land area pursuant to Section 5.3.6.A.5. The application was review in respect of the Land Use Code and it meets the code as well as the standards for appeals. Mr. Helmick explained the Engineering Department had requested more clarification for condition number 7 regarding the access points on the property. The presentation ended with the Review Criteria and stated they are recommending approval with the eight conditions.

Commissioner Jensen mentioned there is a restriction of access to the County Road every 120 feet and asked if it was going to be maintained within the application. If not, should there be an amendment or an exception?

Mr. Rothwell replied that the County Road 19 is restricted to access facing of 330 feet and it will be maintained.

Terry Reu wanted clarification regarding the access. Her understanding was there are two accesses on the open space and three additional access points. The revision packet Mrs. Rue received showed 5 accesses showing one access for the ditch road and one for the open space along with three additional accesses.

Mr. Rothwell explained there are three accesses, an access for the ditch, an access for the open space, and two additional. The shared access will need to be the north end.

Mrs. Reu asked for clarification regarding the wording to fence the ROW.

Mr. Rothwell explained the applicant doesn't need it to be fenced but he does need it to show that it can no longer be used as an access road.

MOTION

Commissioner Barnett moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission, with the staff's Findings and Resolution, recommend the Board of County Commissioners approve the Sass Conservation Development Preliminary Plat and, Appeals to 8.14.1.M to allow a private road rather than public ROW, and 8.14.1.R not requiring connectivity, and reduction of residual land area pursuant to Section 5.3.6.A.5, File #18-LAND3806 as updated.

Commissioner Wallace seconded the motion.

Commissioners Choate, Jensen Wallace, Johnson, Barnett, Stasiewicz, and Chairman Dougherty all voted in favor of the motion.

Motion passed 7-0.

DISCUSSION ITEMS

ITEM #2 – AMENDMENT TO THE RANCH MASTER PLAN: Mr. Ashby gave a brief presentation regarding the Amendment to the Ranch Master Plan. In December of 2019 the Larimer County Commissioners approved the Ranch Implementation Plan. The plan included seven projects identified by staff working with consultants as the best use of the dedicated tax and the largest benefit to the community overall. During the same meeting, the Larimer County Commissioners made a recommendation to the planning board to approve the amended Ranch Master Plan. The projects that were approved by the Larimer County Commissioner included: new roads and infrastructure, new Trade Show Facility, Recreational Sports Complex, Equine Livestock Expansion, First National Bank Improvements, Possible new events arena, and Budweiser Center Improvements. Mr. Ashby explained there will need to be a decision regarding the completion of the Possible new events arena or the Budweiser Events Center Improvements; they will not complete both.

Chairman Dougherty asked if the Budweiser Events Center would be converted into an Agricultural Use Building.

Mr. Ashby explained that the Budweiser Events Center is not economically feasible to convert into an Agricultural Use Building and would have to be removed.

Commissioner Jensen asked if the current Budweiser Events Center is to be removed what will the space be used for?

Mr. Ashby explained the Mac Equipment, Inc. Indoor Arena will be relocated to the space where the Budweiser Events Center was located and the location where the Mac Equipment, Inc. Indoor Arena was located would then be two new show arenas with stabling in the center.

Mr. Ashby continued with the presentation stating that the funding was based on the 20-year tax collection and estimated around the recommended three percent gross rate. The Ranch Implementation Plan did not include the new hotel or new arena and they are requesting to amend the Ranch Master Plan to include them. Without the approval of the amended Ranch Master Plan they are not able to move forward with the Ranch Implementation Plan.

Commissioner Jensen asked what the tax collection would be if the percentage was at four and a half?

Mr. Ashby replied it would be just over 300 million dollars but the return to the County would be 1.6 billion dollars.

Commissioner Jensen asked how much the return to the County increased from 2017.

Mr. Ashby stated that he did not know what the difference between 2017 and the amended Plan would be.

Chairman Dougherty asked if Mr. Ashby had been working with the facilities and the Commissioner to talk about the business portion.

Mr. Ashby replied yes.

Commissioner Jensen asked as we get closer to the 20-year and if the 4-H programs were removed from the Ranch Complex where would the County get sustainability from?

Mr. Ashby explained that the Ranch Complex carries, along with the 4-H programs, the cost of the County Fair and they are the deficit and if they were to be removed from the budget then they would be operating at less than 100 thousand deficits.

Commissioner Choate asked why the new hotel and new arena was not part of the Ranch Implementation Plan back in 2017 and was it related to the request to extend the tax?

Mr. Ashby explained the 2017 Plan was a Conceptual Master Plan and when the consultants were brought in, they asked them to review the project within the Master Plan to see if there was anything that was missed or overlooked. Unfortunately, the hotel was overlooked as well as a few other pieces.

Commissioner Choate asked what the likelihood plan, if approved, will need to be amended in the next five years?

Mr. Ashby stated that he anticipates that it would not need to happen because they feel they have a completed plan.

Commissioner Choate asked if they did not have the Private Equity Partnership then the new arena/plan would not be able to be completed?

Mr. Ashby replied that the new hotel and new arena could not be completed unless they have a Private Equity Partnership. He also explained that the new hotel would need to have to be funded by a Private Equity Partnership because they will not be going into the hotel business, but the new arena will be funded by a Private Equity Partnership and funding that was set aside to improve the Budweiser Center or the new arena.

Commissioner Choate wanted clarification regarding if a Private Equity Partnership wanted to make changes to the budget they would not be allowed.

Mr. Ashby clarified that the Plan would need to be presented to the Larimer County Commissioners again for any changes to be made.

Commissioner Barnett asked what the risks and contingencies are to the amendment?

Mr. Ashby explained that the risks are the Private Equity Partnerships and that the buildings will depend on them. The other buildings are funded within the budget and the County Finance Department has asked them to reserved operating fund and contingency fund within the budget.

Commissioner Wallace asked if there is a reason why the Budweiser Events Center is part of the plan?

Mr. Ashby explained that the building is 18 years old and usually has a life span of 30-45 years without significantly major renovations made. The Hockey industry is the largest tenants they have, and they take up most of the space and with the population growth they would like to be able to have the appropriate space.

Commissioner Jensen is concerned why the word “significant” is used when in the Master Plan packet states “The development of the new entertainment arena (g) assumes significant private sector funding participation.” He would like to have the word “significant” to be removed.

Mr. Ashby explained the reason why the word “significant” is used is because they wanted to articulate to the community that the building would be mostly funded by the private sector participation and not by the tax funding.

Commissioner Jensen stated that he would like the word “significant” and “timely manner” to be removed so it does not cause any issue in the future for anyone that is involved at this time that may not be involved in the future.

Commissioner Wallace stated that she is comfortable with the wording.

Commissioner Barnett would like for there to be a date to clarify when a decision will be made to determine when they will move forward from one option to another.

Commissioner Choate stated that he is fine either keeping or taking out the words “significant” and “timely manner”. He also feels that if a date is decided, it shouldn’t be within a year but around five years to give them enough time.

Mr. Ashby explained they do have a timeline for the project for example the 4-H expansion cannot be completed until the Trade Show Halls are built.

Commissioner Jensen asked what Mr. Ashby’s thoughts are regarding the timeframe for the Private Equity Partnerships investment turnaround?

Mr. Ashby explained they performed research using a request for expression of interest process and a majority if not all of them felt safe saying they would be a 30-year window. Until they are further in the project, they do not a defiant answer.

PUBLIC COMMENTS

None.

MOTION

Commissioner Jensen moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval of the Amendment to The Ranch Master Plan with the changes to remove the words “significant” and “timely manner.”

Commissioner Choate seconded the motion.

DISCUSSION

Commissioner Choate stated that he agrees with the project but does not agree with Commissioner Jensen in removing the words “significant” and “timely manner”.

Chairman Dougherty asked Mr. Ashby for clarification regarding the options.

Mr. Ashby clarified that option A is the new arena to replace the Budweiser Events Center and option B is the renovation of the Budweiser Events Center and the new hotel. The budget will fund the renovation for the Budweiser Events Center, but the new hotel would be funded through a Private Partnership.

Chairman Dougherty clarified the motion is that the Planning Commission recommend to the Board of County Commissioners approval of the Amendment to The Ranch Master Plan with the removal of the two comments “significant” and “timely manner”.

Commissioners Jensen, Barnett, Choate, and Johnson all voted in favor of the motion.

Commissioners Stasiewicz, Wallace, and Chair Dougherty all voted in appose of the motion.

Motion passed 4-3

REPORT FROM STAFF:

Mrs. Ellis updated the Planning Commissioners regarding the activity of the Board of County Commissioners. They are moving forward with working with the Planning Commissioners and Board of County Commissioners on a transition plan for the Estes Valley development review and the unincorporated valley. She also explained to the Planning Commission regarding dates being added for additional meeting and they will receive invites as well as an Open House.

Mrs. Ellis stated that the Larimer Planning Commissioners and the Estes Valley Planning Commission will be invited to an Open House they will be having on February 5, 2020. The February 12, 2020 Planning Commission meeting will probably be canceled due to the added meetings they will be attending. The Planning Commissioners will be given an update regarding the Land Use Code on February 19, 2020, the same day they will start to consider the Oil and Gas Regulations. On March 4, 2020 the Planning Commissioners will attend a special hearing regarding the Estes Valley Code items. The Board of County Commissioners will have a hearing for the Estes Valley Codes on March 16, 2020. (Note: This date has been changed to Mar. 26 since the meeting.)

Mrs. Ellis also stated they will be sending revisions regarding the Oil and Gas Regulations to the Planning Commission for review as well as a hearing draft.

Commissioner Jensen asked if the public comments deadline will be extended?

Mrs. Ellis explained they are working on extending the deadline to the 24th.

Mrs. Ellis ended with giving an update regarding Montava that was presented in a work session a few months ago and the first reading was approved to move forward with the City Council of Fort Collins.

With there being no further business, the hearing adjourned at 7:35 p.m.

These minutes constitute the Resolution of the Larimer County Planning Commission for the recommendations contained herein which are hereby certified to the Larimer County Board of Commissioners.

Sean Dougherty, Chairman

Nancy Wallace, Secretary