



## AFFORDABLE HOUSING COMMISSION MEETING MINUTES

1 The meeting of the City of Loveland Affordable Housing Commission was held at the Loveland Municipal  
2 Building in the City Manager's Conference Room on  
3 January 14, 2010

### PRESENT AT THE MEETING:

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6 **Commissioners:** Wayne Thompson, Chris Jessen, Connie Ealey, Don Zook,  
7 Vince Ealey, Renee Salza, Leo Wotan, and Debbie Doyel  
8 **Council Liaison:** Carol Johnson  
9 **Staff Liaison:** Darcy McClure  
10 **Guests:** Carol Rush, League of Women Voters  
11 Sharon Citino, Assistant City Attorney  
12 Bob Paulsen, Current Planning Manager  
13 Developers Troy McWhinney and John Giuliano  
14

### ABSENT FROM THE MEETING:

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16  
17 **Commissioners:** Leslie Duchene  
18

19 *These minutes are a general summary of the meeting.*  
20

### **CALL TO ORDER**

22 The meeting was called to order at 5:15 p.m. by Chair Wotan.  
23

### **APPROVAL OF NOVEMBER MEETING MINUTES**

25 Commissioner Jessen made a motion to approve the December 10th meeting minutes.  
26 Commissioner C. Ealey seconded the motion, which was passed unanimously.  
27

### **AFFORDABLE HOUSING DESIGNATION EXTENSIONS**

29 Staff Liaison McClure went over handouts and a power point presentation on the history of  
30 affordable housing fee waivers and the affordable housing designation options for both Aspen  
31 Knolls and Wilson Commons developments. Since 1995 the city has been waiving fees for  
32 affordable housing, which totals 172 units, of those, 164 units were built by not for profit agencies.  
33 The city has adjusted fees since 1999 for 1,098 units, totaling a reduction of \$3.7 million in fees to  
34 date. The fee adjustments for developers have totaled over \$3.7 million since 1999. City fees have  
35 increased to pay for building libraries, fire departments, museums, etc. The only part of the  
36 building permit fee that goes into the general fund is the City Use Tax and that is credited back to  
37 qualified affordable units. Developer Giuliano stated that he has been working with the Building  
38 Department on the permit fees and how they are charged. A small house pays the same in certain  
39 fees as a large house. Chair Wotan asked what would be better criteria to base permit fees,  
40 number of bedrooms or square footage?

1 City Council Liaison Johnson stated that the council is doing a study on Capital Expansion Fees.  
2 Developer McWhinney stated that there may be legal concerns to charge more for the same  
3 services for a larger house than a smaller one, they both use the same sewer, parks, etc.  
4 Staff Liaison McClure showed the cost of building a 1,400 square foot home and how much a 4  
5 person family could afford to pay, per HUD's Area Median Income chart. A way to lower the cost  
6 of building affordable housing is to reduce the fees, which the city lowers the cost for the whole  
7 development. Staff Liaison McClure went over the timeline of the two developments and the  
8 current results of negotiations by Staff and the developers.

9  
10 Aspen Knolls – Staff recommendation to extend designation to 11-30-2018 with a 12 year rolling  
11 fee lock after 11-30-2013. Developer waives right to file a takings claim against the city.

12  
13 Motion to repeal the commission's current recommendation and go with the staff  
14 recommendation from staff was made by Commissioner Thompson and seconded by  
15 Commissioner Zook and passed unanimously.

16  
17 Wilson Commons – Staff recommendation to extend designation to 10-25-2022 with a 12 year  
18 rolling lock after 10-25-2012. Allow the developer to treat Wilson Commons and Giuliano Addition  
19 as one development for the purpose of counting units and with a single HOA. Developer waives  
20 the right to file a takings claim against the city.

21  
22 Developer Giuliano stated that he didn't agree with the 12 year rolling lock after 2012. He wanted  
23 to have the fee extension locked in until 2022 with the 12 year rolling lock after 2022. He stated  
24 that if he didn't get that, he would let Wilson Commons' affordable housing designation expire in  
25 2012 and build only market rate houses. His company has twenty years of land out in front of  
26 them to continue developing. The new ordinance doesn't give a developer enough of a savings to  
27 make constructing new homes for affordable housing work. Federal code regulations add costs  
28 to building houses, sprinklers will be required by 2013 and there will be stricter energy codes.  
29 Discussion ensued regarding the cost of building infrastructure, roads, etc.

30  
31 Motion to repeal the commission's current recommendation and go with extending the  
32 designation to 10-25-2022, using the 2000 fee schedule with a 12 year rolling lock after 2022,  
33 allowing Wilson Commons and Giuliano Addition count as one development in terms of counting  
34 units, was made by Commissioner Jessen and seconded by Commissioner Thompson. Discussion  
35 by commissioners and the developer resulted in clarifying that once the required affordable units  
36 are built in Giuliano Addition any additional units built in G.A. would count towards Wilson  
37 Commons' requirements. The motion passed unanimously.

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39 Both the Staff recommendation and the Commission's recommendations will be presented to City  
40 Council in February and it will be up to the council to decide.

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42 **CITY COUNCIL LIAISON UPDATE**

43 Councilor Johnson spoke of the upcoming retreat for City Council. On the agenda are:  
44 Transparency, Energy costs, The policy of residency of boards and commission members, Fee

1 changes in facilities such as the library, the Chilson Center, the museum and the Rialto, Downtown  
2 funding requests in connection with the capital improvement plan, and The Community  
3 Marketing Commission.

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5 **NEIGHBOR TO NEIGHBOR DEED RESTRICTION REQUEST UPDATE**

6 Neighbor to Neighbor has a buyer who would like the deed restrictions transferred to the new  
7 owner. The total of money transferred would be about \$140,000 in CDBG funds. The buyer would  
8 like to maintain the affordability of the units under the city's guidelines. Staff recommends the  
9 buyer go through the process as if they are requesting a grant. Staff may be sending information  
10 about the buyer before the February meeting depending on if the deal continues. After  
11 discussion by the commissioners and staff it was determined that the buyer would be invited to  
12 present his entity and proposal at the February meeting.

13

14 **5 YEAR CONSOLIDATED PLAN UPDATE**

15 The Community Partnership Office will be holding public meetings to get input from the agencies  
16 funded in past and present, as well as other community entities on how to use CDBG funds for the  
17 next five years. Staff Liaison McClure stated that more discussion is needed to consider funding  
18 non-housing capital projects in addition to affordable housing and human services. An example  
19 of a potential capital project would be the Food Bank of Larimer County needs a larger building.

20

21 **2010 MEETING SCHEDULE**

22 The 2010 meeting schedule was handed out, dates and locations were clarified.

23

24 **BOARDS & COMMISSIONS SUMMIT**

25 The 2009 accomplishments and 2010 Goals were handed out by staff and the commissioners  
26 agreed to add two more items to the 2010 goals to review Fee Waiver applications and make  
27 recommendations to city council and seek options to provide revenue for the affordable housing  
28 fund. Motion to pass the goals and accomplishments was made by Commissioner Doyel and  
29 seconded by Commissioner V. Ealey and passed unanimously.

30 The summit is on February 17<sup>th</sup> and two commissioners need to attend, Commissioners V. Ealey  
31 and C. Ealey volunteered to attend and motion was made by Chair Wotan to have them represent  
32 the Affordable Housing Commission and seconded by Commissioner Jessen, which was passed  
33 unanimously.

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35 **NEW BUSINESS**

36 Staff informed the commissioners that they can get updates and meeting reminders on Twitter.  
37 They just need to log in at Twitter and "follow" LovelandCPO.

38

39 **ADJOURNMENT**

40 The meeting adjourned at 7:32 p.m.

41 Respectfully Submitted,

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43 Beverly Walker