

CITY OF LOVELAND
PLANNING COMMISSION MINUTES

July 27, 2015

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on July 27, 2015 at 6:30 p.m. Members present: Commissioners Middleton, Meyers, Molloy, Dowding, Forrest, Ray, Jersvig, and McFall. Members absent: Chairman 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**, informed the commissioners that a memo prepared by **Karl Barton, Strategic Planning**, regarding the upcoming Create Loveland study session on August 10th was provided to the commissioners prior to the meeting. The original study session material was distributed prior to the July 13th Planning Commission meeting. Commissioners may contact the Current Planning office to request another copy of the material if needed for the upcoming study session. **Mr. Paulsen** clarified that the session was not noticed as a public hearing and therefore will only be a study session.
2. **Bob Paulsen** informed the commissioners that the Evergreen Development Co. distributed the staff decision regarding the Sprouts Site Development Plan approval to parties in interest, including the neighborhood, Planning Commission, and City Council members. A copy of the staff decision was distributed to the commissioners prior to the meeting.
 - **Commissioner Ray** asked for an update from the ZBA Hearing Officer regarding the building setback variance request for the Sprouts project. **Commissioner Dowding, ZBA Hearing Officer**, noted that the Findings and Determinations of the Hearing Officer was emailed to the commissioners.
 - **Troy Bliss, Senior Planner**, clarified that there are two appeal dates regarding the Sprouts project. The July 30th appeal deadline is for the setback variance request. The Staff Decision Notice distributed to the commissioners refers to the Site Development Plan with an appeal deadline of August 6th.
3. **Mr. Paulsen** updated the commissioners on several agenda items scheduled for the August 10th and August 24th Planning Commission meetings.
 - In regards to the August 24, 2015, Planning Commission meeting, **Commissioner Meyers** asked how the Urban Land Institute (ULI) was associated with the 287 Strategic Plan. **Mr. Paulsen** stated that he would get clarification on the relationship

and will distribute the information to the commissioners. **Commissioner Meyers** asked that ULI publicly disclose that ULI is not a part of the direct project team for the 287 Strategic Plan.

COMMITTEE REPORTS

There were no committee reports.

COMMISSIONER COMMENTS

1. **Commissioner Ray** asked if he could borrow a copy of the book “For the Love of Cities.” Several commissioners, offered to lend him a copy.

APPROVAL OF THE MINUTES

Commissioner Meyers made a motion to approve the July 13, 2015 minutes; upon a second from Commissioner Dowding, the minutes were unanimously approved.

REGULAR AGENDA

1. Loveland Classical Schools – Site Plan Review

Project Description: Loveland Classical School (LCS) is a public charter school (authorized through the Thompson School District) seeking a location for expansion of their 9 through 12 grade program. Through negotiations with the Faith Evangelical Church located at 2707 N. Wilson Avenue (southwest corner of N. Wilson Avenue and Arbor Drive), Loveland Classical School is seeking to lease an existing 14,737 square foot multi-purpose space / gymnasium (Monday through Friday) for approximately 100 students and associated faculty. This proposal is envisioned as a temporary solution (3 to 5 years) for the school’s growing needs until a larger site can be acquired to re-combine with their main campus presently located at 3835 SW 14th Street. Per State Statute, the review and permitting of the school is primarily a function of the State of Colorado. The Planning Commission review of the proposed location and site plan is also a requirement of the statute.

Commissioner Molloy noted that his daughter is a student at Loveland Classical School and asked to be recused. **Commissioner Molloy** also noted that he is a consultant for South Shore Plaza and asked that he be recused from this agenda item. Upon agreement from the commissioners, **Commissioner Molloy** was recused and excused for the evening.

Troy Bliss, Senior Planner, explained that LCS has outgrown its main facility on SW 14th Street and is looking for a temporary site for students in grades 9-12. Prior to selecting the Faith Evangelical Church location, LCS looked at 3-4 sites that were determined to be incompatible locations. The applicant is in a rush due to the school year starting soon and would like to move forward as quickly as possible.

Mr. Bliss discussed the site plan as provided in the Staff Report and noted that this site has sufficient parking for the school needs and vehicle stacking and queuing needs are addressed. City staff is in support of this location as this site accommodates the number of students and

the overall traffic study indicates the traffic flow would not be impacted. **Mr. Bliss** noted that although a public notice hearing is not required, it is the intent of LCS to reach out to neighbors regarding the plan.

Mr. Bliss introduced the applicant, **Steve Steinbicker** with Architecture West. **Mr. Steinbicker** thanked **Mr. Bliss**, **Mr. Maizland**, and **Mr. Paulsen** for their work on this project. Several alternative sites have fallen through and they are now looking to move forward with this site.

Mr. Steinbicker explained the traffic flow and the vehicle queuing. Traffic would enter the site via Arbor Drive and exit the site via one of two exits onto Wilson Avenue. **Mr. Steinbicker** noted that the school is capped at 100 students; however, in 1994, this site was approved up to 600 people.

Mr. Steinbicker noted that a neighborhood meeting will be held at Faith Evangelical Church on July 28, 2015 and that neighbors immediately adjacent to the site were notified.

Mr. Steinbicker acknowledged concerns with speed limits on Taft and would be willing to consider solutions such as electronic sign that flashes speed limit to help reduce speeding through the area. He also noted that the high traffic volume during student drop-off and pick-up will be off-peak from the high traffic volumes of the community commute to work.

COMMISSIONER QUESTIONS AND COMMENTS:

- **Commissioner Dowding** and **Commissioner Ray** asked if a school zone sign will be posted in this area. **Mr. Bliss** commented that the intention at this time is not to post. **Mr. Maizland, Transportation Development Review**, indicated a willingness to evaluate adding school zone signage to the area but noted that school zone signage is not usually recommended on an arterial roadway like Wilson. **Commissioner Meyers** noted that speed limits are dropped in front of the other area high schools and indicated that regardless of the school's charter status and location it would increase safety to have the school zone warning.
- **Commissioner Ray** expressed concerns that the area is a speed trap with speed limits going from 55 mph to 25 mph in a school zone. **Mr. Steinbicker** acknowledged that LCS is willing to have additional speed limit or school zone signs.
- **Commissioner Ray** expressed concern with the pedestrian traffic in the area. **Mr. Steinbicker** noted that there are no buses due to the school's charter status and that pedestrian traffic is limited because no students from the surrounding neighborhood are currently enrolled. However, school staff is willing to act as traffic guards at key intersections if needed to facilitate pedestrian traffic.
- **Commissioner Ray** expressed concerns with the left turn onto Arbor Drive from Wilson Avenue and is concerned with the que line for northbound traffic on Wilson Avenue backing up.
- Several commissioners expressed concern with morning east bound traffic on Arbor Drive. Arbor Drive is used as a main in and out and high traffic volume could inhibit the community leaving the neighborhood. **Mr. Maizland** noted that a traffic impact study

was conducted based on 115 students; however, the school is capped at 100 students. Even with the increased school traffic in the area, the traffic flow remains at a Level Service A.

- **Ian Stout, principal at Loveland Classical School**, provided a summary of the anticipated student enrollment and transportation. He noted that the traffic study is based on 115 students; however, there are only 55 students currently enrolled in the school's high school program. He indicated that approximately 5 students will be driving and 10 families carpooling. There are 12 staff members total with half arriving between the hours of 10:00 a.m. and noon. Between two and three students will be walking to school from the west. **Mr. Stout** is anticipating students and staff being gone shortly after 4:00 p.m. as all extra-curricular events will be held at the LCS main campus on 14th Street and not at the church.
- Several commissioners commented that restricting the exit to a right turn only onto Wilson would help reduce stacking and dangerous turns onto Wilson.
- **Commissioner Ray** commented that neighbors located on the north-east corner of Arbor Drive will be significantly impacted by the traffic turning onto Arbor Drive from Wilson Avenue. **Rob McClelland, Pastor at Faith Evangelical Church**, has talked to one of these neighbors and noted that a Arbor Drive neighbor commented that the 200-250 cars arriving for church activities does not impact him much so he is not anticipating the school traffic to be a significant problem. **Mr. Stout** stated that he would be willing to follow-up with the Planning Commission regarding the upcoming neighborhood meeting and comments received from the adjacent neighbors.

Co-Chairman Middleton opened the Public Hearing at 7:35 p.m.

- **Richard Sechrist**, 2849 Arbor Drive, which is the 3rd house off of Wilson on the north side. **Mr. Sechrist** expressed concern with the traffic speed on Wilson Avenue. He also noted that crossing Wilson Avenue is already difficult and is concerned that the increased traffic would make it even harder. He also noted concerns with the noise from increased traffic. **Mr. Sechrist** commented that Faith Church is a good neighbor and would like to find a plan that will work for the school and neighbors.
- **Lenard Larkin**, 1852 Wintergreen, expressed concerns with a church hosting a public school, citing the use of public money being paid to a religious institution and the presence of faith related symbols. In regards to traffic, he expressed concerns with that the speed limit change from 55 mph to 35 mph will create a back-up in front of the school, leading to a high incident of rear-end accidents. **Mr. Larkin** expressed concerns that parents will not follow the proposed traffic flow and will change the traffic pattern to reduce their drop-off time. He asked if LCS has budgeted for officers to monitor and direct traffic.
- **Rob Harris**, 3085 Kiowa Drive, stated that he did not receive any notification of the upcoming neighborhood meeting because he is not adjacent to the site; however, he felt that the increased traffic would affect his commute. He was disappointed that only adjacent neighbors were notified of the upcoming neighborhood meeting. **Mr. Harris** felt that the overall traffic pattern was good; however, he had some concerns with traffic flow turning onto and off of Wilson Avenue. **Mr. Harris** stated that better signage or

electronic speed control signs on Wilson Avenue would be beneficial, along with eliminating the left turn out of the school. In terms of diverting traffic off of Arbor Drive onto another street, **Mr. Harris** stated that Kiowa Drive is not a good alternative route. He stated that this is a dangerous intersection due to bushes and shrubs blocking drivers' view of traffic on Wilson.

Co-Chairman Middleton closed Public Comment at 8:47 p.m.

COMMISSIONER QUESTIONS AND COMMENTS:

- **Commissioner Ray** stated the **Mr. Larkins** concerns regarding faith based symbols are not an issue addressed by Planning Commission and asked to remove those remarks from consideration. **Commissioner Middleton** agreed that no action needs to be taken regarding the religious comments.
- In response to public comments, **Mr. Bliss** stated that further evaluation by the transportation department is needed in order to consider changing the size of speed limit sign or adding electronic signs. **Mr. Bliss** acknowledged the site distance concerns on Kiowa Drive and agreed to assess this intersection. He noted the city would try to work with property owners to rectify the situation if the site distance triangle was not properly maintained.
- **Mr. Paulsen** agreed to provide an update to the Planning Commission on August 10th in response to comments made.
- Several commissioners agreed that they would approve LCS moving forward with the site with the recommendation that LCS works with Public Works and Transportation Development Review to further evaluate traffic flow and circulation.
- **Mr. Maizland** asked **Commissioner Ray** for clarification on his requested traffic flow. **Commissioner Ray** clarified that he wants a right turn only onto Arbor Drive (no left in from Wilson Avenue) and right out from parking lot onto Wilson. **Commissioner Ray** discouraged using signage to direct this flow but would encourage school staff and parents to facilitate this request. **Commissioner Ray** acknowledged that it is not feasible to enforce this circulation but would rely on the integrity of school, staff, and parents to follow the recommended traffic pattern.

***Commissioner Ray** motioned to communicate to the Board of Education of Thompson School District R2J that the City of Loveland Planning Commission has reviewed the Site Development Plan of the proposed location for Loveland Classical School to expand and recommend that that site be used as depicted and described on said plans and in compliance with city standards for public utilities related here to, as amended on the record, including the following: Point 1- work to resolve traffic patterns (right-in, right-out); Point 2 – consider issues at Kiowa and Wilson for potential mitigation. Upon a second from **Commissioner Dowding**, the motion was unanimously approved.*

***Commissioner Meyers** motioned for a break. Upon a second, the motion was approved.*

Co-Chairman Middleton called for a recess at 8:05 p.m.

Co-Chairman Middleton called the meeting to order at 8:15 p.m.

2. South Shore Plaza Height Exception

Project Description: This is a public hearing on a quasi-judicial matter to consider a height exception request to allow development of a 3-story office condominium building. The majority of the building is proposed at 37 feet in height. Inclusion of an elevator lobby, stairs, and barbeque shelter on the roof top, increases the building height to 43.5 feet. Additionally, a required elevator shaft puts the building at a maximum height of 49.5 feet. The project includes development of the western third of Lot 1 South Shore Plaza Subdivision, generally located on the south side of W. Eisenhower Boulevard east of Colorado Avenue.

Commissioner Forrest asked to be recused and **Co-Chairman Middleton** approved and excused **Commissioner Forrest**. As previously noted, **Commissioner Molloy** was also recused and had excused himself from the meeting. **Co-Chairman Middleton** noted that a quorum was still present.

Mr. Bliss described the site per the Staff Report and clarified that the building is a 3-story commercial condominium building. **Mr. Bliss** noted that the building is limited to 35 feet due to the residential zoning district to the south. If the site was not adjacent to a residential zoning district, the building height would be limited to 40 feet. **Mr. Bliss** described the proposed building design and elevation perspectives. The roof top is designed as a patio space to be utilized by employees. Therefore, the applicant designed the building to facilitate access for everyone to the roof top, including a stairwell and elevator extending to the roof top. The building height is predominantly 37 feet; however, the stairwell and lobby area is approximately 44 feet tall and the elevator shaft is approximately 50 feet in height. **Mr. Bliss** noted that the adjacent RE/MAX building was granted a height exception in 2007 and the Madwire building to the east utilizes a rooftop patio space.

A neighborhood meeting was held one week ago and no one attended. **Mr. Bliss** stated that he has not received any communication or complaints from the neighborhood. **Mr. Bliss** introduced the applicant, **Steve McMillan**.

Mr. McMillan thanked the commissioners and acknowledged that he has brought several proposals for this site to the Planning Commission and is hoping for support on this project.

COMMISSIONER QUESTIONS AND COMMENTS:

- **Co-Chairman Middleton** asked for clarification on the Staff Report and Agenda referencing this as a residential project. **Mr. Bliss** noted that this is a commercial condominium project and stated he would correct these items.
- **Commissioner Meyers** asked if the applicant could build the parapet greater than 37 feet height because the rendering shown is just a conceptual plan. **Mr. Bliss** explained that a taller parapet would require the applicant to obtain Planning Commission approval. The current request is for 3 different height exceptions: the parapet, the stairwell and lobby,

and the elevator shaft. **Mr. Paulsen** indicated that a condition recommended by staff specifically addresses the varied height limitations.

- Several commissioners asked questions regarding the use of the rooftop terrace and the balconies on the north face of the building. **Mr. McMillan** explained that these elements allow people to enjoy the view and add an interesting component to the design. **Mr. McMillan** indicated that the rooftop would be limited to activities of the building occupants, and not for other commercial functions.
- Several commissioners commented that they liked the architecture and the addition of the rooftop terrace.

Co-Chairman Middleton opened the Public Hearing at 8:40 p.m.

- There were no public comments.

Co-Chairman Middleton closed the Public Hearing at 8:40 p.m.

COMMISSIONER QUESTIONS AND COMMENTS:

- **Commissioner Dowding** appreciated the inclusion of the elevator due to the importance of ADA access. **Commissioner Ray** felt the elevator shaft and stairwell were a mechanical component and fit into the intention of the code.
- **Commissioner Meyers** noted that he did not support previous project applications for this site proposed by the applicant due to design and height concerns. **Commissioner Meyers** thanked the applicant for redesigning the building to address these concerns and indicated that he likes that the applicant moved the taller components to the rear of the building.

Co-Chairman Middleton read the recommended condition as written in the City Staff Report and asked if **Mr. McMillan** accepted the condition. **Mr. McMillan** stated that he accepted the condition.

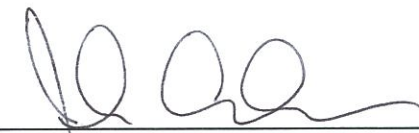
Commissioner Meyers motioned to make the findings listed in Section VIII of the Planning Commission staff report dated July 27, 2015, and, based on those findings, approve the requested height exception subject to the condition listed in said report, as amended on the record. Upon a second from Commissioner Ray, the motion was unanimously approved.

ADJOURNMENT

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

Co-Chairman Middleton adjourned the meeting at 8:50 p.m.

Approved by: _____

A handwritten signature in black ink, appearing to read 'John Crescibene', written over a horizontal line.

John Crescibene, Planning Commission Chair

A handwritten signature in blue ink, appearing to read 'Jenell Cheever', written over a horizontal line.

Jenell Cheever, Planning Commission Secretary