



410 East 5th Street
Loveland, Colorado
970.962.2523

FINAL FINDINGS REPORT

180 S. Jefferson Avenue Special Review #933 (PZ #17-00030)

July 10, 2017

TITLE: 180 S. Jefferson Avenue – Special Review #933 (PZ #17-00030)

LOCATION: Between E. First Street and Third Street SE on the east side of S. Jefferson Avenue. See the enclosed “project vicinity map”.

APPLICANT: Ron Elliot, (307) 763-7900

STAFF CONTACT: Troy Bliss, Current Planning
Melissa Morin, Water/Wastewater
Kevin Gingery, Stormwater
Kim Fentress, Power
Randy Maizland, Transportation Dev. Review
Ingrid McMillan-Ernst, Fire

APPLICATION TYPE: Special Review #933

STAFF RECOMMENDATION: Staff recommends that the Current Planning Manager approve a Type 2 Zoning Permit for 180 S. Jefferson Avenue, subject to the conditions listed in this report dated June 28, 2017.

I. ATTACHMENTS

1. Vicinity Map
2. Site Plan

II. SITE DATA

Acreage of Site – 0.2 acres (9,900 square feet)

Total Parking for Site – 9 parking spaces (surface parking and garage parking)

Usable Open Space – 2,066 square feet (21% of site)

III. PROJECT DESCRIPTION

Proposal to establish the existing building as a three-family dwelling unit and construct two (2) separate single-family dwelling homes – total of five (5) dwelling units. Vehicle access would be provided only from S. Jefferson Avenue. Site improvements include paving for drive aisle and parking and landscaping. The property is zoned R3e – Established High Density Residential. Multiple-family developments (exceeding four (4) dwelling units) are permitted only through approval of a Special Review. The Special Review includes review of a site plan by the City for conformance to all applicable standards, input from surrounding property owners and findings of compatibility within the neighborhood.

IV. KEY ISSUES

There are no key issues regarding the 180 S. Jefferson Avenue – Special Review #933 from City staff. However, there are concerns from neighbors. These concerns are reflected Section VI of this report.

V. BACKGROUND

The zoning on the property is R3e – Established High Density Residential. Multi-family uses are permitted through approval of a special review. The Development Review Team (DRT) has conducted two (2) reviews of the special review plans and is currently in process of completing a subsequent final

review. Minor technical corrections are needed that did not impact the City's ability to begin the process of issuing findings and comment/appeal.

VI. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

A. Notification

An affidavit was received from Ron Elliot, which certifies that the surrounding property owners within 300 feet of the property were notified on May 10, 2017, of a neighborhood meeting held on May 25, 2017.

B. Neighborhood Response

A neighborhood meeting was held on May 25, 2017, regarding this project. Two neighbors including the applicant and City staff were in attendance. Those who participated in the neighborhood meeting expressed concerns regarding the amount of higher density developments in what is predominantly a single-family neighborhood. People with single-family homes are working to improve their properties – re-invest in an area that will be in close proximity to the Foundry. They do not want to see the neighborhood deteriorate with rentals and poor construction bringing down property values.

C. Project Schedule

1. Type 2 Special Review #874 was filed with the Current Planning Department on February 14, 2017.
2. A neighborhood meeting was held on May 25, 2017, at 6:00 p.m. in the Development Center (410 E. Fifth Street).
3. The staff preliminary findings and determination was made on June 28, 2017.
4. The public review period for the staff preliminary findings and determinations is from June 28, 2017 to July 7, 2017.
5. The appeal period for the Type 2 Zoning Permit for Modification to Special Review #311 is from July 10, 2017 to July 20, 2017.

6. The Type 2 Zoning Permit for Special Review #874 will be issued on **July 21, 2017** (providing no appeal(s) is/are filed and final plans prepared).

VII. FINDINGS AND ANALYSIS

Finding 1. That the proposed special review use meets the purposes set forth in Section 18.04.010 of the Loveland Municipal Code.

The special review meets the purposes of Section 18.04.010 of the Loveland Municipal Code in that it is designed to adhere to the zoning regulations and districts established in Title 18 and more particularly those for the R3e district including but not limited to providing adequate facilities (i.e. transportation, water, sewer, power, etc.), appropriate use of land, and keeping with the character of the land.

Finding 2. That the effects of the proposed special review use on the surrounding neighborhood and the public in general will be ameliorated.

The proposed special review is such that it will not significantly change the way the property is currently being used therefore ameliorating any negative effects on surrounding neighborhoods and the public in general. Adding three (3) additional dwelling units will create more parking demands which are being provided on-site. More traffic will be generated as a result, however adequate levels of service are being met and proper access circulation will be established both entering and existing the site.

Finding 3. That in assessing the potential effects of the proposed special review use, at a minimum, the following matters have been considered:

3a. Type, size, amount, and placement of landscaping;

Through this special review, landscaping is proposed to be reduced in terms of width and plant material along the north and south property boundaries. City staff was willing to support this modification as long as no objection was provided at the neighborhood meeting held on May 25, 2017. Based on the neighborhood response, no objection to landscaping was raised at the neighborhood meeting.

3b. Height, size, placement, and number of signs;

Not applicable. No signage is permitted with this residential development.

3c. Use, location, number, height, size, architectural design, materials, and colors of buildings;

With the two (2) proposed buildings, the height, size and architectural design (including materials and colors) will be compatible to the design of the existing homes in the neighborhood.

3d. Configuration and placement of vehicular and pedestrian access and circulation;

The proposed special review improves circulation by establishing defined areas for parking and access.

3e. Amount and configuration of parking;

The amount of parking is in excess of the parking requirements. Placement of parking was designed to be away from public rights-of-way to the maximum extent practical.

3f. Amount, placement, and intensity of lighting;

Exterior lighting would comply with the City's lighting standards.

3g. Hours of operation;

Not applicable. This is not a business operation.

3h. Emissions of noise, dust, fumes, glare, and other pollutants.

The noise emitted from the site is typical of a multi-family development.

Glare from the site lighting will be managed through the use of residential lighting fixtures.

Dust, fumes, and other pollutants are limited based upon the type of use.

Finding 4. The special review site plan conforms to the restrictions and regulations set forth in the Loveland Municipal Code for the zoning district in which the special review use is located.

The special review site plan conforms to the Loveland Municipal Code, Chapter 18.16.

Finding 5. The special review site plan meets the requirements set forth in Section 16. 41 - Adequate Community Services - of the Loveland Municipal Code.

The special review is in compliance with the Adequate Community Service requirements.

VIII. CONDITIONS OF APPROVAL

Planning - Review:

1. A solid privacy fence (in compliance with City standards) shall be installed along the entire north and east property boundaries. The fence shall be limited to a maximum height of six (6) feet, located within the subject property. If property boundaries are unknown in which to place the fence, the Owner/Developer shall obtain a survey from a Licensed Colorado Surveyor, prior to construction.
2. The Owner/Developer shall be responsible for obtaining building setback certification from a Licensed Colorado Surveyor, prior to pouring foundations for the two (2) new buildings/structures. The building setback certification shall demonstrate compliance with the R3e – Established High Density Residential zoning district and this Special Review/Site Development Plan. If a survey is required in order to provide a building setback certification, the Owner/Developer shall incur all associated costs.
3. All landscaped usable open space areas on-site shall be irrigated with a permanent irrigation system. The irrigation system shall be continually monitored and kept in working condition.
4. All new trees planted shall be a minimum size of two (2) inch caliper. All new shrubs planted shall be a minimum size of five (5) gallon. All designated irrigated turf areas shall be installed as sod. No seeding is permitted in establishing these areas.
5. The Owner/Developer shall be responsible for maintenance of all landscape and pavement areas on-site. Maintenance shall include but not be limited to mowing, weeding, pruning, irrigation, snow removal, and pavement/fence repairs.
6. The Owner shall assure at all times, Tenants park in designated areas on-site and do not block access/drive aisles. The City will not police on-site parking, access, and circulation problems. The tandem parking area at the northwest corner of the site shall be assigned to one (1) dwelling unit within the existing triplex only. Tandem parking may not be shared among separate dwelling units.
7. The Owner shall assure at all times, Tenants adhere to the City's Sound Limitations contained in Chapter 7.32 of the Loveland Municipal Code. The Owner shall be responsible for correcting any violations.
8. The 440 square foot basement unit within the existing triplex shall be designated as a "Dwelling, Efficiency Unit" as defined in Title 16 of the Loveland Municipal Code. This designation is for zoning purposes only, restricting occupancy to no more than three (3) persons.

PW-Transportation:

1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).
2. No access to the development will be permitted from the alley.
3. Prior to issuance of a building permit, sidewalk improvements must be constructed along the adjacent frontage of S. Jefferson Avenue.
4. These Site Development Plans (SDP) or any accompanying construction plan documents do not allow any construction within public street or alley rights-of-way. A separate City Street right-of-way (ROW) Work Permit must be obtained at the City Project Engineering office (and approved by Project Engineering) prior to any repair or construction of sidewalk, curb and gutter, driveway accesses, or any other construction in City street or alley rights-of-way (this includes all items proposed in rights-of-way such as utility street cuts, sidewalk ramps, construction staging proposed in street, traffic control, landscaping, etc.). (Call 962-2510 to discuss details to obtain a ROW Work Permit).

PW-Stormwater:

1. Prior to issuance of a Certificate of Occupancy for either building, the Developer shall contact Stormwater Engineering at 962-2771 and request an inspection and approval of the proposed final site grading. The final site grading shall not cause Stormwater runoff to drain onto adjacent private property owners.