



410 East 5<sup>th</sup> Street  
Loveland, Colorado  
970.962.2523

## PRELIMINARY FINDINGS REPORT

**1752 East 1st Street. Special Review #942 (PZ #17-00229)**

*January 22, 2018*

**TITLE:** 1752 East 1<sup>st</sup> Street. – Special Review #942

**LOCATION:** Southwest corner of South Boise Avenue and East 1st Street.

**APPLICANT:** Elizabeth and Scott Hood

**STAFF CONTACT:** Emily Tarantini, Current Planning  
Melissa Morin, Water/Wastewater  
Kevin Gingery, Stormwater  
Kim Reeves, Power  
Randy Maizland, Transportation Dev. Review  
Ingrid McMillan-Ernst, Fire

**APPLICATION TYPE:** Special Review #942

**STAFF RECOMMENDATION:** Staff recommends that the Current Planning Manager preliminarily approve a Type 2 Zoning Permit for 1752 E. 1st St., subject to the conditions listed in Section VIII of this report dated January 22, 2018.

## **I. ATTACHMENTS**

1. Vicinity Map
2. Special Review/Site Development Plan

## **II. SITE DATA**

EXISTING USE        Single Family Home

PROPOSED USE     Small Child Care Center

EXISTING ZONING AREA (acres) R1– Developing Low Density Residential (0.373 acres/16,243 square feet)

EXISTING ADJACENT ZONING & USE- North R2 -Developing Two Family Residential

EXISTING ADJACENT ZONING & USE – East P-56 Winona 1<sup>st</sup> Subdivision Planned Unit Development Residential Use

EXISTING ADJACENT ZONING & USE- South R1– Developing Low Density Residential

EXISTING ADJACENT ZONING & USE - West R1– Developing Low Density Residential

UTILITY SERVICE – WATER        City of Loveland

UTILITY SERVICE – SEWER        City of Loveland

UTILITY SERVICE – ELECTRIC    City of Loveland

## **III. PROJECT DESCRIPTION**

The applicant is proposing to operate a small child care center at 1752 East 1<sup>st</sup> Street, located on the southwest corner of South Boise Avenue and East 1st St. The property will be used solely as a small child care center employing a staff of two (2) adults and caring for children ages 2-10. The center will have a maximum capacity of fifteen (15) children in attendance. The property is currently used as a single family home with an approved home occupation permit for a daycare, permitting the care for up to eight (8) children with a Colorado Department of Human Services family Child Care home license. Vehicle access is currently and will continue to be provided from S. Boise Avenue. Site improvements will include parking lot striping, landscaping and sidewalk improvements. The property is zoned R1- Developing Low Density Residential. The proposed use of a child care center is permitted through the approval of a special review. The special review application includes a review of the site plan by the City for conformance to all applicable standards, input from the surrounding property owners and findings of compatibility within the neighborhood.

## **IV. KEY ISSUES**

Staff has not identified key issues associated with this special review application in terms of compliance with the Municipal Code. There were no members of the neighborhood present at the neighborhood meeting.

## **V. BACKGROUND**

The zoning on the property is R1 – Developing Low Density Residential. In 2003, the property was annexed and zoned into the City..

In 2015, a major home occupation permit for a Day Care was approved by the City along with the approved state license.

In 2016, the owners attended a Concept Review Meeting to discuss the proposal of a small child care center.

## **VI. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION**

### **A. Notification**

A letter advertising the neighborhood meeting was sent out by owner Elizabeth Hood, on December 22, 2017 to all neighbors within the “Neighborhood” as defined in Section 18.40.010.C of the Loveland Municipal Code. Meeting notice signs were posted on the property on December 22, 2017.

### **B. Neighborhood Response**

A neighborhood meeting was held on **January 11, 2018**, regarding this project. The applicant, applicant’s consultant and City staff were in attendance, however no members of the neighborhood attended the meeting.

### **C. Project Schedule**

1. Type 2 Special Review #942 was filed with the Current Planning Department on **November 22, 2017**.
2. A neighborhood meeting was held on **January 11, 2018**, at 5:30 p.m. in the Development Center (410 E. Fifth Street).
3. The staff preliminary findings and determination was posted on **January 22, 2018**.
4. The public review period for the staff preliminary findings and determinations is from **January 22, 2018** to **January 31, 2018**.
5. Final findings and determination will be issued on **February 1, 2018**.
5. The appeal period for the Type 2 Zoning Permit for Modification to Special Review #942 is from **February 1, 2018** to **February 12, 2018**.

## **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 R1 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 use is consistent with the surrounding neighborhood in that it is a small-scale child care center that continues to offer local residents child care options in the looks of a single family home. The proposed special review will be allowing the increase of children cared, for from eight (8) to fifteen (15) with the required approvals and inspections from both the state and City Building Division. The increase in children will generate more traffic to the site, the owner/applicant will be taking the necessary steps to minimize impacts, specifically by ensuring that onsite parking requirements are met, and signage is provided on designated parking spaces

**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;

The owner/applicant is proposing to increase landscaping along the East edge of the building (South Boise Ave) with the use of barrel planters and wood mulch.

Street trees along East 1<sup>st</sup> Street, placed within a tree lawn will be required.

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

The proposed special review will be approving a non-residential use in a residential zone, which limits signage to 20 square feet per face and a total height of 6 feet. A separate sign permit will be required to be submitted and approved as the special review does not approved signage.

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

The child care center will be occupying the existing structure. There are no proposed additions or exterior changes to the building

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

Configuration and placement of vehicular and pedestrian access and circulation is compliant with City standards. The existing driveway curb cut will be used for site access and onsite parking, providing the required number of parking spaces. One (1) ADA parking space with a van accessible loading aisle is proposed. The pedestrian sidewalk adjacent to South Boise Avenue is proposed to continue along East 1<sup>st</sup> Street (front of the property) and connect to the existing sidewalk on South Boise Avenue.

A Transportation Worksheet was provided and noted that there will be fewer than 50 average daily trips created, which will generate traffic volumes considered to be insignificant and not likely cause unacceptable levels of service per the Adequate Facilities Ordinance.

Fire Department and Transportation staff have reviewed the special review plans and indicated compliance with the City's Adequate Community Facilities Ordinance.

**3e.** Amount and configuration of parking;

The Loveland Municipal Code requires three (3) parking spaces for the proposed use; the proposed site plan is compliant with the city parking standards. The parking spaces will be labeled each with a designated "employee" and "visitor" sign.

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

Additional exterior lighting is not proposed with this project.

**3g.** Hours of operation;

The hours of operation for the child care center are Monday through Friday from 6:30 a.m. to 5:30 p.m.

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

The noise emitted from the site will remain similar to what is currently is, revolving around the children's playtime outside.

The glare will not increase as no new lighting is proposed on the site.

Dust, fumes and other pollutants are not applicable based on the proposed use.

**Finding 4.** Except as may be varied in accordance with this special review permit, 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 proposed special review meets this finding. The proposed building square footage, outdoor fenced area and parking standards comply with all normal applicable restrictions and regulations set forth in the Municipal Code and the site development performance standards and guidelines.

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

**Transportation:** Staff believes that this finding can be met due to the following:

- In accordance with the Larimer County Urban Area Street Standards (LCUASS), this proposed child care use is exempt from demonstrating compliance with the transportation criteria of the Adequate Community Facilities requirements. Fewer than 50 average daily trips and fewer than 20 peak hour trips are anticipated based on the Transportation Worksheet provided.

- The traffic volumes generated by this proposed use are considered to be insignificant and not likely to cause less than acceptable levels of service per the Adequate Community Facilities ordinance on the adjacent street system.

**Fire:** Staff believes that this finding can be met, due to the following:

- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The proposed child-care center will not negatively impact fire protection for the subject development or surrounding properties.

**Water/Wastewater:** Staff believes that this finding can be met, due to the following:

- The proposed development will not negatively impact City water and wastewater facilities.
- The proposed public facilities and services are adequate and consistent with the City's utility planning and provides for efficient and cost-effective delivery of City water and wastewater service.

**Stormwater:** Staff believes that this finding can be met, due to the following:

- Community Facilities standards set forth in the Loveland Municipal Code, Section 16.41.140.

**Power:** Staff believes that this finding can be met, due to the following:

- The proposed development will not negatively impact City power facilities.
- The proposed public facilities and services are adequate and consistent with the City's utility planning and provides for efficient and cost-effective delivery of City power.
- The special review site plan meets the requirements set forth in Section 16.41.150 -- Adequate Community Facilities of the Loveland Municipal Code.

## **VIII. CONDITIONS OF APPROVAL**

### **Planning - Review:**

1. The Owner/Developer will be designating the parking spaces as employee and visitor.
2. Before issuance of a Certificate of Occupancy or a Letter of Completion by the City, the Owner/Developer shall install all paving, striping and signage for the parking lot and circulation lanes, as shown on the approved plans, unless financial security is filed by the Developer with the City to assure installation at a later date acceptable to the City.
3. Before issuance of a Certificate of Occupancy or a Letter of Completion by the City, the Owner/Developer shall install all landscape as shown on the approved landscape plans, unless financial security is filed by the Developer with the City to assure installation at a later date acceptable to the City. Any water tap fees or water meter activation fees for irrigation taps and meters shall be included in said financial security.
4. All landscape shall be maintained in good health and vitality at all times. Any dead, dying or

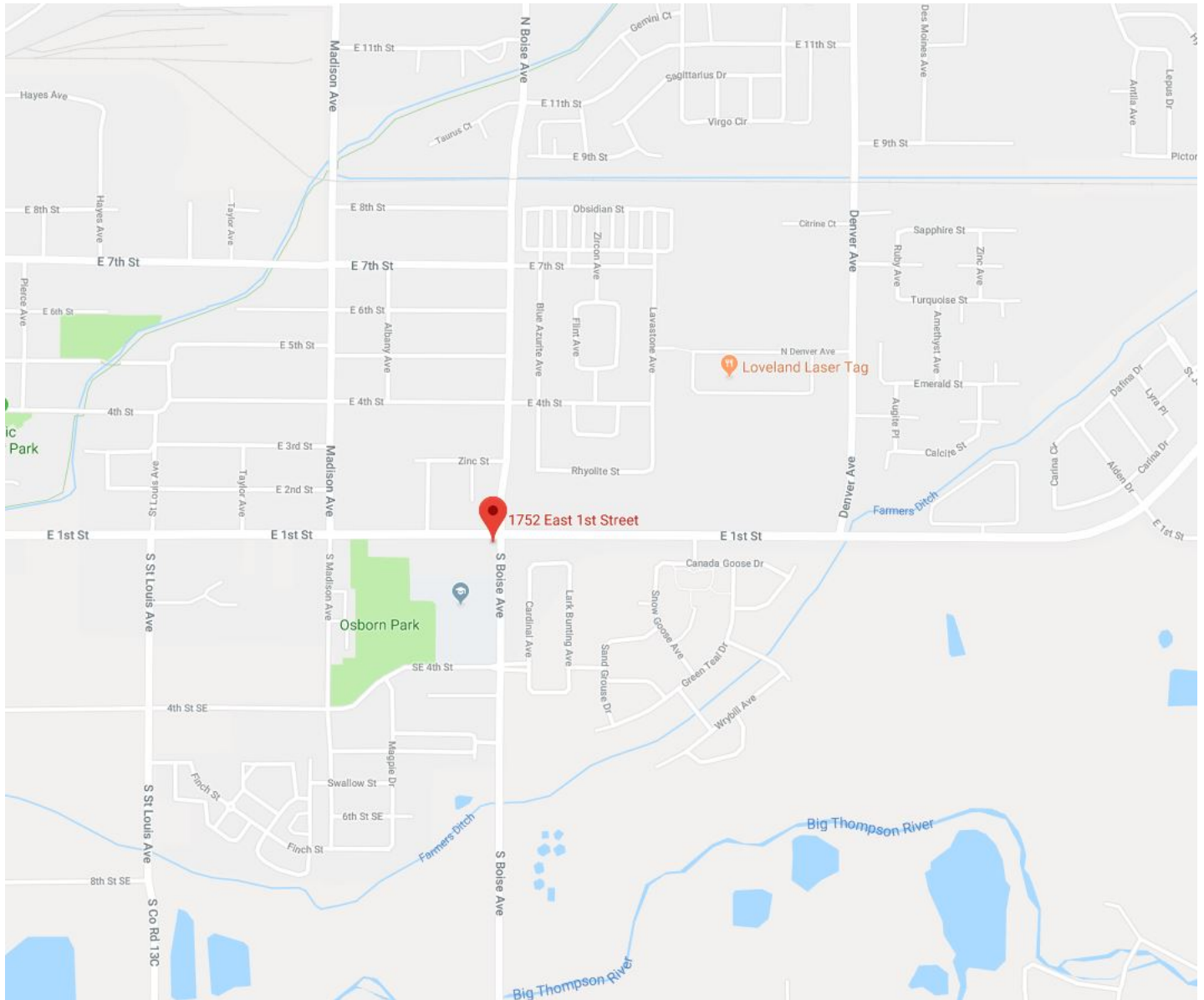
deteriorating landscape shall be rejuvenated or replaced at the beginning of the next available planting season.

5. Approval of this Special Review does not grant or imply approval of any signs. All signs must meet the applicable sections of the City sign code. No signs may be installed or altered unless first approved by the City by issuance of a sign permit application.

**PW-Transportation:**

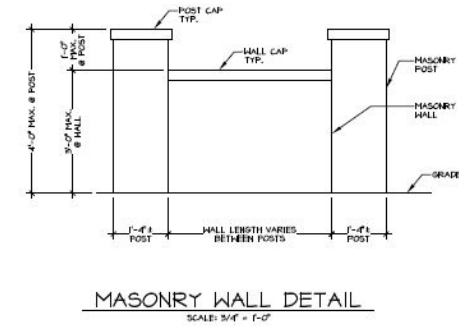
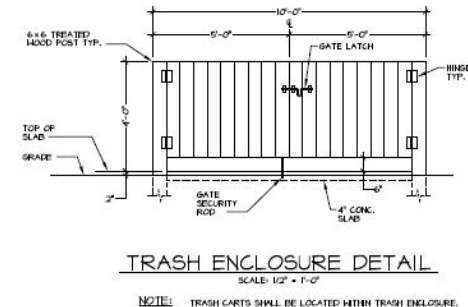
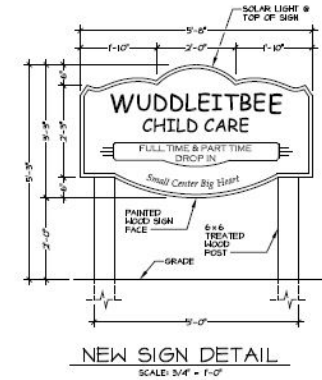
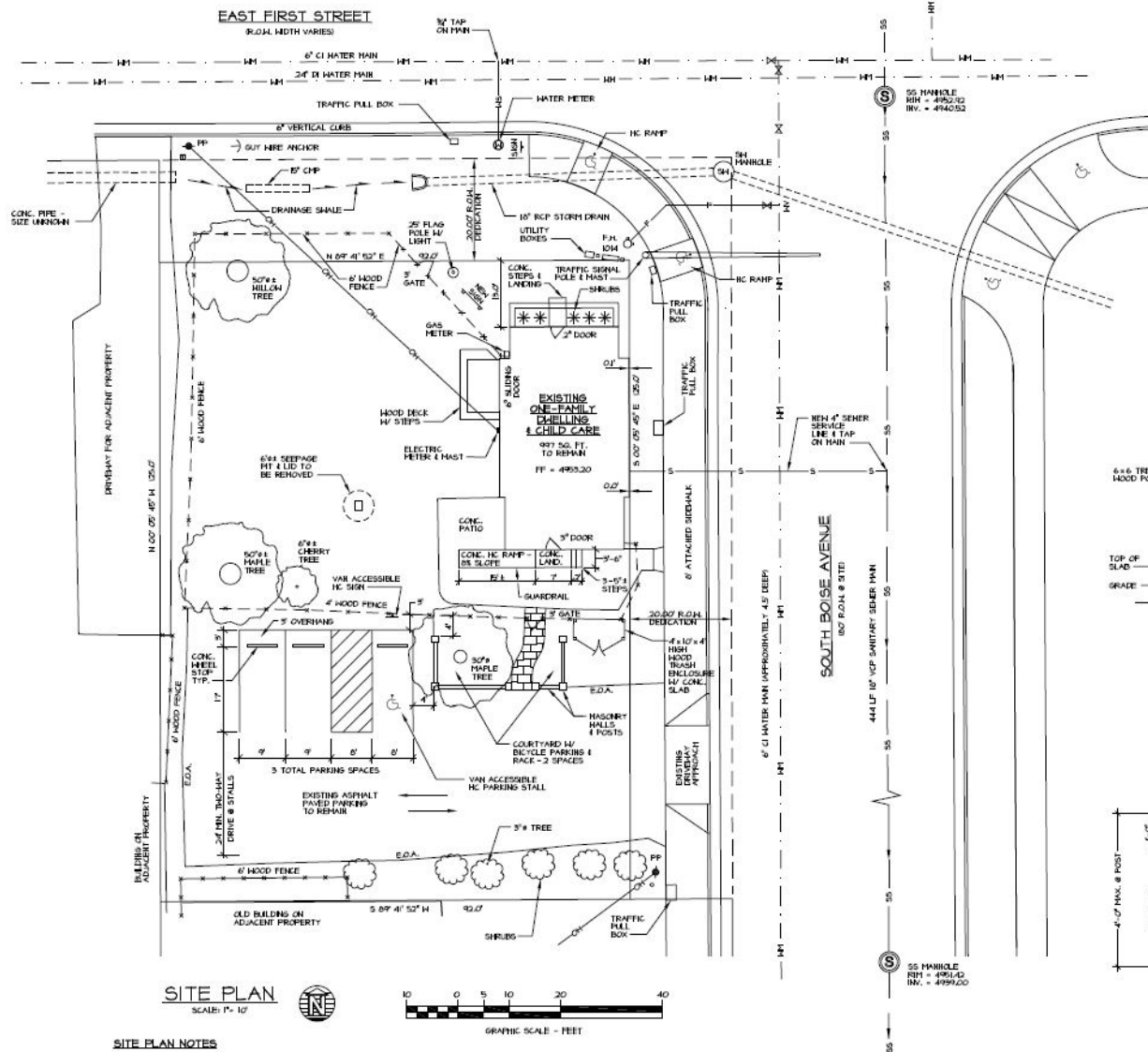
6. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).
7. Prior to the issuance of a building permit or Certificate of Occupancy for the Hood Special Review/Wuddleitbee Child Care use , pursuant to the provisions in Section 16.40.010.B of the Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:
  - a) A minimum 6 foot wide detached sidewalk along the adjacent frontage of E 1st Street as shown on the City approved SR-SDP for Hood Special Review -- Wuddleitbee Child Care.
3. A Right-of-Way Work Permit will be required from Public Works Engineering prior to commencing any work within the public right-of-way.

## Attachment 1: Vicinity Map





## Attachment 2: Special Review/Site Development Plan



- NOTES:
- MASONRY MATERIALS SHALL BE SELECTED BY OWNER.
  - CONCRETE FOUNDATIONS FOR POSTS AND WALLS TO BE DETERMINED.

HOOD SPECIAL REVIEW  
LOCATED AT  
1752 EAST FIRST STREET  
LOVELAND, COLORADO

SCOTT & ELIZABETH HOOD  
1437 NORTH DENVER AVE. #26  
LOVELAND, CO 80538

SITE PLAN & DETAILS  
DATE: 7/6/2017  
DRAWN BY: D.C.H.  
CHECKED BY: G.S.S.  
DATE ISSUED: 11/17/2017

**SCHMID**  
ENGINEERING  
1400 NORTH LAKESIDE AVENUE  
LOVELAND, COLORADO 80538  
P: 970.784.2191

DATE:

CLIENT/PROJECT NUMBER:

HOOD  
16-03-006

SHEET:

2  
SHEET 2 OF 5