



**LOVELAND PLANNING COMMISSION MEETING
AGENDA**

**Monday, March 12, 2018
500 E. 3rd Street – Council Chambers
Loveland, CO 80537
6:30 PM**

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LOVELAND PLANNING COMMISSIONERS: Carol Dowding (Chair), Pat McFall, Rob Molloy, Jamie Baker Roskie, Jeff Fleischer, Tim Hitchcock, Michael Bears and David Hammond.

CALL TO ORDER

I. PLEDGE OF ALLEGIANCE

II. REPORTS:

a. Citizen Reports

This is time for citizens to address the Commission on matters not on the published agenda.

b. Current Planning Updates

1. Monday, March 26, 2018 Agenda Preview

i. MEETING CANCELLED

2. Hot Topics: Review of Commission Procedures

c. City Attorney's Office Updates:

d. Committee Reports

e. Commission Comments

III. APPROVAL OF MINUTES

Review and approval of the February 26, 2018 Meeting minutes

IV. REGULAR AGENDA:

1. Foundry Garage and Amenity Package - SDP

This is an informational item. The Planning Commission approved the parking garage and amenity areas (i.e. plaza) on March 13, 2017. However, details associated with the final finishing of the parking garage and site furnishings had not been completed. Therefore, a commitment was made present this information to the Planning Commission when details had been finalized. A memo has been provided to the Commission along with attachments addressing the parking garage art and site furnishing for the overall project. The art on the parking garage has been approved by the Visual Arts Commission. The site furnishings have been reviewed by City staff and by Downtown Development Authority.

2. Planning Commission Hearing Procedures and Overview

This is an administrative item that responds to a recent request by the Planning Commission for more guidance on hearing procedures and related Commission operations. Staff has provided two documents for review at the meeting. A particular area of focus will be in on hearing procedures.

V. ADJOURNMENT

**CITY OF LOVELAND
PLANNING COMMISSION MINUTES
February 26, 2018**

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on February 26, 2018 at 6:30 p.m. Members present: Chairwoman Dowding; and Commissioners Molloy, Roskie, Fleischer, Bears and Hammond. Members absent: McFall and Hitchcock. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, Assistant City Attorney; Lisa Rye and Linda Bersch, Interim Planning Commission Secretary.

These minutes are a general summary of the meeting. A complete video recording of the meeting is available for two years on the City's web site as follows: <https://loveland.viebit.com/>

CITIZEN REPORTS

There were no citizen reports.

CURRENT PLANNING UPDATES

1. **Robert Paulsen**, Current Planning Manager, reviewed the agenda items scheduled for the Monday, March 12, 2018 Planning Commission meeting. Currently scheduled are two items for the Foundry Project. They are the SDP for the Foundry Amenity Package and the final design details for the Parking Structure.
2. **Hot Topics**
 - i. Mr. Paulsen reminded that the Boards and Commission Event is scheduled on Thursday, March 8th at 5:30 pm at the Loveland Police and Courts building. He will have more details later in the meeting.
 - ii. Mr. Paulsen noted that the recruitment process for filling the remaining Planning Commission vacancy is in progress. Advertisement is underway with a deadline of March 13th at 4:00 pm. He encouraged anyone in the audience or viewing the video who might be interested in the position to apply. Applicants must live within the city limits.

CITY ATTORNEY'S OFFICE UPDATES

Moses Garcia, Assistant City Attorney, noted that while he is serving as Acting City Attorney, Laurie Stirman, Assistant City Attorney, will be the attorney for the Planning Commission.

COMMITTEE REPORTS

Commissioner Roskie said the Title 18 Committee meetings will resume soon.

There was nothing to report from the Zoning Board of Adjustment.

COMMISSIONER COMMENTS

There were no comments.

APPROVAL OF THE MINUTES

Commissioner Molloy made a motion to approve the February 12, 2018 minutes with the corrections as noted; following a second from Commissioner Bears, the minutes were unanimously approved. Commissioner Roskie abstained.

CONSENT AGENDA

There were no items scheduled on the Consent Agenda

REGULAR AGENDA

1. Amendments to Create Loveland (the Comprehensive Plan)

Jennifer Hewett-Apperson, Strategic Planning, noted that this is a Public Hearing for the purpose of considering amendments to the City's comprehensive land use plan, Create Loveland. These amendments, which constitute the Annual Update, address two topics: 1) the recently expanded Growth Management Area boundaries in the Southeast portion of the community; and 2) Land Use Plan amendments relating to recent zone changes and the use designation change associated with the High Plains School. The Commission's role is to review these amendments and forward a recommendation to the City Council for adoption. No other issues have been identified and the City Staff supports the updates.

COMMISSIONER QUESTIONS AND COMMENTS:

- **Commissioner Dowding** questioned the inclusion of two complete chapters of the Comprehensive Plan in their packet and the lack of identification of the meaning of the orange dashed line in the Update to the Future Land Use Map. **Ms. Hewett-Apperson** indicated the chapters were for reference only and she also noticed the omission of the orange dashed line on the map key. That line indicates the expanded growth management area and the key will be corrected.

CITIZEN COMMENTS:

Commissioner Dowding opened the public hearing at 6:41 p.m.

There were no public comments.

Commissioner Dowding closed the public hearing at 6:41 p.m.

Commissioner Molloy moved to recommend that the City Council approve the update and amendments to the City of Loveland 2016 Comprehensive Master Plan known as Create Loveland as specified in this staff report dated February 26, 2018. Following a second by Commissioner Roskie, the motion was passed by unanimous vote.

2. Foundry Theatre – Site Development Plan

Commissioner Dowding introduced Item 2 as a Public Hearing for consideration of the Theatre project which is the third phase of The Foundry in downtown Loveland. Review of the Theatre project involves the review of a Site Development Plan consisting of a 26,000 square foot building and the immediately surrounding area.

Troy Bliss, Current Planning, shared that this is the third and final phase as far as zoning and land use for the Foundry project. He reviewed the public outreach that has taken place for this project as a whole, which includes the Theatre. He also reviewed previous phases of the project.

The Theatre is proposed to include seven screens along with a large, open entry for ticketing, concessions, and dining. As a proposed building over 25,000 square feet of floor area in the downtown core, a public hearing by the Planning Commission is required. The Commission's role is to determine if the Theatre project meets four findings specified in Section 18.24.050.B of the Downtown BE Zoning District. The applicable findings relate to design standards specified in the BE District; consistency with City policy relating to downtown, including the Heart Improvement Project known as the HIP Streets Plan; compatibility with surrounding properties; and, the availability of infrastructure adequate to serve the project. This is a quasi-judicial matter and the Commission's decision is final barring appeal to the City Council.

Mr. Bliss went on to discuss the key features of the building, such as the high visibility along the south and east street frontages, the Third Street entry that faces the central plaza, the pedestrian emphasis and the SW and SE building nodes. He shared that there are some items in this project that do not strictly meet the BE building standards. Those include the type of exterior materials, the recesses and projections on the façade, and the amount of openings. The standard for exterior finish is 30% brick on the facade of the building and this is not quite met. The black base and tannish or reddish portion of the building is the brick. The two-toned gray is a stucco finish. The staff felt that stucco finish was in keeping more in line with a masonry finish and within the intent of the standard. The brick is the same type as used throughout the Foundry and is used adjacent to high-traffic pedestrian areas.

He discussed the amount of recesses and projections that are required along primary streets which are those along Lincoln and Third Street. Because the building is built to the property line, building recesses or projections are difficult. Building features including the tower elements, the two nodes on the SE and SW corners of the building, the sign feature projections, and the marquees along Lincoln and Third Street are allowed and comply with building design standards. These features speak to the intent of the code. For this type of building, the required glazing is difficult to achieve as a theatre cannot have windows. The Lincoln side of the building houses projection rooms so windows are not possible; but some faux windows have been added as a design element along with movie poster board frames along the sidewalk. Third Street does have a concentration of windows around the entrance. Staff felt these elements achieved the intent of the zoning code.

Mr. Bliss indicated that the Planning Commission will evaluate this project in terms of its deviations from the code and determine if it fits with building massing of downtown as a whole. The staff recommends approval of this project with the conditions outlined in the staff report. He pointed out Condition 22 regarding the overall grading and drainage of the site. This condition is necessary as properties west of the theatre site are lower in elevation and staff is working on the technical aspects of providing equal or better grading and storm water engineering than what currently exists around the Morgan property. Mr. Bliss then introduced Mr. Roger Thorpe of Thorpe Associates who provided the design work for the theatre.

Mr. Roger Thorpe and **Joe Calvin** of Thorpe Associates presented information on the Foundry Theatre. The firm has designed theatres for 30 years. Mr. Thorpe went over the design for the theatre and how it fits into the available space for the building. He also discussed the compatibility of the theatre building with the rest of the Foundry. He explained the design requirements that were implemented because of the flood plain requirements of the lot, the placement of the utilities for the building including the HVAC design, drainage requirements and the necessary screening on the roof. The entrance/egress for the seven auditoriums and the building as a whole were shown as was the seating design in the auditoriums. The design of the outside of the building and how it fit with the required design elements of the BE code was illustrated in detail. He did explain that the red trim was chosen to call attention to the theatre as an exciting place.

COMMISSIONER QUESTIONS AND COMMENTS

- **Commissioner Fleischer** inquired about how close the design was to the code requirement for the 30% of the façade to be brick. Mr. Thorpe indicated the design was at about 20%. Mr. Fleischer expressed that there would be an expectation, as you came around the corner from the Historic District at 4th Street and Lincoln Avenue, that the first building within the Foundry (the theatre) would offer a better transition from brick architecture to the more modern look of the Foundry. That transition could be accomplished with more use of brick or stone along the Lincoln Avenue façade of the theatre. He also questioned the roof screening. **Mr. Bliss** explained that the screening illustrated was adequate to screen roof installations from nearby locations.
- **Commissioner Molloy** indicated that he agreed with Commissioner Fleischer on the transition from the Historic District needing more brick. He also said he felt that the Lincoln side could use more lighting. He also questioned if the bicycle parking in the site plan was just for the theatre or the Foundry as a whole. The response was that it is for the all of the Foundry.
- **Commissioner Dowding** inquired about the landscape plan showing three trees and the illustration showing four. **Mike McBride** with BHA indicated that the four trees illustrated is correct. She also echoed the other commissioners about the flow along Lincoln Avenue, indicating that the transition needed improvement.

CITIZEN COMMENTS:

Commissioner Dowding opened the public hearing at 7:40 p.m.

There were no public comments.

Commissioner Dowding closed the public hearing at 7:40 p.m.

COMMISSIONER COMMENTS:

- **Commissioner Roskie** commented that she feels okay about the design of the theatre building. She is a little disappointed that there is a low ratio of brick in the transition particularly since there are no windows along Lincoln Avenue. Moreover, she is not a huge fan of the hat roof structure but understands it is a way finder. She is willing to live with it as it is.
- **Commissioner Fleischer** thinks this is an exciting project but would urge that we ask for more masonry on the Lincoln Avenue façade.
- **Commissioner Hammond** concurs with the others concerning more brick on the Lincoln façade to hold the integrity of old town as best we can. He likes the rest and feels it is a great addition for this town.
- **Commissioner Bears** concurs with everyone else. He is a fan of the project but there does need to be a better transition along Lincoln Avenue.
- **Commissioner Dowding** agrees there needs to be more brick on the Lincoln façade.

Commissioner Molloy moved to make the findings listed in Section VIII of the Planning Commission staff report dated February 26, 2018, and based on those findings, approve the Foundry Theatre Site Development Plan, subject to the conditions listed in Section IX, as amended on the record. Commissioner Roskie seconded the motion, which passed unanimously.

Commissioner Dowding called for a recess at 7:45 p.m.

Commissioner Dowding called the meeting to order at 7:53 p.m.

Commissioner Fleischer made a motion to reconsider the Commission's vote on regular agenda Item 2, The Foundry Theatre Site Development Plan. Commissioner Roskie seconded the motion which passed unanimously.

Commissioner Fleischer then moved to make the findings listed in Section VIII of the Planning Commission staff report dated February 26, 2018, and based on those findings, approve the Foundry Theatre Site Development Plan, subject to the conditions listed in Section IX, and to require that the minimum city standard of thirty percent of brick or stone on the Lincoln Avenue façade be met. Commissioner Roskie seconded the motion. Following the acceptance of the conditions by Mr. Thorpe for the applicant, the motion was unanimously approved.

Commissioner Dowding informed that Agenda Item 4, Concept Review Survey, would now be heard, followed by Agenda Item 3, 2017 Accomplishments and 2018 Goals as well as a discussion on the Boards and Commissions Event.

3. Concept Review Survey

This is an administrative matter. In early February of 2018, the Current Planning Division sent out emails to approximately 200 customers who had participated in a Concept Review meeting in 2016 or 2017. Each customer was asked to complete a satisfaction survey, through Survey Monkey, on their Concept Review experience. To date, 57 completed surveys have been returned.

Mr. Paulsen provided copies of the preliminary survey results to the Commissioners. He briefly described what a Concept Review entails and what type of applicants utilize these reviews and identified what City departments participate. He also provided copies of the questions in the survey and the verbatim comments from the respondents so far. He noted that the survey was not yet completed but wanted to share the process at this time and indicated that the final results should be available next month. He noted that many of the unsatisfactory comments received had to do with a dissatisfaction with the overall Development Review Process rather than with the Concept Reviews. When the survey is completed, final results will be posted on the web site and a compilation of the responses will be returned to all who received the survey. This information will be used to improve processes.

COMMISSIONER COMMENTS:

- **Commissioner Roskie** asked, in light of all the concerns express recently especially to City Council, at what level does the Building Division participate in this process. Mr. Paulsen indicated they are asked to get involved when pertinent. With Concept Reviews, we are trying to help the applicant distinguish how they get information regarding their particular needs. A particular effort is being made to help residents and small business owners looking for guidance.
- **Commissioner Molloy** talked about how different cities have different levels of requirements and applicants have differing expectations. The Concept Review is very helpful to give direction on how to proceed in Loveland. Once you have a Concept Review meeting you can ask for a follow-up project meeting before you submit a final application. Mr. Paulsen indicated that approximately 50% of the Concept Review meetings result in a follow-up project review.

4. 2017 Accomplishments and 2018 Goals

This is an administrative matter that the Commission completes each year in effort to look back at the previous year for guidance in setting priorities for the new year. The itemized list of accomplishments and goals is also used by the Commission in preparation for the annual Boards and Commissions' appreciation event held in March. This year, the event is on Thursday evening, March 8th at the Police and Courts Building beginning at 5:30. All commissioners are invited. A decision on how the Planning Commission will participate in this event will need to

be finalized this evening. In the Commission packet, the memo listing 2016 Goals and 2017 Accomplishments is provided for review; a draft listing of 2017 Accomplishment and 2018 Goals has also been provided by staff.

Mr. Paulsen noted that all Commissioners have received information on the Board and Commissions Event to be held on Thursday, March 8th. It is an interactive event this year. Each Board/Commission will have their goals/accomplishments at their table and will be sharing information with other groups in order to encourage dialogue and build relationships. He provided handouts of a proposal for an exercise that staff will facilitate for the Commission. The Commissioners agreed with this plan.

Mr. Paulsen then provided a preliminary listing of 2017 accomplishments and 2018 goals for the Commission to consider. He noted there is a huge number of meetings, agenda items, public hearings and especially study sessions that took place in 2017. This is the busiest year for the Planning Commission that he has seen in the over eleven years he has been in his position. He asked that the Commissioners review the accomplishments and goals presented and encouraged the Commissioners to provide any additions or adjustments.

COMMISSIONER COMMENTS:

- **Commissioner Roskie**, recommended that a basic training session be added to the goals that would serve as a refresher of the Planning Commissioner training that was given previously. She felt a refresher would be valuable especially for the new members. She also proposed to add one other training session regarding the (planning) practices that might be available from organizations such as DOLA or APA. She also suggested that all Commissioners have a copy of the Planning Commissioners Handbook as a guide to meetings.
- **Commissioner Molloy** suggested a goal of a joint meeting/interaction with the City Council regarding the goals of the City, such as the UDC Code Update. He would also like to visit a completed site that has been through the application process. He noted that we have previously met with the Thompson School District and perhaps that may be a future goal. Mr. Paulsen indicated that possibility will be investigated by the staff.

Mr. Paulsen reviewed the additions to the goals. He said all are good suggestions and will be added to the list. He asked to receive an e-mail before the March 8th meeting if the Commissioners had any other suggestions.

Mr. Paulsen noted that the advertisement for Commission vacancy has been sent out and he is planning on interviews beginning around March 13th.

ADJOURNMENT

Commissioner Roskie, made a motion to adjourn. Upon a second by Commissioner Bears, the motion was unanimously adopted.

Commissioner Dowding adjourned the meeting at 8:42 p.m.

Approved by: _____
Carol Dowding, Planning Commission Chair

Linda Bersch, Interim Planning Commission Secretary.

MEMORANDUM

March 12, 2018

To: Planning Commissioners

From: Troy Bliss, Senior Planner

RE: **Foundry Parking Garage Art and Site Amenity Package**

On March 13, 2017, the Planning Commission held a public hearing in consideration of the Foundry Site Development Plan. This was the first phase of the project consisting of a 460+/- space multi-story parking garage, a 98,000 square foot mixed-use building along N. Cleveland Avenue, a 58,000 square foot mixed-use building along N. Lincoln Avenue, and a central plaza amenity area.

The vision for the Parking Garage was to include an art component, contributing to the overall design of the building. This feature had not been determined at the time of Planning Commission consideration on the Site Development Plan. As a result, the City and Brinkman Partners made a commitment to return to the Planning Commission with the art for general comment and input. As with any public art selection process, the Visual Arts Commission reviews proposals at a public hearing and decides through an artwork jury. On February 1, 2018, the Visual Arts Commission considered three (3) proposals for art on the Parking Garage facing N. Lincoln Avenue and E. Second Street. Artist James Dinh was chosen as the finalist presenting a solar muse along the N. Lincoln Avenue façade and golden ribbons along the E. Second Street façade. These elements will be attached to the concrete facing and constructed out of metal in a three-dimensional form (see attachment).

Additionally, the central plaza amenity area of the Foundry did not include final details regarding site furnishings (i.e. benches, trash bins, planters, decorative lighting, bicycle racks, etc.), surfaces finishes (i.e. concrete, brick pavers, tree grates), and accessory buildings/structures/sculptures at the original Planning Commission hearing. This too resulted in a commitment to share final details at a later date. These details have been determined in connection with the City's recent update to *Destination Downtown: HIP Streets Master Plan* but also incorporates elements unique to the "Foundry" (see attachment).

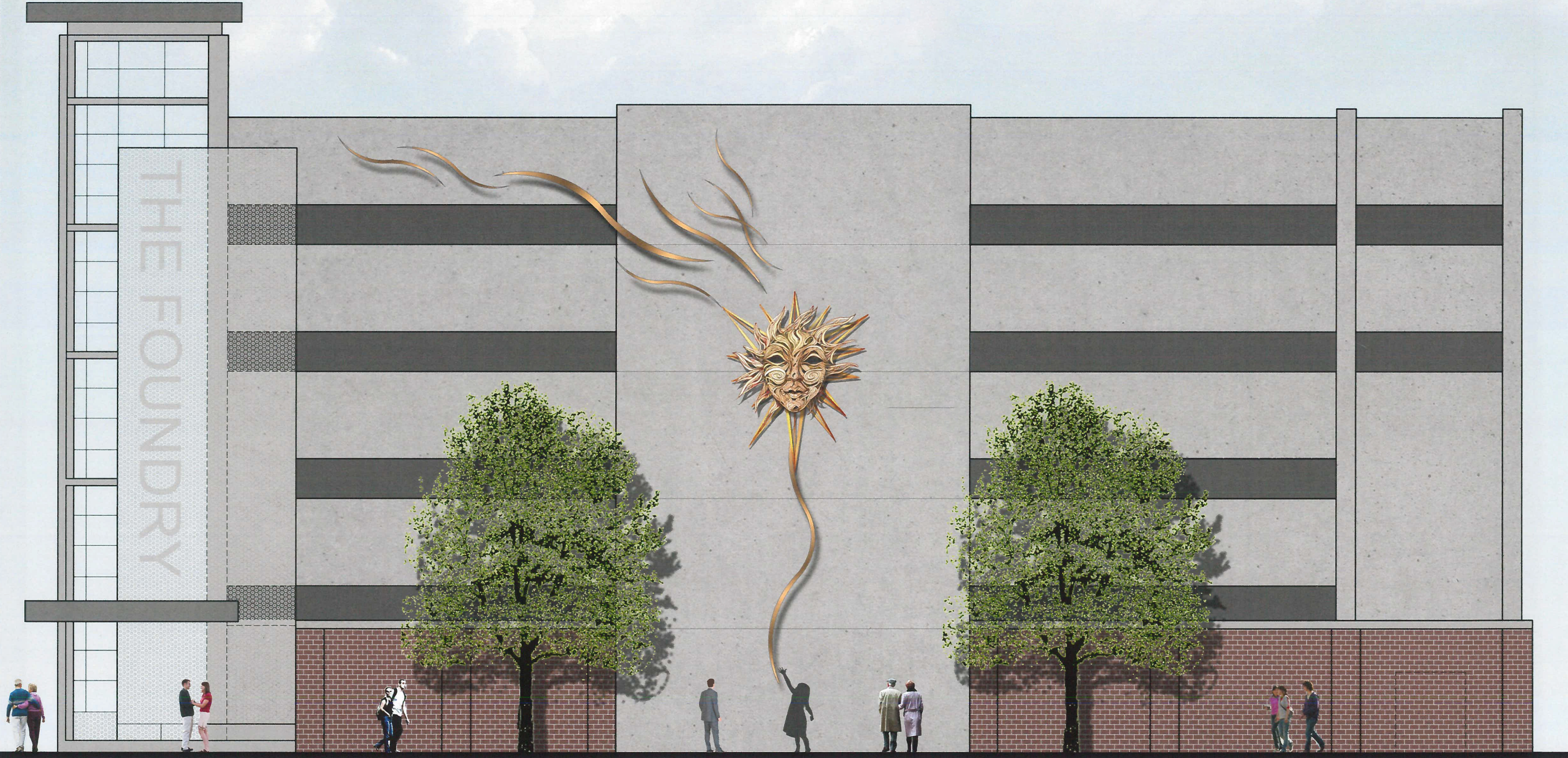


410 East 5th Street
Loveland, Colorado
970.962.2523

These two additional elements contribute to the architectural components of the buildings and overall site design. As such, it was important that the Planning Commission has the opportunity to view everything in its entirety. This item is being presented as informational with no findings or motion required by the Planning Commission.

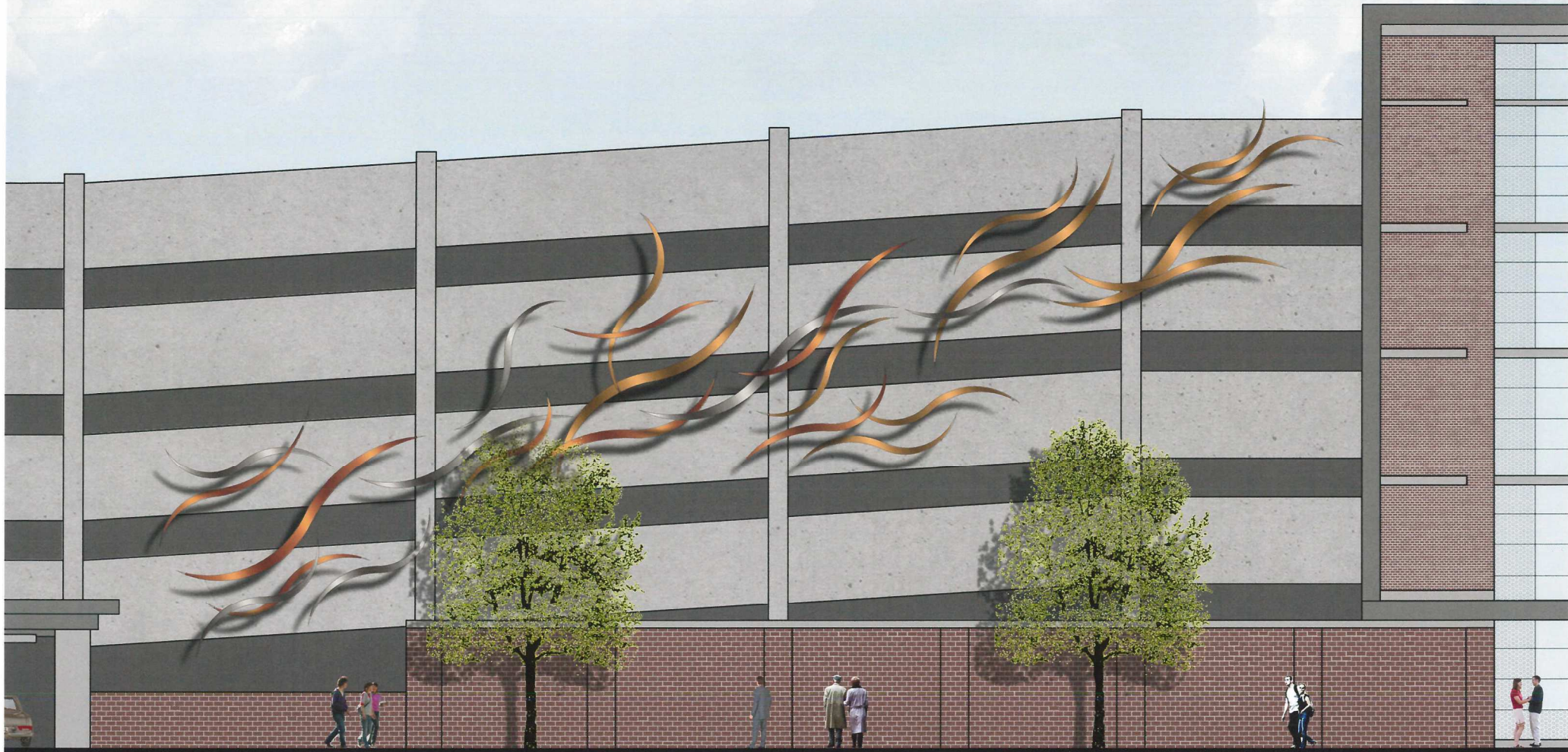
ATTACHMENT

Parking Garage Art
Site Amenity Package



2ND STREET

SCALE: 1" = 8' - 0"
0 8 ft



THE FOUNDRY PARKING GARAGE
LOVELAND, CA

DESIGN PROPOSAL
FEBRUARY 1, 2018

stutz | dinh



FOUNDRY AMENITY PACKAGE

LOTS 1 THROUGH 3, BLOCK 2, TRACT A, AND
LOT 2, BLOCK 3 - LOVELAND ELEVENTH SUBDIVISION

OWNER CERTIFICATION

The undersigned agree that the real property described in the application for Site Development Plan filed herewith, and as shown on the site plan, shall be subject to the requirements of Chapter 18.46 of the Municipal Code of the City of Loveland, Colorado, and any other ordinances of the City of Loveland thereto. The undersigned also understands that if construction of all improvements is not completed and if the Site Development Plan uses are not established within three years of the date of approval, or other completions date or dates established in a development agreement approved by the city, the city may take an action to declare the Site Development Plan abandoned and null and void.

(Signature)

(Title)

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing agreement was acknowledged before me this _____ day of _____, 2_____, by

Witness my hand and official seal.

My commission expires: _____.

Notary Public

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(Signature)

(Title)

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing agreement was acknowledged before me this _____ day of _____, 2_____, by

Witness my hand and official seal.

My commission expires:_____.

Notary Public



BRINKMAN







TREE GRATE

Manufacturer: East Jordan Iron Works
 Product: Broadway Tree Grate
 Product ID: 00867901
 Size: (2) 4' x 4'



TRENCH GRATE

Manufacturer: East Jordan Iron Works
 Product: Broadway Trench Grate
 Product ID: 47383030
 Size: (2) 12" x 24"

Planter Pots

Manufacturer: Wausau Made
 Product: Planters
 Product ID: (TF 4121) & (TF 4101)
 Size: (TF 4121): 48" W x 30" H,
 (TF 4101): 36" W x 36" H





Planter Trash Receptacle

Manufacturer: Victor Stanley
Product ID: ES-342
Size: 36 Gallon
Finish: Black



Alley Bollard

Manufacturer: Reliance Foundry
Product: Bollard R-7576
Product ID: R-7576
Size: (2) 34" H x 6" DIA.



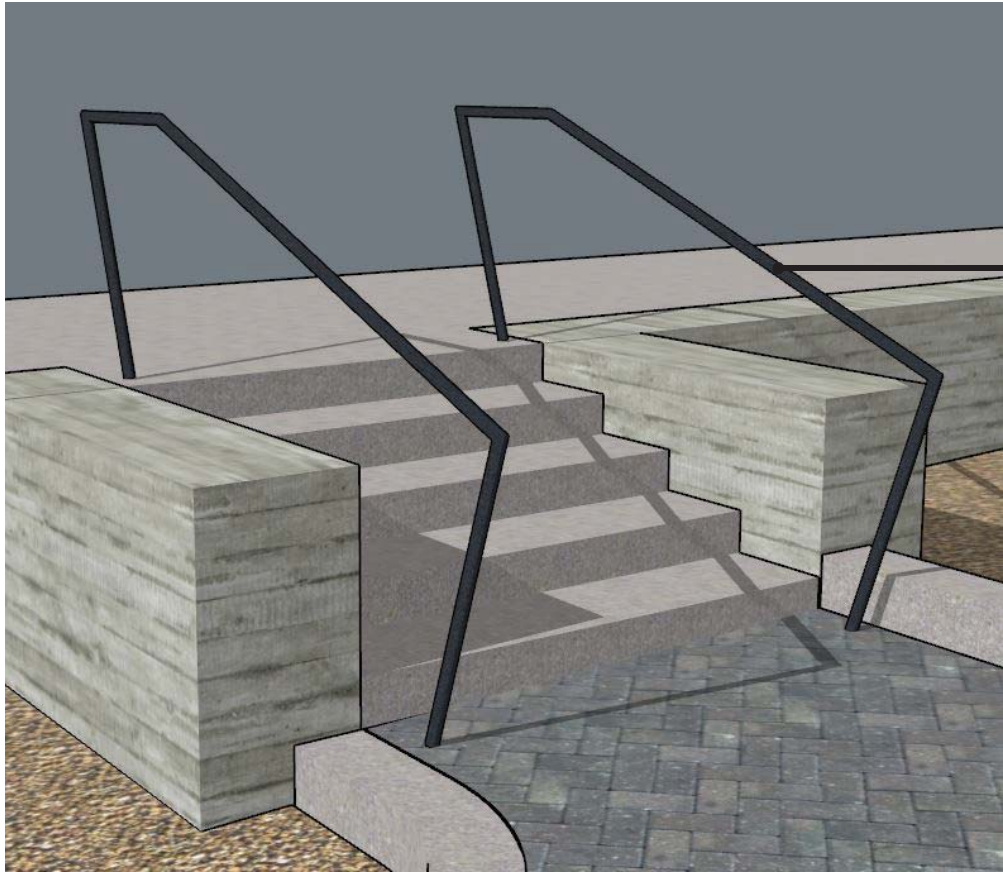
Bench

Manufacturer: Victor Stanley
Product ID: RB-28
Finish: Black



Custom Bike Rack
Material: Steel Frame
Powder Coated: Textured Black

2" x 2" Steel Tube
1" x 2" Steel Tube



Custom Handrails
Material: Steel Tube
Powder Coated: Textured Black

1-1/2" Steel Tube



Fire pits
Material: Steel Frame
Powder Coated: Textured Black



String Lights

Manufacturer: American Lighting
Product: Commercial Grade String Light



Street light

Manufacturer: Philips
Product: MetroScape LED Pendant (MSR)



Pedestrian Light

Manufacturer: EATON
Product: ARB Arbor Post Top

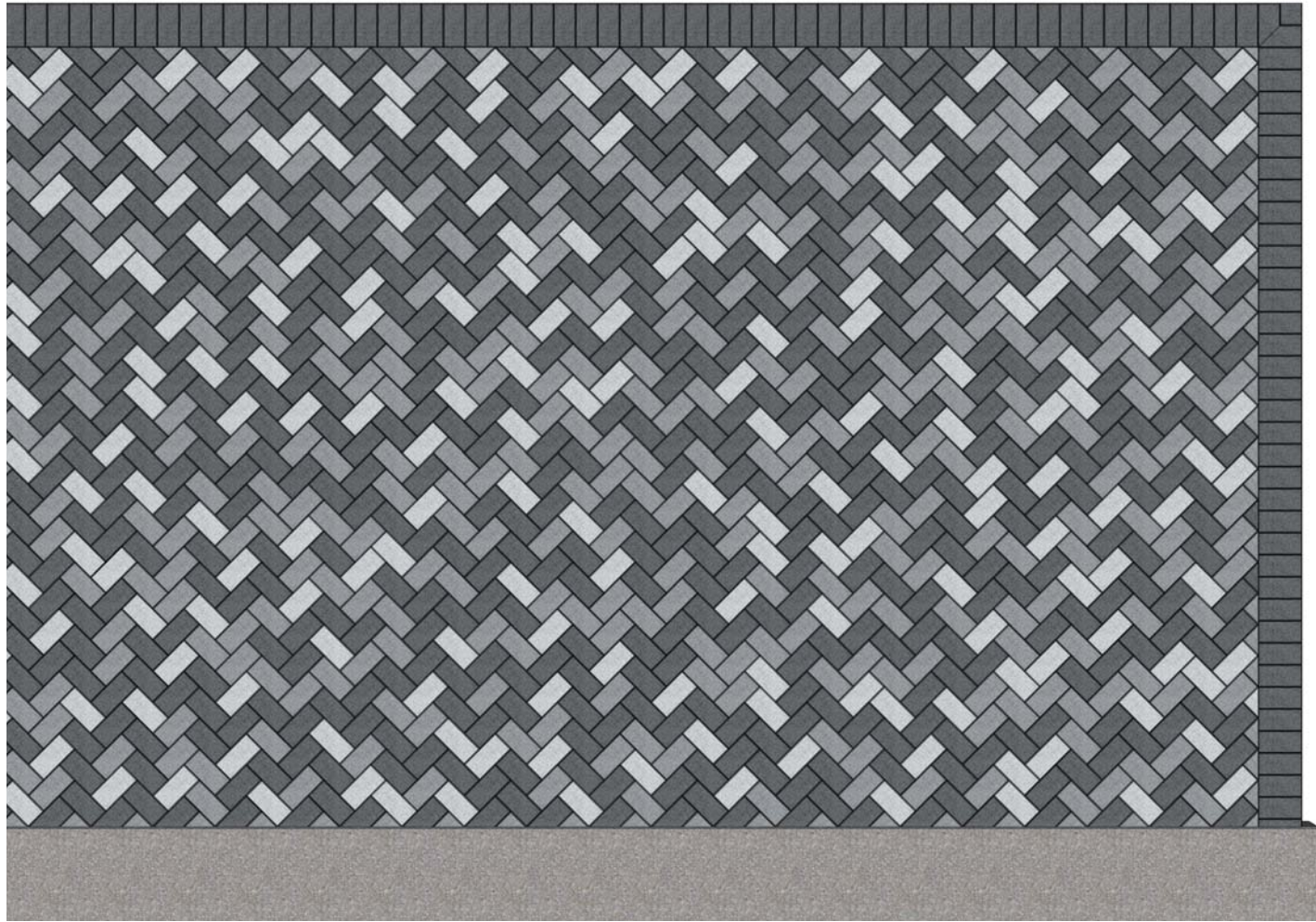


Lighted Bollard

Manufacturer: EATON
Product: ABB Arbor Bollard



Concrete
 Grey concrete with saw cut joints



Pavers
 Manufacturer: Pavestone
 Product: Holland 4" x 8", 80mm Concrete Paver
 Color: 50% Charcoal, 30% Antique Pewter, 20% Pewter
 Charcoal Soldier Course
 Finish: Standard



THOMPSON RIVER ROTARY CLUB SCULPTURE
FOUNDRY AMENITY PACKAGE



LOVELAND ROTARY CLUB CLOCK
FOUNDRY AMENITY PACKAGE

PLANNING COMMISSION OVERVIEW

The following is a general overview of information related to the Planning Commission. As this information is general in nature, specific questions regarding this information should be directed to the Current Planning Manager or to the designated Assistant City Attorney. Planning Commissioners or the interested public are encouraged to request additional information to obtain clarity on the following topics.

Planning staff role in relation to the Planning Commission

- Staff Liaison—Current Planning Manager: Point of contact for applicable policies, procedures, and requests for information. Takes actions as directed by the Commission. Approves materials for PC review. Appointed leader of the development review team. Prepares reports to inform and guide the Commission.
- PC Secretary—Point of contact for routine matters. Coordinates the posting and distribution of information. Prepares minutes. Ensures that steps relating to Commission actions have been completed.
- Other Planning staff—Under the guidance of the Current Planning Manager, provides presentations, reports and related support to the Commission.

Assistant City Attorney

- Legal Representative to the Commission—Point of contact for legal questions and hearing procedures. Provides guidance on conflict of interest and other legal issues. Commissioners may contact the Assistant City Attorney directly on legal matters.

City Development Review Team (DRT)

- Interdepartmental staff team that conducts the review of subdivision, zoning and annexation applications to determine compliance with City standards, including utility and roadway design when needed.
- Provides written comments and is available for input at public hearings at the request of the Commission.
- Most development applications are reviewed administratively by the DRT that do not require Planning Commission review.

Applicants

- Applicants and their consultant teams have typically invested a great deal of time and money in their applications/project designs by the time they come before the Commission. Staff works to ensure that their team is ready for public hearings and is prepared to answer technical questions.
- The applicant's consultant team is typically best able to answer specific project-related questions and the rationale for specific design decisions.

Citizens

- All Commission meetings are open to the public and provide the opportunity for public input.
- Neighborhood meetings are held prior to public hearings in order to inform interested property owners and other neighbors of the proposed project. Summaries of these meetings are provided to the Commission.
- Staff encourages public involvement. Printed materials must be sent to the Commission through the PC Secretary and are generally provided in the staff report package. Commissioners should not receive direct communications from the public outside of the hearing process.
- All Commission meetings must be open to the public except for legally convened executive sessions.

PLANNING COMMISSION OVERVIEW

Title 18 Committee

- This ad hoc committee (has been in existence for several years) includes the Mayor and one or two Councilors, two Planning Commissioners and two private sector professionals involved in land development or design. The Committee works with and advises staff on amendments to the zoning and subdivision codes, and monitors the development review process.

Planning Commission

- The 9-member Commission has a variety of authorities based on stated provisions in the Subdivision, Annexation and Zoning codes. The Boards and Commissions Handbook also identifies some procedures and authorities of the Commission.
- The Commission agendas are mostly comprised of public hearings relating to subdivision, annexation and zoning applications.
- Note that most land development applications do not require a public hearing or Commission review. Site development plans are typically approved administratively.
- Requests for substantial research or other staff work should be presented to the Current Planning Manager and must be cleared by the City administration.

Election of Officers

At a meeting early in each year the Commission elects the following officers:

- Chair
- Vice Chair
- Zoning Hearing Officer

Typically, the officers are re-elected and serve 2 consecutive terms. But, there is no requirement governing commissioners serving single or multiple terms. The City encourages a rotation of duties.

Zoning Board of Adjustment

The Planning Commission serves as the Board of Adjustment, which has the power to grant variances from the established zoning code standards. Each year, the Commission appoints a member to serve as the Hearing Officer for the Board. The full Commission only hears of the Hearing Officer's decisions.

City Administration

- The City administration directs staff and may have involvement in guiding the preparation of materials and recommendations to the Commission.

City Council

- The 9-member governing body of the City, including the Mayor.
- City Council does not provide direction to staff on quasi-judicial matters that go to the Commission or onto City Council.
- Many items that come before the Planning Commission require final approval by the City Council.
- Commissioners should not be discussing current quasi-judicial items with City Councilors.
- The Planning Commission and City Councilors are free to discuss legislative or policy matters with others, including citizens.

PLANNING COMMISSION OVERVIEW

Commission Meetings

The Commission is scheduled to meet on the 2nd and 4th Mondays of each month. The Commission chair presides over these meetings. This role is delegated to the vice chair when the chair is absent. When there are no agenda items scheduled for the meetings, the meetings are canceled. Cancellations are either determined by Commission action at a previous meeting or by staff in advance of the meeting. Cancellations are announced on the Planning Commission portion of the City's web site.

A quorum of 5 or more commissioners is needed to take an action.

Public Hearings

- When a public hearing is scheduled, public notice requirements must be satisfied. Notice typically includes a notice published in the newspaper, a posted notice on the site, and mailed notice to property owners within the specified radius of the site.
- Public hearings must include the opportunity for meaningful public input.
- When public hearings involve an application that concerns a property right, Commissioners are not allowed to have or entertain communication about the application outside of the hearing process (ex parte communication). Commissioners should limit their information to materials provided by staff and to information conveyed at the hearing. Communications with other commissioners, the public or with City Councilors is not allowed and may jeopardize the integrity of the hearing process.
- Commission decisions are structured or formatted in the form of a motion. Motions must be seconded, and the vote must include a quorum of Commissioners. A majority vote of Commissioners present is needed to approve a motion.
- Motions refer to specific findings that are specified in the Comprehensive Plan or in the Municipal Code. The findings and staff analysis relating to the findings are specified in the Staff Report. In articulating rationale for particular vote, Commissioners should address whether the project as presented is consistent with the applicable findings. It is not sufficient for a Commissioner to simply state: "I like the project and I will be voting in favor." A stronger, more defensible approach is to indicate that: "I believe that the project as designed is consistent with the findings specified in the staff report; specifically, that the project is consistent with City code requirements and it is compatible with nearby uses."
- Commissioners have the authority to add conditions. Conditions must be referenced in the motion. Any new conditions would be strengthened by verbally tying them to a finding. For example: "I am concerned about the compatibility of the design of the project in relating to the neighboring homes. The addition of a 6-foot high fence at the rear of the parking lot will block vehicle lights from encroaching into adjacent properties and provide greater compatibility."

COMPREHENSIVE PLAN

- Create Loveland--this is plan is the master plan for the City. The most recent version was adopted in July of 2016. The Plan addresses a range of topics and policies relating to the growth and development of the community, and establishes a framework for future growth. Strategic Planning staff are responsible for developing and amending the Plan.
- Functional component plans are more specific aspects of the Comp Plan. The plans that relate to land use and development are reviewed by the Planning Commission prior to City Council adoption. These

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component plans include: *Highway 287 Strategic Plan, Transportation Plan, Bike and Pedestrian Plan; Parks and Recreation Master Plan, and Destination Downtown: Heart Improvement Project.*

CODES

Subdivision Code (Title 16)

- Provides rules and regulations for the division of land to allow transfer of ownership and/or development. There are several types of subdivision applications and the requirements for public hearings and public notice vary by type.
- The establishment and vacation of easements is also addressed in this code.
- Capital Expansion Fee (CEF) provisions specify that growth related costs incurred by the City on capital facilities (streets, public safety, library, etc.) are assessed to and collected from developers.
- Adequate Community Facilities (ACF) provisions ensure that community facilities needed to support a proposed development meet or exceed established City service levels.

Annexation Code (Title 17)

- Title 17 specifies procedures, policies and standards for the annexation of property into the City.

Zoning Code (Title 18)

- The code is designed to ensure orderly development of the community, providing a regulatory framework to implement the land use policies of the Comprehensive Plan.
- This sizable code specifies the use allowances for each zoning district along with development standards relating to building height, setback, open space, lot area, off-street parking and similar parameters.
- The zoning code outlines procedures for the development review process.
- Public notice and public hearing requirements for various application types are specified herein as are Appeal procedures.
- Architectural standards address multi-family, commercial and industrial development.
- The Site Development Performance Standards and Guidelines is an important component of the code; these standards address landscaping and site design for multi-family, commercial and industrial development and redevelopment; these provisions have a significant influence on the appearance and image of the community.

UNIFIED DEVELOPMENT CODE

- This updated land development code is scheduled for adoption in 2018. It will replace the three separate Municipal Code Titles for subdivision, annexation and zoning with a new, integrated format.
- This new code is designed to reflect the City Council's direction to establish a modern, customer-friendly document that includes streamlined procedures and a broader range of development options--particularly more options for housing, including the allowance for smaller lot sizes and innovative housing products. Another feature of the code is to reduce the need for public hearings on land use entitlements, giving clear direction for administrative approvals.
- While the UDC will not create new zoning districts, nor does it substantially change basic zoning requirements, it does create new procedures and includes numerous adjustments. Adjustments include revised building design standards, landscaping standards and the option for creating Complete

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Neighborhoods. This latter concept facilitates more walkable and bike-able neighborhoods, and allows for the integration of various housing types and commercial uses into a holistic neighborhood setting.

- To accomplish these goals, Planning staff has been working closely with the Planning Commission, the Title 18 Committee, a stakeholders committee along with a variety of City staff groups in the review of the critical portions of this document since the fall of 2016. As sections of the UDC have been developed and reviewed, they have been brought forward for review, including review by the City Council in three separate study sessions. In 2017, the Planning Commission has held over 20 study sessions on various portions of the UDC.
- As of early January 2018, a fully integrated draft of the UDC has been developed. It includes components of the existing Titles that have been rearranged and reformatted into a unified document. New components have been added to address important components missing from the existing code. This document is currently undergoing chapter by chapter review by staff in preparation of the distribution of a final review draft. The Commission will help finalize the document before it is brought forward to the public hearing process.

Planning Commission Procedures: Public Hearing Process

Public hearing process

1. Recognize agenda item
2. Open public hearing
3. Staff presentation (possible PC clarifying questions to staff)
4. Applicant presentation (possible PC clarifying questions to applicant)
5. Public comment (possible PC clarifying questions to public)
6. PC questions to staff and applicant based upon all testimony
7. Close public hearing
8. PC discussion
9. Motion (with possible conditions)
10. Obtain a 2nd
11. Request applicant agree to conditions prior to a vote
12. Vote

Motion for reconsideration

1. Motion raised by a member of the prevailing side
2. Obtain a 2nd
3. Majority of the quorum must vote in favor of the motion
Note: upon a favorable vote the original motion is once more before the PC
4. Motion to act (amend or reject) on the original motion
5. Obtain a 2nd
6. Request applicant agree to conditions prior to vote, if applicable
7. Vote