

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
May 14, 2018

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on May 14, 2018 at 6:30 p.m. Members present: Chairwoman Dowding; and Commissioners Molloy, McFall, Roskie, Fleischer, Hammond and Hovland. Members absent: Commissioners Hitchcock and Bears. City Staff present: Bob Paulsen, Current Planning Manager; Laurie Stirman, Assistant City Attorney; Lisa Rye, 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, noted the upcoming Unified Development Code Study Session on Monday, May 21, 2018 at 6:00 pm at the Development Center. A couple chapters from the UDC will be reviewed and discussed at this meeting, with a full draft possibly coming in June. In the meantime, staff is welcoming any questions while they are working to ensure the document is thorough and the components work well together.
2. **Mr. Paulsen** noted that the meeting scheduled for Monday, May 28th has been cancelled due to the holiday. He reviewed the agenda items scheduled for the Monday, June 11, 2018 Planning Commission meeting as follows:
 - i. **1001 ½ E. 2nd Street – Variance Request – ZBA Hearing** – This particular ZBA Hearing will be presented to the full commission.
 - ii. **37th St. Vacation – Resolution**
 - iii. **Kendall Brook GDP Amendment (Village Coop) – PH**
 - iv. **Hendricks 1st Addition – Zoning – PH**
3. **Hot Topics:**
 - **Mr. Paulsen** welcomed **Milo Hovland** as a new commissioner. Mr. Hovland moved from Yankton, SD, where he served 6 years on the Planning Development Commission.

CITY ATTORNEY'S OFFICE UPDATES

Laurie Stirman, Assistant City Attorney, stated that she did not have any updates to report.

COMMITTEE REPORTS

There were no committee reports.

COMMISSIONER COMMENTS

There were no comments.

APPROVAL OF THE MINUTES

Commissioner McFall made a motion to approve the April 23, 2018 minutes; upon a second from Commissioner Roskie, the minutes were unanimously approved.

CONSENT AGENDA

Mr. Paulsen stated that staff requested removal of the Ward Industrial 4th Subdivision item from the Consent Agenda. Commissioner Dowding moved the item to the Regular Agenda.

REGULAR AGENDA

1. Ward Industrial 4th Subdivision - PH

Project Description: This is a noticed public hearing required by Colorado Revised State Statutes that affords mineral rights owners the opportunity to appear and state their interest in property that is undergoing an initial subdivision process within the City of Loveland. The subject property is a 7.7-acre site at the northwest corner of Ward Avenue and Crossroads Boulevard that is currently undergoing an administrative minor subdivision process. The role of the Planning Commission is to conduct the public hearing, allowing owners of severed mineral interests to be heard. The Commission has no role other than conducting the hearing; any subsequent negotiations will remain private, involving surface owners and mineral rights owners. No motion or action by the Commission is required.

Mr. Troy Bliss, Staff Planner, made it known that the item was removed from the Consent Agenda to communicate to the Commissioners that correspondence was received from Anadarko, a mineral owner associated with the property, which states they have no objection to the proposal. Mr. Bliss wished to welcome any other mineral owners to be heard at the public hearing.

CITIZEN COMMENTS:

Commissioner Dowding opened the public hearing at 6:40 p.m.

There were no public comments.

Commissioner Dowding closed the public hearing at 6:40 p.m.

2. Bighorn Addition - PH

Project Description: This is an application to annex and zone an undeveloped 5-acre property located at the NW quadrant of the intersection of Hwy. 287 and 57th Street. The applicant is requesting B-Developing Business District zoning. The applicant has not submitted development plans with the current applications but has indicated a desire to develop an indoor vehicle storage business at this location; this use would require special review approval under current code requirements. Staff has determined that the annexation and requested zoning are consistent with applicable regulations, plans and policies and is supporting approval of the applications. The Planning Commission's role is to conduct a public hearing and make recommendations to the City Council on the annexation and zoning applications.

Commissioner Molloy recused himself from this item as he acted as a consultant to the applicant.

Noreen Smyth, Staff Planner, presented an overview of the annexation and zoning of lots surrounding the property. She spoke of the intergovernmental agreement between Larimer County and the City of Loveland, which states that properties within the City's Growth Management Area requiring a zone change must seek annexation into the City of Loveland before developing. The Comprehensive Plan guides the assignment of zoning to annexing properties. In this instance, the property is designated for Corridor Commercial by the Comprehensive Plan and the requested B-Developing Business zone requested by the applicant is consistent with this designation. The land is also part of the Enhanced Corridor Overlay which encourages high quality architecture, site planning, and transportation connectivity. Staff has seen a draft site plan at the Concept Review meeting. If approved by Planning Commission and by City Council, additional applications will be submitted prior to development. **Ms. Smyth** noted that at the neighborhood meeting the applicant described proposed future development plan for the storage facility and there were no negative comments about the proposed annexation, zoning, or the facility for recreational vehicle storage.

Mr. Ted Fouts, applicant and owner of the Bighorn property, stated his team consists of local consultants and advisors. He introduced **Jessica Alizadeh**, of Fairfield and Woods, as an owner's representative. **Ms. Alizadeh** gave an overview of the site, mentioning numerous constraints including Lowden ditch, which restricts entrance to the building and leaves the site with a small buildable footprint. Because of the limited access, retail development would not be a good option. She stated that two community meetings were held, and residents shared concerns about dark corridors and no sidewalk in the 57th Street area. **Ms. Alizadeh** indicated that the applicant was planning to build a luxury indoor RV storage with high quality façade that mimics a retail business. She presented a conceptual site plan showing a detached sidewalk set back from the busy streets, quality landscaping, and a gate that opens

on 57th Street to allow for emergency access vehicles only. The access arrangements would prevent heavy traffic from impacting neighboring residents.

COMMISSIONER CLARIFYING QUESTIONS:

- **Commissioner Fleischer** asked where the city anticipated access to the site. Ms. Smyth answered that the entrance would be from Highway 287 and 57th Street access would be for emergency vehicles only.
- **Commissioner Roskie** asked when the applicant would be applying for special review approval. Ms. Alizadeh responded that an application would be submitted within a few weeks.
- Ms. Alizadeh mentioned an agreement she has written with the city attorney, which specifies that the annexation and zoning of the property would become effective upon staff approval of the Special Review Permit.

CITIZEN COMMENTS:

Commissioner Dowding opened the public hearing for citizen comment at 7:05 p.m.

John Cruise, a resident of the area, spoke of his concern for the proposed landscaping interfering with the solar panels on his house, along with new trees housing more squirrels which can be destructive. He stated he has no problem with the type of business going in. Ms. Alizadeh stated she would be sensitive to his concerns by considering the landscaping in the area around his lot.

Commissioner McFall commended the applicant for the proposed design of the RV Facility. He stated his concern with the entrance to the site, and asked if there were plans for a traffic light at the intersection entrance area north of Murphy's Express. **Randy Maizland**, Engineer for the City's Transportation Development Review, stated there are no plans in place for a new traffic signal on Hwy. 287 and 64th Street as it would not meet the City's spacing requirements. Mr. Maizland indicated that the 64th Street access was designed for large semis to navigate. He acknowledged it is a busy intersection. He added that to exit the development and proceed south on 287, drivers would use the exit just south of Les Schwab Tires. To go north on 287, access would be via the signalized intersection at 65th Street.

Commissioner Dowding asked Ms. Smyth for clarification to one of the findings. Ms. Smyth agreed that the last finding on Page 9 will be amended to read "East, North and South".

Commissioner Dowding closed the public hearing at 7:14 pm.

***Commissioner McFall** moved to make the findings listed in Section VIII of the Planning Commission staff report dated May 14, 2018; and, based on those findings, recommends that City Council approve the Bighorn Addition, subject to the conditions listed in Section IX, as amended on the record, and zone the addition B-Developing Business. **Commissioner Fleischer** seconded. The motion was opened for Commission discussion.*

COMMISSIONER DISCUSSION:

- **Commissioner McFall** commended the applicant for the plan and he views it as an enhancement to the area.
- **Commissioner Hammond** asked how many units were planned. **Mr. Fouts** responded that there would be approximately 170 RV units and can accommodate a 45-foot RV.
- **Commissioner Dowding** asked if the applicant agreed to all conditions listed in Section IX. **Ms. Alizadeh** responded that the applicant agrees to and accepts the conditions.

The motion was unanimously approved.

Commissioner Dowding called for a recess at 7:17 p.m.

Commissioner Dowding called the meeting to order at 7:27 p.m.

3. Foundry Theater - PH

Project Description: On February 26, 2018 the Planning Commission conducted a public hearing and approved the site plan for The Foundry Theatre based on a determination of compliance with the design standards of the Downtown BE Zoning District. Subsequent to the Planning Commission's approval, the Theatre design team submitted amended plans to the City which specified modifications to the elevations of the Theatre building. Given the nature of the modifications, it is necessary for the Planning Commission to conduct a new public hearing to determine if the adjusted design is in compliance with the applicable design standards specified in the Downtown BE Zoning District. Staff has reviewed the amended plans and is recommending approval. The Commission's role to conduct a public hearing and determine whether the modified plans meet the applicable findings specified in the Downtown BE Zoning District. The Commission's decision on this application is final barring appeal.

Troy Bliss, Senior Planner, spoke of the site plan and details of the Foundry Theater, which were previously approved by the Planning Commission. Following the approval, it was determined that in order to stay within budget, changes would need to be made the exterior architectural treatments. He noted that the staff is in support of the changes that will be presented this evening. At the February 26th hearing, Planning Commission imposed a condition to the building design, requiring that the east elevation of the building have at least a 30% brick application, which is in line with the downtown zoning standards. Mr. Bliss confirmed this condition is being met.

Joe Calvin, with Thorpe Associates, presented slides showing the building elevations and discussed revised plans to the theatre. He mentioned they have increased the number of seats in the theater to more than 600. The significant change to the building involves modifications to the elliptical steel "hats" which are situated at two points above the roof line at the theatre entrance and at the southeast corner of the building along Lincoln Avenue. The removal of these architectural enhancements was done in effort to stay within budget. Other minor adjustments to the building were made to integrate these changes. Smaller revisions also include lighting added to a railing outside of the dining room, the sidewalk elevation has dropped in order to add a few

courses of brick, and a gas meter is screened on the front of the building. Some of the taller brick elements have been removed from the Backstage Alley area, and more brick has been added to the middle of the East elevation along the Lincoln Avenue frontage. Mr. Calvin stated that in accordance with the February 26th condition imposed by the Planning Commission, the amount of brick on that side of the building is now at 32.57%.

COMMISSIONER CLARIFYING QUESTIONS:

There were no questions for the applicant.

CITIZEN COMMENTS:

Commissioner Dowding opened the public hearing at 7:36 p.m.

There were no public comments.

Commissioner Dowding closed the public hearing at 7:36 p.m.

Commissioner McFall moved to approve the modified plans which meet the applicable findings specified in the Downtown B Zoning District. Following a second by Commissioner Roskie the motion was unanimously approved.

COMMISSIONER DISCUSSION:

- **Commissioner Molloy** voiced his disappointment over losing the elliptical hats; however, thinks the modifications look fine.
- **Commissioner McFall** stated he liked the hats.
- **Commissioner Hammond** was pleased the applicant listened to the commissioner's comments regarding the need to increase the amount of brick. The brick will conform well into the downtown area.
- **Commissioner Dowding** stated she likes the design better without the hats, and was pleased with the clean lines of the new design and with the brick placed on the East elevation.

The motion was unanimously approved.

ADJOURNMENT

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

Commissioner Dowding adjourned the meeting at 7:40 p.m.

Approved by:

Carol Dowding

Carol Dowding, Planning Commission Chair

Lisa Rye

Lisa Rye, Planning Commission Secretary.