



LOVELAND PLANNING COMMISSION MEETING AGENDA

**Monday, October 08, 2018
500 E. 3rd Street – Council Chambers
Loveland, CO 80537
6:30 PM**

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“La Ciudad de Loveland está comprometida a proporcionar igualdad de oportunidades para los servicios, programas y actividades y no discriminar en base a discapacidad, raza, edad, color, origen nacional, religión, orientación sexual o género. Para más información sobre la no discriminación o para asistencia en traducción, favor contacte al Coordinador Título VI de la Ciudad al TitleSix@cityofloveland.org o al 970-962-2372. La Ciudad realizará las acomodaciones razonables para los ciudadanos de acuerdo con la Ley de Discapacidades para americanos (ADA). Para más información sobre ADA o acomodaciones, favor contacte al Coordinador de ADA de la Ciudad en ADACoordinator@cityofloveland.org.”

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

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, October 22, 2018 – Regular Meeting Agenda Preview

i. Foundry Parking Garage – Art Memo

2. Hot Topics: Boards & Commissions Recruitment Period: Oct 1 - Nov 2

c. City Attorney's Office Updates

d. Committee Reports

e. Commission Comments

f. **Boyd Lake Avenue improvements--Justin Stone, Senior Engineer, Transportation Development Review office.**

III. APPROVAL OF MINUTES

Review and approval of the September 24, 2018 Meeting minutes

IV. CONSENT AGENDA

The consent agenda includes items for which no discussion is anticipated. However, any Commissioner, staff member or citizen may request removal of an item from the consent agenda for discussion. Items requested to be removed from the consent agenda will be heard at the beginning of the regular agenda.

Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption by the Planning Commission and acceptance by the Applicant of the staff recommendation for those items.

- Does anyone in the audience wish to remove an item from the Consent Agenda?
- Does any staff member wish to remove an item from the Consent Agenda?
- Does any Commissioner wish to add any item from the Regular Agenda to the Consent Agenda or remove an item from the Consent Agenda?

V. REGULAR AGENDA:

1. First National Bank – Public Hearing

The applicant is requesting to replace (amend) a previously approved Preliminary Development Plan (PDP) with a plan for a new bank on this vacant site located in the PUD-zoned Peakview Commercial Park at 152 West 64th Street. The site is 0.74 acres in size and is located flanked by Les Schwab Tires and the Murphy Oil gas station on the west side of Highway 287. The applicant is proposing to develop the site in two phases: initially constructing a drive-up ATM; phase 2 would include the 3800 square foot bank with drive thru facilities.

The proposed use is allowed by the General Development Plan (GDP). The site design, building elevations and utility infrastructure has been reviewed by staff and determined to be consistent with applicable GDP and general City development standards. Staff is recommending approval. The role of the Planning Commission is to conduct a public hearing and has authority to approve, conditionally approve or deny the application.

2. Amendments to the Municipal Code – Public Hearing

The City of Loveland supports affordable housing primarily through the waiver of development, capital expansion (CEF) and other fees for non-profit and for-profit developers. The Loveland Municipal Code at Sections 16.38 and 16.43 state that City Council may by resolution grant an exemption from all or part of the capital expansion fees or any other fees. Other fees include utilities and charges that must be reimbursed, or backfilled, by the general fund and cannot be waived outright by City Council. Non-profit developers, namely the Loveland Housing Authority and Habitat for

Humanity, have historically received a waiver of close to 100% of building permit and capital expansion fees, as well as utility fees that require backfilling. For-profit organizations have only received fee waivers that do not require backfilling.

On May 15, 2018, City Council discussed back-filling fire impact fees in addition to utility fees and requested that the Community Partnership Office bring forward an action to update portions of Sections 16.38 and 16.43 of the Loveland Municipal Code to require the backfilling of fire impact fees. Affordable housing projects can access the Community Housing Development Fund to pay the backfilled amounts. Historic downtown projects must be backfilled from the general fund or some other fund.

Sections of Title 16 relating to the waiver of fees will be amended to allow the backfilling of fire impact fees in 2018, prior to the effective date of the Unified Development Code. Should this item be adopted, the Community Partnership Office will ensure that these changes are incorporated into the Unified Development Code as well.

This item was presented to the Affordable Housing and Historic Preservation Commissions and the Construction Advisory Board on September 17th, 24th and 26th respectively. All three commissions motioned to approve the change.

VI. ADJOURNMENT

SUPPLEMENTARY INFORMATION

Public Hearing Procedures

The purpose of a public hearing is for the Planning Commission (PC as used below) to obtain full information as to the matter under consideration. This includes giving all interested parties the opportunity to speak (provide testimony) at the hearing.

The public hearing is a formal process. Below is the typical hearing sequence to be followed by the Planning Commission.

Annotations have been provided for clarity.

1. **Agenda item is recognized by the Chair**
2. **Public hearing is opened**
3. **Staff presentation***
(May include clarifying questions to staff from Commissioners)
4. **Applicant presentation***
(May include clarifying questions to applicant from Commissioners)
5. **Public comment***
(All public comment should be made from the podium upon the PC Chair acknowledging the citizen speaking. Citizens should provide their name and mailing address in writing at the podium, and introduce themselves. The PC may ask clarifying questions of the citizens. At a public hearing, the PC does not respond to questions from citizens; questions directed to the applicant or staff should be requested through the Chair.)
6. **Applicant response**
(The Chair typically requests that applicants respond to comments and questions raised during public comment)
7. **PC questions to staff, the applicant and possibly to citizens who presented**
(Commissioners may use this step in the process to gain a more detailed understanding of relevant information)
8. **Close public hearing**
(Unless specifically permitted by the Chair, further testimony is not allowed after the public hearing is closed)
9. **Motion**
(Motions are made by a PC member with possible conditions)
10. **Motion is seconded**
(A 2nd is required before the motion can be considered; a motion that fails to obtain a second dies)
11. **PC discussion**
(The PC discusses the application and whether it satisfies the required findings)
12. **PC Chair requests that the applicant agree to any conditions prior to a vote**
(If an applicant does not accept the proposed conditions, the PC may deny the application)
13. **Vote**
(The decisions of the PC must address relevant findings of fact. These findings are specified in adopted plans and codes, and serve to guide zoning and annexation decisions. Relevant findings are itemized in the Staff Report and referred to in the recommended motion.)

* Note that the Planning Commission may place time limits on presenters. All presenters should communicate clearly and concisely, refraining from duplicating detailed information that has been provided by others.

Privacy: Citizens who present to the Commission or provide written materials for Commission review should understand that information provided like email addresses, phone numbers and personal addresses will become part of the public record. Such information may be posted on the City's web site or otherwise made available to the public unless a written request for privacy is provided to the Planning Commission Secretary.