

**CITY OF LOVELAND**  
**PLANNING COMMISSION MINUTES**  
**September 24, 2018**

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A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on September 24, 2018 at 6:30 p.m. Members present: Chairwoman Dowding; and Commissioners McFall, Molloy, Fleischer, and Bears. Members absent: Commissioners Hitchcock, Hammond and Hovland. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, 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**

- **Darin Barrett**, Loveland resident, expressed concerns regarding the Boyd Lake Avenue construction plans. He explained that additional construction at the south side of Boyd Lake Avenue and 15<sup>th</sup> Street would further affect the existing traffic situation. He spoke of the proposed roundabout and believes that design plans call for heavy landscaping, which will obstruct views and create a safety issue. He believes that a stoplight with a dedicated turn lane at the Boyd Lake Avenue and 37<sup>th</sup> Street intersection is needed. He questioned if the roadway development plans for the area have been approved by the City.
- **Robert Paulsen, Current Planning Manager**, responded that the City does review all roadway construction plans. Although such plans are not normally presented to the Planning Commission, the role of City Council is to hear citizen concerns regarding these issues. Mr. Paulsen stated that information regarding these plans could be supplied through the City Transportation and Engineering offices. **Commissioner Molloy** stated that with additional developments taking place in the Boyd Lake Avenue area, it would be beneficial to be updated on the roadway construction plans. After other commissioners showed interest, Mr. Paulsen stated he will arrange for a presentation to be made by the Public Works Department at the October 8, 2018 Planning Commission meeting.

**CURRENT PLANNING UPDATES**

1. **Robert Paulsen, Current Planning Manager**, reviewed the agenda items scheduled for the Monday, October 08, 2018 Planning Commission meeting as follows:
  - i. First National Bank – Public Hearing
  - ii. Foundry Parking Garage – Art Memo
  - iii. Changes to Municipal Code

2. **Mr. Paulsen** announced that the Planning Commission recruitment period would be open from October 1 through November 2. Commissioners that know of any qualified individuals were asked to encourage them to apply. Information regarding the open seats will be emailed to graduates of the Leadership Loveland program, as well as to the Planning Department's customers.

### **CITY ATTORNEY'S OFFICE UPDATES**

**Moses Garcia, City Attorney**, announced that Laurie Stirman will attend the October 8, 2018 Planning Commission meeting.

### **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 September 10, 2018 minutes; upon a second from Commissioner Molloy, the minutes were unanimously approved.*

### **CONSENT AGENDA**

There were no items scheduled on the Consent Agenda

### **REGULAR AGENDA**

#### **1. BE Rezoning – Public Hearing**

**Project Description:** This is a public hearing to consider five City-sponsored re-zoning requests. Each of the properties identified for rezoning is currently zoned BE - Established Business District. While the BE zone is associated with the downtown area, there are three areas outside of the downtown boundaries that were assigned BE zoning many years ago. With the pending adoption of the Unified Development Code (UDC), the BE-District is being relabeled the DT - Downtown District--giving the downtown a focused zoning designation intended to guide development. With this change, it is now appropriate to rezone these outlying BE-zoned sites to fit better within the surrounding zoning and development context. The following is a description of the properties identified for rezoning:

### **West Eisenhower Properties**

1. Sprenger-Sycamore Additions: rezoning approx. 10.16 acres from BE to B - Developing Business District
2. Lot 12 Sycamore Addition: rezoning a 1.38-acre split-zoned lot from BE and R1e to B - Developing Business District

### **Properties west of Downtown**

3. Aldon-Burkhard Additions: rezoning approx. 1.44 acres from BE to R3e - Established High-density Residential District
4. Aldon-Stoner Additions: rezoning approx. 0.68 acres from BE to R1e - Established Low-density Residential District

### **East First Street Properties**

5. East First Street Addition: rezoning approx. 3.15 acres from BE to B - Developing Business District

In pursuing the rezoning of the properties identified above, the Current Planning office has made numerous efforts to contact and inform directly-affected property owners and property owners within the surrounding areas. All directly affected property owners have been informed by mail and were invited to attend informational sessions with staff. In addition, separate neighborhood meetings were conducted for the three areas, with rezoning sites clearly posted and letters of notice provided as required to area property owners. Mailed, posted and newspaper notices were also provided, as required by Code, in advance of the Planning Commission hearing.

The role of the Planning Commission is to conduct a public hearing and make recommendations to the City Council on each of the five rezoning requests. The City Council is scheduled to hear the requests on October 16, 2018.

**Mr. Caleb Jackson, Current Planning**, explained that there are three outlying areas that are currently zoned BE, but the proposed rezoning project is divided into five separate applications. A rezoning of the outlying BE areas would enable the current uses to continue and would allow development and redevelopment to fit within the surrounding zoning and land use context. The current BE Zoning allows for commercial and residential uses, and has a downtown orientation. It is anticipated that the Unified Development Code (UDC) will be adopted and go into effect in January 2019. With the adoption of the Code, properties currently zoned BE would transition to DT – Downtown zone district. In an effort to match the outlying areas with the existing land use and area character, the City is proposing the rezone project.

**Mr. Jackson** introduced each of the rezoning projects and discussed the findings. Through collaboration between City staff and landowners, only favorable input regarding the rezoning proposal was received from the landowners. Site-specific situations were considered and the Create Loveland Comprehensive Plan was referenced when deciding the most compatible rezone option for each property. Mr. Jackson shared that feedback from all neighborhood meetings was favorable with the exception of one neighbor (not a landowner) from the Aldon-Burkhard property, who showed interest in more intensive land uses for this area. Mr. Jackson explained

that trends have shown a decrease in intensive land use in this area, and is more compatible with the proposed R3e area. With a Planning Commission recommendation, the City Council Public Hearing will be held on October 16, 2018 at 6:00 p.m.

#### **CITIZEN COMMENTS:**

- **Arlene Rivera** commented on the rezone proposal for the area to the west of downtown, The Aldon-Burkhard Additions which proposes the rezoning of approximately 1.44 acres from BE to the R3e - Established High-density Residential District. She explained that she is not a landowner in this area, but she lives nearby. She shared her concern that taking away the commercial zoning and moving to a more residential zoning removes the possibility of this area from becoming a destination for small-scale commercial uses. She understands the importance of creating a vibrant downtown area, but believes that the surrounding residential neighborhood could benefit from more intensive commercial land use. **Mr. Jackson** explained that an applicant could apply for a rezone for a more intensive commercial use zoning in the future, if the market would support it. He further explained the small businesses are allowed in the R3e zone district. **Mr. Paulsen** added that the rezone allows the current uses to continue, but serves as a more compatible zone adjacent to Garfield Elementary and a better transition from downtown to the established neighborhood to the west. The R3e zoning would prevent heavier commercial uses from occurring immediately adjacent to the residential area.
- **Commissioner Molloy** stated that with a heavier commercial zoning, it is hard to predict what type of business might be brought into the area. He also questioned what the future use of the former railroad property is to the north of this area. He shared that he believes the property has a safe pedestrian connection to the downtown area. **Mr. Jackson** explained that City's Strategic Planning division would be looking at the use for the former railroad right-of-way, which is now owned by the City.
- **Commissioner Bears** questioned if signage would be allowed in the R3e zoning district in a live-work situation. **Mr. Jackson** stated that home occupations would not allow for commercial signage.

**Commissioner Dowding closed the public hearing at 7:20 p.m.**

*Commissioner McFall moved to make the findings set forth in the Planning Commission Staff report dated September 24, 2018 and, based on those findings recommend that City Council approve the following:*

- 1. Sprenger-Sycamore Additions Outlying BE Rezone*
- 2. Lot 12 Sycamore Addition Outlying BE Rezone*

3. *Aldon-Burkhard Additions Outlying BE Rezone*
4. *Aldon-Stoner Additions Outlying BE Rezone*
5. *East First Street Addition Outlying BE Rezone*

*Commissioner Bears seconded the motion.*

#### **COMMISSIONER DISCUSSION:**

- **Commissioner McFall** stated that he was surprised that no concerns have been expressed by landowners whose zoning will change from BE to R3e zoning. He indicated that it may be hard to rezone back to a heavier use in the future.
- **Commissioner Molloy** added that concern for rezoning to a heavier use often times comes from neighbors. The school in the R3e rezoning area is a big benefit to the higher density rezoning.
- **Mr. Paulsen** commented on the concerns expressed by Arlene Rivera. He explained that under the UDC, the B district zone will allow both residential and commercial uses. And while the R3e allows for a range of uses, including office and service commercial uses, the B zoning she is advocating would allow intense commercial and multifamily development that may not be compatible with the school and with nearby residential homes.
- **Commissioner Dowding** commended the City's Planning staff for doing an excellent job in matching the proposed zoning with the character of the neighborhoods. She shared that R3e works well around a school.

*The motion was unanimously approved.*

#### **ADJOURNMENT**

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

**Commissioner Dowding adjourned the meeting 7:28 pm.**

Approved by: Carol Dowding  
Carol Dowding, Planning Commission Chair

Lisa Rye  
Lisa Rye, Planning Commission Secretary.