



LOVELAND PLANNING COMMISSION MEETING

AGENDA

Monday, July 22, 2019

500 E. 3rd Street – Council Chambers

Loveland, CO 80537

6:30 PM

The City of Loveland is committed to providing an equal opportunity for services, programs and activities and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. For more information on non-discrimination or for translation assistance, please contact the City's Title VI Coordinator at TitleSix@cityofloveland.org or 970-962-2372. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, please contact the City's ADA Coordinator at ADAcoordinator@cityofloveland.org.

“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: Patrick McFall (Chair), Michael Bears, Jeff Fleischer, Rob Molloy, David Hammond, Milo Hovland, Susan Peterson, and Deborah Tygesen.

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, August 12, 2019 Agenda Preview

i. Taft Rezoning – PH

ii. Savannah Industrial Site - Conditional Use - PH

2. Highway 34 Upgrades

3. Planning Commission meeting time: Is 6:30 start still agreeable?

A. City Attorney's Office Updates

B. Committee Reports:

C. Commission Comments

III. APPROVAL OF MINUTES

Review and approval of the July 8, 2019 meeting minutes

IV. REGULAR AGENDA

1. Mineral Addition Zoning Document – Troy Bliss – Public Hearing

This is a public hearing item that involves a Zoning Document Amendment for one non-residential lot in the Mineral Addition Planned Unit Development (PUD). The vacant, one-acre lot is one of two non-residential lots in the 30-lot Mineral Addition that is located along the east side of South Taft Avenue immediately north of Carlisle Drive and to the south of First Street. The lot is addressed as 691 Split Rock Drive and is adjacent to Carlisle Drive.

The requested Zoning Document Amendment, which is equivalent to a zone change, would expand the use allowance for the lot to include a restaurant with a drive-through facility; allowed uses currently include specified commercial and office uses but does not allow the requested use. The proposed use is a Ziggi's Coffee Cafe, which is a newer prototype (for Ziggi's) that includes an interior cafe component. Should the amendment be approved, the proposed Ziggi's Cafe would be allowed to proceed through the City's Site Development Plan review and Building Permit review processes.

Staff believes that key issues have been resolved and that the request meets the applicable criteria for a zone change. The role of the Planning Commission is to conduct a public hearing and to forward a recommendation to the City Council for final action.

2. Wireless Telecommunications & UDC Amendments – Public Hearing

This is a public hearing item that involves amendments to the Municipal Code. Staff is requesting that the Planning Commission provides a recommendation to City Council for adoption of the City of Loveland Wireless Communications Code located in Title 14 of the Loveland Municipal Code, and associated amendments to the Unified Development Code (Title 18) and Title 13 of the Loveland Municipal Code regarding pole attachments.

The Wireless Communications Code consolidates existing code provisions that address wireless telecommunications with new provisions relating to small cell wireless facilities in the public rights-of-way. This code adoption is in response to state legislation and FCC regulations regarding small cell wireless facilities. The City is now required to permit small cell wireless facilities to be deployed in the public rights-of-way, with limited regulation by the City. The purpose of the new code is to regulate such wireless communications facilities to the extent the City is permitted. Specifically, the code requires that providers comply with the City's design standards, sign a master license agreement, and comply with other requirements to protect public health, safety and welfare.

V. 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 comments should be made from the center podium upon direction from the Chair. 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 agrees 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 in response to criteria specified in adopted plans and codes, and serve to guide zoning and annexation decisions. Relevant criteria and 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.