

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
July 12, 2010

6 A meeting of the City of Loveland Planning Commission was held in the City Council Chambers of
7 the Civic Center on July 12, 2010 at 6:30 p.m. Members present: Chairman Molloy; Vice Chairman
8 Ray; and Commissioners Crescibene, Fancher, Leadbetter, Middleton and Meyers. Commissioner
9 Krenning was absent. City Staff present: Kerri Burchett, Current Planning; Robert Paulsen, Current
10 Planning Manager; Sunita Sharma, Assistant City Attorney.

12 These minutes are a general summary of the meeting. For more detailed information, the audio and
13 videotapes are available for review in the Community Services office.

APPROVAL OF AGENDA

18 *Commissioner moved to approve the Agenda. Upon a second by Commissioner the motion passed*
19 *unanimously.*

CITIZEN REPORTS

23 There were no citizen reports.

COMMISSIONER COMMENTS

27 There were no comments.

COMMITTEE REPORTS

31 **Chair Molloy** reported that the Pedestrian Bike Committee has had its first meeting and commented
32 that there is a lot of work to do on improvements to the pedestrian and bike paths.

STAFF MATTERS

36 **Current Planning Manager Robert Paulsen** reported that the Planning Commission vacancy has
37 been extended to the end of July and encouraged anyone interested to apply. He stated that there
38 would be a Study Session on July 27th, and another on August 10, amendments to the Site
39 Development Performance Standards and new chapter addressing appeals. He stated the
40 amendments would eliminate the merit hearing process. He spoke of Commissioner Krennings'
41 recent request to hold a joint Study Session with City Council to discuss Councils' direction
42 regarding growth and landuse development within the community. After further discussion it was

1 the consensus of the Commission that they would like to have a joint Study Session with City
2 Council in the fall.

3

4 **APPROVAL OF THE MINUTES**

5

6 *Commissioner Meyers made a motion to approve June 14, 2010 meeting minutes. Upon a second*
7 *by Commissioner Middleton the motion was unanimously adopted. (Commissioners Ray and*
8 *Molloy abstained.)*

9

10 **REGULAR AGENDA**

11

12 **1. North Cleveland Avenue Corridor.**

13

14 This is a public hearing item to discuss amendments to Titles 16 and 18 of the Municipal Code and
15 to the Larimer County Urban Area Street Standards. The amendments have been prepared by the
16 Current Planning office in conjunction with the City's Title 18 Committee. The amendments
17 propose new zoning standards that would support the continuing interest among property owners
18 within the North Cleveland Avenue corridor to convert their residential properties into low intensity
19 office and personal service uses. The location of the North Cleveland Corridor is from 10th Street
20 northward to where Cleveland and Lincoln avenues merge.

21

22 **Kerri Burchett, Project Planner**, gave a presentation on this item. She stated that the primary
23 focus of the amendment is to allow the conversion of residential properties into professional
24 offices and personal service uses as a use by right within the North Cleveland corridor as well as
25 providing supplemental standards to maintain the existing character and ensure compatibility
26 between differing land uses. She stated that this particular area is a transitional area and of the
27 numerous properties that have already gone through conversion through the Special Review
28 process. She further commented on the importance of the Cleveland Corridor as being a gateway
29 to the Downtown.

30

31 **Ms. Burchett** highlighted the main components of the amendments

- 32 • Allow professional offices (excluding medical and dental offices) and personal service
33 uses as a use by right with up to a 25% expansion of existing floor area
- 34 • Establish supplemental standards to ensure compatibility
- 35 • Elimination of ACF regulations for alleys within the corridor
- 36 • Revisions to the Larimer County Urban Area Street Standard regarding sidewalks and
37 alleys

38

39 **Ms. Burchett** further reported that staff is also proposing clarifying amendments to the R3e zone
40 district that would apply to all properties within that designated zone. These are generally minor
41 changes that would either provide clarity to terms used within the regulations or update the
42 district standards.

1
2 **Sean Kellar, Transportation Development Review**, spoke of revisions to the LCUASS
3 requirements stating that this area does not fit into the LCUASS standards. He stated that in this
4 corridor the alleys would primarily be used for employee parking and if no more than 2 parking
5 spaces are provided (3 if one is ADA compliant) they would not be required to pave the alley.
6 He stated that uses requiring 3-10 parking spaces would be required to pave the alley to the
7 intersection with a minimum paved width of 15 feet. If more than 10 spaces are proposed, the
8 required paving width would be considered on a case by case basis.
9

10 **Ms. Burchett** stated that staff has worked with the Title 18 Committee as well as taking the
11 concept to the City Council for their input. She stated that Council was in support of the changes
12 as long as the LCUASS standards were amended. She stated that as a result of an outreach with
13 the neighborhood it was determined that the hours of operation would end at 7:00 p.m. She
14 stated that staff received unanimous approval of the amendments by the Construction Advisory
15 Board.

16
17 **Commissioner Middleton** thanked staff for all their efforts and stated he was in support of the
18 amendment.
19

20 **Commissioner Fancher** questioned if a Boarding House and/or a B&B would be exempt from
21 the 7 p.m. closing requirement.
22

23 **Ms. Burchett** stated that the hours of operation are limited to this corridor and if a business
24 owner needs to be open later than 7 p.m. they could go through the Special Review process. She
25 clarified that the setback regulations that encouraged detached walks were not just for the
26 corridor but the entire R3e zone district. The proposed revision to the front yard setback would
27 allow the tree lawn to be included in the setback calculation, similar to setbacks allowed in
28 planned unit developments.
29

30 **Commissioner Meyer** asked if the definition is broad enough to cover substance abuse facilities.
31

32 **Ms. Burchett** all rehabilitation uses as described in the health care service facility would require
33 a Special Review so there would be a neighborhood outreach component.
34

35 **Commissioner Crescibene** expressed concerns regarding alley drainage if one alley is paved and
36 the next one is not and questioned how it would tie in.
37

38 **Sean Kellar** stated that when the alleys are paved they would need to be engineered to consider
39 any downstream issues/problems for adjacent property owners. An applicant's consultant would
40 provide engineered drawings regarding the pavement design and drainage component, which
41 would then be reviewed by the City's Stormwater Division.
42

1 **Chairman Molloy** spoke in favor of the amendment.
2

3 **Public Comment**
4

5 **Judy Hinesley**, spoke in favor of the amendment and thanked staff and the Planning
6 Commission for moving forward with the amendment.
7

8 **Clay Roberts, 1546 Cleveland**, spoke in favor of the amendment and expressed concerns
9 regarding parking and alley paving. He spoke of the costs associated with improvements to the
10 alley and questioned what additional parking spaces would cost him.
11

12 **Mr. Kellar** suggested that Mr. Roberts come in and talk to the Current Planning Department and
13 discuss his proposal and then they could determine the number of parking spaces he would need.
14

15 **Mr. Paulsen** urged Mr. Roberts to come in and talk with staff to prior to a Council meeting so
16 that he could see if the new regulations would meet his needs.
17

18 **Assistant City Attorney Sunita Sharma** made the following changes:
19

20 18.04.282 Open space, usable defined.
21 Usable open space means open space that is available and suitable in terms of
22 size, dimension and topography for active ~~and/or~~ passive outdoor use..
23

24 18.04.282 Open space, usable defined.
25 ..outdoor gathering areas, trails, seating areas, fountains and passive ~~and/or~~ active
26 recreation areas.
27

28 18.04.375 Type 2 Standard defined.
29 ...Type 2 standards may be allowed based on ~~upon~~ specific findings...
30

31 18.16.110 Supplementary Regulations for the North Cleveland Avenue Sub-Area
32 Defined: ~~Supplementary Regulations~~
33

34 **Additional Corrections to the LCUASS Standards**
35

36 C. Design Standards.
37

38 2. Off-Street Parking.
39

40 ii) Off street parking shall not be ~~provided~~ prohibited...
41

42 3. Landscaping.
43

44 b. Each of the following requirements shall ~~must~~ be...
45

46 ~~iii-c.~~
47

1
2 **Commissioner Meyers** asked how staff arrived at two parking spaces.
3

4 **Ms. Burchett** stated that when talking about impacts to the alley currently each property is
5 allowed 2 spaces and a third has been added for handicap accessibility which staff believed
6 would be the threshold to maintain the alley in its current state. She further clarified that along
7 the corridor there is a 25% reduction in parking space requirements and you can count on-street
8 parking to satisfy parking requirements.
9

10 **Sean Kellar** clarified that the intent of limiting the amount of spaces in the alleys is important to
11 preserve travel and maintain some level of responsibility for the alleys.
12

13 **Commissioner Meyers** questioned if the amendment was strong enough in its definitions that
14 any type of substance abuse facility including resident or temporary residence that utilizes non-
15 traditional treatment programs/regiments, such as holistic medicine would not be allowed in the
16 corridor without going through the special review process. He further clarified that he would be
17 monitoring it closely so that would not happen.
18

19 *Vice Chair Ray made a motion to find that the proposed amendments to Titles 16, 18, and to the
20 Larimer County Urban Area Street Standards, as described in the July 12, 2010 Planning
21 Commission staff report, are in substantial compliance with the Loveland Comprehensive Plan;
22 and based on that finding, recommend that City Council approve the amendments as described in
23 the July 12, 2010 Planning Commission staff report and as amended on the record. Upon a
24 second by Commissioner Middleton the motion was unanimously adopted.*
25

26 **ADJOURNMENT**
27

28 *Commissioner Middleton made a motion to adjourn. The motion was unanimously adopted.*
29

30
31 Mike Ray, Vice Chair
32

33
34
35 Vicki Mesa, Secretary
36