

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

**CITY OF LOVELAND**  
**PLANNING COMMISSION MINUTES**  
**January 9, 2012**

---

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on January 9, 2012 at 6:30 p.m. Members present: Chairman Molloy; Vice Chairman Meyers; and Commissioners Dowding, Crescibene, Krenning, Leadbetter and Middleton. Commissioners Absent: Fancher and Ray. City Staff present: Troy Bliss, Current Planning; Robert Paulsen, Current Planning Manager; John Duval, City Attorney.

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

**CITIZEN REPORTS**

There were no citizen reports.

**STAFF MATTERS**

**Robert Paulsen, Current Planning Manager**, reported that on January 2, 2012 the City Council reappointed Commissioners Krenning, Molloy and Middleton. He reported that the Commission would be discussing the 2011 accomplishments and goals for 2012, and the Commission would review the Title 18 program for the upcoming. He asked if the Planning Commission would be interested in adjourning into a study session after the next meeting to watch a presentation on quasi-judicial procedures. It was the consensus of the Commission that they would like to have a study session.

There was a discussion regarding the possibility of replacing paper staff report packets with electronic versions, thus eliminating the need for the distribution of paper materials to the commission. It was decided that this approach was infeasible since the Planning Commissioners did not have access to laptops or other devices for reading such materials in the Council Chambers; the issue was tabled for possible future discussion.

**COMMISSIONER COMMENTS**

*Commissioner Krenning made a motion that the election of officers be moved to the January 23, 2012. Upon a second Vice Chair Meyers the motion was unanimously adopted.*

1 **APPROVAL OF MINUTES**

2  
3 *Commissioner Middleton moved to approve the Minutes of the December 12, 2011 Planning*  
4 *Commission meeting. Upon a second by Commissioner Krenning the motion passed*  
5 *unanimously.*  
6

7 **REGULAR AGENDA**

8  
9 **1. Mariana Butte 25th Subdivision PUD Preliminary Development Plan and**  
10 **Preliminary Plat.**  
11

12 This is a public hearing item to consider the Mariana Butte 25th PUD Preliminary Development  
13 Plan (PDP) and Preliminary Plat. The PDP proposes a residential development consisting of 51  
14 total units (46 paired single family units and 5 single family detached units). The preliminary  
15 plat would create 51 residential lots along with associated outlots for landscaping and  
16 bufferyards. Additionally, the plat is reserving approximately an acre of ground for dedication to  
17 the Loveland Historical Society in connection with the Medina Family plot. The PDP complies  
18 with the General Development Plan (GDP) for Mariana Butte PUD as amended, which permits a  
19 mix of residential uses within the parcels.  
20

21 **Troy Bliss, Project Planner**, gave a brief presentation on the history of this item, spoke of the  
22 2009 amendment to the General Development Plan (GDP) and outlined the Preliminary  
23 Development Plan and the Preliminary Plat. He stated that the applicant and the school district  
24 have found and agreed upon a solution for access, stating that the residents could access the  
25 neighborhood from Namaqua Avenue via a portion of the school's private drive onto Osceola  
26 Place. He further commented that this was to be the only access point to the school's private  
27 drive limiting movements to a right-out from Osceola Place and a left-in onto Osceola Place. He  
28 commented that the applicant is requesting a street name of "Zander Court" which is not allowed  
29 under the city's current naming convention and reported that the request will be heard by the City  
30 Council for their determination. He stated that staff recommends approval of the Preliminary  
31 Development Plan and the Preliminary Plat.  
32

33 **Melanie Foslien, KBN Engineers**, representing the applicant, stated she did not have any  
34 additional information to add and was open for questions. She responded to traffic questions and  
35 stated that there would only be a right turn only and a "pork chop" would be installed to prevent  
36 turning left while leaving the school. She clarified that Shupe Place is a private drive and  
37 maintained by the residents which is why it was not used as a connection to Zander Drive.  
38

39 **Skip Armatoski, Thompson School District**, reported that the school district agrees with the  
40 right turn only and stated that the connecting street will be constructed so the western sidewalk  
41 will align with the raised crosswalk. He clarified that there was an agreement made that residents

1 could access the neighborhood from Namaqua Avenue via a portion of the school's private drive  
2 onto Osceola Place and that this was the only access point to the school's private drive limiting  
3 movements to a right-out from Osceola Place and a left-in onto Osceola Place.

4  
5 **Eric Bracke, ELB Engineering**, reported that traffic volumes generated by the proposed  
6 development would be minimal and would not be an issue for the neighborhood.

7  
8 **Commissioner Dowding** questioned if the grading would create a water problem for neighboring  
9 residents at the south end of the development. She stated that she did not believe the lot sizes  
10 were conducive to families.

11  
12 **Ms. Foslien** addressed grading issues and stated there would be a retaining wall along the north  
13 side of Zander Court.

14  
15 **Jess Rodriquez, Applicant**, responded to Commissioners comments and clarified that the  
16 cemetery has been surveyed and will be deeded to the historical society. He stated access would  
17 not be allowed from the development to the Medina property. He responded to Commissioner  
18 comments regarding the street name Zander Court. He indicated that this street name had been  
19 previously accepted by a staff member who is no longer with the City.

20  
21 **Mr. Bliss** reported that the name "Zander Court" was not consistent with the City's street naming  
22 Requirements as specified in Title 12 of the Municipal Code. He commented that Mr. Rodriquez  
23 would need to proceed to City Council to request a variation to the naming convention.

24  
25 **Mr. Paulsen** commented on how the street naming convention is categorized and used by  
26 emergency services throughout the city.

27  
28 **PUBLIC COMMENT**

29  
30 **Cecil Simpson, 222 Shupe Circle**, thanked the applicant for addressing all the issues and  
31 concerns raised by the neighbors. She commented that her only concern was the need for a  
32 retaining wall to keep water from draining onto the property below.

33  
34 **Bill Meirath, 1005 ½ W. 8<sup>th</sup> Street**, representing the Historic Society, presented the  
35 Commission with a handout of the history of the Medina Cemetery and thanked the applicant for  
36 his donation of the cemetery to the historic society.

37  
38 There was a discussion regarding the retaining walls associated with the development noting they  
39 would be constructed outside of public right-of-way and maintained by the development. He  
40 stated the wall on the north would meet the needs of the neighbors along Shupe Circle. Mr.  
41 Rodriquez stated that the water flow was changed after the development of Mariana PUD and not

1 a result of his development but he is committed to helping them keep the water out of their  
2 basements.

### 3 4 **COMMISSIONER COMMENTS**

5  
6 **Commissioner Krenning** spoke in support of the project and supported using Zander Court as a  
7 street name.

8  
9 **Commissioner Crescibene** stated he supported the development and complimented the applicant  
10 on his work with the neighbors and his willingness to give back to the community. He supported  
11 the name Zander Court.

12  
13 **Vice Chair Meyers** concurred with previous comments.

14  
15 *Commissioner Middleton made a motion to make the findings listed in Section VIII of this*  
16 *report dated January 9, 2012 and, based on those findings, approve Resolution #12-01 thereby*  
17 *approving the Mariana Butte 25<sup>th</sup> Subdivision PUD Preliminary Development Plan subject to*  
18 *the conditions listed in said report, as amended on the record. Upon a second by*  
19 *Commissioner Krenning the motion was unanimously adopted.*

20  
21 The applicant accepted the conditions.

22  
23 *Commissioner Middleton made a motion to make the findings listed in Section VIII of this*  
24 *report dated January 9, 2012 and, based on those findings, approve the Mariana Butte 25<sup>th</sup>*  
25 *Subdivision subject to the conditions listed in said report, as amended on the record. Upon a*  
26 *second by Commissioner Krenning the motion was unanimously adopted.*

27  
28 The applicant accepted the conditions.

### 29 30 **RECOMMENDED CONDITIONS - PRELIMINARY PUD DEVELOPMENT PLAN**

#### 31 32 **Current Planning**

- 33 1. Consideration to the name of Zander Court for a public street within this subdivision shall  
34 be subject to City Council approval. Zander Court does not conform to the City of  
35 Loveland street naming conventions for this area and must obtain a street name  
36 exemption.
- 37  
38 2. Prior to acceptance of a Final Development Plan, the applicant shall provide a final  
39 signed mylar original of the Mariana Butte General Development Plan – Fourth  
40 Amendment (#P-8) as approved by City Council on November 3, 2009 (Ordinance  
41 #5470).

1 3. Landscape plantings including species and final location shall be determined with a Final  
2 Development Plan.

3  
4 4. All garage doors shall not exceed 40% of the front building façade facing a public street.  
5

6 Transportation Engineering  
7

8 5. Prior to issuance of any building permits within this preliminary development plan (PDP),  
9 the following improvements shall be designed and constructed by the developer, unless  
10 designed and constructed by others:

11 a) The two-lane arterial roadway improvements for 1st Street adjacent to the property,  
12 including detached sidewalk. A cash-in-lieu payment for all or part of this improvement  
13 may be accepted if approved by the City Engineer.

14 b) The modifications to the existing roadway striping in 1st Street to accommodate an  
15 eastbound left-turn lane at the proposed access as shown on the approved Public  
16 Improvement Construction Plans.  
17

18 6. Notwithstanding any information presented in the preliminary development plan or  
19 accompanying preliminary plat and preliminary construction plan documents (text or  
20 graphical depictions), all public improvements shall conform to the Larimer County  
21 Urban Area Street Standards (LCUASS), as amended, unless specific variances are  
22 requested and approved in writing.  
23

24 7. Prior to approval of the Mariana Butte 25th Final Development Plan (FDP), the  
25 Developer shall design (and receive approval from the City for) the extension of the curb,  
26 gutter, and sidewalk along 1st Street from the development's east boundary to Namaqua  
27 Avenue.  
28

29 8. All proposed retaining walls associated with the development will need to be outside of  
30 public right-of-way and maintained by the development. Prior to approval of the FDP the  
31 developer shall clearly indicate this information on the FDP and final Public  
32 Improvement Construction Plans for all proposed retaining walls within the development.  
33

34 Stormwater  
35

36 9. Prior to approval of a Final Development Plan and Final Plat, the Developer shall provide  
37 the Loveland Stormwater Utility, within the Final Drainage & Erosion Control Report,  
38 hydraulic street capacity calculations utilizing the Urban Drainage & Flood Control  
39 District's excel spreadsheets, in accordance with page 4 of the City of Loveland Storm  
40 Drainage Criteria Addendum.  
41

1 10. Prior to approval of a Final Development Plan and Final Plat, the Developer shall provide  
2 the Loveland Stormwater Utility, within the Final Drainage & Erosion Control Report,  
3 acceptable hydraulic inlet sizing calculations. Within the acceptable calculations, the  
4 local depression value must match the respective inlet construction detail, the resultant  
5 gutter flow depth value must be a physical value other than zero, and the resultant street  
6 flow spread value must be a physical value other than zero. The hydraulic inlet sizing  
7 calculations shall utilize the Urban Drainage & Flood Control District's excel  
8 spreadsheets, in accordance with page 4 of the City of Loveland Storm Drainage Criteria  
9 Addendum.

10  
11 11. Prior to approval of a Final Development Plan and Final Plat, the Developer shall provide  
12 the Loveland Stormwater Utility, within the Final Drainage & Erosion Control Report,  
13 hydraulic storm sewer sizing calculations utilizing the Urban Drainage & Flood Control  
14 District's excel spreadsheets, in accordance with page 4 of the City of Loveland Storm  
15 Drainage Criteria Addendum.

16  
17 Building Division

18  
19 12. Distances between residential duplex buildings shall be a minimum of 6 feet as measured  
20 between eaves; otherwise, fire rated construction as per Table R302.1, 2006 IRC as  
21 amended, shall be required.

22  
23 **PRELIMINARY PLAT**

24  
25 Current Planning

- 26  
27 1. Consideration to the name of Zander Court for a public street within this subdivision shall  
28 be subject to City Council approval. Zander Court does not conform to the City of  
29 Loveland street naming conventions for this area and must obtain a street name  
30 exemption.  
31  
32 2. Prior to acceptance of a Final Plat, the applicant shall provide a final signed mylar  
33 original of the Mariana Butte General Development Plan – Fourth Amendment (#P-8) as  
34 approved by City Council on November 3, 2009 (Ordinance #5470).  
35  
36  
37  
38  
39  
40  
41

1 **ADJOURNMENT**

2  
3 *Commissioner Middleton made motion to adjourn. Upon a second by Commissioner*  
4 *Krenning the motion was unanimously adopted.*  
5

6 \_\_\_\_\_  
7 Rob Molloy, Chair

8  
9 \_\_\_\_\_  
10 Vicki Mesa, Secretary