

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

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

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

## CITIZEN REPORTS

17 There were no citizen reports.

## STAFF MATTERS

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

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

## COMMISSIONER COMMENTS

37 *Commissioner Krenning made a motion that the election of officers be moved to the January  
38 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 Rodriguez, 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. Rodriguez  
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 1/2 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 Rodriguez 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 **Commissioner Crescibene** stated he supported the development and complimented the applicant  
9 on his work with the neighbors and his willingness to give back to the community. He supported  
10 the name Zander Court.

11

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

13

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

4       Transportation Engineering

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

8           a) The two-lane arterial roadway improvements for 1st Street adjacent to the property,  
9           including detached sidewalk. A cash-in-lieu payment for all or part of this improvement  
10          may be accepted if approved by the City Engineer.  
11          b) The modifications to the existing roadway striping in 1st Street to accommodate an  
12          eastbound left-turn lane at the proposed access as shown on the approved Public  
13          Improvement Construction Plans.

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

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

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

27       Stormwater

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

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. 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).

1    **ADJOURNMENT**

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

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6  
7    Rob Molloy, Chair

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9  
10   Vicki Mesa, Secretary