

PLANNING COMMISSION WORKSHOP AGENDA CITY HALL PLANNING DIVISION CONFERENCE ROOM 250 NORTH 5TH STREET

THURSDAY, OCTOBER 23, 2014, 12:00 PM

1. Review Code Committee Findings - Key Issues (20 minutes)

- 2. Review Development Review Time Lines
 - a. Residential Subdivisions
 - **b.** Commercial Site Plans

(20 minutes)

- **3. Exterior Lighting Update**
 - a. Proposal for Canopy Lighting
 - b. General Lighting Study for all exterior lighting (20 minutes)
- 4. General Discussion
 - a. Planning Commissioner Comments (prior to vote)
 - b. Planning Commission Packets (Webpage vs. Flir) (If time permits).

16 October 2014

Dear Planning Commission,

We met with the Code Committee on September 23rd and asked them to give us their top issues/concerns with the Zoning and Development Code and/or development process and why. Below you will find a list of their top six issues and background on these issues. A representative from the Committee will be at your October 23rd workshop as spokesperson to discuss and answer questions.

Thanks for all you do. See you on the 23rd.

Key Issues seen by the Code Committee Members

Key Issue 1 Outside Review Agencies

The Committee members present agreed there were probably a few things in the Code that needed tweaking but overall it was the special districts, specifically Orchard Mesa Sanitation and their own review process and OM Sanitation's fees that did not fit with the City's review. Also, Grand Valley Drainage District (GVDD) is difficult to work with. Developers are feeling like they are being held hostage. A bigger solution is needed.

The Committee mentioned they were sympathetic towards GVDD and that maybe it was time for the City to step in and take over. They discussed that maybe they should be allowed to tax or combine with the 5-2-1. Currently the developer feels they have to pay the ransom to get their project approved to move on.

Something the City needs to look into is the classification of historic ditches. A NEPA process now must be provided in order to pipe some ditches because they are classified as "cultural resources". These are Federal delays and they didn't know how the City could step in and help with that.

Key Issue 2 Neighborhood Meetings

The discussion turned to neighborhood meetings. The committee generally finds these meetings unproductive. They feel they are not necessary for commercial projects where the project meets the Comprehensive Plan, the zoning and the Code. Neighborhood meetings build expectations on a project. Those expectations may never happen. The El Poso Neighborhood versus the Federal office building project (old Gene Taylors site) was an example of previous unbinding promises broken. The previous owner had passed away and the new owners were not legally liable to a verbal statement that was made by the previous owner.

Annexation should not require a neighborhood meeting as it is not up for discussion due to the Persigo Agreement. Zoning, as long as it meets the Comprehensive Plan should not be up for discussion; except there have been instances where one zoning designation was more desirable over another that both met the Comprehensive Plan. The neighborhood should have a voice in that. It helps to have a site plan for discussion in these meetings but if the project changes and promises are made that don't come to fruition then the neighborhood is upset and can delay a project substantially.

Traffic is usually the number one topic at a neighborhood meeting. The committee said they invest time into their site plan and then the public complains. We are a very "use by right" community. To open these plans up for public comment when a project meets the Comprehensive Plan, the zoning, and the Code, is a big waste of time. The public has the ability to show up at the Public Hearing and voice their concerns.

A Committee Member said he liked having neighborhood meetings for residential subdivisions as it does let the neighborhood know what is coming. As for zoning, there may be such a wide range of possibilities that it may or may not be wise to have one. It depends on the site.

The group agreed that neighborhood meetings are useful and are probably needed for Comprehensive Plans and amendments to the Comprehensive Plan. Also residential subdivisions may benefit, but not commercial subdivisions.

Staff mentioned that the Planning Commission was not happy about the thought of neighborhood meetings going away. There was some discussion about the mailed notices and that the public does have a chance to comment at the public hearing or through the use of the cards that are mailed.

Key Issue 3 Timing of Required Forms

A Committee member brought up the timing of forms as a hindrance. His examples were the Industrial Pre-Treatment (IPT) form and the Stormwater Management Plan. To submit a complete application for review on a commercial project you need to have the IPT form complete with a floor plan showing all the drains. Many times the architectural plans are not complete and the owner has not decided on the exact floor plan that they will use. Stormwater Management Plans have to be completed to record the final plat, yet it may be two years before the project truly gets underway. The committee agreed that maybe these items could be submitted after the approval, requiring that a "notice to proceed" or something along those lines happen just before or after the Pre-construction meeting has been conducted.

Do we still send items to Colorado Geological Society? It is a requirement of State Statutes, therefore it is not a requirement that we can forgo. The usefulness of it was questioned. The group discussed how it is dependent on the size of the property and we had not used them for some time now because of the acreage threshold.

Key Issue 4 Fees

Fees and when they are due is another hurdle. There is a considerable amount of money that is due prior to the plat being recorded. Maybe it is possible to put some of these fees off until building permit. This facilitated a good discussion about open space acquisition fees and parks fees. The 10% Open Space Acquisition fee requires an MAI appraisal. The appraisal is only valid for six months, which is an added expense to the project. An idea came about that perhaps a set fee, based on a "per lot" basis could be achieved for the Open Space Acquisition fee. To determine what that fee might be, it was suggested to take a year of income obtained from acquisition fees, divide it by the number of lots platted that year and come up with a flat fee. The cost of that fee, added to the current \$225 per lot for the City Parks fee could be paid at the time a planning

clearance is obtained. This would save the developer the cost of an MIA appraisal and it would be fair across the board as to the valuation of the property as it changes from one area of the City to another. This would be a predictable amount for the developer.

The committee felt that undergrounding utilities fees is a great deal, so no change to that is needed.

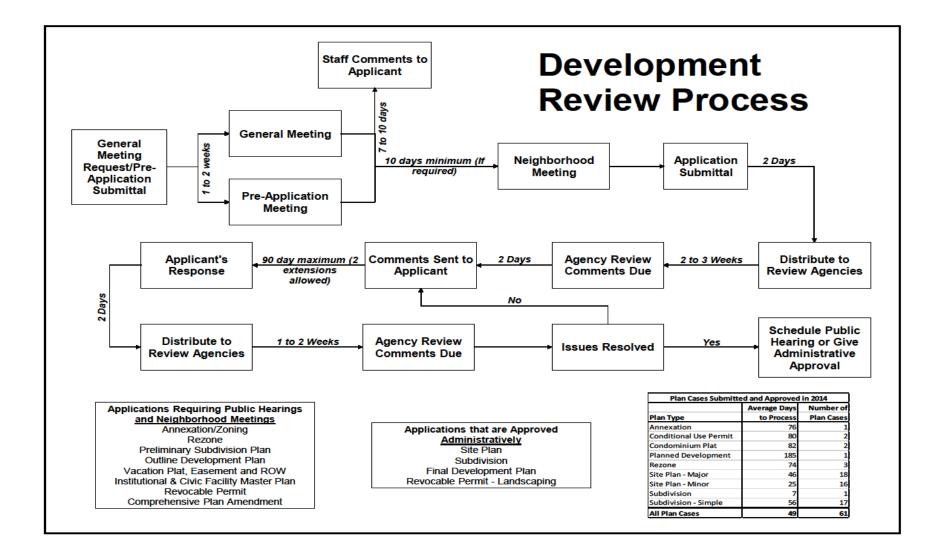
Key Issue 5 Landscaping Plans

There is a need to strengthen the flexibility of the landscaping section of the Code. Submitting a final landscaping plan at the time an application is submitted for review creates additional cost and timing issues. The Committee stated that things change in the field or the building changes and then the landscaping plan has to change also. They suggested providing what Ted calls in his office as a "texture plan" which would show the hard surface areas and areas for planting instead. They could provide the quantities required. They would rather provide a final plan once the construction drawings are final. Committee Members mentioned that as CM/GC plans are more the norm, that landscaping plans need to be at the end of the process. This should work for the City since the City requires a letter from the architect certifying that the plan is in compliance after installation, prior to a Certificate of Occupancy being issued. This may even be part of the "notice to proceed" review, should we opt for an idea like that.

Discussion about landscaping and the 75% coverage requirement occurred. It is sometimes too much plant material and trees when you have more than one right-of-way to deal with, and if it is a car dealership they want as little out front as possible. Maybe street furniture could count towards landscaping, just as art can. Staff mentioned that there had been some discussion on creating another internal review team such as the TEDS Committee to review such things as reduced landscaping requirements or other items in the Code that could be varied administratively. The group was in favor of that.

Key Issue 6 Leech Creek

Leach Creek was the next topic. The committee stated that dealing with FEMA, the 24 Road Design Standards and getting the developer on board with giving up a good portion of his developable land was not a good process. What we are seeing is a patchwork of path and creek construction and in some cases many years apart. Changes in lighting fixtures and other materials due to previous materials not being available anymore, having to work with federal government each time a section is designed and with different players, etc. is not ideal. It was suggested that a GOCO grant be obtained and design and construct it in sections rather than piecemeal as it is now. This should result in a more uniform and complete trail system. The committee thought this should be a community project, and not the sole responsibility of the developer. In one case a developer needs to construct a 350 foot section along G Road, and it will be hard to design and construct when the properties on either side are not developing at the same time.



				-	Nev 2013 Dec 2013 Jun 2014 Feb 2014 Mar 2014 Apr 2014 Mary 2014 Jun 2014 Jun 2014 Aug 2014
D	Task Name	Start	Finish	Duration	12/12 12/24 12/1 12/24 12/1 12/24 12/12 12/24 12/12 12/24 12/12 12/24 12/12 12/
1	TotalTime	11/26/2013	8/6/2014	254d	
2	Pre-Application Meeting	11/26/2013	12/12/2013	17d	
з	Submit Request for Meeting	11/26/2013	11/26/2013	1d	
4	Agency Review	11/27/2013	12/10/2013	14d	
5	Pre-Application Meeting	12/12/2013	12/12/2013	1d	I
6	Pre-Application Meeting Notes to Applicant	12/12/2013	12/12/2013	10	I
7	Application Preparation*	12/13/2013	5/18/2014	157d	
8	Development Review	5/19/2014	8/6/2014	80d	
9	Application Submittal	5/19/2014	5/19/2014	10	
10	Submittal Review	5/20/2014	5/27/2014	8d	
11	Agency Review	5/28/2014	6/14/2014	18d	
12	Compile Comments	6/13/2014	6/13/2014	10	
13	Applicant Review (Round 1)	6/16/2014	6/30/2014	15d	
14	Agency Review	7/1/2014	7/8/2014	8d	
15	Compile Comments	7/9/2014	7/9/2014	1d	
16	Applicant Review (Round 2)	7/10/2014	7/17/2014	8d	
17	Compile Comments	7/18/2014	7/18/2014	1d	
18	Agency Review	7/19/2014	7/19/2014	10	D. D
19	Compile Comments	7/20/2014	7/20/2014	1d	
20	Applicant Review (Round 3)	7/21/2014	7/28/2014	8d	
21	Final Review	7/29/2014	8/5/2014	Sd	
22	Decision	8/6/2014	8/6/2014	1d	

*This is time spent by the Applicant/Representative generating site plans, reports and studies (i.e. drainage, traffic impact, geotech, etc.), surveying, financing, engineering and other documents, reports and plans required as part of the submittal.

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October 16, 2014 Subdivision

ID	Task Name	Start	Finish	Duration	Nov 2012 Dec 2012	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	Jun 2013	Jai 2013	Aug 2013	Sep 2013	Oct 2013	Nov 2013	Dec 2013
					11/18 11/25 12/2 12/9 12/36	12/28 12/38 1/6 1/28 1/28	1/27 2/3 2/30 2/37 2/3	M 8/3 8/20 8/27 8/34	a ana an a	4,08 5,5 5,02 5,09 5,0	6 63 69 636 638	6,90 2/7 2/54 2/28 2	08 8/4 8/21 8/38 8/3	80 88 805 802	8/28 20/6 20/28 20/20 20	(27 11/9 11/38 11/17 11/	9 13/2 13/8 13/25 13/20
1	TotalTime	11/26/2012	12/21/2013	391d	V												
2	General Meeting	11/26/2012	12/15/2012	20d													
з	Submit Request for Meeting	11/26/2012	11/26/2012	10	1												
4	Schedule General Meeting	11/27/2012	12/7/2012	11d													
5	General Meeting	12/8/2012	12/8/2012	1d	I												
6	General Meeting Notes to Applicant	12/9/2012	12/15/2012	7d													
7	Application Preparation*	12/16/2012	4/21/2013	127d					\sim								
8	Neighborhood Meeting (10-day notice)	4/22/2013	5/6/2013	15d					\sim								
9	Application Preparation*	5/7/2013	7/19/2013	74d						\vee		V					
10	Development Review	7/19/2013	12/21/2013	156d								∇					∇
11	Application Submittal	7/19/2013	7/26/2013	8d													
12	Agency Review	7/27/2013	8/16/2013	21d													
13	Compile Comments	8/17/2013	8/22/2013	ed													
14	Applicant Review (Round 1)	8/23/2013	10/5/2013	44d													
15	Agency Review	10/6/2013	10/19/2013	14d													
16	Compile Comments	10/20/2013	10/21/2013	2d													
17	Applicant Review (Round 2)	10/22/2013	11/8/2013	18d													
18	Compile Comments	11/9/2013	11/11/2013	3d													
19	Agency Review	11/12/2013	11/26/2013	15d													
20	Compile Comments	11/27/2013	12/1/2013	5d													
21	Applicant Review (Round 3)	12/2/2013	12/9/2013	Sd													
22	Final Review	12/10/2013	12/20/2013	11d													
23	Decision	12/21/2013	12/21/2013	1d													I

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