



City of Lone Tree Planning Commission Agenda Tuesday, June 14, 2016

Meeting Location: City Council Meeting Room, Lone Tree Civic Center, 8527 Lone Tree Parkway

Meeting Procedure: The Lone Tree Planning Commission and staff will meet in a public Study Session at 5:30 p.m. in the lower level of the Civic Center. The Regular Meeting will be convened at 6:30 p.m. in the City Council meeting room. Contact Jennifer Drybread, jennifer.drybread@cityoflonetree.com if special arrangements are needed to attend (at least 24 hours in advance). Comments from the public are welcome during the Public Comment portion of the meeting (brief comments on items not appearing on the regular meeting agenda). Those persons requesting to comment on an agenda item will be called upon by the Chair. If you have any questions please contact Jennifer Drybread, Senior Planner, at jennifer.drybread@cityoflonetree.com, or 303-708-1818.

5:30 p.m. Study Session Agenda

1. Administrative Matters

6:30 p.m. Regular Meeting Agenda

1. Opening of Meeting / Roll Call
2. Conflict of Interest Inquiry
3. Public Comment (For Items NOT appearing on the agenda)
4. Minutes of the April 25, 2016 Planning Commission meeting
5. Amendments to Planning Commission Bylaws and Planning Commission Guidelines and Procedures, Appendix B, Project RG16-41
6. Guest speaker series – Commissioner Daryl Heskin will give a presentation and lead the discussion about building materials.
7. Adjournment

MINUTES OF THE
Lone Tree Planning Commission Meeting
May 24, 2016

Lone Tree Civic Center

1. Attendance

In attendance were:

- Dave Kirchner, Chair
- Rhonda Carlson, Planning Commissioner
- Daryl Heskin, Planning Commissioner
- Richard Rodriguez, Planning Commissioner
- Kevin Spencer, Planning Commissioner
- Herb Steele, Planning Commissioner

Commissioner Dodgen was absent

In attendance from staff were:

- Kelly First, Community Development Director
- Jennifer Drybread, Senior Planner

2. Opening of Meeting / Roll Call

Chair Kirchner called the meeting to order at 6:35 p.m.

3. Conflict of Interest Inquiry

There were none stated.

4. Public Comment (For Items NOT appearing on the agenda)

There was no public comment for items not on the agenda.

5. Minutes of the April 12, 2016 Planning Commission meeting

Commissioner Steele moved to approve the minutes of the April 12, 2016 Planning Commission meeting, Commissioner Spencer seconded, and the minutes were approved unanimously.

6. Integrated ENT SIP (RidgeGate Section 15, Filing 12, 1st Amendment, SP16-18R)

Ms. Jennifer Drybread introduced the application, providing an overview of the request, the project location, and a description, including how the project evolved through the review process. She described staff findings. She recommended that the Planning Commission recommend approval of the SIP and associated variances, subject to final approval by the City Public Works Department.

Mr. Darryl Jones, Coventry Development expressed his support for the project and indicated that it is compliant with the sub-area plan, with exception of the variances that are described, which they feel make the project better. He indicated a bank was proposed for this site at one time, but they feel the medical office use is more appropriate for the site, given its proximity to Sky Ridge Hospital.

Ms. Laura Walker, representing the practice, introduced herself and invited questions. Commissioner Carlson mentioned this appears to be a large practice and asked whether the building was designed to accommodate additional growth. Ms. Walker replied that they have capacity to grow at this site; they have outgrown their existing space at the Conifer building on the Sky Ridge campus. They are planning the new space to add more staff and doctors. She said the practice differs from others in that there are multiple parts within the practice. Some see patients regularly, while others provide various hearing test services, and others that perform procedures in the office. There are patients coming and going often at the site so the parking turnover is high. Commissioner Carlson said she supports the parking variance for the reasons described by the applicant--50 parking spaces is not excessive considering there can be up to 30 staff working at peak hours.

Commissioner Carlson asked how they address hazardous waste. Ms. Walker said they have a private company come in and remove it from the site.

Commissioner Carlson commended them for their landscape plan relative to water conservation, including an all drip irrigation system and landscaping to reduce heat islands. She also stated that the outdoor patio area for staff was a thoughtful design.

Commissioner Spencer indicated he had no questions.

Commissioner Rodriguez asked about the Xcel easement and whether it was existing or a result of the proposed development. It is existing. Mr. Jones elaborated that Xcel has standard requests for easements and there are ongoing discussion with Xcel to try and get utilities located in the right of way.

Commissioner Rodriguez asked if variances are handled on a case-by case basis when easements appear on private properties. Mr. Jones indicated it is

case-by case depending on the nature of the development and location of utilities.

Commissioner Steele said he was very supportive of the project and commended the applicant. He understands the need for the parking variance. He inquired about the distance of the trash enclosure from the building and asked about the location of the trash enclosure on the adjoining property. Ms. Walker indicated that the cleaning service will take the trash out, and that the trash enclosure for their center is proposed directly across from the trash enclosure for the daycare center to the south.

Commissioner Heskin said the project was well designed with nice materials. He asked about the material of the coping around the roof corners. Cody Weaver, Senior Architect for Davis Partnership Architects, said it would be a metal coping.

Chair Kirchner agreed it was a very nice project and well presented. He appreciated the landscape and irrigation plan to conserve water, as well as the use of energy-efficient light fixtures.

Mr. Weaver provided an overview of the project, describing the context of the area, design objectives, site considerations, and materials. He showed various views of the site and building.

Commissioner Heskin asked about the pedestrian connections from the handicapped spaces. Mr. Weaver responded that the sidewalk that runs north/south in front of the building has stairs to the north of the entrance to take up grade, but that there are no stairs to the south of the entrance.

Commissioner Heskin moved to approve the application, including the two variances requested by the applicant, and with the condition that Public Works has final approval. Commissioner Carlson seconded. The motion passed unanimously.

Chair Kirchner called for a 5 minute recess at 7:05 pm.

The meeting was reconvened at approximately 7:10.

7. “Treo Apartments” Use by Special Review Pre-application, Park Meadows Filing 2, 19th Amendment, Lot 13 A1

Ms. Kelly First introduced the application, summarizing the request, including its size and location. She stated that staff supported multi-family residential here, as multi-family development would create more of a walkable neighborhood in the Entertainment District, and would bring additional people to support businesses in the area. Ms. First stated that staff did not support a variance to building height that would pierce the maximum zoned hard ceiling elevation of 5,860 feet above

sea level, as there were no other tall buildings in the area. She cited additional potential issues related to access, parking and loading, stormwater detention, traffic, and park and school dedication. She stated that the purpose of the meeting was to bring the concept forward to see what issues the Planning Commission may have. Ms. First noted that the Planning Commission's comments will not be binding and no formal recommendation will be made. Should the applicant go forward, the Use by Special Review and Site Improvement Plan applications will be heard by the Planning Commission and City Council.

Randy Coakley, Development Manager for Draper and Kramer, described his company that is based in Chicago, and their history with quality mixed-use projects. He said they would build and manage the project.

Joe Lear, Associate Partner with Davis Partnership Architects, described the project. He said it would be complementary to the area in terms of the use and what is envisioned for redevelopment of the area. Immediate adjacency to community spaces helps enliven spaces. It is in a walkable location to many businesses and amenities. The traffic study showed no impacts and no need for improvements aside from some possible re-striping. There would be 70% 1-bedroom and 30% 2-bedrooms. Parking ratios would be met if guest spaces are calculated at .25 spaces per unit.

He described the access points, detention, and how they are meeting and exceeding setbacks. The setback from Yosemite will help mitigate the mass of the building and can accommodate additional right of way requested by the City. Service areas would be coordinated with orientation of adjoining properties and would be screened. He said there is about 14 feet of grade change across the site. The building would work with the grade and be stair-stepped.

Height has been modified since the original submittal so that no part of the building will puncture the hard ceiling elevation established by the zoning. He reviewed concept designs from various vantage points. He described the use of various materials and focal points at the corners. He generally described the location of amenity areas and landscaping.

Commissioner Heskin stated he liked the general idea of the project. The Comprehensive Plan addresses compact, pedestrian-friendly development. His primary concern is the massing of the building, which they are starting to address with varying materials, but it would be preferable to have some variation in the height, provided it could comply with the height limitations.

Commissioner Heskin asked about the access to the project and whether it was a public street. Maximus Drive is a private street that has a public access easement on it. Primary entry from Maximus would be shifted south east of

existing location, and would maintain flow-through traffic. The garage would be lower than the surrounding units.

Commissioner Heskin noted that a number of projects in the area are not patronized in the evening. The residential use will enliven that. He felt the massing makes it look like a huge structure. If they could reduce the massing, it would help it to fit in the context of the area better. He suggested there are a number of ways to work on that from a design standpoint.

Commissioner Steele said he had positive familiarity with Draper and Kramer from past experiences. He said it would be a very prominent project. He said he has mixed feelings. He likes the idea of integrating residential into the Entertainment District and supports the walkability. He noted that Draper and Kramer is experienced with rental rather than ownership, but is happy to hear they would continue to own and maintain the project. Commissioner Steele noted that the breakdown of rental versus ownership in the City is skewed toward rental. One-third of residential units in the City are multi-family. To add 250 more units, it would bring the percentage to 36% of the housing stock as multi-family. He is concerned that so many residents, here for maybe only a year, are not committed to living here over the long-term and there are turn-over impacts on the community at large. He said the community would be far better served by an ownership product.

Commissioner Steele also expressed concern with the building scale and height, noting there are no residential projects in the City greater than 4 stories, with the exception of MorningStar Senior living. Other taller buildings are commercial or office uses. He supported varying the stories to break up the mass. He has a hard time envisioning how tall this would be, along with the scale and massing. The images presented were encouraging but still he is concerned with the long expanse of units and balconies along Yosemite Street. He asked about the setback compared to the existing building. The apartments would be about 15 feet closer than the closest point of the Treo building along Yosemite Street.

Commissioner Steele was pleased that the parking would be internal to the project and not highly visible. The location of the amenities was clarified as being on the roof at the northeast portion of the parking. Commissioner Steele expressed concern about outdoor storage of bikes and barbecues on balconies. The applicant replied that they provide internal storage and that management policy would prohibit storage of bicycles on balconies.

Commissioner Carlson shared similar observations with the other Commissioners. She noted that a 5-story apartment project is a good fit near the light rail, on a major street such as Belleview, or in an urban area like Cherry Creek, but at this location it feels excessive. She said she is not sure the City is ready for this level of urbanization on Yosemite. She noted that MorningStar doesn't feel overwhelming because of the variations in height and asked if they

would be open to considering that approach. She thanked the applicant for describing the amenities for the building, since they are competing with apartments that offer rooftop decks, pools, and community centers. She asked the applicant to confirm whether a pool would be included on the rooftop deck; the applicant confirmed there will be a pool and deck. She said similar projects in Golden offer community gardens; if they could offer residents planters on the roof for this purpose, or in public areas, that would be a nice feature.

Commissioner Carlson asked whether the applicant would consider offering some retail and services on the first level for the residents. She also agreed with Commissioner Steele's comment that an ownership product would be preferred, and broadening the range of housing types offered in Lone Tree. She asked whether the applicant will provide affordable housing, as affordability is a big issue in our community. Mr. Coakley said they are discussing it and have not made any decision at this stage.

Commissioner Carlson said that traffic volumes in the area are high in the morning and on weekends, and she would be interested in looking at the details of the traffic study that indicated there would be no impacts. She summarized by saying this looks like a tasteful high-quality project, but 5-stories feels excessive for this location.

Commissioner Spencer said he had mixed feelings. He concurs with statements made thus far by other Commissioners. He felt Lone Tree is getting to a critical mass of rentals and that is concerning, and that the City needs more ownership units. He said he feels that massing is a concern here. He feels that MorningStar looks massive compared to its surroundings. He wondered whether the area schools could handle additional students. He said that should be studied further. On the other hand, he has lived in big cities, including Chicago, and he thinks the area needs the residents to support the businesses in the area. He concurred that retail at the ground level would be a good idea for them to study. He said the project was creative and innovative.

Commissioner Rodriguez said that he also has mixed feelings, noting that a thoughtful, compatible project would be welcome at this site that has been vacant for so long. He shares concern regarding massing and traffic. He would like to see more information about what efforts have, or will, be made to get input from the surrounding properties. He would like clarification on whether it meets the building height requirements and what, if any variance process, would be afforded in the process if needed. He would like to see the actual traffic study and underlying data behind it, as well as a finding from City staff on the traffic analysis. He was surprised that their study indicated there would be "no impact." He thinks there will be some impacts but he looks forward to considering the project further.

Chair Kirchner noted that there is a rise in grade and the applicant confirmed they would take the grade down a bit. He confirmed that all aspects of the building will fall under the hard ceiling elevation. The applicant responded affirmatively. He likes the design and architecture but feels that 5 stories is too much for this area and that it should come down further. He suggested that the process would go much smoother if they reduced the massing and height, even if they are under the maximum height zoned. There is nothing that approaches that height in this area with exception of small area of iFly. He would be interested in how the height compares to the Forsstrom building. He felt they would need to revisit the mass and height due to its prominent location. He thinks a 5-story will be a hard sell in the community.

8. Adjournment

There being no further business, Chair Kirchner asked for a motion to adjourn. Commissioner Rodriguez made the motion to adjourn and Commissioner Heskin seconded. The motion was approved unanimously. The meeting was adjourned at 8:09 pm.

These minutes have been reviewed and confirmed by

_____ (name), on _____(date)



CITY OF LONE TREE STAFF REPORT

TO: City of Lone Tree Planning Commission

FROM: Kelly First, Community Development Director
Jennifer Drybread, Senior Planner

DATE: June 8, 2016

FOR: June 14, 2016 Planning Commission Meeting

SUBJECT: Amendments to Planning Commission Bylaws and Appendix,
Project RG16-41

Planning Commission Meeting Date:	June 14, 2016
City Council Meeting Date:	NA

A. REQUEST

Approval of amendments to the Lone Tree Planning Commission Bylaws and Appendix B.

B. STAFF FINDINGS AND RECOMMENDATION

Staff finds that the proposed amendments to the Planning Commission Bylaws and Guidelines and Procedures (Appendix B) is in conformance with Council Approved Policy 09-06.

Staff recommends approval.

C. BACKGROUND

From time to time, staff reviews the Planning Commission's guiding documents to see if they are consistent with current procedures and other enabling documents, such as the County Adopted Policies as amended.

Proposed are recommended changes that are minor in scope and effect. Staff's reasoning behind the changes are called out in the attached draft document.

D. ATTACHMENTS

- Lone Tree Planning Commission Bylaws
- Planning Commission Guidelines and Procedures (Appendix B)

PART I AUTHORITY AND PURPOSE

The City of Lone Tree Planning Commission is authorized to adopt guidelines and procedures pursuant to Lone Tree Ordinance 97-5. The purpose of the *City of Lone Tree Planning Commission Bylaws, Planning Commission Guidelines and Procedures* is to aid the Planning Commission in conducting its activities in the deliberation and recommendation on land use applications, and in the preparation of proposed planning documents and regulations for consideration by the City Council.

PART II MEMBERSHIP

Section 1 Total Membership

Unless otherwise authorized by City Council (hereinafter referred to as "Council"), the City of Lone Tree Planning Commission (hereinafter referred to as "Commission") shall consist of seven members.

Section 2 Quorum

A quorum of the Commission shall consist of a majority of the members. No public hearing shall be held unless a quorum is present. In the absence of a quorum, any scheduled public hearing shall be terminated by the presiding members within a reasonable time after gathering. If a public hearing has not been convened due to lack of a quorum, the Chair or Vice-Chair shall instruct the Community Development Staff to reschedule the public hearing at the earliest possible time. Staff will then post a notice of such continuance and rescheduling at the meeting place. Applications that require public notice will not be required to renotice.

Section 3 Eligibility

To be eligible for a position with the Commission, appointees must be residents of the City of Lone Tree.

Section 4 Term

A. General

1. Time of Appointment

Members of the Commission are to be appointed by the Mayor and Council in order to fill vacancies. The terms of office are staggered by making the appointments so that approximately one-third expire at any given time.

2. Reappointments

Members may be reappointed at the discretion of the Council.

B. Members

The term for a member shall be as established by Council, or until a respective successor has been appointed.

Section 5 Member Conduct and Removal

A. Planning Commission members are expected to conduct themselves at meetings and hearings in a fair, courteous and understanding manner. Members of the Planning Commission serve at the pleasure of the City Council and are subject to removal by a majority vote and at the discretion of the City Council. Reasons for removal may include, but are not limited to:

1. Excessive absences from Planning Commission meetings. It is expected that Planning Commission members do not incur absences of more than 20% of regularly scheduled meetings and/or hearings in a 12-month period. Member absences in excess of 20% must be reported to the City Council by the Chair at the time it occurs.
2. Non-performance or other misconduct.
3. Conviction of any felony will result in the member's immediate dismissal.

B. The City staff shall maintain an attendance matrix of the Planning Commission, which will be made available for Council's review in August of each year.

C. Members are required to contact the Planning Commission Chair 24 hours prior to any meeting or hearing at which they expect to be absent or late. At the discretion of the Chair and Vice Chair/Secretary, a member can be considered absent if not present for the entire meeting.

Section 6 Reimbursement

The Council may provide for reimbursement of the members of the Commission for actual expenses incurred.

Section 7 Election of Chair, Vice Chair/Secretary, and Board of Adjustment Alternate

The election of a Chair, Vice Chair/Secretary, and alternate to the Board of Adjustment ~~and Appeals (BOAA)~~ shall be held at the first regular meeting ~~after the new appointments are made each year. - in October.~~ Nominations are made from the floor during the regular meeting and the election shall be held thereafter.

Commented [JD1]: The Board name was changed after the City combined the Board of Adjustment and the Board of Appeals into one body.

The Planning Commission member receiving a majority of the votes of those members present shall be declared elected and shall have a term of one year. Vacancies in the Chair, -Vice Chair/Secretary, or BOAA Alternate position shall be filled immediately by regular election procedures. No member of the Planning Commission shall hold the same office for more than two consecutive years.

PART III POWERS, DUTIES, AND RESPONSIBILITIES

Section 1 Commission

The City of Lone Tree Planning Commission shall carry out such powers, duties, and responsibilities pursuant to Lone Tree Ordinance 97-5.

Section 2 Chair

The duties of the Chair shall be ~~pursuant to CAP 09-06, as amended, and~~ as follows:

- A. Preside at all hearings/meetings of the Commission.
- B. Call special hearings/meetings of the Commission, as needed, in accordance with these ~~Guidelines and Procedures~~Bylaws.
- C. See that all actions of the Commission are properly taken.
- D. Appoint all standing and temporary committees unless otherwise directed by the City Council.
- E. Cancel regular hearings/meetings for cause, including but not limited to an absence of quorum, absence of an agenda, hearing/meeting date falls on a holiday, or hazardous weather conditions.

Commented [JD2]: CAP 09-06 is located in the Planning Commission notebooks recently disseminated.

Section 3 Vice-Chair/ Secretary

~~The duties of the Vice-Chair/Secretary shall be pursuant to CAP 09-06, as amended, and as follows:~~

- A. In the case of absence or disability of the Chair, the Vice-Chair/ Secretary shall perform the functions of the office of the Chair. In the event that both the Chair and Vice-Chair/Secretary are absent, then the Commission may call upon the Director to chair the meeting in a non-voting capacity.
- B. ~~The Vice-Chair/ Secretary shall review and approve proceeding notes/actions of the Commission's public hearings/meetings. In the event that the Vice-Chair/Secretary is unavailable, the Vice-Chair-Secretary may request another Commissioner to perform this function during their absence.~~

Commented [JD3]: This process was changed some time ago, and now all of the Planning Commission members review the minutes and vote on the adoption of the minutes.

PART IV HEARINGS/MEETINGS

Section 1 First Scheduled Public Hearing/Meeting in October Election of Officers

~~The election of the Chair and Vice-Chair/Secretary shall be held at the first regular meeting after the new appointments are made each year. At the first hearing/meeting in October, the Commission shall hold an election of officers.~~

Commented [JD4]: This language is consistent with the Council Adopted Policy.

Section 2 Regular

All regular hearings/meetings of the Commission may be held twice per month at a day and time agreed upon by the Commission members when agenda items warrant a meeting.

Section 3 Special

- A. Special hearings/meetings may be called at the request of the Commission Chair, the Council, or the Director of Community Development. In addition, any citizen may request such a hearing/meeting at a regularly scheduled Commission hearing/meeting. No special hearing/meeting shall be called unless a majority of the Commission concurs.
- B. Special hearings/meetings may be held at such time other than regularly scheduled hearings/meetings and at a date and time agreed upon by a majority of the Commission.
- C. Study sessions or workshops can be called by the Commission, Council, or Director at any time for educational purposes. No formal action or decisions can be made at any gathering other than a public hearing/meeting as may be established above.

Section 4 Notice

Notice for any of the above meetings shall be in accordance with Article 4 of the Home Rule Charter.

PART V GENERAL GUIDELINES AND PROVISIONS

Section 1 Voting

- A. Total Number of Votes
At any hearing/meeting, each member of the Commission shall have one vote.
- B. Majority Rules

A majority vote of the voting members present and voting is required for recommendation or determination.

C. Order of Voting

Before voting, ~~staff~~ the Chair will provide a summary of the issues and conditions. Issues stated will be included in the minutes; conditions will be made clear and be part of the vote. The Chair will call for the motion/question, along with a second on the motion. The Chair will then ask for discussion on the motion. When all Planning Commissioners have had an opportunity to speak, the Chair will call the vote. Those giving a dissenting vote will be asked to state their reasons for the record.

Commented [JD5]: This process changes some time ago, when the Planning Commission Chair took on the role of summarizing the issues and conditions.

D. Abstentions from Voting

A Planning Commission member should abstain from voting only where there is a declared conflict of interest, or in the case where a vote is taken on the minutes of a previous meeting or hearing that a Planning Commission member did not attend. A Commission member with a conflict of interest should declare that interest publicly at the beginning of the meeting, abstain from voting on the matter, withdraw from participating in any deliberations on the matter, and leave the meeting room ~~upon~~ which-where the deliberations are to occur.

E. Conflict of Interest Defined

Holding a position that represents the public interest is a public trust. To actively promote public confidence, a commission member must be aware of a possible conflict of interest arising in the course of duty.

A conflict of interest is described as a situation where the person:

- Has a personal bias or prejudice concerning any interested party, or representative of a party, to a matter before the Commission.
- Has a close personal or financial relationship with any party or party representative.
- Has a personal or financial interest that may be substantially affected (directly or indirectly) by the Commission's action on the matter (whether it be the Commission member or a members of the Commissioner's household).

If there is any question as to whether there is a conflict of interest, the Commission member shall seek advice from the Community Development Director or the City Attorney.

The Commission member should not accept any compensation, gift, or service under circumstances in which it could reasonably be inferred the gift was intended or could reasonably be expected to influence the official in the performance of duties, or was intended as a reward for any action on the commission member's part.

F. Ex Parte Communication

The Commission member should not discuss public hearing or public meeting items on file and in process with other Commission, Council members, the applicant, or the public outside of the Commission's public meeting or hearing. Commission members should request that communication (input verbally or in writing) be directed to the Director and made available at the public meeting/hearing for public review.

G. Tie Vote

In the event of a tie vote, the motion being voted on shall be forwarded to the Council noting the tie vote.

Section 2 Continuance of Public Hearing Agenda Item

Whenever the Commission decides to continue review of a discussion on a request before them, it may do so by vote without further notice to affected parties or posting of the property. The matter postponed shall be scheduled to a time providing a date and time certain. If the applicant or representative is not present, the Commission must either continue the proposal either to the end of the hearing or to a date certain (as above), or may table the item, which requires re-noticing in accordance with applicable City regulations.

Section 3 Amendments to these Bylaws

These Bylaws may be amended by a majority vote of ~~at least two thirds of~~ the Commissioners at a regularly scheduled or special hearing/meeting, ~~after providing a one week public notice.~~

Commented [JD6]: Hard to achieve 2/3 in a 7-member body.

Section 4 Severability

If any section, subsection, sentence, clause, or phrase of these Guidelines and Procedures is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of these Guidelines and Procedures.

Commented [JD7]: All Planning Commission meetings are posted and put on the web page in advance of the meeting.

Section 5 Guidelines of Procedure

Parliamentary procedure in Planning Commission meetings and hearings shall be governed by Robert's Rules of Order, as amended from time-to-time.

APPENDIX B

Section 1

Guidelines for Conduct of Hearings/Meetings

Additional instructions for the Chair

A. Introductions

Prior to calling the first agenda item, the Chair shall open the meeting.

B. Conduct of Business

1. The Chair shall conduct the business as presented on the agenda unless a specific adjustment is made at the beginning of the hearing/meeting.
2. The Chair has the discretion of limiting the time allotted for input from the applicant and the public.
3. Written testimony of more than two (2) pages presented at the hearing/meeting may not be accepted. Information of more than two (2) pages should be submitted to the Director at least 72 hours in advance of the hearing/meeting and provided to the Planning Commissioners by staff at least 48 hours prior to the meeting.

C. Order of Business

1. Agenda

The following procedure will normally be observed in the consideration of agenda items:

- a. Introduction of the item by the Chair
- b. Staff introduction
 - 1) Staff name.

- 2) Project name and number.
 - 3) Description of request.
 - 4) Name of applicant.
- c. Staff presentation
- Staff shall present the staff report and other information or material and ~~answer questions from the Commission~~ introduce the applicant.
- d. Applicant presentation
- The applicant shall, when called to the podium by the Chair:
- 1) State name.
 - 2) Who he/she represents (if applicant's representative).
 - 3) Provide a brief description of the request.
 - 4) Answer questions from the Commission.
- e. Public comment
- Those persons requesting to speak on the item before the Commission will be called upon by the Chair.

Commented [JD1]: Typically we forego the question period until after the applicant makes their presentation.

Instructions to Speakers

- The Chair shall instruct speakers in the audience to:
- 1) State name, place of residence, and whether they represent themselves or some organization.
 - 2) Address all questions and concerns to Commission members (dialogue between the applicant and those members of the public addressing the Commission is not permitted).

3) Avoid undue repetition of issues.

f. Closure of hearing/meeting for public testimony

Upon closure of the hearing/meeting for public testimony, the Chair shall ask the Commission members if they have any final ~~questions~~ comments of the applicant or staff. No other public testimony will be taken after the hearing/meeting is closed.

~~g. Final comment~~

~~1) The Chair shall ask the applicant for any final comments.~~

~~2) The Chair shall ask Staff for final comments, a summary of outstanding conditions, and a list of actions to be taken.~~

Commented [JD2]: We have typically not included time for final comments by the applicant or staff.

~~h.g.~~ Motion procedure

1) Main Motion

a) The statement of a motion as conditioned must be uninterrupted even if another Commission member intends to amend the motion. The main motion requires a second.

~~b) Prior to discussion on the motion, Staff may read the motion back so that the exact wording of the motion is clear to the Commission.~~

Commented [JD3]: Generally if it has become necessary to repeat the motion the Chair either does it or the Planning Commissioner who makes the motion does it.

~~e)b)~~ Discussion then takes place. Debate is permitted only on the main motion.

2) Amendments to the Main Motion

- a) Formal Amendment - A formal means of amending the main motion requires a secondary motion. While the main motion is on the floor, a member may move to amend it. (A motion to amend requires a second.) The motion is read as it would be amended and debate centers on the amendment only. A vote for approval or denial is taken on the amendment. The motion is once again read and debate continues on the main motion.
- b) Friendly Amendment - A friendly amendment can be offered to the Commissioner who made the main motion. This is a suggested change, which if accepted, does not require a second or a formal vote. If a friendly amendment is offered and accepted, ~~staff again~~ the Chair reads the main motion as changed. (The Commissioner who made the original motion may choose not to accept the friendly amendment).

3) Final vote

A final vote is then taken on the motion in its final form.

4) Reconsidering the adopted motion

If any change is desired in an adopted motion, a Commissioner who voted for the original motion may initiate a motion for reconsideration of the motion. (A motion to reconsider requires a second.) After debate, a vote is taken to reconsider. If a majority of those present vote to reconsider, the original motion returns to the floor.

i-h. Voting

After all discussion has taken place, the Chair shall conduct a vote. All votes shall be called by the Chair. Findings of fact may be included with all unanimous votes. A minority report may be included by those voting against the motion.

Commented [JD4]: This has been the standard practice by the Commission, as it is in many communities.

All votes shall be recorded in the proceeding notes/staff reports of the hearing/meeting.

j. Recommendations or actions

The Commission shall make one of the following recommendations or actions.

- 1) Approval of the proposal without conditions.
- 2) Conditional Approval of the proposal indicating recommended conditions.
- 3) Denial of the proposal indicating the reasons for denial.
- 4) Continuance of the request to a date and time certain.
- 5) Table the request for an undetermined period of time.
- 6) Tie Vote forwarded to the Council.

Section 2

Conduct of Consent Agenda Items

Consent agenda items shall be conducted as follows:

- A. The Chair states that the applications may be considered as consent items.

- B. Chair requests comments from the audience. If there are significant concerns with any application, it will be heard as a regularly scheduled item.
- C. If there are no concerns with remaining items, the Chair will call for a motion to accept them as consent agenda items.

If the motion is approved for the items to be heard as consent items, another motion will be necessary to approve the applications as consent agenda.

Section 3

Definitions

Applicant	That person or firm who proposed action to be taken by the City of Lone Tree Planning Commission.
City Council	The City of Lone Tree City Council.
Commission	The City of Lone Tree Planning Commission.
Commission Member	A person appointed by the Council to serve on the Commission.
Consent Agenda Item	An application scheduled before the Planning Commission, determined by staff to have no outstanding issues or concerns, and requiring no formal presentation by staff or applicant prior to action.
Continuance	An action taken by the Commission that postpones the hearing/meeting on the application until a date and time certain.
City	City of Lone Tree
Director	Director of Community Development
Findings of Fact	A statement by the majority voters of the Planning Commission, providing reasons to support or deny a decision or recommendation, and made part of the public record.

City of Lone Tree Planning Commission Guidelines and Procedures

Majority	One more than half the voting members present if a quorum has been met for public hearing items.
Member	A person appointed by the Council to serve at all hearings/meetings of the Commission.
Motion	A statement by a Commission member of proposed action to be taken by the Commission.
Public Hearing Item	An application that requires public notice according to the City of Lone Tree Zoning Ordinance or Subdivision Resolution.
Public Hearing/Meeting	A hearing/meeting that may include both public hearing items and/or public meeting items.
Public Meeting Item	An application that does not require public notice according to the City of Lone Tree Zoning Ordinance and Subdivision Resolution.
Public Testimony	That portion of a Commission hearing/meeting during which public input is accepted.
Quorum	A quorum shall consist of a minimum of four Commission members.
Resolution	A formal written statement which includes findings of fact to support the decision or recommendation.
Staff	Employees or consultants serving as professional resources for the City of Lone Tree.