



City of Lone Tree Planning Commission Agenda Tuesday, January 10, 2017

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
2. Get to know you

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 December 13, 2016 Planning Commission meeting
5. Presentation by Mayor Millet
6. Election of Officers
7. Educational discussion
 - How meetings are conducted, incl. how/what conditions are proposed (Dave Kirchner)
 - Keeping questions/comments to items the Commission has the authority to rule on and conditions vs stipulations (Richard Rodriguez)
 - Resource Guide – scope of review/project review (Hans Friedel)
8. Adjournment

MINUTES OF THE
Lone Tree Planning Commission Meeting
December 13, 2016

Lone Tree Civic Center

1. Attendance

In attendance were:

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

In attendance from staff were:

- Kelly First, Community Development Director
- John Cotten, Public Works Director
- Lisa Albers, Capital Improvement Manager
- Jennifer Drybread, Senior Planner
- Hans Friedel, Planner III

2. Opening of Meeting / Roll Call

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

3. Conflict of Interest Inquiry

There were none.

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

There were none.

5. Minutes of the September 13, 2016 Planning Commission meeting

Commissioner Steele moved to approve the minutes of the September 13, 2016 Planning Commission meeting, Commissioner Spencer seconded, and the minutes were approved 6-0, with Commissioner Dodgen abstaining due to absence at the meeting.

6. Proposed amendments to the City of Lone Tree Municipal Code, Chapters 16 and 17, Project RG16-71

Ms. Drybread introduced the proposed amendments – she stated that periodically staff reviews the municipal code to ensure that regulations address existing problems or concerns, are clear and consistent, are in line with current practices or procedures, are current with changing circumstances or technology, meet the needs of the city, and that redundant, outdated, and/or unnecessary regulations are eliminated. The proposed changes impacted Chapter 16, Zoning and Chapter 17, Subdivisions. Most of the substantive changes were Public Works-related items. The proposed changes were sent out on referral.

Ms. Albers and Ms. Drybread then presented the update in more detail. New requirements for residential rain collection would allow for two, 55-gallon collection systems per residence (if multifamily, they would only be allowed on units of four or less). This provision was directly taken from new State regulations on residential rain collection with Lone Tree adding aesthetic standards.

Other changes to the code included moving the Article on Clearing, Grading, and Land Disturbance to Chapter 15, Public Works, of the Municipal Code, updating regulations pertaining to irrigation, changing language about public improvements to subdivision improvements, and updating regulations regarding structures that may be recommended by the Federal Aviation Administration (FAA) for mitigation measures or for structures determined by the FAA to constitute a hazard to aircraft from Centennial Airport.

Regarding the FAA regulations, the proposed language requires applicants to submit first to the FAA for review, and then for the FAA's response to be part of the packet that gets submitted to the Planning Commission/City Council. The FAA does not have the power to enforce these regulations – they leave it to the local jurisdiction to enforce standards.

Regarding irrigation, changes included removing very specific references to irrigation equipment products that date the code and change often and allowing for temporary irrigation to last for two seasons instead of one, as it can take plants a long time to get established in Colorado.

Commissioner Dodgen inquired as to whether HOAs could prohibit rain barrels. Mr. Cotten responded that HOAs can only regulate what is in their covenants. Ms. Albers and Commissioner Carlson both expressed their understanding that state law would preempt HOA covenants from prohibiting rain barrels. Mr. Cotten further added that they are only allowed on attached residential developments of four units or less. Mr. Cotten added that HOAs could probably control rain barrel aesthetics.

Mr. Cotten stated that the City currently doesn't have any way of enforcing rain barrel standards. In the update, they would have to be outdoors, above ground, and elevated no more than two feet above ground.

Commissioner Steele inquired about requirements that rain barrels be sealed so that mosquitos don't breed in them. Mr. Cotten responded that mosquitos don't typically breed in deep water; however, they would be required to be sealed.

Commissioner Rodriguez read from a CSU packet on the subject of residential rain collection that supported the earlier assertion that HOAs could not prevent these; however, reasonable aesthetic standards could be enforced.

Commissioner Dodgen then inquired as to whether through the regulation of aesthetics, HOAs could have a *de facto* prohibition on the right to have these. Commissioner Rodriguez believed that this would constitute an unreasonable regulation by an HOA and probably be unenforceable under state law.

Commissioner Steele inquired about the cost/benefits factors associated with requiring rain sensors. He was curious about the state of this science, as sometimes the rain sensors seemed to be inaccurate. Ms. Drybread responded that this technology has been around for at least a decade and that it saved money in terms of water conservation. Commissioner Steele replied that it would be nice to understand the quality of this technology as we were requiring it in the code. Mr. Cotten answered that they were getting better all the time – they were more accurate at monitoring conditions and efficiently managing the system.

Commissioner Steele queried Mr. Cotten whether these products were monitored and adjusted following installation. Mr. Cotten replied that in some cases they were.

Commissioner Steele suggested inviting Centennial Airport (APA) to make a presentation to the Planning Commission on their future plans for growth.

Chair Kirchner inquired about removing provisions requiring a certain type of irrigation system; how do we inspect/approve it in the field. Ms. Drybread replied that we do not currently have staff that inspects this in the field.

Chair Kirchner reiterated that having Centennial Airport (APA) present would be a good idea – this would appraise them of the future FAA review process and the airport's plans for growth.

Commissioner Heskin made comments regarding the review process in the Zoning Code, 16-27-90, regarding recommendations for approval with conditions. What was the follow up regarding applicant statements on the record? Ms. First replied that if something didn't rise to the level of a condition, then staff would follow up with the applicant during review and inspection.

Commissioner Heskin inquired about the section of the code stating that if the project were denied, it could not be brought again before the Planning Commission for a year. Commissioner Heskin hypothesized about what would happen if a project that was substantially in compliance with regulations, recommended for approval by staff, and approved by the Planning Commission, was subsequently denied by the City Council for some other reason – what would be the rationale of requiring the applicant to wait one full year before their project could be reconsidered. Ms. Drybread replied that in her 13 years of experience with the City, a project was never denied. Instead, if an applicant was heading towards denial, they would withdraw the project from consideration, revise, and then resubmit.

Chair Kirchner took exception with the order of Chapters being listed as Chapter 16, 15, and 17 in Section 17-2-10 Intent. Instead, they should be in numerical sequence (15, 16, and 17).

Commissioner Steele moved to recommend approval of the proposed amendments to the City of Lone Tree Municipal Code, Chapters 16 and 17, with Commissioner Dodgen moving to amend the language in Section 17-2-10 Intent so that the reference to Chapter 16, 15, and 17 would be listed in numerical order, Commissioner Spencer seconded, and the motion passed 7 to 0.

7. Farewell to Commissioner, Herb Steele

Chair Kirchner, Commissioners, and staff thanked and recognized Commissioner Steele for his service to the community. He resigned his term effective January 1st, 2017. He was presented with a plaque in recognition for his service and contributions.

8. Adjournment

There being no further business, Chair Kirchner asked for a motion to adjourn. Commissioner Dodgen moved to adjourn the meeting, Commissioner Spencer seconded, and the motion was approved 7-0. The meeting was adjourned at 7:10 p.m.

These minutes have been reviewed and confirmed by

_____ (name), on _____(date)

Site Improvement Plan Resource Guide



for Planning Commissioners and City Council Members

This information is intended as a tool to assist Planning Commissioners and City Council Members with their review of Site Improvement Plans (SIPs). Council Members and Planning Commissioners can use this information to guide and focus their review and discussion of projects.

The information builds on other resources including the City Comprehensive Plan, Zoning Code, and Design Guidelines and attempts to distill elements from each that are most relevant in the typical project review process. The following is included:

- Guiding Principles (p. 2)
- Typical Planning Process (p. 6)
- Basic Elements of Project Review (p. 7)

Guiding Principles

Comprehensive Plan

One of the most important responsibilities of the Planning Commission and City Council is to ensure that the City grows in a way that is consistent with the vision, goals, and policies of the City's Comprehensive

COMPREHENSIVE PLAN VISION:
Lone Tree is a premier Colorado community connected by great neighborhoods, vibrant public spaces, a beautiful natural environment, and thriving businesses.

Plan. Commissioners do this by participating directly in periodic updates of the Comprehensive Plan and by implementing its vision through development review, including review of SIPs.

Lone Tree's planning principles support mixed land uses, compact development patterns, transportation

and housing choices, quality design, and preservation of open space and important environmental areas. The Comprehensive Plan contains the following major goals:

Land Use: Achieve well-managed growth, based on sound planning principles, with an emphasis on high quality design.

Environmental Quality: Conserve, enhance, and protect important natural and manmade resources, and ensure the safety of residents when integrating development into the natural landscape.

Community Facilities and Services: Provide quality facilities and services for the Lone Tree community in an efficient and cost-effective manner.

Transportation: Strive for optimal efficiency, connectivity, and safety in the transportation system, integrated with surrounding land uses and environmental conditions.

Economic Development: Foster a vibrant and financially sustainable economy for the Lone Tree community.

Zoning Code

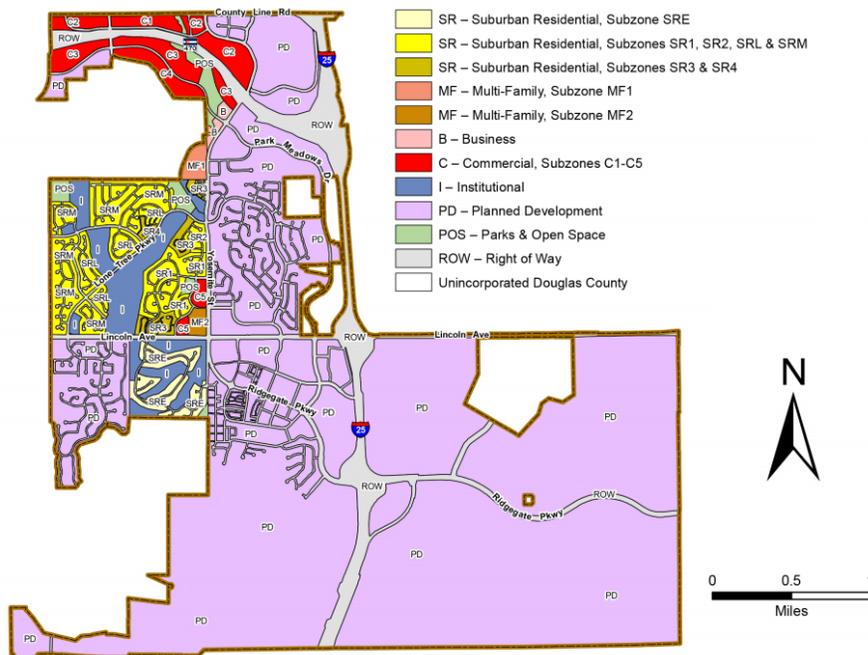
The Zoning Code is an implementation tool of the Comprehensive Plan. The Zoning Code provides the specific requirements related to land uses and development standards for the various zoning districts including parking, lighting, and landscaping standards. SIPs must comply with the criteria, standards, and procedures established by the Zoning Code.

Planned Development Zoning

A number of areas of the City are zoned Planned Development (PD), including RidgeGate, Heritage Hills and the Entertainment District to name a few. Planned Developments are approved by the City. They contain land uses and development standards that are customized for that particular area. Where a particular issue is not addressed by the PD, the City's zoning standards apply; where there is any conflict, the higher standard governs.

PROJECT REVIEW TIP:
Refer to staff reports for more detailed information about how staff has reviewed the project for conformance with the Design Guidelines, Zoning Code and other applicable standards.

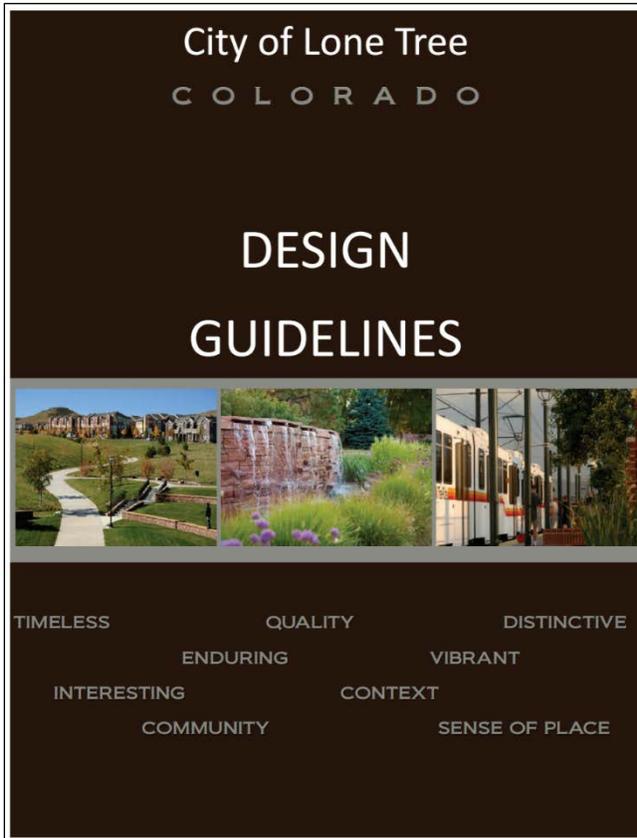
Official City of Lone Tree Zoning Map



Design Guidelines

The City’s Design Guidelines are another implementation tool of the Comprehensive Plan. The Design Guidelines stem from the vision, goals and policies of the Comprehensive Plan, which places emphasis on quality development. The City Council has determined that quality design is an investment in the long term economic strength of the City, and contributes to the sense of place and community pride for those who live, work, shop and visit here.

The City’s Design Guidelines are deliberately crafted to provide flexibility and interpretation for a variety of architectural styles and innovation. Not all guidelines will apply in every case. The role of the Planning Commission and City Council is to ensure that SIPs meet the overall intent of the Design Guidelines.



Elements of Design Guidelines:

- Overall Site Design
- Architectural Design
- Landscaping
- Site improvements
- Streetscape Elements

RidgeGate Sub-Area Plans

All projects in RidgeGate, including SIPs, are held to the standards and guidelines that are developed as part of Sub-Area Plans. Sub-Area Plans are developed prior to, or concurrent with, development of various planning areas in RidgeGate. These documents are reviewed by the City Planning Commission and approved by the City Council.

Standards and guidelines for development in RidgeGate are a refinement of the RidgeGate Planned Development (PD) zoning and are developed in harmony with the City's overall goals, policies and regulations. Where a particular issue is not addressed, the City's Design Guidelines apply; where there is conflict, the higher standard governs.

Additionally, all projects in RidgeGate are subject to a private design review process conducted by a Design Review Committee (DRC) as defined by the Covenants, Conditions and Restrictions (CCRs) and the DRC's Design Standards. The DRC is comprised of professional architects, landscape architects, and others with planning, engineering, and design expertise. They work with applicants to enhance the project and meet DRC approval before a development application can be submitted to the City. Although the DRC process is independent and separate from the City review and approval process, staff coordinates directly with the DRC to ensure that projects are on the right track prior to City submittal.

The RidgeGate Sub-Area Plans are accessible via the City's website

The screenshot shows the City of Lone Tree website. The main navigation menu includes 'Development Proposals', 'Zoning', 'RidgeGate', and 'Southeast Rail Extension'. The 'RidgeGate' link is highlighted with a black box. The 'RidgeGate Planned Development' page is displayed, featuring a 'Contact' section with the address '10270 Commonwealth St # B, Lone Tree, CO 80124', phone '720-279-2581', and email 'info@ridgegate.com'. The 'Quick Links' section includes 'RidgeGate Planned Development, 4th Amend'. The 'Subarea Plans' section is highlighted with a black box and lists four plans: 'Lincoln District Commercial Mixed-Use Subarea Plan', 'Office District Subarea Plan', 'Residential West Village Subarea Plan', and 'Sky Ridge Transit-Oriented Development Subarea Plan'.

Typical Planning Process

The City of Lone Tree has a philosophy of rigorous yet expeditious project review, both of which are essential for the quality appearance of the City and its economic development.

Those who are considering locating their business here are investing in the community. In recognition of the additional investment often associated with higher quality development that Lone Tree expects, the City offers businesses a fair and predictable process so they may develop contractual agreements to purchase or lease property, secure financing, and complete the construction process in a timely manner.

Staff works diligently with developers and business owners to ensure that SIPs are consistent with the

Careful and predictable project review is critical to the City's quality appearance and economic development.

City's vision, guidelines and regulations *before* they proceed to Planning Commission and City Council in order to avoid potential for major concern or the need for extensive revisions later in the process. (See process flow chart Appendix A.)

Once the Planning Commission and Council review the SIP, additional issues may be resolved through "conditions of approval" and final edits as the plans are completed at the final check phase. This careful yet progressive review approach of "perfecting applications through the process" has proven an effective means to attract and secure new and quality development to the community.

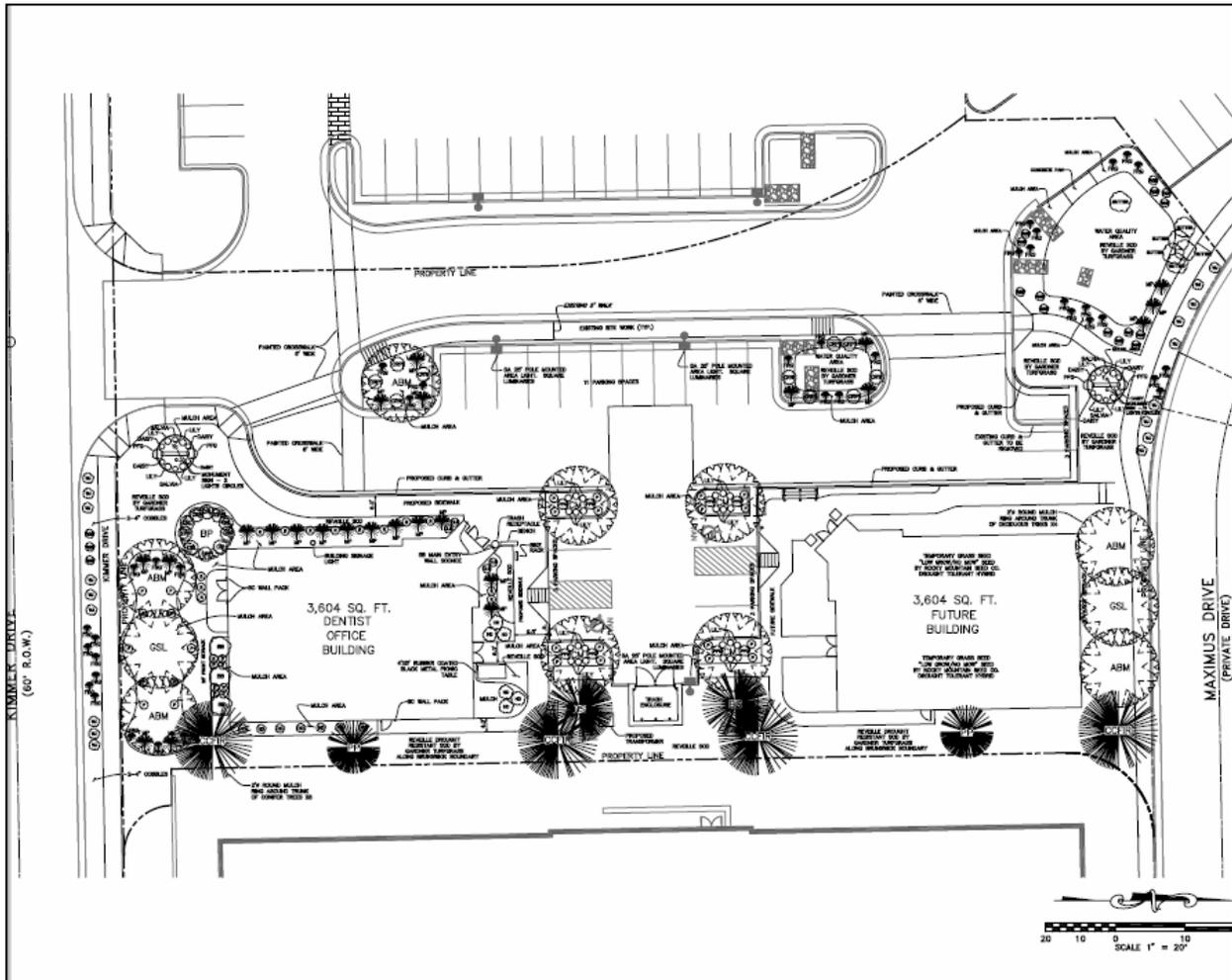


Basic Elements of Site Improvement Plan (SIP) Review

What is a Site Improvement Plan?

A Site Improvement Plan is a set of detailed plans that address all *exterior* site and building improvements associated with a project. The typical SIP will consist of a set of plans including: Site Plan, Landscape Plan, Grading Plan, Drainage Plan, Erosion Control study and plan, Building Elevations, and Photometric (lighting) Plan. A Product Sample Board is also submitted to evaluate actual materials and colors proposed.

Sample Site Improvement Plan



Intent of a Site Improvement Plan

The SIP process is required in order to provide for successful development which enhances the quality of life in the City and to ensure development will be in conformance with the Comprehensive Plan, the Zoning Code, Subdivision Code, and Design Guidelines. It is also required to provide for enhancement of the City's socioeconomic fabric through sensitive site and building design, and to ensure the hardscape and landscape environments are attractive and in balance with the overall bulk and massing of building architecture.

Information Packets

The typical land use project application will be provided to the Planning Commission and City Council days in advance of the meeting and will consist of a staff report, referral comments, a set of plans and other pertinent information. Planning Commissioners and Council Members are asked to review materials in advance of the meeting and are strongly encouraged to contact staff with general questions or to receive clarification that would assist with an understanding of the proposal. Such questions and answers will be passed along to the rest of the Planning Commission and Council.

Scope of Review

When reviewing an SIP, Planning Commissioners and Council Members are encouraged to consider the basic intent described above and use it to guide evaluation of the application from a broad-based community perspective. Presumably, a SIP presented with a positive staff recommendation for approval has met the basic intent of the Comprehensive Plan, the Zoning Code, and The Design Guidelines. However, not all issues are black and white; further discussion may be warranted to seek clarification or provide the Commission and Council with a comfort level about certain aspects of the project.

PROJECT REVIEW TIP:
To make the most efficient use of time, Commissioners and Council Members are asked to review packet materials prior to the meeting and are encouraged to contact staff with questions or to receive clarification.

It is important, however, that the nature of comments and questions are reasonably tied to goals, policies, guidelines and/or standards. This ensures that deliberations are fair and predictable and that decisions are not arbitrary.

Planning Commissioners and Council Members are encouraged to contribute their own unique perspectives and knowledge to the review process, although review should not be based on personal preference or appear arbitrary. Comments and concerns, if any, should be delivered in a constructive vein with the goal of enhancing the project. A predictable, consistent scope of review allows other Council Members, Commissioners, staff and the applicant to prepare for the meeting and respond to any concerns.

PROJECT REVIEW TIP:
Commissioners and Council Members may consult with staff if they are unsure whether an issue falls within the typical scope of review.

Basic Elements of Project Review

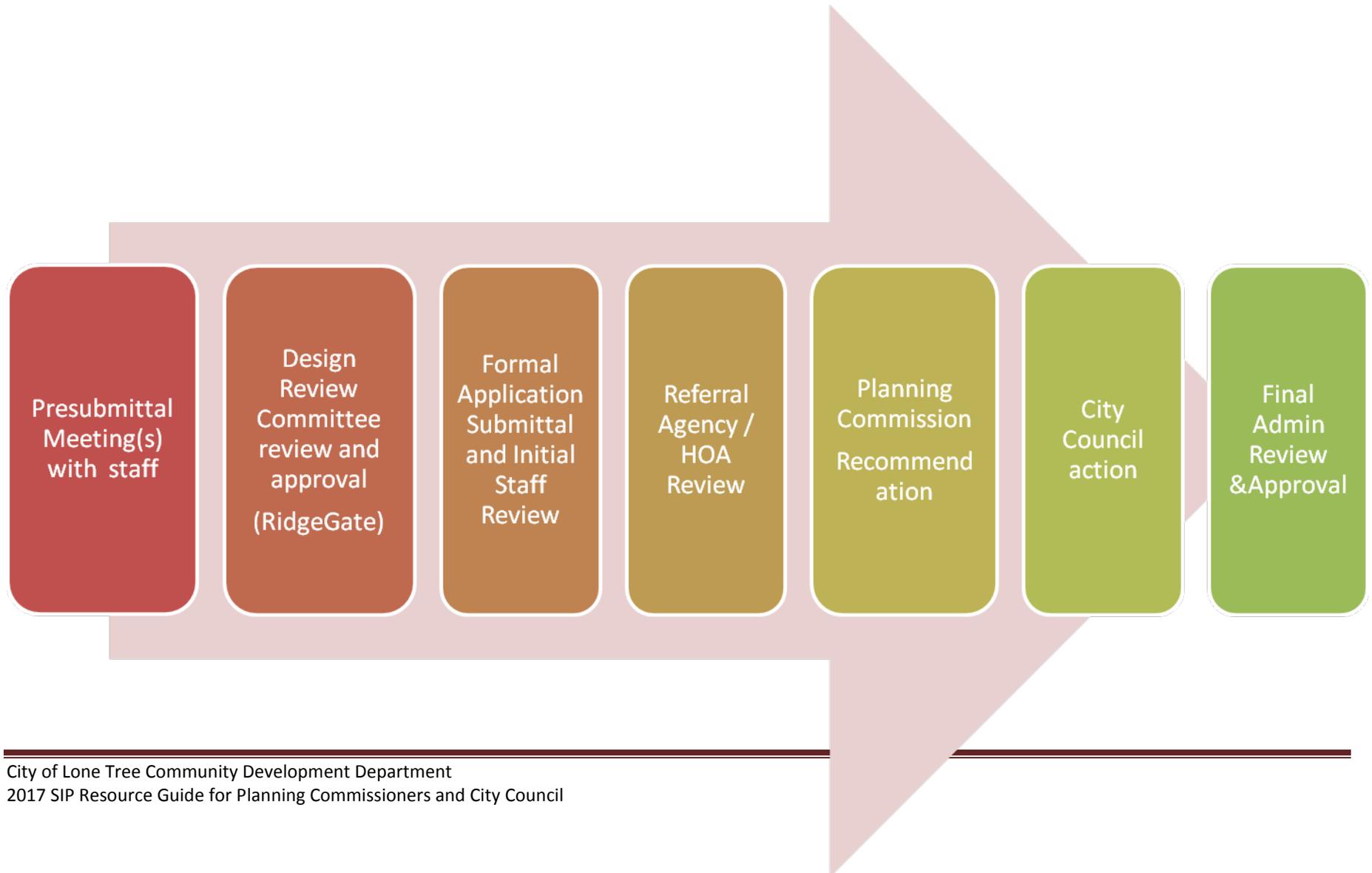
In general, SIP reviews should be limited to exterior building and site elements. It is beyond the jurisdiction of the Planning Commission and City Council to evaluate an SIP based on interior building elements or construction type, for example, except as it impacts the exterior. Also, avoid comments or questions about things that are not directly tied to the development of the project such as management and operations of the business, rental rates, menu fare, etc.

Appendix A includes a process flow chart for SIPs. Appendix B, SIP Project Review Worksheet, lists basic elements typically associated with SIP review. These are general categories of consideration intended to guide and focus review of projects and are not necessarily requirements or approval criteria. Nor are they representative of all issues as each project has unique characteristics. Actual technical requirements may vary depending on the type of project and whether it has separate approved standards and guidelines.

All Zoning Code requirements can be considered to have been met through the process of staff review and will be summarized in the staff report. The staff report will also describe any variances or areas that staff recommends warrant further discussion.

Appendix A - Typical SIP Project Review Process (3-4 months)

Additional steps may be warranted depending on the complexity of the project, nature of referral responses, and applicant responsiveness.



Appendix B - SIP Project Review Worksheet

(Typical)

Site plan elements:

- Does the project relate and integrate with the surrounding area?
- Does the project incorporate vehicular and pedestrian connections and circulation?
- Are the buildings positioned on the site in such a way as to minimize the appearance of vast areas of parking, encourage walkability, and be compatible with the surrounding area?
- Are service areas and mechanical equipment appropriately located and screened to minimize visual impact?
- What are the locations, heights and materials of retaining walls, if any and are they complimentary to the site and building?
- Does the project provide site furnishings such as bike racks, trash receptacles and benches? Trash receptacles designated for recycling are encouraged.
- Are trash enclosures designed of similar materials and colors as the buildings and will they suffice in screening dumpsters? Trash enclosures are generally encouraged to be sized to accommodate recycling bins.
- Are metal surfaces factory-finished or powder coated?
- Is parking adequately screened from prominent view corridors?
- Are sustainable site practices employed where possible?

Architectural Design

- Does building scale integrate with overall context in which project is located, considering height, massing, topography, and connections with adjoining uses?

- Are building forms organized to communicate relationships of scale, proportion and function? For example, distinguish a building base, middle and top through changes in planes, materials and colors.
- Are building materials selected with high quality and durability in mind? Colors should complement the surrounding character of the natural and built environment and generally consist of a warm, earth-toned palette.
- Is design attention applied to all sides of a building? The level of design may correspond to the building orientation and function, and may be influenced by prominent vantage points ranging from larger neighborhood views to pedestrian-level experiences.
- Are entries clearly identifiable, with a hierarchy of design elements to identify primary and secondary or service entries?
- Are building parapets or screen walls of equal heights used to screen equipment from the equally elevated surroundings?
- Are sustainable building practices employed where possible?

Landscaping

- Does the landscape plan employ xeric principles? (Low water use, native plant materials, etc).
- Is landscaping strategically placed where needed to help screen views of loading and service areas, transformers, parking rows, and to provide buffering to adjacent residential uses?
- Does perimeter landscaping tie in with adjacent properties?

Lighting

- Does the lighting plan adhere to “Dark Skies” principles in terms of cut off fixtures and overall light levels?
- Is building lighting architecturally compatible?