



410 East 5th Street
Loveland, Colorado
970.962.2523

FINAL FINDINGS REPORT

3133 N. Garfield Avenue Special Review #943 (PZ #18-00009)

April 5, 2018

TITLE: Starbucks – Special Review #943

LOCATION: 3133 N. Garfield Avenue

APPLICANT: Stephanie Hansen

STAFF CONTACT: Emily Tarantini, Current Planning
Melissa Morin, Water/Wastewater
Kevin Gingery, Stormwater
Mark Warner, Power
Randy Maizland, Transportation Dev. Review
Ingrid McMillan-Ernst, Fire

APPLICATION TYPE: Special Review #943

STAFF RECOMMENDATION: Staff recommends that the Current Planning Manager preliminarily approve a Type 2 Zoning Permit for 3133 N. Garfield Avenue for a Starbucks, subject to the conditions listed in Section VIII of this report dated April 5, 2018.

I. ATTACHMENTS

1. Vicinity Map
2. Special Review/Site Development Plan

II. SITE DATA

EXISTING USE Parking lot

PROPOSED USE Restaurant with drive-thru

EXISTING ZONING AREA (acres) B– Developing Business (0.422 ac)

EXISTING ADJACENT ZONING & USE- North B– Developing Business

EXISTING ADJACENT ZONING & USE – East B– Developing Business

EXISTING ADJACENT ZONING & USE- South B– Developing Business

EXISTING ADJACENT ZONING & USE - West B– Developing Business

UTILITY SERVICE – WATER City of Loveland

UTILITY SERVICE – SEWER City of Loveland

UTILITY SERVICE – ELECTRIC City of Loveland

III. PROJECT DESCRIPTION

The applicant is proposing to construct a new drive-thru restaurant, located in the Wal-Mart 2nd Subdivision within the retail center’s parking lot. The existing Wal-Mart subdivision lot will be subdivided into two lots, creating a separate new lot for the proposed restaurant. The restaurant is proposed to be 2,224 square feet in gross floor area and proposes to provide an outdoor patio of 250 square feet. As part of this proposal additional landscaping along N. Garfield and Orchards will be installed to provide additional screening. The required 25 off-street parking spaces are being provided, 14 of the parking spaces are proposed on site while the remaining 11 parking spaces are shared within the existing retail center’s parking lot with the required approval from the owner. The property is currently zoned B-Developing Business, the use of a restaurant with a drive-



② PERSPECTIVE - NORTHWEST



③ PERSPECTIVE - SOUTHEAST

thru is a use permitted only through the approval of a special review. The special review includes a neighborhood meeting, a comment period and an appeal period.

IV. KEY ISSUES

Staff has not identified key issues associated with this special review application in terms of compliance with the Municipal Code. There were no members of the neighborhood present at the neighborhood meeting.

V. BACKGROUND

The zoning on the property is B-Developing Business.

In 1985, Special Review #526 approved a proposal for a Wal-Mart retail store with over 400 parking spaces on site.

In 1990, there was a revision to special review #526 approving changes to the site plan, expansion area and landscaping; with this revision, the total amount of parking spaces was increased to 561.

In 2004, a new special review #840 approved a proposal for a variety of retail and commercial businesses increasing the total number of parking spaces to 599.

VI. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

A. Notification

A letter advertising the neighborhood meeting was sent out by project manager Stephanie Hansen, on February 28, 2018 to all neighbors within the “Neighborhood” as defined in Section 18.40.010.C of the Loveland Municipal Code. Meeting notice signs were posted on the property on February 28, 2018.

B. Neighborhood Response

A neighborhood meeting was held on **March 15, 2018**, regarding this project. The applicant and City staff were in attendance, however no members of the neighborhood attended the meeting.

C. Project Schedule

1. Type 2 Special Review #943 was filed with the Current Planning Department on **January 17, 2018**.
2. A neighborhood meeting was held on **March 15, 2018**, at 6:00 p.m. in the Development Center (410 E. Fifth Street).
3. The staff preliminary findings and determination was posted on **March 26, 2018**.

4. The public review period for the staff preliminary findings and determinations is from March 27, 2018 to April 4, 2018.

5. Final findings and determination will be issued on April 5, 2018.

5. The appeal period for the Type 2 Zoning Permit for Modification to Special Review #943 is from April 6, 2018 to April 16, 2018.

VII. FINDINGS AND ANALYSIS

Finding 1. That the proposed special review use meets the purposes set forth in Section 18.04.010 of the Loveland Municipal Code.

The proposed development of a drive-thru restaurant would meet the purposes of Section 18.04.010 of the Loveland Municipal Code, by not creating unsafe or unhealthy conditions and by providing adequate facilities (i.e. transportation, water, sewer, power, etc.), appropriate use of land, and keeping with the character of the land.

Finding 2. That the effects of the proposed special review use on the surrounding neighborhood and the public in general will be ameliorated.

The proposed special review use is consistent with the surrounding neighborhood in that it fits into the shopping center by offering an additional commercial option of a restaurant. The proposed special review will be allowing the construction of a new stand-alone Starbucks, drive-thru restaurant that will be relocating from its existing tenant space within the same shopping center. Additional landscaping along North Garfield, Orchards will be installed, including additional street trees. Two new landscaped islands are proposed within the shopping center's parking lot, offering opportunities for shade and permeable surfaces. A new pedestrian connection will enhance the overall connectivity of the 287 corridor. The architecture and size of the proposed building will be cohesive with the existing commercial character of the shopping center.

Finding 3. That in assessing the potential effects of the proposed special review use, at a minimum, the following matters have been considered:

3a. Type, size, amount, and placement of landscaping;

The proposed landscaping and screening exceeds the requirements of the bufferyard standards by increasing the quantity of shrubs along the 287 corridor and preserving much of the existing landscaping along this frontage. Additionally, the existing 2-foot berm will provide much more opportunities for screening along the 287 corridor. Both size and species of the plantings are compliant with City standards.

3b. Height, size, placement, and number of signs;

No signage is proposed with this special review.

3c. Use, location, number, height, size, architectural design, materials, and colors of buildings;

The proposed building will be designed to resemble much of the existing buildings within the shopping center with the use of stucco and brick in predominantly earth tones.

Metal paneling to screen roof top units and cementitious siding offers a modern edge to the proposed building and is compatible with existing, newer surrounding structures.

3d. Configuration and placement of vehicular and pedestrian access and circulation;

Configuration and placement of vehicular and pedestrian access and circulation is compliant with City standards. The 8-foot wide existing sidewalk along the 287 corridor will be continued and will connect to a new 8-foot wide sidewalk along Orchards. A visually enhanced crosswalk with the use of 2-foot colored concrete aprons will cross over the drive-thru lane, directly connecting pedestrians to the building. The vehicular entrance to the drive-thru and vehicular exit from the restaurant occurs on site within the shopping center.

A Traffic Impact Study has been provided and demonstrates that the existing transportation system can adequately serve the proposal. Fire has determined that the proposed drive-thru will not negatively impact fire protection for the subject development or surrounding properties.

3e. Amount and configuration of parking;

The Loveland Municipal Code requires one (1) off-street parking space for every 100 square feet of floor area; this must also include any outdoor patio space. Additionally, five (5) stacking spaces for every drive-thru lane or window. The proposed parking for the site are meeting the City standards by providing 14 on-site parking spaces and 11 off-site parking spaces. The 11-shared parking spaces are less than 30-feet away, located to the north side of the Starbucks site and ultimately making use of the underutilized parking in this shopping center. A total of eight (8) stacking spaces are provided for this development, along with one (1) handicap space and two (2) bicycle racks. The proposed parking is located inwards and is mostly screened from the view of the 287 corridor.

3f. Amount, placement, and intensity of lighting;

A photometric plan was provided and is compliant with City standards. Additionally, all wall mounted fixtures are full cut-off.

3g. Hours of operation;

Standard business hours of 5am-9pm are permitted.

3h. Emissions of noise, dust, fumes, glare, and other pollutants.

Traffic noise is not expected to be of any concern as no new access points are being proposed with this development. The other issues in this section are not applicable for this project.

Finding 4. Except as may be varied in accordance with this special review permit, the special review site plan conforms to the restrictions and regulations set forth in the Loveland Municipal Code for the zoning district in which the special review use is located.

The proposed special review meets this finding. The proposed building will enhance the shopping center's connectivity and landscaping, and will make use of what is now and underutilized parking lot. This design proposal is compatible with the surrounding neighborhood and businesses, and is in compliance with the 287 Corridor Plan. The proposed site, infrastructure and landscape standards comply with all normal applicable restrictions and regulations set forth in the Site Development Performance Standards and Guidelines.

Finding 5. The special review site plan meets the requirements set forth in Section 16.41 - Adequate Community Services - of the Loveland Municipal Code.

Transportation: Staff believes that this finding can be met due to the following:

- A Traffic Impact Study (TIS), prepared by Delich Associates dated May 12, 2015 has been submitted with the Starbucks Special Review Plan and application which demonstrates that the existing transportation system, can adequately serve the proposal.
- Access to the development will be provided by the existing signalized intersection at US-287 Garfield Ave. and Orchards.
- The TIS has demonstrated that the operation at the US-287/Garfield Ave. -- Orchards intersection will meet City level of service standards.

In conclusion, the use of the subject property pursuant to any of the uses permitted by right under the zoning district will not adversely impact any existing City infrastructure. A positive determination of adequacy for transportation facilities for the proposed application has been made under the provisions of paragraph i, above.

Fire: Staff believes that this finding can be met, due to the following:

- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The Proposed Starbucks drive-through building will not negatively impact fire protection for the subject development or surrounding properties.

Water/Wastewater: Staff believes that this finding can be met, due to the following:

- The proposed development will not negatively impact City water and wastewater facilities.
- The proposed public facilities and services are adequate and consistent with the City's utility planning and provides for efficient and cost-effective delivery of City water and wastewater service.

Stormwater: Staff believes that this finding can be met, due to the following:

- This special review site plan and the site development plan comply with the Adequate Community Facilities standards set forth in the Loveland Municipal Code, Section 16.41.140.

Power: Staff believes that this finding can be met, due to the following:

- The proposed development will not negatively impact City power facilities.
- The proposed public facilities and services are adequate and consistent with the City's utility planning and provides for efficient and cost-effective delivery of City power.

VIII. CONDITIONS OF APPROVAL

Planning:

1. Before issuance of a Certificate of Occupancy by the City, the Developer shall install all paving, striping and signage for the parking lot and circulation lanes, as shown on the approved plans, unless financial security is filed by the Developer with the City to assure installation at a later date acceptable to the City.
2. Before issuance of a Certificate of Occupancy by the City, the Developer shall install all landscape as shown on the approved landscape plans, unless financial security is filed by the Developer with the City to assure installation at a later date acceptable to the City. Any water tap fees or water meter activation fees for irrigation taps and meters shall be included in said financial security.
3. All landscape shall be maintained in good health and vitality at all times. Any dead, dying or deteriorating landscape shall be rejuvenated or replaced at the beginning of the next available planting season.
4. Before issuance of a Certificate of Occupancy by the City, the Developer shall install all other private improvements or amenities, such as private walks, fences, walls, etc. as shown on the approved plans, unless financial security is filed by the Developer with the City to assure installation at a later date acceptable to the City.
5. All exterior lighting shall comply with the lighting plans approved as part of the Site Development Plan. All exterior lighting shall be designed, installed and maintained in a manner that assures that no direct light or glare is visible beyond the property lines. Existing lighting that is not being altered with this application shall be exempt from this requirement.
6. All external HVAC and other external mechanical equipment related to the use(s) on the Property shall be fully screened from view as seen from all adjacent public streets.
7. Approval of this Site Development Plan does not grant or imply approval of any signs. All signs must meet the applicable sections of the City sign code. No signs may be installed or altered unless first approved by the City by issuance of a sign permit application.

Transportation:

1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).
2. Prior to approval of the Public Improvement Construction Plans (PICP's), A CDOT Access Permit must be obtained for the access on US-287 at the Orchards intersection.
3. City signed Site Development Plans (including any associated Public Improvement Construction Plans), or the issuance of building permits, does not allow any construction within public street or alley rights-of-way or pedestrian easements. A separate City Development Construction Permit or Street right-of-way (ROW) Work Permit must be

obtained by the Developer and/or his Contractor at the City Project Engineering office (and approved by Project Engineering) prior to any repair or construction of sidewalk, curb and gutter, driveway accesses, or any other construction in City street or alley rights-of-way or pedestrian easements, (this includes all items proposed in rights-of-way such as utility street cuts, sidewalk ramps, construction staging proposed in street, landscaping, traffic control, etc.). (Call 970-962-2771 to discuss details to obtain a ROW Work Permit).

Attachment 1: Vicinity Map



