



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING AND DEVELOPMENT SERVICES DIVISION**

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To: Commissioners Dunn, Elliott, Musser, Peairs, Singer and Van Benthem

From: Don Burchett, Senior Planner

Date: March 15, 2007

RE: Commissioner Peairs E-Mail Questions

Cc: Councilman Lange, Commissioners Emmot, Erker, Ormsby and Sanders

On March 1, 2007 Commissioner Peairs sent staff an e-mail asking for clarification regarding the proposed height exceptions for the Union project. Staff has reviewed her questions and offers the following information to the Commissioners to help them understand this request.

The developer for the Union site submitted a request for a height exception when they applied to the City of Longmont for review in the fall of 2006. Their request is shown on Sheet LU-15 of the Union Preliminary PUD development plan, which is attached to the February 21, 2007 Planning and Zoning Commission Communication. Within that report staff states that the height exceptions as shown on LU15 are not supported by staff, but that staff would support variances to the heights as shown on Page 27 of the February 21, 2007 Planning and Zoning Commission Communication.

At the meeting on February 21, 2007 the applicant agreed to the staff recommendation that the height limits be granted as identified on Page 27 and a hand out (see attached drawing) was given to the Commission that reflected staff's recommended height zones. The light blue areas around the perimeter would be limited to 30 feet in height and the purple areas would be allowed a 45 foot height. These two areas would not require any height exceptions and would meet the City of Longmont's standards for height.

The green area which is covering the core "downtown" area is asking for a 50 foot maximum height. The variance for this area would be five feet. The last three variances that would be necessary are as follows. Within the Planning Area 4 (PA-4) as shown on the Planning Area Map which is Sheet 3 of the Concept Plan (see attached map) the applicant would be allowed a maximum building height of 75 feet in two areas that could not exceed a total of 150,000 square feet of area and two additional areas that would be allowed a maximum height of 60 feet that could not exceed 100,000 square feet of area. Finally, in both PA-4 and PA-5, architectural features as identified in Section

15.05.010.A.3.c.i. thru vi. of the City of Longmont Land Development Code (see attached Code Section), would be allowed within both of these areas and could not exceed 60 feet in height.

With the above information as background, the following are responses to Commissioner Peairs' questions.

1. I assume LU-15 is the primary document. That's what I calculated the variance to. Can you please confirm?

LU-15 is the original request by the applicant. The Planning Commission should confirm that the applicants have agreed to the staff proposal shown on Page 27 of the February 21st communication and with the attached height zone drawing which is different than Sheet LU-15.

2. There were different City standards cited for MU residential. Is the standard 30' or 45'?

Sorry for the confusion on this. On Page 3 of the communication, the table is reflecting all of the variances as the applicant proposed them on Sheet LU-15. The Mixed Use Residential (north) item denotes that the applicant has shown the 45 foot height zone extending north into the area where single family homes are located on the preliminary plat. Single family residential districts are restricted in the City of Longmont to 30 feet. On Page 27 of the communication staff has grouped all residential lots together and stated that 30 feet is permitted and that we recommend 30 feet since it will not require a variance.

Next in the table on Page 27 is Mixed Use Residential. This is the area that would contain the assisted living and nursing home uses. These uses in the City of Longmont could be built to a maximum height of 45 feet in our commercial zoning districts where this type of use would be allowed. So the Mixed Use Residential height limit is proposed to be 45 feet which would not require a height exception.

3. Please clarify how much area would be allowed 75' height. The square footage for 75' and 60' heights in the Civic/Religious area (memo p. 27) don't correlate with the 20%/80% split shown on LU-15. For example: If 150k s.f. is allowed for 75', then would 80% or 750k s.f. be allowed at 60'? Or if the max allowed at 60' is 100k sf., would 20% or 20k s.f. be allowed at 75'? Or do the square footage amounts apply to the entire exterior of the structure? Not just the base?

The amount of area that could be built to 75 feet as recommended by staff on Page 27 is two (2) areas not to exceed 150,000 square feet in total. The difference in the numbers that are shown on Page 27 and LU-15 is that staff recommended the numbers on Page 27 and the applicant originally proposed the numbers on Sheet LU-15.

Union
Planning Commission Memo
March 15, 2007

However if staff's recommended language is approved the restriction could work as follows.

For example one area within PA-4 could contain 100,000 square feet of area at 75 feet high and another area could have 50,000 square feet of area at 75 feet high for a total of 150,000 square feet of building 75 feet high in no more that two areas within PA-4. Additionally one area within PA-4 could contain 75,000 square feet of area at 60 feet high and another area could have 25,000 square feet of area at 60 feet high for a total of 100,000 square feet of building 60 feet high in no more that two areas within PA-4.

I hope that this information is helpful and if you have any questions please let me know. Also enclosed in this packet you will find additional information from the applicant that is being given to you to answer some of the questions that were raised at the hearing on February 21, 2007. The applicant will be available at the meeting to discuss these with you and answer any questions you may have.

Attachments

1. Page 27 of the February P/Z Packet
2. Planning Area Map (Sheet 3 of the Concept Plan presented in the February packet)
3. Land Development Code Section pertaining to Architectural Features
4. Map of Height Districts as proposed by Staff