

MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
September 27, 2016
Council Chambers, First Floor, City Hall
101 W. 8th Street
6:00 p.m.

Chairman Dehm called the meeting to order at 6:02 p.m.

1. Roll Call.

Present at roll call were Commissioners: Michael Blair, Ingrid Wussow, Michael Dunn, Marco Dehm, Kathryn Grosscup, Tim Malloy, and Sumner Schachter

Absent: Alternate Chelsea Carnaoli-Parkison

Also present were City staff members: Gretchen Ricehill, Senior Planner
Kathleen Michel, Administrative Assistant
Jon Hoistad, City Attorney's Office

2. Receipt of the minutes:

MOTION: Commissioner Malloy moved to accept the minutes of the regular meeting of August 23, 2016, as corrected. The motion was seconded by Commissioner Grosscup. The motion carried by voice vote.

3. Comments from citizens appearing for items not on the agenda.

No one wished to comment.

4. Community on the Move presentation (20 Minutes)

Commissioner Dunn said he is a member of Community on the Move but he was told by counsel he does not need to recuse himself as he has no financial interest in this organization.

Leslie Bethel, 214 Crescent Lane, Director of the Downtown Development Authority, said that she is here as a private citizen to explain the renewal of the Acquisitions and Improvements Tax (A&I Tax) which is coming up on the November 2016 ballot. The A&I Tax was adopted 20 years ago and we are looking to renew it early. It was supported by all the Boards and Commissions of the City. She said there were two items on the ballot: One was to approve the A&I Tax and the other was to give the City the ability to bond for projects funded by the A&I tax revenue. [Her remarks were recorded and are available for review at the Community Development Department.]

A question and answer period followed the presentation by Ms. Bethel. The Commissioners asked questions to more fully address their curiosity about the ballot proposals and the goals for use of the revenue generated. Ms. Bethel also asked if the Planning and Zoning Commission would commit to support the ballot measures.

The Chair called for public comment at 6:31 p.m. No one spoke. Public comment was closed.

MOTION: Commissioner Schachter moved that the Planning & Zoning Commission offer support in favor of renewal of the A&I Tax. Commissioner Malloy seconded the motion.

Commissioner Blair commented that an area wide plan should remain on the list as a high priority.

The Chairman called for a vote. Commissioner Dunn abstained as he is a member of Community on the Move. The motion carried as follows:

AYES: Commissioners Blair, Wussow, Dehm, Grosscup, Malloy, and Schachter.

ABSTAIN: Commissioner Dunn

Public Hearings:

5. #26-16 - Consideration of Minor Development and Special Use permits for a 52 space parking lot. The application includes design variances and a zoning variance from Municipal Code section 070.140.050-Exterior Lighting Standards, for exceeding light trespass requirements along the east property line.

Applicant: Sopris Engineering, LLC
Owner: Valley View Hospital Association
Location: 325 20th Street
Zone: C/1 Limited Commercial

Gretchen Ricehill presented the variances at the request of the Commissioners. The applicant plans to join to an existing lot on 19th Street. 52 parking spaces will be added. The code classifies a parking lot as a minor development. Several design variances and a zoning variance are requested.

Special review criteria apply:

- Safe pedestrian access.
- Safe and adequate vehicular circulation.
- Compatible with surrounding neighborhood.
- Mitigates negative impacts to surrounding properties.

20th street is a substandard right-of-way. There is little to no room for a sidewalk and planting strip. In a residential neighborhood, the sidewalk is supposed to be five feet wide. The issue here is that there is a separation of zones. The Elmer Glass property is in a commercial zone so the code does not address how to deal with midblock divisions or how a five foot wide sidewalk would connect to an eight foot wide sidewalk. 20th Street is only 50 feet wide where now the code would require it to be 62 to 72 feet wide in the commercial zone. The existing road also is not centered within the right-of way. It is shifted to the north. The hospital proposes to construct the foot planting strip on their own property with a width from 5 feet to 8 feet with

the sidewalk at the edge of the street. There are sight triangle issues at the driveway exits, so they will plant only two street trees. Ms. Ricehill recommends approval of this variance request.

The second variance is from a requirement to provide a landscape island for each 8 parking spaces. There is a substantial landscape buffer included within the parking lot. The center landscape island provides a buffer. Parking spaces border the landscaped areas. Plantings provided exceed the code requirements and reduce visual impact. She supports this variance request. She noted that the center island also acts as a storm water filtration system.

The third variance is to allow 17% instead of 20% landscaping. The applicant proposed to grant a temporary easement to an adjacent business, National Transmission. It is about 812 square feet and precludes the ability to have a landscape border along the west property line. She supports the variance for that reason.

The zoning variance is a light trespass issue on the eastern boundary of the property. The property borders a residential lighting district. When there is a conflict with code provisions, the more restrictive standard applies. Valley View proposes to use the same style of light fixture used in the adjacent parking lots. Ms. Ricehill said that in 2013 she missed applying this part of the code so she identified herself as part of the hardship. The photo-metric plan does not take into consideration the effect of trees in the area. Mature evergreen trees will help shield lighting. There are no residential uses east of the parking lot. She supports the variance request.

Ms. Ricehill said there was a letter in the packet from the neighboring property owner, National Transmission, objecting to this project. They were claiming adverse possession of a portion of the west property line. She was notified today that the neighboring property owner has withdrawn the objection and the issue has been resolved between the property owners and she was advised the resolution does not cause any change to the plans.

Questions of staff

Commissioner Malloy commented that it would be great if we could improve the width of the sidewalk along this stretch of road. He wondered what they could do to try and improve this street for the pedestrians. The only thing he thought of was to narrow the travel lanes enough to add about 3 feet of landscaping between the sidewalk and the road. He asked if this was the main route for ambulances going to the hospital.

Ms. Ricehill replied that she thought 19th Street was the ambulance route. She said she would let the applicant respond about the route.

Commissioner Malloy says that often new development creates a conflict of joining sidewalks consistently. Short of the liquor store building going away, there is not much we can do to improve the pedestrian experience.

Ms. Ricehill said that she had looked for a solution for having a sidewalk. She said that the City departments need to figure out how to address substandard streets throughout the City. We have them in this area, we have them in West Glenwood and South Grand. Many of the street that were annexed from the County have this problem. Engineering is working on consistent standards for the City and hopefully this will be solved in the future.

Commissioner Malloy asked about an easement requested by the Engineering Department if one of these lots had a different use, access would continue to be accommodated. He said he did not see anything in the staff report addressing this.

Ms. Ricehill replied that she thought this was an option for the hospital to do this at this time. They can always come back and grant themselves a cross access agreement to deal with the separation.

Commissioner Malloy commented that this could be considered a temporary use and as a temporary use, it would not be a good idea to have a permanent easement crossing the parcel as it might create a problem in the future.

Ms. Ricehill agreed with his comments.

Commissioner Schachter asked if all the conditions were part of the application and would they be considered binding in the final conditions in terms of the minimum 5 foot planting strip. Is that actually stated regarding the irrigation and landscape strip that is part of the center. Would that be part of the actual conditions?

Ms. Ricehill said they would be part of the minor development approval. If there are changes in the width of the planting strip, it may have to come back to the Commission. They are part of the approval.

Commissioner Grosscup asked about the center planting strip replacing landscape islands that are normally required.

Ms. Ricehill said that in her opinion the center strip did more for the entire lot than two landscaped islands. She pointed out what was being removed from the 19th Street lot.

Commissioner Dunn asked about the light trespass unit of measure.

Ms. Ricehill said is it hard to see. She backed up to point out the terminus islands and a drive-through where parking spaces were being added. The two terminus islands were being removed.

Commissioner Blair asked for clarification of the parking spaces being added to the prior lot. We are adding more parking than stated in the staff report.

Ms. Ricehill said the 52 spaces were in the 20th Street lot. The landscape islands would become parking spaces.

Chairman Dehm asked if he correctly understood that a parking lot was considered a temporary use.

Ms. Ricehill said that surface parking lots from a planning perspective are usually considered a temporary use.

Chairman Dehm asked if Valley View had made any comments about the parking structure that was approved in past.

Ms. Ricehill said it was still approved but there had been no indication they were going forward with construction. Based on the City's experience with its own parking garage, it will be very expensive.

Chairman Dehm asked if the new parking was intended for employees.

Ms. Ricehill confirmed that it was. She said that both the 19th Street lot and the 20th Street lot were for Valley View Hospital employee parking.

Questions of Applicant

Chad Kruse, 1906 Blake Avenue, said that he is the Director of Facilities at Valley View Hospital.

Commissioner Blair asked if they have plans for future parking. Is there a master plan for parking?

Mr. Kruse said they are working on a long range plan. The former structure plan was scrapped because of the impact on existing parking. We are looking for a more cost-effective solution. The previous solution would have caused a logistical interruption for business during the construction of the facility. It would have disrupted over 100 parking stalls during construction. It became impractical to try to do business and construct the parking structure. The cost of the structure was also a problem. He said they are actively working on a new solution.

Commissioner Blair commented that the master plan for parking should be shared with the City when it was completed.

Commissioner Grosscup asked if it was staff parking.

Mr. Kruse said it would shift employee parking to the new lot, hopefully leaving more spaces for patients closer to the hospital.

Commissioner Grosscup commented that the traffic on 20th Street would increase substantially due to the traffic light at that intersection.

Commissioner Wussow said she did not see handicapped spaces.

Ms. Ricehill said they were not required.

7:17 p.m. The Chair opened the hearing to public comment. No one wished to comment.

MOTION: Action 1: Consideration of a design variance from the requirement to construct an 8-foot wide sidewalk, and a 5-foot wide planting strip with street trees.

(Municipal Code 070.030.080 & 070.150.080). **Commissioner Malloy moved for approval with findings on page 14. Commissioner Dunn seconded the motion.**

Commissioner Blair was concerned about width of sidewalk and planting strip. He wanted the wider sidewalk with a planting strip or 5 foot sidewalk with a 3 foot planting strip adjacent to the curb.

Commissioner Dunn disagreed with Commissioner Blair. He pointed out the varied sidewalk widths along the street. Eight feet will not help this issue.

Commissioner Wussow thought that as a temporary structure the parking lot will help the professional buildings. She suggested a crosswalk to the other side of the street.

Commissioner Malloy commented that because of the odd and narrow right-of-way at the liquor store, an 8-foot sidewalk would encroach onto the private property. He favored a strip adjacent to the street as a buffer between traffic and sidewalk.

Commissioner Blair commented further about obtaining an easement for this purpose.

Chairman Dehm asked who owned Mountain Valley Health building.

Mr. Kruse said Glenwood Medical Associates owns the building.

Chairman Dehm said he was okay with the 5 foot sidewalk. When it is redeveloped, we can address it then.

The Chair called for the question. The motion carried unanimously.

MOTION: Action 2: Consideration of a design variance from the requirement to provide landscaped islands within parking blocks at a rate of one (1) island per eight (8) parking spaces. No row, block or grouping of parking spaces can extend more than eight (8) cars without providing a landscaped island. (Municipal Code 070.150.080) Commissioner Malloy moved for approval with findings on pages 14-15. Commissioner Dunn seconded the motion.

The Chair called for the question. The motion carried unanimously.

MOTION: Action 3: Consideration of a design variance from the requirement that a minimum of 20% of the development parcel shall consist of landscaped areas. (Municipal Code 070.150.080) Commissioner Malloy moved for approval with findings on pages 15. Commissioner Dunn seconded the motion.

The Chair called for the question. The motion carried unanimously.

MOTION: Action 4: Consideration of a zoning variance to exceed the maximum light trespass levels along the east property line. (Municipal Code 070.140.050(c). Commissioner Malloy moved for approval with findings on page 15. Commissioner Dunn seconded the motion.

The Chair called for the question. The motion carried unanimously.

MOTION: Action 5: Approve a Special Use Permit to allow construction of a 52 space parking lot. Commissioner Malloy moved to approve the SUP with findings on page 16 and condition 1 on page 16. Commissioner Dunn seconded the motion.

Commissioner Schachter would encourage applicant to have employees access from 20th Street and minimize access from residential areas.

Commissioner Blair was concerned about approving another paved parking lot in a mixed use area. Buildings are being removed and replaced with just pavement. He wanted the hospital to develop a master plan for parking. He said that he wants another condition added but he hasn't formulated it yet.

Commissioner Dehm thought the minor development permit was a better place for a condition.

The Chairman called for the question. The motion carried as follows:

AYES: Commissioners Wussow, Dunn, Dehm, Grosscup, Malloy and Schachter.

NOES: Commissioner Blair

MOTION: Action 6: Consideration of a minor development permit for the construction of a surface parking lot at 325 20th Street. Commissioner Malloy moved for approval with findings on page 16 and 17 and recommended conditions 1 through 7 on page 17. Commissioner Schachter seconded the motion.

Commissioner Schachter said that he understands Commissioner Blair's concerns but the master plan from the hospital should come before any additional parking lots are proposed.

Commissioner Blair said he thinks we should move forward with this condition because of the character of the neighborhood.

Commissioner Malloy said it might be something to discuss. He thought it might be more appropriate to do this in the future. He offered some language for a potential condition for discussion only. As part of any future application, the applicant may submit to the City for future development or expansion, the application will provide a master parking plan for all parking associated with the long term vision of the hospital.

Commissioner Dehm asked if it included surface lots.

Commissioner Malloy replied that it includes all parking. It would include any expansion or addition to the hospital.

Commissioner Dunn agreed with Commissioner Blair but did not feel this is the time to require a master plan for this parking. He thought there would be an opportunity in the future to require the master plan for parking. He felt this would be a positive change on the street.

Commissioner Malloy said he suggested it for the next application, not for now.

Commissioner Grosscup thought that more planning and larger vision were needed. Adding more conditions would not accomplish anything. We are now looking at the bigger picture. She thought that the applicant has heard us and she does not favor a change to the conditions now.

Commissioner Blair asked if Commissioner Malloy was amending the motion.

Commission Malloy replied that he was simply providing an example for discussion.

Jon Hoistad said to add now would be ineffective as their next application would be for a use by right. They have expressed that they have a master parking plan in the works. This might be a moot point. The applicant did not provide a timeline but they are getting the idea that they need to address parking in more than piecemeal additional parking lots as they are doing now. As far as making it a condition to this application, we will not be able to roll back this parking lot. Their next application may have absolutely nothing to do with this potentially. He said they could try to impose a condition now but it will not fly legally.

Commissioner Blair had further comments. We do not know when the master plan might be submitted. We need more time and information to incorporate the details into the motion.

Commissioner Schachter commented for clarification that a condition for a parking master plan could be imposed on any future application.

Mr. Hoistad agreed as long as it was an application for a special use permit.

Commissioner Wussow thought we might be taking it too far. Can we put a memo in the file for the future?

Commissioner Dunn commented that he was pretty sure we did that with this discussion.

Commissioner Blair said that he still thought this kind of discussion should have taken place before a motion was made.

Chairman Dehm said he is not a proponent of parking lots but he will vote for it as the use is temporary. He said he listened to the garage proposal and thought it was great and then it went away. Use by right he understands. We need to have a clear vision of where you are going, not just continuing to buy property, tear down buildings and add another surface parking lot.

Commissioner Malloy agreed with Chairman Dehm and thought this was a lost opportunity when a business is removed and replaced with a parking lot. He had some proposed language that he thought might work.

Mr. Hoistad said there are projects that are not parking related so this type of motion would be a hindrance as it revolved around surface parking lots specifically.

Commissioner Grosscup valued the harmony on the Commission but she is not comfortable adding such a condition. She does not want to put in something where we could revoke a special use permit.

Mr. Hoistad said the problem is that you are trying to add a condition to this particular application that will apply to future projects, not this one, and that creates an unworkable situation.

Commissioner Dunn by adding any condition to this application that would be tied to some sort of future application we are creating a situation where the applicant is not capable of satisfying the conditions because we have no idea of what is going to happen in the future, so who knows. How could they satisfy a condition that requires a master plan at some point in the future so essentially this parking lot would be on hold indefinitely?

Commissioner Malloy said this approval is granted and subject to the condition that at some future date, when they come in with an application for some future improvement. . . .

All speaking at once. Chairman Dehm reminded the Commissioners to speak one at a time.

Commissioner Dunn thought by having this discussion we have accomplished what the intent is for any sort of amendment anyway.

Commissioner Schachter said this is something that is in their planning process. We are approving this parking lot with the conditions stated, and if we add another condition having nothing to do with the construction of the parking lot, nor can it be reversed. It is just stating that while this Commission is in force and in agreement, that future proposals may or may not be approved, one of the conditions of future applications is for the applicant to have a master parking plan in front of us. It doesn't affect this approval; it is the will of this Commission for the benefit of Glenwood, saying this is something that needs to be done in the future before another application comes before us. That is my understanding.

Commissioner Grosscup does not see enforceability. We should have this discussion with their next application.

Commissioner Dehm said the proposal was too inclusive. We could tone it down to something that would generate parking. At that point, whatever they want to do with the hospital, as long as there is no parking involved, come on in. If they want another parking lot or whatever, I want to know what the long range plan and vision are.

Chairman Dehm asked Mr. Kruse to address this issue.

Mr. Kruse said that we fully understand that we do need a long term plan. We are trying in the short term to finish the 19th Street lot. We will probably have to make a proposal for more interim parking to move into a solution. We want to get this parking lot so we can use it this winter. If we come back for additional development, we would be foolhardy to show up without a master plan. He said that he will take it back to Valley View that this point has been reached.

Commissioner Malloy asked if they would object to a condition worded as a request to bring a master plan for parking with their next application.

Mr. Kruse said he would like to confirm that any new application would require that they first finish their master parking plan.

Chairman Dehm said any new application involving parking would require this.

Mr. Kruse that if we come in with a development plan that has anything to do with additional parking then we would show a master parking plan. He said his caution is that at some point we do not know what every future development is going to entail. I understand clearly that the hospital needs the plan for additional development of any kind. I am certain that this discussion will transpire again. We are aware of that. I will take that back to Valley View's leadership and let them know that we have reached the crossroads. He said he understands the point they are making.

Chairman Dehm thanked him for showing that he is willing to do that, but there is no guarantee that you will do that. Just because you said it, and it is not written

Mr. Kruse said that if we come back down here and you are not satisfied with the information we are providing, very likely you will decline and

Commissioner Malloy said that his reason for asking that question is because I understand the predicament that the applicant's representative is in, and I think that although our dialogue here will be on the record and his statement will be on the record, a condition is better. Especially if the condition is stated in the form of a request. We are not tying it to this approval; we are simply requesting that when they come back in the future for an application that involves any change to parking or any use that would require additional parking that they would provide a master parking plan at that time.

Commissioner Wussow said he has covered it.

Commissioner Dunn commented that this will be setting a very weird precedent. Our job is to look at an application and approve or disapprove the application on its own merits without tying it into any potential future application. The only way to accomplish this with this application would be to make it a condition of this action. He said he would be comfortable that Valley View is now aware that they need a master parking plan in hand.

Chairman Dehm said that he could see that a future development may not even be heard or may be denied due to the lack of a master plan. But that depends on the Commission – who is on it, who is not.

Commissioner Grosscup pointed out that he would be around and he would remember.

Mr. Hoistad said we have heard what the applicant had to say. He said it on the record. We all know that representations on the record become a part of the application. Because the condition you are considering necessarily involved special use review, something that you will have discretion over, regardless. You all will remember this conversation; it will become a part of that next conversation whether or not there is a condition specifically attached in this way or not.

Chairman Dehm said this does give us another level of control for the next go-around.

Commissioner Malloy reminded the Commissioners that the motion on the table does not include a modification.

Chairman Dehm called for the question. The motion carried unanimously.

6. Comments from the Commissioners

Ms. Ricehill introduced Jennifer Ooton, the new Assistant to the City Manager.

Commissioner Schachter said he will not be here for the November meeting.

Ms. Ricehill said the meeting would be on November 17. The December meeting would also be early.

Commissioner Malloy is still waiting for the next module of the development code rewrite.

Ms. Ricehill said that she will review the staff draft of Module 2 which will arrive later this week. She will submit the technical review to Clarion and they will return a draft shortly thereafter.

Commissioner Grosscup said that CHFA (Colorado Housing and Finance Authority) has awarded a project in Basalt along Emma Road. There will be 56 multi-family units there called Roaring Fork Apartments. New Castle will do 50 units of senior housing. The application for Cardiff Glen did not get approval.

Commissioner Blair was glad that we will be looking at sidewalk problems around the City. He was impressed and appreciative about the parking lots disturbing neighborhood areas. It was worth it to have this discussion. He said that he still wants to have discussion before the motion is made.

Commissioner Wussow pointed out that we call parking lots "temporary" and they just never go away. She said the parcel was purchased for \$800,000 and then there were demo costs plus the paving cost to develop the parking lot. When you look at all those costs, developing a parking garage seems more feasible.

Mr. Hoistad commented on the effect of this discussion on the hospital representative. He left here knowing that Valley View better figure out what they are going to do. At the very least you will have a date by which you will be seeing something.

Commissioner Dunn thanked the commission for supporting Community on the Move. Will we have a new Community Development Director soon?

Ms. Ricehill replied that they interviewed seven applicants last week; the City Manager selected a few to come back for interviews with department heads. She didn't know if that has been scheduled yet.

Commissioner Dunn praised staff for doing such a good job with limited help and without a Director. He thanked Gretchen.

There was a comment that our former Director was observed reading labels on food cans at the grocery store. [laughter]

Commissioner Schachter asked if anyone wanted to be on the Imagine Glenwood mailing list. He said he would be using that forum for a big push for the A&I Tax.

Commissioner Dunn replied to Commissioner Grosscup's earlier question about using A&I funds for land purchase. It most certainly can be used for purchase.

Ms. Ricehill said there is a rough draft plan for Sixth Street. She will mail the draft plan to the Commissioners. She said that the question of the park had not been answered. Once the plan is ready, the group will come before the Commission.

Chairman Dehm suggested a workshop with the City Council.

Ms. Ricehill thought that would be great.

7. Adjournment.at 8:25 p.m.