



**CITY OF MANITOU SPRINGS  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
JANUARY 9, 2019**



**I. CALL TO ORDER and ELECTION OF OFFICERS**

A Regular meeting of the Manitou Springs Planning Commission was held in Council Chambers @ 606 Manitou Avenue. Chairman Delwiche called the meeting to order at 6:01 pm and declared a quorum present. The following Commission members attended:

**PRESENT:** Chair ALAN DELWICHE  
Vice Chair JEANNE VROBEL  
Commissioner MIKE CASEY  
Commissioner JULIA SIMMONS  
Commissioner JULIE WOLFE  
Commissioner WHITNEY LEWIS

**ABSENT:** None

**STAFF:** Kimberly Johnson, Planning Director  
Michelle Anthony, Senior Planner  
Dylan Becker, Planner I

**GUESTS:** Robert Todd, City Council Liaison

**ITEM 1. Nominations and Election of Chair**

**MOTION:**

Vice Chair Vrobel moved to elect Commissioner Alan Delwiche to serve as the 2019 Chair of the City Planning Commission.

**SECOND:**

Commissioner Wolfe seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 6-0.

**ITEM 2. Nominations and Election of Vice Chair**

**MOTION:**

Commissioner Wolfe moved to elect Commissioner Jeanne Vrobel to serve as the 2019 Vice Chair of the City Planning Commission.

**SECOND:**

Chairman Delwiche seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 6-0.

**II. APPROVAL OF MINUTES**

**ITEM 3.** December 14, 2018

**MOTION:**

Commissioner Wolfe moved to approve the December 14, 2018 Regular Meeting Minutes of the City Planning Commission, as presented.

**SECOND:**

Commissioner Simmons seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 4-0. Vice Chair Vrobel and Commissioner Casey abstained as they were not present for the December 14, 2018 Regular Meeting of the City Planning Commission.

**III. NOTICE OF COUNCIL ACTION**

**ITEM 4. SW 1801** – Subdivision Waiver (Encroachment into No-Build Area) – 2 Keithley Place – Jerry Peterson, Architectural Concepts, on behalf of Elizabeth Crawford, Owner. After several postponements, on December 18 the City Council remanded the request back to the Planning Commission for review of the GeoHazards information. Staff anticipates the request will be on the February or March agenda.

**ITEM 5. ORDINANCE 2318** – Amendments to the Zoning Code Pertaining to Definitions of Dwelling Unit, Kitchens, and Occupancy of a Dwelling Unit. At its December 11 Worksession, Council discussed the process for approval of code revisions and determined this required more robust public engagement. The Planning Director was asked to look at any minor, technical amendments in the proposed revision that could go forward and is working with the Culture of Engagement Work Group to create a public engagement plan for the elements of the proposed code that need more public input. This information will be presented to the Council at the January 22 meeting for their acceptance. Staff anticipates it may take several months before all the elements of this Ordinance is before Council for formal consideration.

**ITEM 6. ORDINANCE 2418** – Amendments to the Zoning Code Pertaining to Short-Term Rental Regulations. See above for status of this ordinance.

**ITEM 7. ORDINANCE 2518** – Rezone (General Residential to Open Space) – 18 Manitou Terrace – City of Manitou Springs, Applicant. Second Reading was approved at the December 18, 2018, City Council Meeting.

*At this time, Chairman Delwiche reviewed the meeting procedures for those present in the audience and asked if any Commissioner had Ex Parte Contacts or Conflicts of Interest to declare. Hearing none, the meeting continued.*

**IV. UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

**V. NEW BUSINESS****ITEM 8. V 1903 - Variance (Side Setback – 1 ft. 11 in.) – 8 Crystal Park Place – Justin Armour, Applicant**

Michelle Anthony, Senior Planner, presented the Staff Report dated January 2, 2019.

Commissioner Wolfe inquired if Plan Manitou was the City document which advocated for the reduction of impervious surfaces while the Code required impervious surfaces to be installed in regard to driveways. Ms. Anthony responded Plan Manitou, in general, discussed the reduction of impervious surfaces for drainage and run off purposes, but the City had not yet adopted a Code which conformed to the master plan. Ms. Anthony stated there were a number of things in which a property owner may do which were not driveway related regarding the reduction of impervious surfaces.

Commissioner Wolfe inquired if the driveway in this request was to be paved with an impervious surface. Ms. Anthony responded the driveway was to be repaved and regraded and was currently paved with an impervious surface.

Ms. Anthony commented the issue with not requiring driveways to be paved was the loose gravel and sediments, which were erosive materials, were transported onto the roadways causing problems regarding water quality, air quality, and roadway conditions. Ms. Anthony stated the City needed to work on finding a balance between what was called for in Plan Manitou regarding impervious surfaces and the potential issues which may arise as a result.

Hearing no further questions for Staff, Chairman Delwiche invited the Applicant to the podium.

Justin Armour, 8 Crystal Park Place, thanked Staff for their efforts on his behalf and stated, as shown in the aerial image of the property, the existing garage was roughly one and a half feet (1.5 ft.) from the side property line and was not sure when or how that had occurred considering the setback requirements.

Mr. Armour stated the need for the proposed carport was not only for parking purposes but to help alleviate a drainage issue on the property in which there was a three and a half foot (3.5 ft.) gully running down the side of the house. Mr. Armour stated the proposed carport roof was sloped in just such a way as to direct run off more effectively than the existing situation and would help alleviate and mitigate some of the drainage issues caused by run off on the property.

Mr. Armour stated he had been in contact with Public Services and his adjacent neighbor about filling in the gully with pavement once the carport was installed due to the drainage issues which had arisen due to the heavy precipitation events of the preceding years to help mitigate some of the problems.

Mr. Armour further stated the desire for the carport was also born out of a desire to get his family's vehicles off of the street, the proposed structure would be aesthetically pleasing, and the structure would also fit in to the character of the neighborhood.

Commissioner Casey inquired if the lower side of the carport roof would have a gutter. Mr. Armour responded the lower side of the carport roof would have a gutter system which directed the run-off down the driveway. Mr. Armour stated he felt the new structure, gutters, repaving, and regrading would alleviate the run-off situation which impacted his neighbor at 4 Crystal Park Place.

Commissioner Wolfe inquire how many vehicles would be able to park inside the proposed carport. Mr. Armour responded only two (2) vehicles would be able to fit under the proposed carport.

Commissioner Wolfe inquired how many vehicles fit under the existing carport on the property. Mr. Armour responded the existing carport fit about one and a half (1.5) vehicles.

Hearing no further comment from, or questions for, the Applicant, Chairman Delwiche opened the Public Hearing for public comment. Hearing none, the meeting continued.

**MOTION:**

Vice Chair Vrobel moved to approve V 1903 for a Side Setback Variance of one foot, eleven inches (1'11") where ten feet (10') is required in order to construct a carport with the following conditions:

1. The Applicant shall provide verification the proposed setback is accurate based on survey documentation.
2. The variance is applicable only to construction of the carport shown on the site plan/drawing submitted by DDD Services included with the Staff Report, or as amended based on survey documentation. Any alteration to dimensions of the structure, or in setback, shall require further approval from the Planning Commission.

And the following findings:

1. That the representations in the application are valid and the application has met the criteria established in Section 18.32.010 of the Zoning Code;
2. That the reasons set forth in the application and Staff's evaluation in regard to the side setback justifies the granting of the variance and the variance allowed is the minimum that will make possible the reasonable use of the land;
3. That the granting of the variance will be consistent with the general purpose and intent of the Zoning regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**SECOND:**

Commissioner Wolfe seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 6-0.

**VI. OTHER BUSINESS**

There was no Other Business to discuss.

**VII. ADJOURNMENT**

Hearing no further business before the Commission, Chairman Delwiche adjourned the meeting at 6:32 pm.