



**CITY OF MANITOU SPRINGS  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 14, 2019**



**I. CALL TO ORDER**

A Regular meeting of the Manitou Springs Planning Commission was held in Council Chambers at 606 Manitou Avenue. Chairman Delwiche called the meeting to order at 6:05 pm and declared a quorum present. The following Commission members attended:

<b>PRESENT:</b>	Chair ALAN DELWICHE Vice Chair JEANNE VROBEL Commissioner MIKE CASEY Commissioner WHITNEY LEWIS Commissioner JULIE WOLFE Commissioner JULIA SIMMONS Alternate Commissioner KATHLEEN KLEPFER
<b>ABSENT:</b>	Commissioner BRYANT “TIP” RAGAN (excused)
<b>STAFF:</b>	Kimberly Johnson, Planning Director Michelle Anthony, Senior Planner Dylan Becker, Planner I
<b>GUESTS:</b>	None

**II. APPROVAL OF MINUTES**

**ITEM 1.** July 10, 2019

**MOTION:**

Commissioner Casey moved to approve the July 10, 2019 Regular Meeting Minutes of the City Planning Commission, as presented.

**SECOND:**

Chairman Delwiche seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 2-0. Vice Chair Vrobel abstained as she had not reviewed the Meeting Minutes for the July 10, 2019 Regular Meeting of the Planning Commission. Commissioner Lewis, Commissioner Wolfe, Commissioner Simmons, and Alternate Commission Klepfer abstained as they were not present for the July 10, 2019 Regular Meeting of the City Planning Commission.

**III. NOTICE OF COUNCIL ACTION**

**ITEM 2. ORD 1019/RE 1901** – Rezone (Commercial to General Residential) – 17 Mayfair Avenue – Joshua and Aaron Smit on behalf of Owners Richard and Sharon Smit, Applicants. City Council approved

First Reading of the Rezoning Ordinance as recommended on July 2, 2019. City Council approved Second Reading of the Rezoning Ordinance as recommended on July 16, 2019.

*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**

**ITEM 3. MNS 1801** – Minor Subdivision (Replat) – 708 Manitou Avenue – Kyle Fenner for the Manitou Springs Metropolitan District **POSTPONEMENT TO SEPTEMBER MEETING REQUESTED**

Michelle Anthony, Senior Planner, presented the Staff Memorandum dated August 9, 2019. Ms. Anthony stated the Metropolitan District Board had recently underwent some changes and the Board was currently considering some changes which may impact the replat.

#### **MOTION:**

Vice Chair Vrobel moved to postpone MNS 1801 for a Minor Subdivision at 708 Manitou Avenue to the September 11, 2019 Regular Meeting of the City Planning Commission.

#### **SECOND:**

Commissioner Wolfe seconded the motion.

#### **DISCUSSION:**

There was no discussion regarding the motion.

#### **VOTE:**

Motion passed, 7-0.

**ITEM 4. MiCUP 1903** – Minor Conditional Use Permit (Amendment of MiCUP 9004) – 10 Otoe Place – Christopher Dwyer, Applicant **POSTPONEMENT TO NOVEMBER MEETING REQUESTED**

Michelle Anthony, Senior Planner, presented the Staff Memorandum dated August 9, 2019. Ms. Anthony stated the Applicant was working with the Pikes Peak Regional Building Department to obtain the correct occupancy classification and ensure the unit had been constructed to meet the requirements of the Code. Ms. Anthony stated due to this, the Applicant was requesting postponement until the November meeting.

#### **MOTION:**

Vice Chair Vrobel moved to postpone MiCUP 1903 for a Minor Conditional Use Permit at 10 Otoe Place to the November 13, 2019 Regular Meeting of the City Planning Commission.

#### **SECOND:**

Commissioner Wolfe seconded the motion.

#### **DISCUSSION:**

There was no discussion regarding the motion.

#### **VOTE:**

Motion passed, 7-0.

**ITEM 5. V 1908** – Variance (Side Yard Setback) – 208 Beckers Lane – Tammy Skufca, Applicant

Michelle Anthony, Senior Planner, presented the Staff Report dated August 9, 2019.

Commissioner Wolfe inquired what the opposition letter to this request stated. Ms. Anthony responded the opposition letter was included in the attachments to the Staff Report regarding this request, but it essentially stated an opposition to Variance requests in general and was not necessarily specific to this request or property. Chairman Delwiche commented the letter stated an opposition to any variances as they felt it undermined property values, but he personally felt the addition of the garage would actually increase property values.

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

Tammy Skufca, 208 Beckers Lane, stated she was amenable to the recommendations made in the Staff Report and commented she had met with a consultant regarding drainage of the proposed garage and grading. Ms. Skufca stated the plan was to cut a drainage into the driveway which would ensure any water and runoff did not flow onto the adjacent neighbor's property.

Commissioner Casey stated he wanted to note the zip code was incorrect for this property on the site plan. Ms. Skufca thanked Commissioner Casey for noticing this.

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

**MOTION:**

Commissioner Wolfe moved to approve V 1908 for a Side Yard Setback Variance to allow a setback of six inches (6") where ten feet (10') is required in order to construct a garage at 208 Beckers Lane with the following conditions:

1. The variance is applicable only to construction of the garage as depicted in the application materials submitted for this request. No increase in the dimensions of the structure are allowed under this variance approval.

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 City's Zoning regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**SECOND:**

Commissioner Simmons seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 7-0.

**V. NEW BUSINESS**

**ITEM 6. RE 1902** – Rezone (Commercial to General Residential – Preliminary Hearing) – 415 El Paso Boulevard – Thomas J. Lundgren, Applicant

Michelle Anthony, Senior Planner, presented the Staff Report dated August 9, 2019.

Chairman Delwiche commented he believed when the zoning was done in the seventies, there was difficulty in distinguishing between north and south because there were at least three (3) properties which were clearly residential, and had been at the time of this zoning designation was placed on the properties, but had been designated as Commercial. Chairman Delwiche commented on the other side of the street there were at least this many properties which had had a commercial use for many years which were zoned residential and it seemed to him this was likely what had occurred in 1975. Ms. Anthony responded she was not certain what had occurred, but the El Paso County Assessor's Office, when assessing the properties for tax purposes, did so based on the long standing use of the property which meant even though these properties were zoned for commercial use, they were taxed at the residential rates.

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

Thomas Lundgren, 415 El Paso Boulevard, stated he had no comment.

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

**MOTION:**

Commissioner Wolfe moved to set the Public Hearing regarding RE 1902 to Rezone 415 El Paso Boulevard for the September 11, 2019 Regular Meeting of the City Planning Commission.

**SECOND:**

Vice Chair Vrobel seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 7-0.

**VI. OTHER BUSINESS**

There was no Other Business to discuss.

**NON-AGENDA ITEMS FOR DISCUSSION:**

Commissioner Casey inquired if there were any other applications which required a Preliminary Meeting or Hearing. Ms. Anthony responded there were other applications or processes which required Preliminary Meetings or Hearing, but she did not know which ones off the top of her head.

**VII. ADJOURNMENT**

Hearing no further business before the Commission, Chairman Delwiche adjourned the meeting at 6:28 pm.

*Minutes Prepared by Dylan Becker, Planner I*