



**CITY OF MANITOU SPRINGS
PLANNING COMMISSION
REGULAR MEETING MINUTES
Wednesday, JUNE 12 2019, 6:00 pm**



I. CALL TO ORDER

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 6:02 pm and declared a quorum present. The following Commission members attended:

- PRESENT:** Chair ALAN DELWICHE
Vice Chair JEANNE VROBEL
Commissioner JULIA SIMMONS
Commissioner WHITNEY LEWIS
- ABSENT:** Commissioner MIKE CASEY (excused)
Commissioner JULIE WOLFE (excused)
Commissioner BRYANT “TIP” RAGAN (excused)
- STAFF:** Kimberly Johnson, Planning Director (6:49 pm)
Michelle Anthony, Senior Planner
Dylan Becker, Planner I
- GUESTS:** David Chorpenning, Community Engagement and Governance Workgroup
Coreen Toll, Housing Advisory Board

II. APPROVAL OF MINUTES

ITEM 1. May 8, 2019

MOTION:

Vice Chair Vrobel moved to approve the May 8, 2019 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, 3-0. Commissioner Lewis abstained as she was not present for the May 8, 2019 Regular Meeting of the City Planning Commission.

III. NOTICE OF COUNCIL ACTION

ITEM 2. Ordinances Repealing and Reenacting Title 16 (Subdivision) and Title 18 (Zoning) of the City of Manitou Springs Municipal Code to Implement Hazard Mitigation Provisions. At First Reading on June 4, City Council approved both ordinances, 6-0. Second Reading was scheduled for June 18, 2019.

ITEM 3. Ordinance Amending the City's Medical and Recreational Marijuana Regulations. City Council considered and approved the code amendments to only allow medical and recreational marijuana in the same facility, thereby having a maximum of two facilities at First Reading on May 21. The regulations were approved at Second Reading held on June 4.

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 4. MNS 1801 – Minor Subdivision (Replat) – 708 Manitou Avenue – Kyle Fenner on behalf of the City of Manitou Springs Metropolitan District **POSTPONEMENT TO JULY 10 REQUESTED**

Michelle Anthony, Senior Planner, presented the Staff Memorandum dated June 6, 2019. Ms. Anthony stated the Applicants were requesting postponement until the July 10, 2019 Regular Meeting of the City Planning Commission in order to work out the finishing details of the final plat which will be presented to the Commission.

Ms. Anthony stated she had just received the final plat from the Applicant, but it required review before it was presented to the Commission at the next meeting.

MOTION:

Vice Chair Vrobel moved to postpone MNS 1801 for a Minor Subdivision to replat 708 Manitou Avenue to the July 10, 2019 Regular Meeting of the City Planning Commission.

SECOND:

Commissioner Lewis seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 4-0.

ITEM 5. RE 1901 – Rezone (Commercial to General Residential – Public Hearing) – 17 Mayfair Avenue – Joshua and Aaron Smit on behalf of Richard and Sharon Smit, Owners

Michelle Anthony, Senior Planner, presented the Staff Report dated June 3, 2019.

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

Aaron Smit, 17 Mayfair Avenue, stated he was amenable to the statements and conditions made in the Staff Report.

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

MOTION:

Vice Chair Vrobel moved to forward a recommendation for approval to City Council of RE 1901 for the Rezoning 17 Mayfair Avenue from Commercial to General Residential with the following findings:

- A. The request complies with the purpose and intent of Plan Manitou;
- B. The request complies with all applicable statutory provisions and the request is justified based on sound Zoning practice;
- C. The character of the property, and much of the immediate, surrounding area, is residential, with long-standing, single-family and townhome development on Mayfair Avenue and El Paso Boulevard;
- D. The subject site is developed and has existing utilities and access to the maintained public street; the rezoning will have no adverse impact on the provision of public facilities and services;
- E. The proposed rezoning is compatible with the surrounding land uses;
- F. The subject land is suitable for the intended, residential use.

And the following condition(s):

- 1. Prior to the Planning Commissioner recommendation and the Rezoning Ordinance being considered by the City Council, the Applicant's surveyor will confirm the accuracy of the current legal description of the property and provide any corrections to the Planning Department. A rezoning graphic of the property shall also be provided to accompany the Rezoning Ordinance. This information is necessary no later than Friday, June 21, 2019, in order for the request to be heard at the July 2, 2019 City Council Meeting.

SECOND:

Commissioner Lewis seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 4-0.

V. NEW BUSINESS

ITEM 6. MiCUP 1903 – Minor Conditional Use Permit (Amendment of MiCUP 9004) – 10 Otoe Place – Christopher Dwyer, Applicant

Michelle Anthony, Senior Planner, stated the Applicant was requesting postponement to the August 14, 2019 Regular Meeting of the Planning Commission due to complications they had run into with the Pikes Peak Regional Building Department.

MOTION:

Vice Chair Vrobel moved to postpone MiCUP 1903 for a Minor Conditional Use Permit at 10 Otoe Place to the August 14, 2019 Regular Meeting of the City Planning Commission.

SECOND:

Commissioner Lewis seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 4-0.

ITEM 7. SP 1907 – Planned Sign Program (Billboard Sign) – 301 Manitou Avenue – Robert Hefner, Applicant.

MOTION:

Vice Chair Vrobel moved to approve SP 1907 for a Planned Sign Program at 301 Manitou Avenue with the following conditions:

1. If use of a portion of the sign is for the on-premise business, that sign area may be ½ of the total sign face (70 square feet), which is not more than three signs and 150 square feet in total sign area.
2. If use of a portion of the is for an off-premise business, the sign area for such business shall be no more than 32 square feet in size and the remainder of the sign area shall be used as an official sign.
3. The sign faces shall be identical on each side of the freestanding sign.
4. If an off-premise sign is proposed on a portion of the existing sign face(s), then use of the existing roof sign rather than a freestanding signs is approved.
5. The use of the existing sign structure, which does not meet the restriction on square footage above the highest point of the building's roof for a Roof Sign, is approved.
6. The sign structure may not move and must be anchored to a static position.
7. Lighting of the sign is allowed and shall meet the Sign Code provisions if lighting is provided.

Vice Chair Vrobel further offered the following findings:

1. For this specific application, splitting the area of the sign faces between two entities provides for conformance to the overall square footage restriction of a single sign not exceeding 100sf.
2. Any portion of the sign dedicated to use by the Chamber of Commerce shall be deemed as an Official Sign. As such, the Off-Premise Sign restriction in regard to sign size is not applicable to this area.
3. The proposed sign is constructed in a quality manner and of durable, quality materials.
4. The value and qualities of the neighborhood are not substantially impacted by the use of the proposed sign as approved.
5. The planned sign program application is compatible with the applicable qualities and character of the community in regard to scenic views, utility concealment, illumination and posting of street number.
6. The proposed planned sign program is compatible in function, scale and design with surrounding land uses.

7. The proposed sign will not create a visual distraction or traffic or safety hazards under the conditions of approval.

SECOND:

Commissioner Simmons seconded the motion.

DISCUSSION:

Commissioner Lewis asked if more than two entities could be featured on the sign and stated she did not feel the approval should be for more than two. After discussion, Vice Chair Vrobel and Commissioner Simmons agreed the motion should specify 2 entities on the proposed sign and both sides would be the same.

VOTE:

Motion passed, 4-0.

VI. OTHER BUSINESS

MOTION:

Vice Chair Vrobel moved to move the 2020 Budget item ahead of the Short-Term/Vacation Rental item on the agenda.

SECOND:

Commissioner Lewis seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 4-0.

ITEM 8. 2020 Budget - Discussion Regarding Priorities and Requests

Kimberly Johnson, Planning Director, presented the Staff Memorandum dated May 8, 2019.

Chairman Delwiche stated he felt it was wise to wait until the Short-Term Rental Ordinance was finalized and also felt it was best to not regulate bed and breakfasts, but to include it in the definitions. Ms. Johnson stated the Commission could discuss this under the discussion of the next item on the agenda.

Ms. Johnson stated if any of the Commissioners had any items they would like to add to the budget, an email of the information was sufficient. Ms. Johnson stated the deadline was July 31, 2019.

ITEM 9. Short-Term/Vacation Rental Ordinance – Discussion Regarding Public Engagement Process

Kim Johnson, Planning Director, presented the Staff Memorandum dated May 8, 2019.

The Commission and Staff discussed the existing issues surrounding the existing regulations pertaining to short-term rental operations. Ms. Johnson and the Commission went over and completed the Community Engagement Worksheet provided in the Staff Report, item by item, to forward to City Council.

VII. ADJOURNMENT

Hearing no further business before the Commission, Chairman Delwiche adjourned the meeting at 8:14 pm.

Minutes Prepared by Dylan Becker, Planner I