



MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
November 26, 2019
Council Chambers, First Floor, City Hall
101 W. 8th Street
6:00 PM

1. Roll Call

Present at roll call were Commissioners: Ingrid Wussow, George Shaver, Tim Malloy, Amber Wissing, and Carolyn Cipperly

Absent: Commissioners Marco Dehm, Kathryn Grosscup and Sumner Schachter, and Alternate Dean Kinkel

Also present were: Jenn Ooton, Asst. City Manager, Director Gretchen Ricehill, Assist. Director Anna S. Itenberg, City Attorney's Office

Commissioner Malloy made a motion to seat Alternate Commissioner Cipperly, which was seconded by Commissioner Shaver. The motion passed unanimously.

Alternate Commissioner Cipperly made a motion that Commissioner Wussow serve as the alternate chair in the absence of Commissioners Dehm and Schachter. The motion was seconded by Commissioner Malloy, and was unanimously approved.

2. Receipt of [minutes](#) from the [October 22, 2019](#) regular meeting was postponed until the December 17, 2019 meeting.

3. Comments from citizens appearing for items not on the agenda. No one appeared.

4. Continued Items

Commissioner Malloy made a motion to continue Planning Item 20-19 – Consideration of a Code amendment to Section 070.040.020(d)(24) of the Glenwood Springs Municipal Code regarding riparian setbacks to the December 17, 2019 meeting. The motion was seconded by Alternate Commissioner Cipperly. Commissioner Shaver recused himself

from the vote, which passed with three commissioners voting for the motion and no one voting no.

5. New Items

Asst. Director Ricehill provided information on background of application by Yesenia Gonzalez Hernandez for the operation of a personal care boarding home at 1713 Grand Avenue. Ricehill described the proposed project and existing conditions as well as explaining which upgrades and improvements the property would need as well as additional approvals from the State of Colorado.

Commissioner Malloy stated that he lives in the neighborhood of the proposed project and expressed concerns regarding parking, trash collection access, building permit procedure, and licensing process with the State of Colorado.

Commissioner Shaver asked about backing out of the parking spaces onto Grand Avenue. Shaver also expressed concern regarding first floor egress. Shaver also asked about the existing covenant's definition of a residence and about signage. One of the conditions for approval by staff was that the property have no signage.

Commissioner Wussow sought to clarify the exact maximum occupancy for the personal care boarding home. Ricehill explained that there would typically be 1 employee on site and that the City and State would both regulate the number of residents by the number of bedrooms on site. Commissioner Wussow Also asked about the possibility of a sunset provision on the special use permit and if there were other personal care boarding homes in Glenwood. Ricehill explained that there is currently one other personal care boarding home in Glenwood Springs.

Applicant Yesenia Gonzalez Hernandez explained her reasoning for wanting to develop the project and answered questions from commissioners regarding the project and proposed functions of the personal boarding care home. Ms. Hernandez explained the differences in levels of care and what her home would provide to its residents.

Some concerns expressed by commissioners include use of oxygen on site, proposed location of bedrooms in the basement, egress windows, traffic on Grand Avenue and its effect on resident safety, and clarifying the differences between levels of personal care.

Commissioner Wussow opened the public hearing.

Nancy Hitchcock, 1126 Pitkin Avenue, voiced her support for the application noting that there is a great need for this type of care in the community. She said that Ms. Hernandez had provided home care to her mother and that Ms. Hernandez has a passion for helping people.

Rick Davis, 11512 Highway 133, Carbondale, voiced support for more care facilities in Glenwood Springs and this project. Mr. Davis said that Ms. Hernandez has provided home care for his wife who has dementia and that Ms. Hernandez was very qualified.

Jennifer Vyhldal, 1709 Grand Avenue, said that she supports Ms. Hernandez' dream, but expressed concern that the application seemed like a business in a single-family

residence. She stated that she wants to keep the character of the neighborhood, also explained that a tree and fence on the property line would need to be addressed.

Dennis Drake, the owner of 105 Park, noted that he has a father in the VA hospital and complimented the care at the facility. He expressed concerns about the safety of this proposals, concerns about its impact to the neighborhood and about egress from the house for potential residents.

Joyce Jenkins, 340 13th Street, stated that she was a friend of Ms. Hernandez. Voiced her opinion that although there might be six persons living there, the house would physically remain the same and although a business, would still function as a residence.

Terrie Drake, 0377 Westbank and the owner of 105 Park, noted that this neighborhood has been seeing investment and that she and her husband were planning to improve their property at 105 Park, which had recently been a rental. She noted concerns about the commercial use of the property changing the neighbor and noted concerns about the property values. She asked the Planning Commission to consider that one change begets another. She noted that Ms. Hernandez is an incredible person but expressed concern about this use in this location.

In response to public comments, Ms. Hernandez spoke about working on the fence between her property and 1709 Grand Avenue and her experience working with dementia patients. In addition, questions were asked by commissioners regarding potential financing for the project. Commissioner Wussow asked for a timeline, if permit was granted. Ms. Hernandez estimated one to three years, depending on state process.

Discussion following public hearing provided more clarification on setting a sunset provision for the use of the property. Conditions could be placed on the permit such as being non-transferable or to expire with the sale of the property.

Commissioner Malloy made a motion to deny the application. Motion was seconded by Commissioner Shaver. Further discussion touched on incompatibility with neighboring uses, traffic concerns on Grand Avenue, trash collection, and concerns over administration of the facility. Following discussion, a call for a vote was made for the motion made by Malloy to deny the application. Commissioners Shaver, Malloy, Wussow, and Wissing voted yes on the motion to deny the application. Commissioner Cipperly voted no on the motion. The motion passed 4-1 to deny the application.

6. Commissioner Comments

There was discussion about future meetings regarding housing meetings and the December meeting.

7. Director Comments. Assistant City Manager/Community Development Director Jenn Ooton did not provide additional comment.

8. Adjournment