



MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
April 28, 2020
Zoom
6:00PM

1. Roll Call

Present at roll call were Commissioners: Amber Wissing, Marco Dehm, Kathryn Grosscup, Carolyn Cipperly, Ingrid Wussow, George Shaver, and Sumner Schachter

Absent: None.

Also present were: Jenn Ooton, Asst. City Manager, Director
Gretchen Ricehill, Asst. Director
Trent Hyatt, Senior Planner
Anna S. Itenberg, City Attorney's Office
Catherine Fletcher, City Clerk
Jessica Bowser, Asst. City Engineer
Alissa Owsley, IT Director

2. Receipt of Minutes from the Feb. 25, 2020 meeting

Commissioner Grosscup pointed out on page 3 of the minutes, that Dr. Salmen's comments were not provided in their entirety and asked that staff review the tape.

Motion: Commissioner Grosscup made a motion to continue the minutes to the next meeting, seconded by Commissioner Wissing. Motion carried unanimously.

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

Laura Speck asked whether the topic of homeless was going to come up during the course of the meeting, and said that she would recommend no further development be approved until the situation is addressed. Chairman Dehm suggested that Ms. Speck make that comment during Planning Item 04-20 later in the agenda.

Lynette-Marie (no last name given) – Asked if the Framing Expressions/marijuana application was on the agenda. Commissioner Dehm said that is item 5B.

4. Continued Items –

- a. 07-20 Consideration of a request to Rezone a parcel from RH-Residential High Density to M2-mixed use commercial central core zone district. The property is Lot 11B, Glenwood Meadows No. to a Minor Resubdivision of Glenwood Meadows No 4 Lot Line Adjustment, County of Garfield, State of Colorado (PIN 2185-081-41-004)

Asst. Director Ricehill provided an overview of the project for rezoning Lot 11B, which is a 0.4 acre parcel of land located on the southeast corner of Wulfsohn Road and Flat Tops View Drive, from RH-residential high density (formerly R/3) to M2-mixed use downtown core (formerly C/2). She pointed out that this item requires hearings before Planning Commission and City Council, said that staff believes that the application meets the criteria for rezoning and recommended approval of the application.

Commissioner Grosscup asked what the height difference is between the two zoning districts. Ms. Ricehill said that is 40 feet for both zoning districts.

Commissioner Shaver asked about the evolution of the lot configuration. Ms. Ricehill explained that there were lot boundary adjustments on the adjacent Lofts properties and the configuration of Flat Tops View Drive that resulted in the specific configuration of lot 11B.

Chairman Dehm asked about a building design and future plans for the project and whether those details would be part of a future application. Ms. Ricehill said that would be submitted sometime in the future, and the review procedure for a site/architectural review would be determined by the size of the building proposal in the future.

Chris Hawkins, Alpine Planning LLC, 523 Clinton St., Suite 2, Ridgeway, presented his request for the rezoning, explaining that the western sliver of the parcel already has a split zoning, and that his clients would determine a future proposal for the parcel after the rezoning.

Commissioner Dehm asked if the applicants would be developing the lot, and Mr. Hawkins said that the proposal was moving forward with the approval of the land owner, and if the contract didn't close that the current property owner supports the new zoning and would move forward from there.

Commissioner Dehm then opened the public hearing.

Trish (no last name given) said that she didn't have a question, but was checking the raise-hand function.

Breanna Millsbaugh, 2600 S. Oakhurst, Unit 18 questioned why it is being encouraged not to deny the application.

Chairman Dehm then closed the public hearing, and reminded the public that the hearing would be kept open for people to provide additional time to comment.

Commissioner Schachter moved to continue the item to May 5. The motion was seconded by Commissioner Wussow. The motioned passed unanimously.

5. New Items

- a. 04-20 Consideration of a Major Site/Architectural Plan Review, Rezoning from RH Residential High-Density to RT Residential Transitional, and Variance applications for the construction of 100 Multifamily apartment units in 6 buildings on approximately 5.8 acres (PIN 2185-153-04-001, 2185-153-02-008, and 2185-211-00-002)

Senior Planner Trent Hyatt presented the item, stating that the applicant, Triumph Development West, LLC, proposes to construct 100 multi-family apartment units in six separate buildings on approximately 5.74 acres. He also provided information about the procedure for the action items before the Commission including two variances, the rezoning of 2710 Blake Avenue from RH Residential High-Density to RT Residential Transitional, and the proposal for the Major Site/Architectural Plan. Mr. Hyatt pointed out that this Action Items 1-2 would be decided at the Planning Commission level and that Action Items 3-4 require hearings before Planning Commission and City Council.

Questions to staff from commissioners addressed circulation, the previous approval's condition related to the one-way configuration of Blake, the code's allowable parking reduction due to the site's proximity to transit, how the parking lot relates to the adjacent Oakhurst Townhomes, the details of snow removal, if the drainage facility could only be used for retention, what number of architectural features are required to provide four-sided architecture/achieve sufficient variation, what off-site improvements can be required of the applicant and whether there was a full landscaping plan within the application.

Commissioner Schachter asked about what off-site improvements could be required of the applicant. Mr. Hyatt said that anything that is considered a potential impact of the development can be recommended to City Council, and Assistant City Attorney Anna Itenberg agreed.

Commissioner Grosscup then asked if the Blake Gate was assumed to be opened, and Mr. Hyatt said, yes, that the traffic analysis assumes that the gate would be opened.

Assistant City Engineer Jessica Bowser answered the question about the sizing of the detention – noting that due to expense that the drainage would not be oversized. She confirmed that the city requested that the traffic analysis was modeled with the gate open.

Michael O'Connor, Triumph Development West provided a presentation on the proposed project and introduced all members of the development team. Mr. O'Connor briefly described opportunity zones and how it applies to the property and project in addition to the development team's history of completing similar projects. O'Connor also summarized the previously approved projects on the site and how they compare to their proposed plan, mentioning the proposed project did not have any buildings in the flood zone.

Architect, Mike Foster, Triumph Development, 12 Vail Road Suite 700, Vail, CO further discussed the proposed project and site plan. Mr. Foster discussed the layout of the site, fire truck access, architectural features, and grade changes on the site. In addition, Foster also highlighted that 50% of the units were adaptable for ADA access. He also described the visual screening of the site's border with Oakhurst Townhomes as well as in front of the main parking area.

Greg Schroeder, representing McDowell Engineering, 241 Broadway Street, Eagle, CO presented on traffic design on the site. Schroeder mentioned that much direction was taken from a February 2018 Council meeting which promoted opening the Blake Avenue gate and making Blake Avenue a one-way street to reduce through traffic. Schroeder also referenced that the previous traffic design and plan was approved by CDOT and that the proposed development has a lower traffic impact compared to previously approved plans.

Michael O'Connor provided a short summary of the proposed project application and addressed the parking counts and feedback from the February community meeting. O'Connor described how the proposed parking complies with code.

Commissioner Schachter had multiple questions on how the traffic was measured and potential impacts on the neighborhood, especially along Palmer Avenue. Commissioner Schachter also asked about the possibility of the City abandoning Palmer to be a private road. O'Connor indicated that the option to take over Palmer had been considered but the process did not fit well with the project's timeline.

Commissioner Grosscup had questions about the site plan regarding walkability, parking access, and amenities offered including if on-site management would be offered. O'Connor explained that the size of this development would likely result in an on-site property manager. Stephanie Copeland, from Four Points Funding, the equity partner in the project and owner of the property, also added that an on-site manager was important to the operation of the project.

Commissioner Shaver had several questions about the elevation of the site and how it relates to the nearby Oakhurst Townhomes. Architect Mike Foster explained the difference between elevations and the entries into buildings on the site plan. Commissioner Shaver also asked if there would be more detailed landscaping plans in the future.

Commissioner Wussow asked if there were any 'green' initiatives for the project such as sustainable building materials or community garden space. Mike Foster mentioned that they were in the process of researching solar panels on the roof and EV parking. Foster also explained that they were in the process of pursuing HUD certification, which has its own sustainability requirements. Commissioner Wussow also requested a sample of building materials for the next meeting.

Commissioner Wissing asked about potential sidewalks along Blake Avenue. Mike Foster explained that the updated site plan will continue sidewalk for the entire length of the property to the north. Commissioner Cipperly also had questions about sidewalks along Palmer as well as questions about potential pedestrian traffic through the site.

Chairman Dehm opened the public hearing.

Breanna Millsbaugh, 2600 S. Oakhurst, Unit 18, said that she is very concerned about the project. She said that at the neighborhood meeting that a fence between the two properties was discussed, and that the project as presented does not have a fence. People will still be able to come through the Oakhurst property. There are serious parking problems at Oakhurst and that the 1.5 parking spaces for this project is not adequate. She also asked what is affordable housing and said that affordable housing does not exist in this Valley.

Tom Doogan, said that the project is not affordable housing, it is additional housing. We have huge growth that needs to be accepted, and we are in dire need of additional housing. He said he was supportive of one more thought for traffic flow to do a one-way street that would exit on the southside by Wal-Mart, and make the traffic flow to the south.

Jerry Raehal, 2314 Palmer Ave, wanted to state that he is not opposed to growth and has real concern about the plan. Believes that there are variances not mentioned, including that the increase in the traffic will require the reclassification of Palmer to a collector. He expressed concern that the project will create walkability to nowhere without sidewalks other than within the development. He said that the assigned parking would make parking overflow into the neighborhood and said that when traffic is backed up on 82, that the traffic will flow onto Palmer.

Jamie Raehal, 2314 Palmer Ave., said that she disagrees with the traffic study and expressed concern for the safety of her neighborhood, noting that the Blake Street Gate opening would create flow through traffic to Palmer. It will have a negative impact on the goals within the long-range transportation plan, other than traffic onto the highway. She said that the development will create single-use streets, instead of multi-modal streets. She applauded the city for the traffic calming program, but that it is not a reason to rush the decision here.

Laura Speck, representing her family's home at 2506 Palmer Avenue, which she described as the last house on the road. She stated that this is the first time that she had heard that the driveway would be affected by the plan and would require compensation and privacy amenities. She said that they would be potentially be looking out onto a parking lot, fencing or retaining wall. There are too many questions that need to be addressed before this project should be allowed.

Trish Kramer, 2501 Palmer Avenue, said that her overall impression of the project that it is an improvement over the previous proposal, however, her concerns remain unaddressed regarding parking and traffic. She brought up a question about the width of the road and whether parking would be allowed on the extension of Palmer Avenue. She said that she thought there needed to be a plan for snow removal that did not include taking up parking. She stated that reduced vehicle use is different from reduced vehicle ownership, and she thought the parking reduction was unrealistic. She said that the traffic study didn't take into account the increased crowding on 82 resulting in increased crowding onto side streets in Glenwood Springs. She said that we're facing a 10-year period of economic stressors, and said that she doesn't see the city being able to address street maintenance.

Ralph Scmalley, 2409 Palmer Ave., said that he doesn't have a concern with adding housing in the area, but thought the added traffic on Palmer Avenue. Traffic summary was not precise, but it brought up a good point that the traffic in the p.m. is caused by the backup on 82. People use Palmer already, and that would increase if Blake were made one-way. He said he has concerns about the traffic at the 23rd intersection with 82.

Shelly Lott, 2600 S. Oakhurst, #19, President for the Oakhurst Townhomes. She asked what is retaining the earth above the north parking lot and the lot next to it. She said the developers moved the buildings toward Wal-Mart and left the flood zones open for the homeowners below. She noted that the Oakhurst Townhomes are family homes, and that this development is being built right above. She said that they are not able to assure us that the townhomes will be protected. She said that she wanted more research.

Mike Foster addressed the questions regarding the fencing between Oakhurst and the site. Foster explained that the project was still open to fencing but that further discussion with Oakhurst and additional residential neighboring area. Foster also addressed snow storage on the property that these issues would be addressed in a snow removal and storage plan as part of the building permit. Foster also explained that there will be debris fencing above the site. Assistant City Engineer Jessica Bowser provided comments on the debris fencing and explained that the applicant would be required as part of site review to prove that any development does exacerbate any existing drainage issues.

Commissioner Grosscup made a motion to continue Planning Item 04-20 to the May 5, 2020, agenda. Commissioner Shaver seconded the motion, which passed unanimously.

- b. 06-20 Consideration of a Special Use Permit for a Retail Marijuana establishment at 2114 Grand Avenue (PIN: 2185-164-00-095)

Mr. Hyatt explained that the applicant, John Dyet, doing business as Kind Castle, proposes the interior remodel of an existing approximately 738 square foot unit (currently occupied by a framing business) in the commercial strip located at 2114 Grand to accommodate the retail sale of cannabis and related products. He said that as a special use review, Planning Commission is a recommending body to City Council.

Mark Maysich, 2005 East Ballard Avenue, Silt, CO 81652. Deferred to John Dyet.

John Dyet, East 4th Street, Parachute, CO, 81635. Dyet elaborated on the application summary provided by Trent Hyatt. Dyet explained that their flagship location is in Parachute and they are looking to expand to six other stores based on current success of Parachute location. Dyet explained their security practices and that they have never had any issues with odor or other compliance issues.

Brian Cole 1723 Riverbend Way noted that he is a cannabis user and this he believes that Glenwood Springs has a plethora of choices for marijuana and that it has had a negative impact on visitors and travelers, and the mentality that we are a pot town. He said that the traffic area near the Starbucks and gas station is very overwhelming. He said that he didn't support the application.

Lynette-Marie Lacerda, 285 Mikala Ln, New Castle, said she is in opposition to the application and said that there is not enough parking. She expressed concern that there will be increased traffic, and that Glenwood Springs has one framing shop, and that she didn't think we need another marijuana store.

Haley Carmer, Garfield and Hecht, noted that her firm represents the Cedar Lodge Motel, which is adjacent to property. She brought up concerns related to parking, traffic and odor. The existing commercial in the building already has some overflow parking going onto the Cedar Lodge's property when there isn't enough space. She said that the parking is inadequate in number and configuration. She raised issues related to being able to see due to the location of the sign, the lack of a landscape buffer, wafting smells back and forth, and the state of the building potentially being a cause for odor to come from the building.

Virginia Gera, 122 Tanager Drive, part owner of Framing Expressions, said that she does not feel that there is a need for another marijuana shop given the number in Glenwood, noted that they are the only frame shop, doesn't believe this project is infill because the space is currently being used, raised the issue of odor reaching other parts of the building, raised the issue of parking, and pointed out people stayed 4.5 hours in a meeting to express how strongly they are opposed.

Corey Gera, 122 Tanager Drive, said the proposal makes it seem as if the business isn't active, brought up that parking is a big issue, and said that the proposal is pushing out an active business. She urged Planning Commission to deny the permit.

Barbara Koziol Speaking on behalf of the owners of the Cedar Lodge, 2102 Grand Avenue, brought up concerns about health and safety of the neighborhood, brought up odor, said that there is a common wall between the retail and residential with small children, and that everyone would have the potential to smell the marijuana. This would carry over into the parking lot of the lodge and that there isn't a reason for another marijuana shop. She brought up the proximity to two air conditioning units for the lodge and that guests checking in would potentially smell things and that there is a potential impact to 22 guest rooms. Parking space is a big concern because just the employees would take up the parking. Requested the Planning Commission deny.

Chelsea Sullivan, 1699 Riverbend, don't need another marijuana store in our city, we are established and have a very good community, and another marijuana store is not what we want especially in the middle of town. It is a bad decision on Glenwood Springs; part to encourage another marijuana store to be here.

Todd Leahy, 1028 Blake Avenue, said that he heard a common theme tonight that Glenwood Springs doesn't need another marijuana store. He said that he had done a lot of research on John before he decided to put him as a tenant in one of his properties, had visited Parachute and felt that store was like a high-end jewelry store. He said he had taken a lot of phone calls from interested marijuana operators wanting this site, so he checked John out thoroughly. He said that the free market should decide what stores make it and which ones won't. He said that there isn't any reason within the staff report for a denial.

Applicant John Dyet responded to comments and concerns that they would be very respectful

of potential new neighbors, especially addressing odor issues. Mr. Dyet explained that very few locations in Glenwood Springs meet the ordinance requirements for this use. Mr. Dyet also explained that he would be willing to help the framing store to find a new location.

Mark Maysich also responded to several comments. Maysich explained that the parking would be adequate and used the example of their Parachute store, which has less than 8 spaces. Maysich also spoke about security measures including cameras on site as well as a potential easement that would alleviate traffic flow on the property.

Commissioner Grosscup had several questions regarding how many dispensaries had been permitted in Glenwood and how many stores were currently operating. Commissioner Cipperly mentioned that there were some Fire Department comments on emergency access behind the building and that this was a concern.

Commissioner Grosscup made a motion to continue Planning Item 06-20 to May 5, 2020, that was seconded by Commissioner Schachter. The motion passed unanimously

- c. 11-20 Consideration of various amendments to Municipal Code Title 070 Sections 070.030, 070.040 and 070.070 regarding Use Regulations; Accessory Uses; Hillside Development; Landscaping, Screening and Fencing; Off-street Parking; Residential Site and Building Design Storage requirements; Signs; and Rules of Construction and Definitions.

Commissioner Grosscup made a motion to continue the item to the May 5, 2020 meeting. The motion was seconded by Commissioner Shaver. The motion passed unanimously.

6. Adjournment 10:59 PM