



MINUTES

CITY OF GLENWOOD SPRINGS

Planning and Zoning Commission

Regular Meeting

January 25, 2022

1. Roll Call

Present: Commissioners Wissing, Schachter, Cipperly, Shaver, White, and West. Alternate Commissioner Amy Connerton.

Staff: Jenn Ooton, Assistant City Manager, Hannah Klausman, Assistant Director Community Development, Attorney Richard Peterson.

Commissioner Cipperly motioned to seat Alternate Amy Connerton. Commissioner Shaver seconded. Unanimously approved.

Chair Dehm logged into the meeting after roll call but before the first item.

2. Receipt of Minutes

Receipt of December 14, 2021 Draft Minutes

Commissioner Shaver motioned to approve the December 14, 2021 Minutes. Commissioner Schachter seconded. Minutes unanimously approved.

3. Comments from Citizens for items not on the agenda.

No comments received.

4. Continued Items

a. Planning File 57-21, Part 3 - Public Art Master Plan Implementation

Assistant City Manager Jenn Ooton described the Public Art Master Plan and background for Code Amendment changes necessary to implement the plan. Parks, Recreation and Economic Development staff members determined that if the city pursued five public art pieces each year, that the need would be just over \$60,000 annually.

Ms. Ooton explained that staff reviewed the square footages of past projects that would be subject to the open space requirements to arrive at a recommendation of a fee of 10 cents per foot, but that City Council adopt the fees by resolution, so that the fee can change in the future without a change to the

Municipal Code. Staff recommended approval of amendments to Title 070 as listed in the attachment to the staff report, with the findings listed on page three.

Questions from Commissioners:

Commissioner Shaver asked about exemptions for developments that are providing affordable housing. Sumner wants to exempt any deed restricted property at 100% AMI or lower from these fees. Staff asked for clarification if this was for inclusionary zoning program, or voluntary program. Sumner says he is most concerned about the Inclusionary Zoning projects but would defer to staff on recommendation. Commissioner White comments that if developments are required to provide affordable housing it seems like the incentive should be to developments that voluntarily provide affordable housing. Commissioner Cipperly asks if this will create low-income housing developments without art. Suggestion to only exempt the square footage that is deed restricted below 100%AMI for both required and voluntary units.

Commissioners wondered why architects were specifically excluded from being the artist. Staff explains that the intent was that masonry or other architectural features would not meet the requirement of Art. The intent is that architecture itself is not meant to satisfy the art requirement. Suggestion that some aspects of a building might qualify as art, such as a gargoyle, and that could be a review and approval by staff.

Question on who provides maintenance of art as it is not clear in the proposed code. Is it the City?
Question on duration of art. Do they have to apply again if they want to change out the art pieces?

Question on what it means for the fees to be set by resolution and not an ordinance. Staff explains that resolutions allow for more flexible approval process that doesn't require two readings and that all fees are set by resolution annually which allows a complete review of fees.

Question on whether the cost could be diffused or collected through different means for example a real estate transfer tax. Staff explains transfer taxes are not allowed.

Question how Planning and Zoning Commission could relay that they would like to see the funding for art possibly come from other sources.

Clarification that the art would be occurring on public property. Question on whether there is an option to place the art on the site of the proposed development. Staff clarifies that either public property or an easement on the property itself. Question on wouldn't the City want to own the art after it was required and be in public view. Legal mentions that there might need to be higher scrutiny of selection if it is going to be city property.

Ms. Ooton summarized the suggested changes from Planning and Zoning Commissioners as the following:

1. Changing the definition of 090.080.010(c) excluding the sentence that references the prohibiting of architects from being artists.
2. Changing the funding section 090.080.040(a) and (d) to include costs for private development as a cost per square foot and a percentage of the cost of capitally funded improvement projects.
3. Putting an exception for deed restricted square footage at 100% AMI.
4. Developer shall dedicate to the City public art but shall enter into an agreement for maintenance with covenants for art duration.

Chair Dehm opened the item up for public comment and received none.

Commissioner Cipperly motions to approve the item as discussed. Commissioner Schachter Seconds. Unanimously approved. 7-0

Next Item:

a. Discussion on City Boards and Commissions Special Meeting

Assistant Director of Community Development Hannah Klausman explained the purpose and intent of the meeting and introduced the summary of responses to City Council questions from Commissioners.

Staff opened it up for discussion on the item.

Commissioner Schachter wanted to highlight the Commissions desire for the workshops and emphasize the roll of “Planning” for Planning and Zoning Commission. Chair Dehm agreed on highlighting the visionary work of the work sessions and the importance of continuing that effort.

Commissioners nominated Chair Dehm to be their representative at the meeting on January 27, 2022.

5. Commissioner Comments

Commissioner White asked for protocol on emails received from the public. Legal confirmed that emails should be forwarded to Community Development but not to directly respond as a Commissioner.

Commissioner West thanked the Commission as this would be his last meeting of serving his term.

6. Director Comments

Ms. Ooton thanked Commissioners West and Schachter for their service on the Planning and Zoning Commission. She also noted that City Council appointed alternate Commissioners Peter Waller and Amy Connerton to regular seats that were open, as well as appointed two new alternates to serve for a term of three years.

7. Meeting adjourned at 5:50 PM