

MINUTES
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
August 27, 2024
Council Chambers, First Floor
101 W. 8TH STREET 6:00 PM

1. Roll Call

Present: Commissioners: Carolyn Cipperly, Amy Connerton, Pete Waller, George Shaver, Matthew Simms, John Houghton, Gregory Cowan

Also Present: Community Development Director Hannah Klausman, Senior Planner Emery Ellingson, City Attorney Richard Cremer-Petterson, Deputy City Clerk Danyelle Rigli.

2. Conflicts of Interest

None

3. Receipt of Minutes

June 25th Planning and Zoning Commission special meeting minutes

Commissioner Connerton made a motion to approve the minutes, seconded by Commissioner Cipperly. Voice vote taken, passed unanimously.

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

No public comment was offered.

5. New Items

a. Planning File 17-24 Design Variance 308 7th Street Juicy Lucy Awning

Planner Emery Ellingson presented Planning File 17-24 Design Variance 308 7th Street Juicy Lucy Awning with Action Item 1 requested relief from Code to allow an awning to extend more than 5' from the face of the building and Action Item 2 to allow use of a non-canvas material for the awning. Staff recommend approval of both action items with findings and conditions in the staff report.

Commissioner questions, comments, and staff responses included the following:

- Commission asked for more information on why Code limited awnings to five feet and why it required awning as a material. **Staff response:** Staff explained awning requirements were intended for simple awnings over a doorway or entrance and not for purpose of shading an outdoor dining area and that canvas was required since it is a durable material and to discourage installation of cheaper, less durable synthetic materials.
- Commission asked about the installation of outdoor dining areas, specifically areas that had been bolted. **Staff response:** Staff explained that outdoor dining areas are not allowed to

permanently affix fencing to the decorative pavers at that businesses which did that would be required to replace at their cost.

- Commission requested confirmation on dimensions of awning as compared to the outdoor dining area as well as color of the awning. **Staff response:** Staff provided confirmation with site drawings as well as confirmation that color would be a striped yellow and white pattern.
- Commission asked if any other businesses had submitted a variance request for a similar retractable awning and that if approval would establish a precedent for other businesses. **Staff response:** Staff stated that no other businesses had submitted a variance request and the if approval of this variance could encourage other businesses to also apply for a design variance.
- Commission asked if the awning would cause an issue with the tree planted in the sidewalk along 7th Street. **Staff response:** Staff explained that the outdoor dining leases operate on an annual basis which allows the City to re-evaluate outdoor dining leases, and that the City could address this issue at a future lease renewal date.
- Commission asked if a condition could be added that required the lease to be retracted during hours of business. **Staff response:** Staff stated that adding a condition to retract the awning would be a reasonable request.
- Commission requested more information on right-of-way encroachment licenses and how that process applies to the proposed awning. **Staff response:** Staff explained process for approval.

The applicant Rick Van Vleet, Western Slope Awning representing the applicant RMCO Restaurant Group (Juicy Lucy restaurant) made a short presentation providing details on proposed awning installation, awning material, and the proposed site area.

- Commissioner asked for applicant to further explain how the awnings would be installed and where they would be attached to the building. **Applicant response:** Applicant, utilizing a photo of the business, described that the awnings would be attached into the brick and that the awnings would be above the window area. Applicant also confirmed that the existing projecting sign above the doorway would have to be relocated. Applicant explained they would be mounted at

Commissioner Waller opened the item to public comment. No members of the public were present for comment. Commissioner Waller closed the item to public comment.

Commissioner Connerton made a motion to approve Action Item 1 with conditions as written in the packet with additional conditions as follows:

- Awning shall be retracted no later than 10:00 PM or close of business, whichever is later.
- No permanent or temporary signage shall be attached to the retractable awning.

Commissioner Simms seconded the motion.

Discussion after the motion included:

- Opinion that the awning does not provide a community benefit and did not meet the intent of the Downtown Design Standards.
- Discussion of history of awnings in the downtown and evaluation of how the proposed awning compares in terms of style, material, and color.

- Further discussion on the relationship between the variance application and the outdoor dining lease.

Commissioner Connerton made a motion to amend the original motion to add another condition that:

- If the awning were left in disarray or non-compliant that the awning shall be repaired upon 30 days of notice by the City or removed.

Commissioner Simms seconded the amended motion.

- Additional discussion by Commission regarding transferability and revocation for variances, outdoor dining leases, and right-of-way encroachment licenses.
- Additional comment by applicant that the awnings were customizable, and that the awning could be set to only 5'.

Commissioner Waller called the item to question. Motion carried 6-1 with Commissioners Cowan, Simms, Connerton, Waller, Cipperly, and Houghton in favor and Commissioner White opposed.

Commissioner Cipperly made a motion to approve Action Item 2 with findings and conditions in the staff report and the same conditions added for Action Item 1. Commissioner Connerton seconded the motion.

Commissioner Waller called the item to question. Motion carried 6-1 with Commissioners Cowan, Simms, Connerton, Waller, Cipperly, and Houghton in favor and Commissioner White opposed.

Commissioner Waller called for a five-minute recess.

b. Planning and Zoning Commission Training

City Attorney Richard Cremer-Petterson provided the Commission with training covering functions of Planning and Zoning Commission and their legal basis for reviewing authority of the Commission.

6. Commissioner Comments

- Commissioners expressed interest in reviewing the process for Planning and Zoning Commission to provide direction for staff to review.
- Commission discussed recent piece in Aspen Daily News regarding housing.

7. Director Comments

Community Development Director Hannah Klausman explained that the September meeting would include an update on affordable housing in the City and that the Community Housing Manager position had been filled.

8. Adjournment

Meeting adjourned at 8:06 PM.