

MINUTES
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission

Regular Meeting
June 25, 2024
Council Chambers, First Floor
101 W. 8TH STREET 6:00 PM

1. Roll Call

Present: Commissioners: Carolyn Cipperly, Amy Connerton, Pete Waller, Joy White, Matthew Simms, John Haughton, Gregory Cowan

Also Present: Community Development Director Hannah Klausman, Senior Planner Emery Ellingson, City Attorney Karl Hanlon, Deputy City Clerk, Danyelle Rigli

2. Conflicts of Interest

None

3. Receipt of Minutes

March 26, 2023 Planning and Zoning Commission regular meeting minutes

Commissioner Cipperly made a motion to approve the minutes, seconded by Commissioner Connerton. No comment on the minutes. Item called to question with voice vote and passed 6-0 with Commissioner White abstaining.

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

No public comment was offered.

5. New Items

a. Planning File 09-24 Major Site and Architectural Plan and Variances, Lot 10C Glenwood Meadows.

Planner Emery Ellingson presented Planning File 09-24 Major Site and Architectural Plan and Variances, Lot 10C Glenwood Meadows. The file has the three following action items:

- **Action Item 1:** Consider recommendation of approval for Major Site and Architectural Plan
- **Action Item 2:** Consider approval of variance from Glenwood Meadows Annexation and Development agreement to exceed building height limit of 45' by 9' and allow a 54' tall building.
- **Action Item 3:** Consider approval of variance from Section 070.040.100 Exterior Lighting.

Staff recommend approval with the findings and conditions in the staff report.

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

- *Question on community amenity space and how it relates to the proposed future subdivision of Lot 10C.* **Staff response:** Staff explained the required community amenity space was related to

the total built area for the two lots and since it is considered a community amenity, that the proposed space could be counted towards both lots. Staff also explained that the amount of provided community amenity space would limit future development as far as building area. Staff also mentioned a condition of the approval that would require the applicant to complete the community amenity space before a Certificate of Occupancy would be issued for the hotel and that a plat note could be included on the subdivision to detail that the community amenity space would count towards both.

- *Question on allowable uses within the C-4 Hospitality district.* **Staff response:** Staff provided a list of several of the varied uses, both commercial and residential, allowed in the C-4 district.
- *Question on definition of community amenity space.* **Staff response:** Staff provided definition from Glenwood Meadows Development Plan and confirmed that the space would be open to the public.
- *Question if there is a requirement to dim parking lot lighting.* **Staff response:** Staff confirmed that Code does not require a dimming of parking lot lighting due to security aspect of parking lot lighting.
- *Question about the building heights for neighboring hotels to the south:* **Staff response:** Staff explained that both hotels to the south were similar in height and were approved with variances.
- *Question to confirm that there was no residential use and that affordable housing requirements would not apply.* **Staff response:** Staff confirmed there was no residential uses associated with this project.
- *Question if this project would be affected by the current ballot issue which changed the City charter.* **Staff response:** Staff confirmed the moratorium and ballot issues changes were not applicable to this project.
- *Question if the City required dark sky lighting.* **Staff response:** Staff explained that Code does require full cut-off fixtures.
- *Question if the proposed lighting plan exceeded lighting limits trespassing onto other properties.* **Staff response:** Staff confirmed that the lighting plan showed lighting more than limits allowed for Lighting District 2.
- *Questions on Public Works request to remove landscaping from the planting strip.* **Staff response:** Staff explained which trees would be removed from the landscaping plan and deferred to applicant to explain if additional trees could be included anywhere on site.
- *Questions on building height and question about the area exceeding the height limit.* **Staff response:** Staff provided images of elevations to call out areas which exceed the height limit and provided detail on which elevations and which specific areas exceeded the 45' limit.
- *Question on off-street parking requirements and how they are applied to Glenwood Meadows.* **Staff response:** Staff confirmed that the only aspect of 070.040.060 Off-Street Parking and Loading which applied was the number for the proposed uses.
- *Question on staff report regarding Fire Department comments.* **Staff response:** Staff explained that text was left off and that Fire Department did not have outstanding comments on the proposed Major Site and Architectural Plan.
- *Question if there Glenwood Meadows ADA prohibited and specific restaurant or retail chains.* **Staff response:** Staff explained that there was no prohibition on specific chains and that if the applicant would like to develop the restaurant with a drive-thru, that would require amending the Glenwood Meadows Annexation and Development Agreement.

- *Question on the traffic study and how the recommended improvements on page 10 of the traffic study described in the report relate to this location. **Staff response:*** Staff discussed that the traffic study was more recent than the annexation and that the recommended improvements covered a broad area and that the intersections nearest to the proposed use were found to not require any improvements at this time. Staff also explained that many of the improvements which were required as part of the Glenwood Meadows development have been completed and many of the improvements recommended in the plan would likely be items to be completed by the City rather than this development.
- *Question on the variance for building height and how staff arrived at the recommendation for approval. **Staff response:*** Staff explained that since the variance met the intent of the height limit, which was a four story hotel, and that building standards have changed in some ways since the original annexation in 2002.
- *Question on heights of residential buildings on Wulfsohn. **Staff response:*** Staff provided details on heights of neighboring residential buildings and that they were between 50' and 59'.
- *Question if parking requirements were the same for a two bedroom hotel suite or a one bedroom hotel room. **Staff response:*** Staff confirmed that the requirement was one off-street parking space per room.

Applicant, David Drescher, LK Architecture provided a short summary of the proposed development including details on the hotel brand, site design, and building design.

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

- *Question on the photometric plan, the proposed mounting heights of parking lot lighting, and the lighting on the porte cochere, and lighting fixtures on building. **Applicant response:*** Applicant confirmed that the mounting heights of parking lot lighting would adhere to height limits of Lighting District 2 and that mounting heights would be between 14' and 20'. The applicant also explained that the lighting on the porte cochere had not been finalized yet and there would likely be some wall pack/lighting fixtures on the sides of the buildings as necessary.
- *Question if there could be additional landscaping on the site since there is excess parking: **Applicant response:*** Applicant explained that there likely could be some more landscaping however there was interest in providing additional parking given that there would be two uses with the two lots.
- *Question about landscaping requirements for parking lot areas: **Applicant response:*** Applicant, along with staff, confirmed that landscaping requirements for parking lot areas were met.
- *Question about timeline, phasing, and extent of construction upon the lot. **Applicant response:*** Applicant confirmed that construction would touch most of the lot and intended construction period would be approximately 18 months.
- *Question if community amenity space could be finished at same time as hotel. **Applicant response:*** Applicant confirmed community amenity space would be completed at same time as hotel.
- *Questions on planting strip and what applicant would consider for ground cover since landscaping would not be allowed: **Applicant response:*** Applicant explained that they would coordinate with City on ground cover for the planting strip and consider where additional

landscaping could possibly be included on the site. Staff also provided additional explanations of which landscaped area would be removed.

- *Question on absence of landscaping marked on backside of the site. **Applicant response:*** Applicant confirmed that those areas were located on neighboring property and that there was existing landscaping in those areas.
- *Question on the parapet in center of roofline and if that area would be utilized to help screen mechanical equipment. **Applicant response:*** Applicant confirmed that that parapet was used in part to meet design requirements and that the area would likely be where the mechanical equipment would be located.
- *Question on how breakdown of hotel rooms. **Applicant response:*** Applicant explained that there would be four two-bedroom suites and that rooms contained kitchens.
- *Question if there would be an electric vehicle charging stations: **Applicant response:*** Applicant explained there would be 12 stations initially with possibility to expand to more if necessary.
- *Question how public would access community amenity: **Applicant response:*** Applicant explained that it would be open to the public and that its proximity to the public path would encourage public use. Applicant stated they would be open to adding signage indicating it was a public space.

Commission Waller adjourned the meeting for a five minute recess. Meeting was reopened.

Commissioner Waller opened the item for public comments. No members of the public were present for comment in person or online. Commissioner Waller closed the item for public comment.

Commissioner Connerton made a motion to recommend for approval for Action Item 1 with findings and conditions as written in the packets. Commissioner Connerton amended the motion to include the adjusted conditions described by staff during the presentation. Commissioner Cipperly seconded the motion.

No discussion followed the motion and Commissioner Waller called the item to question. Motion passed unanimously with a vote of 7-0.

Commissioner Connerton made a motion to approve Action Item 2, a variance for building height, with findings and conditions in staff report and adjusted conditions described by staff during the presentation. Commissioner Cipperly seconded the motion.

Discussion of the motion included:

- Comment by Commissioner Waller that proposed hotel, given its location, would likely not block any existing view planes.

Commissioner Waller called the item to question. Motion passed unanimously with a vote of 7-0.

Commissioner Connerton made a motion to approve Action Item 3, a variance for site illumination, with findings and conditions in staff report and adjusted conditions described by staff during the presentation. Commissioner Cowan seconded the motion.

Discussion of the motion included:

- Distinction between Lighting District 1 and Lighting District 2 and confirmation that the variance language would hold the applicant to meet the illumination limits for parking lot illumination and light trespass for Lighting District 1. Staff pointed out two areas that would need to be reduced for illumination. Staff also confirmed that this variance was for lighting levels only and that the applicant would be required to still observe the mounting height limits for Lighting District 2, per the adjusted conditions mentioned during the presentation.

Commissioner Connerton made a motion to amend the original motion to include adjusted conditions 1-9 which were presented by staff. Commissioner Cowan seconded the amended motion.

- Commissioner Houghton opined that the site did have the capacity to have reduced lighting levels by adding more poles and that allowing a higher lighting level on the site did pose a harm to the public. Commissioner Houghton proposed requiring a condition for lighting temperature. Staff indicated that Code did not currently have any language on lighting temperature.
- Discussion of gradient light and possibility for using this on the site.
- Commission discussed the fact that requiring additional poles could pose a financial burden and that parking lot lighting is an important component of safety and that the site, with the condition of meeting standards of Lighting District 1, would not be exceeding limits allowed elsewhere in the City.
- Commission mentioned the importance of reducing light pollution across the City and asking if the City could consider looking at reducing light pollution in the future.
- Questions on the possibility of continuing Action Item #3. Staff explained options for continuance, adding additional conditions, and denial and how that would affect the other parts of the application which had been approved.
- The Commission expressed some concern over the elevated lighting levels present in Glenwood Meadows and approving this variance would result in exacerbating this issue.
- Commission also discussed potential for additional poles on the site which would allow for lower foot-candle levels that would be consistent with Lighting District 2.
- Commission also discussed difficulty of regulating light pollution in Glenwood Meadows when the Meadows has different Lighting Districts and much of the site is built out.

Commissioner Connerton made motion to amend the original motion for applicant to be allowed to only use illumination standards for Lighting District 1 and not mounting height and that applicant work with City to reduce lighting to conform levels of Lighting District 1. Commissioner Cowan seconded the amended motion.

Commissioner Waller called the item to question. The motion passed 5-2 with Commissioners Connerton, Cipperly, Cowan, White, and Simms voting in favor of the motion for approval and Commissioners Waller and Houghton voting no.

b. Planning File 10-24 Title 070 Code Amendments

Community Development Director presented Planning File 10-2024 Code Amendments to Title 070. Key points of the presentation included:

- Ballot Question A, April 23, 2024 amended the City Charter requiring compliance changes to Title 070 Development Code.

- Staff has included some housekeeping and clarification code amendments.
- The necessary code amendments related to the Charter Amendment include Section 070.060 Administration and Procedures, and Section 070.040 Common Open Space Requirements.
- Housekeeping and clarification code amendments proposed by staff include Section 070.020.020 Zoning Districts Measurements and Exceptions, Section 070.030.020 Table of Allowed Uses, Section 070.030.030 Use Regulations, 070.070.020 Rules of Construction and Definitions, and 070.080.120 Guidelines and Regulations for Matters for State Interest.

Staff recommend approval with findings and conditions in the staff report.

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

- Changes are going to make development more costly. Does changing architectural review shorten the process for smaller projects.
 - Staff response: yes, removing 3 and 4 units from Site/Arch process reduces the amount of time to building permit, while maintaining the same criteria.
- Question about public input on 4-plex and not having any opportunity to comment.
- Without the Call Up procedure, this also removes the public comment opportunity.
 - Staff response: Public notice would not change for 3 and 4 units. Public notice is not required for 3 and 4 units unless called up by P&Z. P&Z has never called up a development of 3 or 4 units. Public noticing procedure was required at 5 units, which is also not changing.
- The process for 1-4 units gets easier, the 5-9 gets more difficult. The purpose is to offset workload by making some of these changes?
 - Staff response: Yes.
- Commissioners had questions regarding vacation of right of way and concern regarding the requirement of an election. Comments that the general public probably did not understand this impact.
- Questions on who pays for the new elections that are required.
- City Attorney clarified that the new election provision does apply even to small amounts of land, even 10 square feet owned by the City no longer being able to be conveyed as part of a transfer for other land from a developer.
 - Staff response: This is yet to be decided, however the City may choose pass along the costs of the election to the applicant.

Staff proposes taking two action items, one for the necessary Charter Amendment initiated code amendments and one for the staff proposed housekeeping proposals.

Action Item 1. Section 070.060 Administration and Procedures, and Section 070.040 Development Standards Common Open Space Requirements Amendments.

Commissioner White made a motion to approve Action Item 1 with suggested findings on page 10 of the staff report conditions as written in the packet for Section 070.060 and 070.040. Commissioner Connerton seconded the motion.

Motion passes unanimously with a vote of 7-0.

Staff went on to detail the changes of the housekeeping and clarification code amendments including retaining walls in setbacks, multiple primary uses, spelling changes, and construction use definition changes.

Commissioner comments and questions:

Commissioner Cipperly suggested adding language to the retaining walls provision that states all other standards “related to retaining walls” be added for clarification. Staff agrees.

Comments that the City should look to inform the public on true outcome of Ballot A to get ahead of the confusion. Inform on the burden of the cost of the election and where that lands. Also include a news release regarding the changes made to code to accommodate the election results.

Action Item 2. Housekeeping and clarification amendments that include Section 070.030.020 Table of Allowed Uses, Section 070.030.030 Use Regulations, 070.070.020 Rules of Construction and Definitions, and 070.080.120 Guidelines and Regulations for Matters for State Interest. Amendments.

Commissioner Connerton made a motion to approve Action Item 2 with suggested findings on page 10 of the staff report conditions as written in the packet for Section 070.030.020 Table of Allowed Uses, Section 070.030.030 Use Regulations, 070.070.020 Rules of Construction and Definitions, and 070.080.120 Guidelines and Regulations for Matters for State Interest. Commissioner White seconded the motion.

Motion passes unanimously with a vote of 7-0.

6. Commissioner Comments

7. Director Comments

Community Development Director Hannah Klausman detailed upcoming applications.

8. Adjournment

Meeting adjourned at 10:09 PM.