

MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
January 26, 2016
Council Chambers, First Floor, City Hall
101 W. 8th Street
6:00 p.m.

The Chairman called the meeting to order at 6:00 p.m.

1. Roll Call.

Present at roll call were Commissioners: Michael Blair, Michael Dunn, Marco Dehm, Kathryn Grosscup and Alternate Ingrid Wussow

Absent: Mary Elizabeth Geiger, Sumner Schachter and Judy Gillespie

Also present were City staff members: Andrew McGregor, Community Development Director
Jill Peterson, City Planner
Kathleen Michel, Administrative Assistant
Jon Hoistad, City Attorney's Office

MOTION: Commissioner Dunn moved to seat Alternate Ingrid Wussow for this meeting. Commissioner Grosscup seconded the motion. The motion carried by voice vote.

2. Receipt of the minutes of the December 15, 2015 regular meeting.

MOTION: Commissioner Dunn moved to receive the minutes of the regular meeting on December 15, 2015. Commissioner Wussow seconded the motion. Motion carried by voice vote.

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

No one wished to comment on items not on the agenda.

Public Hearings:

4. #21-15 – Consideration of a request for a major development and zoning and design variances for new residential apartments with 116 units in two (2) buildings.

Applicant: Ron Liston, Land Design Partnership
Owners: Richmark Holdings, Inc.
Location: 52089 and 52147 Highway 6 & 24
Zone: C/1 Limited Commercial

Jill Peterson presented the staff report. She pointed out a supplemental list of comments from the City Engineer's department that was placed on the dais. The list pulled out any comments that were acknowledged or satisfied in the applicant's revisions that were included on the comments before. She asked the Commissioners to use the new list during the discussion. She pointed out that on page 1 of the staff report, there was a wrong number pulled from the body of the report. Under action 2 for the variance from parking, the required number of spaces is actually 280 as opposed to the 232 shown. It is correct in the body of the report.

Tonight the P&Z is considering a request for a major development for new residential apartments. Associated with the request are two zoning variances, a parking variance, and eight design variances. The site is 3.74 acres and is comprised of two separate parcels. There is also a lot boundary adjustment plat submitted with the application to dissolve the common lot line between the two parcels. Lot boundary adjustments are commonly approved administratively and that would take place as part of this process. She displayed the site plan and explained the slide. There are 116 residential apartment units in two buildings correction to 280 parking spaces required. 116 residential units, mix of one-bedroom (48%) and two-bedroom (51%). The buildings will be connected by an above-ground pedestrian walkway. There is also a stair connection from the south side of the building to the Donegan right of way. Currently there are four access points to Hwy. 6. Two access points into the site are proposed with the development. An access permit is required from CDOT. The permit has been received by the City Engineer's office. The development would be served with City water and West Glenwood Springs Sanitation District will provide sewer service. As part of the proposed utility configuration, the existing Mitchell Cooper water line will be relocated. City water would be connected to that line to provide backup to Mitchell Cooper customers in the event they needed City water. Parking is on the ground floor of the buildings along with surface spaces in front of the buildings.

The development is analyzed based on compliance with the City's Municipal Code and also the City's adopted policies and plans. Underlying zoning of the parcel is C/1 Limited Commercial. There are two zoning variances that are requested with the project. The first is from the maximum building height. In the C/1 zone it is 35 feet. The applicants are seeking a variance to allow 60.85 feet of height. The second zoning variance seeks to allow roof eaves to project into the setback from the property line adjacent to Donegan Road. She displayed the zoning variance criteria on the screen. She said the project must meet all four criteria. (1) that a unique hardship exists on the

property; (2) that some practical hardship precluding development on the site because of the site condition; (3) that the granting of the variance does not harm the public or undermine the intent or purposes of the code; and (4) that the applicant did not create the hardship through their own actions.

The applicant is also seeking a parking variance from the City's requirement of 280 parking spaces. The breakdown is as follows: 224 spaces for the units; 24 guest spaces, and 24 RV spaces. Applicant proposes 183 spaces with no RVs permitted to park on site. That would be 1.5 spaces per dwelling unit. Parking variance criteria in the code are different from the zoning variance criteria. An applicant has to demonstrate that one of the criteria listed on the screen is met. The applicant seeks a variance based on the information they provided indicating that a number of jurisdictions provide 1.5 spaces per unit. The applicant also included reference to other projects in the City where there was a reduction from required parking.

The applicant has requested eight design variances. Design variances have their own set of criteria but are very similar to the criteria for a zoning variance. Some unique site condition has to exist where the application of the City's standards results in some exceptional difficulty or hardship. Also, that the public good would be served with the granting of a variance and that the approval of the variance does not undermine the intent or purposes of the regulation.

Ms. Peterson briefly described the buildings. The south facing units will have balconies. There will be a community lounge room with an open deck and kitchenette on the upper level of each building. Materials proposed for the buildings are a combination of brick and cement siding. Staff had the opinion that the cement siding colors did not have enough contrast to help visually break up the mass of the structures. The Residential Design Standards require that accessory structures use the same materials as the building. The picnic shelters and canopies over parking spaces differ. Staff suggests a different material for the roofs of the accessory structures. Applicant is seeking a reduction in the fee in lieu for the required parkland dedication. They have incorporated seating areas, tot lots, picnic areas, and landscaping throughout the site plus the two lounge areas previously described. They have also included a dog wash area in the lower level of the building. Code requirement on dedication of parkland has a fee in lieu provision. The acreage required would be 2.03 acres with the monetary equivalent of a fee in-lieu being \$478,483.44. The Commission needs to make a recommendation to City Council regarding the parkland reduction request. There are comments from the Parks & Recreation Department Director stating the request for a 50% reduction seems reasonable. He commented that the improvements proposed should be on site prior to the issuance of the first Certificate of Occupancy. A formal recommendation is needed if this application moves forward to Council.

Reduction in storage space as required by code has been requested. The code requires 100 square feet per unit. There is storage for 54 bicycles on site and each unit has a laundry room with approximately 44 sq. feet of storage per unit. Staff has concern about the adequacy of the storage provided. Also, there is a question of how stored bicycles would be secured within the storage areas. When balconies are proposed for a multi-family residential project, many times the balconies are used for storage, creating a detrimental visual effect. The balconies for this project face Hwy 6 and 24 so staff would like input from the Commission.

There are multiple utility lines and water lines that will be removed or relocated from this site. For City water service, a line will be extended from Hwy. 6 to the west end of the site. That line would go under one of the parking canopy structures; staff noted that this line would have to be relocated away from the structure for maintenance purposes. There will also be a connection to Mitchell Cooper water line at the west end that comes in from Donegan Road. It will not be a live line; the purpose is only so Mitchell Cooper customers have a backup water supply from City water. West Glenwood Sanitation District will provide sewer. There is an existing main on these parcels that will need to be relocated. There are comments from WGSSD regarding the location of their line and the retaining walls on the property. Applicant must obtain sign off from WGSSD on their plans and also must provide evidence of payment of system improvement fees to the District prior to issuance of a building permit. Evidence of dedications of easements will also be necessary.

There are eight design variances with this application. The site is bordered on two sides by streets. The applicant will provide a sidewalk and planting strip along Hwy. 6 and will need to dedicate an easement for public access as portions of the sidewalk along Hwy. 6 will be located on the site. Applicant is seeking a design variance from the standards for Donegan. There is no existing sidewalk on the south side of Donegan for the greater part between the intersection with Highway 6 and Soccer Field Road to the west. Applicant proposes a stairway from the north side of the building that goes to the curb of Donegan and they would include a crosswalk across Donegan to link to an existing sidewalk on the north side of the street.

Another design variance requested involves access points reduced from four to two, asking for variance from the maximum one access allowed by code. Staff has no problem with this variance. Code requires no more than 60 parking spaces outside of the building footprint. Surface parking for this development reflects 111 parking spaces. The applicant is seeking a design variance from that standard.

The City Code allows 20% of the required parking to be compact parking spaces if the full parking requirement is met. Applicant is asking for 24 compact spaces. The Code calls for maximum driveway slope of 4% when the driveway is within 100 feet of an intersection. The maximum grade for parking spaces is 5%. When we reviewed the application it appeared that at least one third if not more spaces would exceed the 5% grade. The steepness of the site is part of the problem. Applicant is working on the grading plan with engineering. Staff is not troubled by this design variance. Four parking spaces encroach into the front yard setback and surface parking is located in front of the building. That is why this design variance is requested.

Residential Design Standards require a minimum of two housing types on parcels that are greater than three acres in size. Applicant's justification is the need for multi-family residential units. Applicant indicates that the parcel configuration mandates vertical stacked development opposed to other types of housing units.

Staff's greatest concern with this application is the scope of deviation from maximum building height of 35 feet per the C/1 zone designation. Applicant seeks a variance to exceed the maximum by 25 feet. There are no other buildings that have been granted a similar zoning variance. As stated in the staff report, zoning sets the parameters by

which properties can be developed and what the expectation of surrounding property owners may be. An applicant has to demonstrate that there is some unique hardship or constraint on the property whereby the zoning variance is the only means that will allow development. This development site is a vacant parcel without structures and there are a number of uses that could be developed on the site without the extent of code deviations that the Commission is considering with this application. Staff has concerns with the proposed reduction from 280 required parking spaces to 183 spaces.

Each site and variance request has to be considered independent of any other development. This site is bordered on two sides by streets where no on-street parking is permitted. In the event there was an issue with parking there is really no relief as far as off-site parking is concerned. Rental housing pressures likely will result in residents jointly renting 2-bedroom units, possibly with each resident having a vehicle. Staff is not convinced that parking is adequate for the number of units proposed. There are references to the City's Comprehensive Plan in the staff report. Staff acknowledges that the Comp Plan encourages development of additional rental housing in the City. However, all development has to occur within the parameters of the City's existing zone regulations, regardless of the uses that are proposed. This site is designated as an area for future development as mixed use. The Comp Plan calls for consideration of a sub-area plan for the Highway 6 Corridor. This planning effort should occur now with the purpose and the rewrite of the City's land use regulations. Staff anticipates there likely will be some areas of the City where zoning and land uses are modified during the Code revision process. Until that time, however, staff and the Commission are charged with reviewing and making recommendations based on demonstrated compliance with the City Code, goals, policies, and plans.

Ms. Peterson then presented the various actions that are allowed to the Commission for each of the land use actions that are requested. Due to the concern about the building height and parking variances, staff cannot say that this application complies with the City Code or the City's plans and policies. She said that the staff report provides some questions for discussion and direction from the Commission to both staff and the applicant in the event that the Commission wishes to move the application forward.

Questions of Staff

Commissioner Blair wondered if Jill had heard from the school district about a bus to pick up children from this location.

Ms. Peterson said that the applicant had not been in contact with the school district yet. If this application goes forward, they would have the option of meeting with the District to discuss any requirements for school land dedication, etc.

Commissioner Blair commented that he hoped the soils report will it be looked at carefully in the building permit review.

Ms. Peterson said that building and engineering will look at it, particularly relative to the buildings and some of the retaining walls proposed for the north side of the site.

Commissioner Blair asked about the slope of the driveway.

Ms. Peterson said that it is 4% and does not create a visibility hazard. She suggested that questions related to engineering be directed to the engineering staff who were present at the meeting.

Commissioner Blair wondered if the driveway was out in the open, i.e. subject to snow and formation of ice.

Commissioner Wussow asked about the proximity of a bus stop.

Ms. Peterson replied that the bus stop was 590 feet from the west boundary of the property on Highway 6.

Commissioner Wussow asked about the height of the adjacent Rodeway Inn.

Ms. Peterson said we do not have that.

Commissioner Dunn asked about trees in the proposed park area and whether any additional trees would be planted behind the building along the Donegan side.

Ms. Peterson confirmed that street trees were proposed along Donegan Road.

Commissioner Dunn asked about the building height from the Donegan Road side. He commented that in one spot it sounded like it was just below the very top of the building.

Commissioner Blair thought somewhere it said the top floor was two feet below the grade and that confused him.

Ms. Peterson referred them to Sheet A-12 in the architectural drawings.

Commissioner Dunn commented that generally speaking, it was one story above Donegan. He had a question about the size of the compact parking spaces.

Ms. Peterson said that the sizes varied for the 24 spaces.

Commissioner Grosscup had questions about retaining walls on Donegan.

Ms. Peterson said the foundation wall would be the first level of retaining walls; then there are two walls behind that which extend around the building; at the east end of the site, there will be more walls with a series up to four walls. In the parking area, there will also be some retaining walls. One about seven feet high. It is a tiered layout for parking at the front of the site.

Ms. Peterson said that staff had concern with light into the north side units. She indicated that the distance between the retaining wall and the building was ten feet.

Commissioner Grosscup asked how many elevators.

Ms. Peterson responded that there was one per building.

Commissioner Grosscup wanted to know where they were located.

Ms. Peterson said that the reference was Sheet A-4.

Commissioner Grosscup asked if there were trash chutes in the buildings.

Ms. Peterson said there were two dumpsters located on site and indicated where they were located.

Commissioner Grosscup asked about how to get to the tot lot. Would they come down the stairs and go along the front of the building.

Ms. Peterson said she was hearing that was correct.

Commissioner Grosscup asked about the height of the building depicted against Donegan.

Ms. Peterson said she could address that to the Applicant.

Commissioner Dunn commented that the success or failure will depend on the on-going management. If there is storage on the balconies, does the city have authority to do anything about it?

Ms. Peterson said no.

Chairman Dehm asked if there would be a planting strip and 8 foot sidewalk along Hwy. 6.

Ms. Peterson confirmed that.

Chairman Dehm asked about snow storage.

Ms. Peterson said the plan was to have a contractor haul snow from the site.

Chairman Dehm asked about the color differences for the parking spaces.

Ms. Peterson said the color indicated the canopy above the space. There are nine freestanding canopies proposed.

Applicant presentation

Tyler Richardson, 3951 W. 18th St. Lane, Greeley, CO, was present to represent Richmark Holdings Inc. He indicated that a family group was present and introduced the members: Arlo Richardson, Colin Richardson, and Mike Thomas. He said that they also own the Antlers Hotel, Best Western. He said they were seeking more investments in the Roaring Fork Valley and specifically Glenwood Springs. They own many rental units with professional management. They are interested in this area. They want to provide workforce housing for the area.

Ron Liston, Land Design Partnership, 918 Cooper, Glenwood Springs, was present with Paul Schultz from Oz Architecture in Boulder; Steve Gamba of Gamba Engineering, and Dave McConaughy with Garfield & Hecht. This location is close to schools, downtown, transit stop for Ride Glenwood, and it is a redevelopment property. He said this is a site that is very difficult planning-wise but has infrastructure, good access and proximity to Two Rivers Park, the confluence area, schools, and downtown. If the school wants to bring a bus into the site, our dual access allows for large fire trucks and other emergency vehicles so the school bus can come onto the site to pick up children. Ride Glenwood stops near this site and connects to RFTA. The parking location will be about eight feet higher than Hwy 6 so there will be no visual impact from the parking area which will be screened by a landscaped slope. Existing conditions on the site are critical to the variances requested. When talking about building height, that is based on the natural grade. He indicated where the measurements were taken to determine height. He indicated that the site had been altered from its original condition. The site is steep but can work for housing. There are a number of trees on the site that will have to be removed but they will save what they can, including a clump of oak and a group of three spruce trees. The lines for Mitchell-Cooper Water District will be rerouted away from the buildings and will connect to City water. West Glenwood Sanitation sewer line crosses the property and will be relocated and maintained. He said there is about 230 feet of existing retaining wall along Donegan Road.

He said their concept was to maximize the potential use of the site to reach an affordable factor. The apartments will be managed rental units. Placing the buildings at the back of the site against Donegan helped lessen the impact and gives a lot of landscaping in the front area. The concept of having no more than 60 parking spaces outside the building footprint does not match up with what the Comp Plan suggests regarding increased density. We are requesting a variance for the parking spaces we have proposed outside of the building footprint. He indicated where the variance is needed for the eaves. The wider eave is needed. He discussed the grades for the parking and indicated it was a very small portion of the parking. He spoke about the parking spaces within the front setback. They are providing an easement for the 8-foot wide public sidewalk, there is still a portion of the setback where they are closer to the sidewalk. There is a landscape buffer for most of the area but it is narrower at one point.

The stairway to the back is a key element of access for the Fire Department down the steep slopes at the back. He pointed out two places where small retaining walls would be replaced with stair steps to provide access to the back of the building. He said the central stairway would connect to the bridge between the two buildings. Regarding ADA compliance, he said that it cannot be done and the Engineering staff has asked that we note the grades on Hwy. 6 and the comparable effect on the public sidewalk that parallels Hwy. 6. They do have ADA access from the public sidewalk into the buildings. He talked about the retaining walls at the back of the property and how they tried to make the retaining wall system look attractive. He commented about Donegan Road running about the level of the finished floor of the fourth level. From Donegan you will see a single story structure with sloping eaves. He discussed the views out of the north side looking at the retaining walls and the landscaping screening above and in front of the walls. The residents of the north facing units will not have direct solar access. It will have a lower rental price because of no direct sunlight but it will not be detrimental to life style to be on that side of the buildings.

Mr. Liston emphasized that the Richardsons are experienced will multi-family housing. What we consider recreation in this complex means social recreation, what is the make-up of the people in the 1-bedroom and 2-bedroom apartments. It is not focused on baseball which is something that takes place a mile away at Two Rivers Park, but is focused on the social gathering opportunities. The use of the top level community rooms and open deck to step down a portion of the building and to provide areas for community social activities for the residents. There is a patio area to the west with some picnic tables and barbeque facilities. The elevators are at the main entrance to each building. There is a tot lot facility with play equipment and an adjacent plaza with seating. To the east of the site is the residents' park with an ADA walkway to a picnic shelter with a plaza space around it. There is also children's play equipment area and a multi-use court. Street trees will be planted along the street frontage. There will be fencing to prevent a conflict of children running onto Hwy. 6.

Mr. Liston indicated that parking would require permits and spaces would be assigned in the garage and under the canopies. When someone moves out, their parking spaces will be reassigned. The spaces on the south side are 17.5 feet long. We can make those spaces at least 9 feet wide. The spaces on the north side will be 10 feet wide. The management of the complex will assign parking spaces. There is a full 24 foot wide drive aisle behind the spaces in the garage. The parking spaces outside will be 9.5 feet wide. He said that the parking ratio was 1.5 per unit, the same as Village (sic) Green. The size of our units are directed at affordable housing so there is not a great difference between here and over there. There is a national trend toward lower car ownership and that is where it is trending in the future. We feel that 1.5 spaces per unit can be managed and the Richardsons have a lot of experience with management companies to facilitate that management through the lease agreements. We have not provided a copy to the City as our attorney believes it is a private document. If we have problems with people parking in the street, some pressure can definitely be brought by the City. They will be issuing parking permits assigning the spaces that are covered by the canopies or the garage. The other open parking, except guest parking, will not be assigned. The best thing we can do is look at Village (sic) Green and how that is functioning. Staff has told us that to their knowledge, the City has not received any complaints about how the parking is working there. He said he went over there at about 6:30 and out of the 90 spaces there, 20 spaces were open. For 9 of the occupied spaces, the cars had not been moved for some time based on the snow on top and around them. He said that the key factor was management and that the lease would control the number of vehicles allowed and that there would be a procedure to monitor daily parking and warning; then removing any offenders. He said that someone who has three cars needs to live somewhere else. To accommodate the type of housing this community needs, we need to look at the Comp Plan calling for higher densities or intensity of development both in terms of height and how we use the ground space relative to parking. Mr. Liston summarized that parking and the building height were probably going to be the biggest issues.

Paul Schultz, architect, Oz Architecture, Denver, said that his firm has done numerous buildings in the Roaring Fork Valley, including Glenwood Springs City Hall. He agreed that the buildings were fairly modern in appearance but were compatible with the more traditional and historic buildings in Glenwood Springs without trying to imitate those buildings. He said that the site dictated a pretty linear solution so they could stay parallel to the grades. He talked about techniques to try to reduce the mass of the buildings

including the step down on the end of each building. They wanted the carport structures and other accessory structures on site to be light to minimize their impact via simple steel materials not to compete with the buildings. He did not think the asphalt roof would be appropriate for these structures. They broke the mass into vertical planes and used a variety of materials. The sloping roofs break up the plane and help tie the structure to the mountain backdrop as well as reference some of the historic Glenwood buildings such as the Hotel Colorado, the Hot Springs, and the train depot. The sloped roofs also help conceal mechanical elements. The overhang of the eaves for about three feet was an appropriate size given the mass of the buildings and we are trying to keep those elements in scale and keep them fairly prominent. The balconies on the south elevations and the corners take advantage of the views down valley and across the river. We did not put them on the north because they would be of limited value there. This provides a range of unit types and rental rate structures.

Mr. Schultz displayed the materials board and commented that the materials proposed don't always reproduce well in color images. There are two colors of brick; the red brick is the base element and the tan brick is at the stairs and elevator towers. They pick up on very common brick colors throughout Glenwood. The two cement panels were also utilized to create a break up in the mass of the structure. He stated that the materials were available in a fairly limited color pallet so choices may be limited. The roofs on the buildings will be red shingles. He indicated that the garage will be fairly open for purposes of ventilation and security. He commented on the entries to the garage and access from the elevators, one of which will open on both sides to accommodate its position in the garage.

One of the amenities was bike storage at the garage level and a "bike kitchen" would provide a place to work on the bicycles. There is also a dog/bike wash. The compact spaces were created by the brick elements that protrude into the parking area. They are looking at creating some overhead storage above the fronts of cars in the garage parking spaces. He displayed the typical floor plans for the 1- and 2-bedroom units. On the fourth floor, they will drop a unit at the ends of the buildings and replace it with a small lounge and an outdoor amenity area with a barbeque designed as an intimate gathering spot for residents and their friends to enjoy the views. He indicated that the units are fairly compact and efficient but were very livable. There is storage provided in the laundry room (68 sq. ft.) with shelving on one wall.

Ron Liston pointed out that for bike storage, each owner would provide his/her own lock to secure the bike. He talked about the proposed building height and provided illustrations of the proposed structures. He stated that with the historic grade rather than the current conditions on the site, the actual building height would be 53.04 feet. He commented that the landscaping plan incorporated substantial tree materials. The largest tree will be a silver maple which at maturity may be as tall as the building. Locust trees will be used as shade trees. There will be shrubbery at the front edge of the parking. The landscaping materials will affect what is seen of the building and the parking area. He said their engineer concluded that there was no fill on this site; it had only been cut so from the natural ground line to the highest point would be 53.04 feet. It was important to have the building set at the back of the site so the landscaping materials could be at the front to soften the impact on the area. He said that the neighbors at the adjacent motel were pleased with the project. There is little impact on the surrounding area. He commented that the street trees along Donegan were not

spaced evenly due to the grade drop from the curb in places. There were also groupings when possible. He commented that the colors chosen were to blend the structure with the high bank that was behind the building.

Mr. Liston commented that the Comp Plan as a guide was either ahead or behind so is not a fixed focus. It says that we need to accommodate housing and the worker level housing is needed and can be accomplished by increasing density with more height and increased utilization of a site. There are relatively few sites in Glenwood where this can take place. Although this site is not in the City core, it is an extremely good site to go to a higher density because of the ability to minimize the impact of a taller structure and still be able to accommodate basic parking needs. He read staff comments from the Glenwood Greens project over at the Meadows, "a main piece of support is direction found in the Comprehensive Plan which outlines policies to enhance affordable housing which is increased density. Additional height is listed as one of the incentives to develop housing at lower price points. For this reason, staff feels it can support the increased height for affordable housing.

Mr. Liston noted the tall mountain backdrop and that no immediate development surrounding this development will be impacted. The buildings will still be visible and due to increased height staff is recommending that earth-tone colors be used. Mr. Liston said that was basically what they had done. We believe this is what the Comprehensive Plan lays out to and encourages. Yes, the City needs to be looking at its code, looking at zoning, looking at all of that in the future to make this a little bit easier to accomplish. He said that he knew the City was even looking at impact fees. He stated that impact fees were a big impact on the cost of housing and the Richardson family is trying to provide affordable level housing without getting into rent controls and government controlling everything that happens. He said it would be a blessing if the City adjusted some of the impact fees as well. He said that they were trying to pursue what they saw in the code. He pointed out that variances were for when you have not met the letter of the code or maybe some existing policies, but they have moved in the direction of providing housing on a site that is well conceived for increased density, absorbs a taller structure very easily, and we just have to go to some sites outside the downtown core to accomplish that. Look around, the confluence area is about the only place in the downtown core where we will readily see increased density. The bank building is a nice looking building and he was glad they are doing it, but that is a redevelopment project in the downtown core with two levels and no residential. There is no guarantee that we will see the downtown core accommodate the needed housing and that is why we feel so strongly that this is a great opportunity with ready access to many places. It is even close to the trail system. If people want to live in Glenwood Springs, parking is one of the things that they have to manage properly so they can be here instead of in Rifle or Debeque.

Mr. Liston talked further about the landscaping. He also addressed the question of a sidewalk on Donegan. There is no place for a sidewalk on that side of Donegan. The building eave is about 50 feet from the curb. The 20 inch transgression into the setback is not detrimental. It helps accomplish a more attractive and functional building. He pointed out the landscaping in the front of the property, there is the street side strip and then the sidewalk and further landscaping buffer. He said that they preserved the most important trees on the site, the three spruce trees. He is hopeful that the fruit trees by the clump of oak will survive. The slopes in the park will be used by the kids of the area.

He wrapped up with stating that they had received their CDOT access permit to retain two access points and the City's engineering staff had worked through all the comments to where we are today. He said some of the last engineering things were things like the retaining walls where he felt there was no justification in spending money on engineered plans when they didn't know yet if they had an approved project. They would like to start this project this year as there is a lot of site work to be done before starting the buildings. We have prepared some findings and conditions if you choose to move forward.

David McConaughy, Garfield & Hecht, 420 Seventh Street, said that he prepared some proposed findings and conditions for the project in response to the staff report. He apologized for presenting it as a handout but would like to talk about it for just a minute. He said that he attempted to lift proposed findings from the City Code. He was not in agreement with the City's desire to review the actual snow removal contract. He disagreed with the staff report that economics is not a hardship for the development. He contends that triangle lots are always problematic to build and meet setbacks. This was a classic example of that. He felt the variance criteria could be met. For a variance on parking spaces you only have to meet one of the criteria. He assured the Commission that the lease would prohibit RV parking and include parking enforcement provisions and it would not tie a parking space to a particular unit. He reviewed his proposed findings and conditions for each action item. [A copy of the handout is attached as Exhibit "A" to these minutes.]

Questions to Applicant

Commissioner Blair asked about the name of "Oasis Creek Apartments" and why the reference to Oasis Creek.

Mr. Liston said that Oasis Creek flowed at the east end and entered a culvert there.

Commissioner Blair thought the name might cause confusion to emergency vehicles.

Mr. Liston said the creek was there, but you don't see it.

Commissioner Blair asked about whether there would be a small retaining wall on the inside of the sidewalk.

Mr. Liston replied that on the west side they made a choice of a steeper slope or using an 18-inch retaining wall along the back side of the sidewalk.

Commissioner Blair asked about any history of instability of the northerly slopes.

Mr. Liston said that there is a supplemental letter that was provided after the initial submittal from the geotechnical engineer addressing the question about the soil conditions relative to these specific buildings. He asserted there was no question of stability on the slope below Donegan Road.

Commissioner Blair said he read that and the drainage report but couldn't remember much about it. He asked about the statement that there would be no drainage from Donegan Road because of the curb.

Mr. Liston said that when Donegan Road was reconstructed the curb and gutter changed some of the drainage patterns where previously there was no drainage that came down on this property, but the assumption was that with the construction of Donegan Road, the City installed a 24-inch storm water drain pipe down the west side of this property. It turns out that the construction of the curb and gutter on Donegan changed some of the drainage patterns and in fact did direct more water this way and would potentially have water overtopping. So the simplest explanation is that we are going to have to take out the 24-inch pipe and put in a larger pipe to carry drainage down the west side. The engineers are talking with the City Engineer to figure out what they want to do. We will finish that engineering when the project moves forward.

Commissioner Blair commented on viewing the site after the recent heavy snowfall and the curb and gutter were covered under a mound of snow. He thought that there might be runoff from snowmelt onto the property.

Mr. Liston said that was all part of the engineers' calculations on runoff and detention of the surface runoff. The engineers are on top of this.

Commissioner Blair asked if traffic flowed through the garages in both directions.

Mr. Liston replied that it did.

Commissioner Blair further commented on the chain-link fence proposed around the park area that it was pretty industrial. He suggested that they use something more attractive and compatible with the buildings.

Commissioner Dunn thanked the applicant for bringing this proposal. He said that the city needed this type of housing and more of it. He said he had many questions in a rather random order. The trees that were proposed for the front of the project and along Donegan Road were going to be critical in minimizing the visual impact of the project. He wondered what the height of the trees would be at the time they are planted.

Mr. Liston replied that they will be 2" and 2 ½" caliper and some 3" caliper. The City requires that a certain percentage be at least 3" caliper trees. Height will vary with species so in the range of 8-10 feet for the silver maple. It could be more. The critical factor of the growth of the tree is the caliper.

Commissioner Dunn asked whether there could be more evergreen trees across the front instead of maples. The evergreens would give more coverage.

Mr. Liston said the biggest challenge was the shadowing of the parking areas and snow removal. Leaves drop and the building becomes more visible and that is why we have the building set way back. There are a couple of places where we might insert some extra evergreens.

Commissioner Dunn said he seconded Commissioner Blair's comment about the chain-link fence. He also had questions about on-going management. He was aware that it was hard to do something in writing ahead of time but the management of this project will be critical as to whether it is successful or a disaster. He wants some assurance that

RV parking will be prohibited, exterior storage of toys and the things that can be a detriment.

Mr. McConaughy said this can be addressed by giving the City third-party beneficiary rights so the City has the right but not the obligation to enforce if the entity fails to do so. We might be able to do something similar here; this isn't an HOA with covenants but management will have rules and if you wanted the ability to issue parking tickets we could explore that idea.

Commissioner Dunn asked if they would be okay with that being an additional condition.

Mr. McConaughy said he would and had just suggested it to his client.

Commissioner Dunn commented on storage space of each unit, 68 square feet? Is that the total storage for each unit or is there anything else?

Mr. Liston said their approach to storage was that given the character of the population, bicycle storage was the biggest need. We don't want to see bikes on the balconies so we sacrificed space in the basement level to create bicycle storage along with the "bike kitchen" where people could work on their bikes. There is multi-use space in each unit designed to accommodate significant amount of storage as well as the laundry and mechanical for each unit. He said he did not know the basis for 100 square feet of storage called for in the code. That's like housing, if we want to accommodate housing in a needed way, people who have an excessive amount of stuff to store, there are plenty of self-storage facilities. We don't have to charge them more for rent for storage space. We are trying to provide the basics to meet people's needs.

Commissioner Dunn said he commended them for the bicycle storage and the bike work area. There are a lot of outdoor activities that require large toys and it would help if there was some additional thought put into storage, perhaps above the vehicles. Ideas like that are great because there is a large population that has kayaks and paddle boards and rafts and so on.

Mr. Liston said that they thought about that a little late in the process. That is available to only a portion of the units to have the opportunity for that storage space. The parking spaces in the garage are not assigned to a specific unit; they are assigned to a tenant who might have need for the extra storage space. We are trying to accommodate as much as we can and still provide the housing.

Commissioner Dunn said there seemed to be a lack of illustrations of the canopies over the parking. Those could have a major impact on what the visual is from the street. He wanted to know what the roof material will be and was hoping for a better visual perspective of what they will look like.

Mr. Liston pointed out that one of the architectural sheets had the details for the building.

Mr. Schultz stated they don't show well because of the steel roofs on 4-inch columns. They will be steel tube structures with a simple ribbed metal roof. They will be a medium gray color which will also be the color of miscellaneous metal on the buildings, like balcony railings. They slope to the street side. All the shelters are similar.

Mr. Liston said they did not want the canopies to dominate the parking area.

Commissioner Dunn asked about the drainage to move the water from the north side of the building and direct it around the foundation. He thought that rain or snow would collect at the low points on the north side.

Mr. Liston said the surface drainage would be directed to the west side of the property.

Mr. Liston said that all drainage ends up at the southwest corner of the site.

Commissioner Grosscup agreed that we needed more rental units in this community; she was concerned about the word "affordable" because it won't have any rent control. By the size, you may have lower rents. She noted that an ADU in her neighborhood rented for \$850 or \$900. When we have these really tight rental markets, there will be demand for this housing. She is concerned about the height and is trying to determine what impact that will have. She asked if they did any modeling for taking away units at the north side or making the units smaller so the rents could be lower.

Mr. Liston replied that the units on the north side of the building would look out at the retaining walls and landscaped terraces at the next step back. That will not be the most ideal scenario but from that point on, the living experience will not be detrimental. In many ways, that could be more attractive with the landscaping than the views from many other places in the community.

Another voice inquired if that was her concern or was it a concern about a view of the building.

Commissioner Grosscup said it was about the request for such a large variance in height. She understands it is to achieve the maximum number of units on the site but she wondered if they had considered a three-story structure or fewer units on the fourth story so it would have less impact.

Mr. Liston said they did that to address recreation by trimming off a unit at the ends for the lounge and terrace. He emphasized that these units will not be rent controlled and the solution of what she was talking about was market driven. If we can get enough housing built in Glenwood, there would be competition and prices could come down. You try to build as affordably as you can and we need more of that. With the way this property and this community is, there are very few flat sites where they can accommodate a large number of residential units. The non-flat sites mean there are additional costs involved. The building height and parking are the yes or no to this project working. We pulled this project once because we were still trying to get the numbers to work. We have to have free market housing and have enough of it so the market comes into balance. Just taking those units off the fourth story will have an impact. We are doing everything we can to provide the housing and to provide amenities that make it a reasonable living place. If you start knocking units down, the residential project will end up a higher priced project that may or may not serve what we are trying to do. Higher costs could mean for sale condo units and that is not what we need right now.

Commissioner Grosscup asked about the stairs down the back. Do they come down to the walkway but not access to street level?

Mr. Liston said that they toyed with what she was talking about. There is a bridge that runs between the first level and then a T that goes over to the Donegan stairs. Could we go down with that stair? Possibly. We don't want people coming down off Donegan and cutting through this property as a short cut back to the west. It would be nice for the residents to come down to the tot lot area, but he saw a potential challenge of non-residents passing through this site where they do not belong.

Commissioner Grosscup asked about the driveways through the project as a directional driveway.

Mr. Liston said they could go either way. It was a 24-foot wide drive aisle through the garage.

Commissioner Grosscup asked if there were plans for exterior bicycle racks. Mr. Liston responded that there were several locations near each of the entrances.

Commissioner Grosscup asked if there would be a leasing office on site.

Mr. Liston was not sure there would be a leasing office on site. He thought they might use one of the units for a leasing office at the beginning.

Commissioner Grosscup asked about ADA within the buildings. Mr. Liston stated they had discussed this with the Fire Department and we will keep ADA to the first level so it's easy access for medical emergencies.

Mr. Schultz interjected that the code requires all units to be what they call Type B units. ADA technically does not apply to the residential component but the Building Code requires accessible units so all units are Type B accessible which is a low level accessibility. Then there is a percentage required to be Type A which have larger toilets, lowered counters and things like that. We will have those; he thought it was three units. All the public areas need to be fully accessible.

Commissioner Grosscup said she agreed with staff that the red brick was really nice. The bulk of the project would be the textured materials.

Mr. Schultz states these two products would be higher up.

Commissioner Grosscup thought there was not much contrast between the vertical lines at the elevators and stairs.

Mr. Schultz said there would be more contrast in reality as with the lap siding there would be horizontal shadow lines. Brick has its own texture. Looking at the plain materials does not tell the whole story.

Commissioner Grosscup thought that looking across from Target, the colors might blend and not contrast.

Mr. Schultz said that they can explore some other options.

Commissioner Grosscup was concerned about storage. When she rented a one-bedroom apartment she had ski gear, two bikes, and camping gear. She thought that storage was critical. She was concerned about security for things stored in the parking garage.

Mr. Liston said people would have to provide their own locks as they do with the bikes.

Commissioner Grosscup asked if they considered a clubhouse as an amenity. The bike storage and the dog wash/bike wash are great.

Mr. Liston said that with this project they decided to forego things like an exercise room. Rather they are providing the community rooms on the fourth floor of each building.

Commissioner Grosscup commented that some properties even provide a computer room. She asked about Ride Glenwood and where it would take people.

Mr. Liston said it makes a loop around the RFTA route along Midland and Wulfsohn. This community will be enhancing how it handles shuttle services and mass transit and we are going to see improvements.

Commissioner Grosscup commented on the colors and agreed with trying to keep the parking covers inconspicuous.

Commissioner Wussow thanked the applicants for their project and commented that she had actually lived on that site 14 years ago. We rented the old house on the far east side. She remembers the large number of fruit trees on the property that were enjoyed by a lot of people. She said it was exciting to her to anticipate something new on the property, especially the redevelopment. She thought it would bring an aesthetically pleasing component to West Glenwood. She thought it was nice to speak last because everyone asked such good questions. She was familiar with the box of samples for siding that provided few options. When sourcing other options the choices are limited. However, she agreed that more contrast would be nice. She would not like to see painted siding as maintenance can become an issue. She, unlike her fellow Commissioners, actually liked chain-link and felt it gets a bad rap. In contemporary settings, it can be done well and brings the metal component from the other places. The dog wash made her wonder how many pets that would involve. She was surprised that they would allow pets in their complex.

Mr. Liston said they anticipated that people have pets. There will be pet stations and pick-up bags on the premises. He argued against having a single location as a pet station. Management will be charged with seeing that it is handled properly.

Commissioner Wussow commented on the reduced impact when viewing the buildings from Donegan. From the front, it might look tall but the concentrated use of that site to accommodate and create a better supply of rentals in our area is smart. She agreed that there are some things that need fine tuning.

Commissioner Dunn asked if they had given thought to motorcycle or scooter parking.

Mr. Liston said that was one thing they had not discussed in great detail. That is something that you can implement in the management process. If we have a couple of motorcycles in the complex, they can be assigned a shared parking space.

Commissioner Dunn said that it would be advantageous to utilize some space like that. He wondered if any thought had been given to making the parking garage access one way which would make it possible to have all parking spaces meet the length requirement.

Mr. Liston said they could do that but he does not see a problem with 17.5-foot-long parking spaces. Parking is assigned so you know what car will go into that space and there will be no problem maneuvering out of the space. The inconvenience of a one-way drive would be very annoying to the residents. The two-way flow was crucial to the efficiency of the garage.

Commissioner Dunn asked how many spaces were the longer ones.

Mr. Liston replied that the 19-foot spaces were along the north side of the garage and that is the standard sized parking bay for the City, 9 by 19. The ones on the south side of the garage are the ones that are 17.5 and a few are deeper.

Commissioner Dunn asked about the tot lot and assumed that no pets will be allowed.

Mr. Liston said the tot lot will be individually fenced. The playground in the resident park is for older kids and has larger structures that will not be fenced. He did not think the pets would be a problem.

Commissioner Blair wanted to ask the City Engineering staff about signage and control on the highway access.

Jessica Bowser, Assistant City Engineer, asked him to clarify his question.

Commissioner Blair asked about sight distance, signage and speed control at the access points.

Ms. Bowser said that is permitted through CDOT and they did a thorough review of the access and limiting the access from four points down to two. There are stop signs provided on the plans for residents leaving the site and there is adequate sight distances provided because it is an elevated site.

Commissioner Blair asked if they were satisfied that it was adequate for traffic safety. He had another question about access into the project for school buses or larger emergency vehicles.

Ms. Bowser said that the applicant addressed that earlier. There is adequate access for the Fire Department and for school buses. The Fire Department has reviewed this. There is adequate access for buses if the school district wants to add a stop within the project.

Mr. Liston stated they hoped they had clarified some of the things involved with the project. That is why they had prepared some draft findings to move it along.

Commissioner Dunn asked about ongoing management and whether a condition could be put in place to assure that even if ownership transfers there is still on-site management. Is there a system to assure that doesn't go away?

Jon Hoistad of the City Attorney's office addressed his question. Even if they sell the project or it falls on hard times, they would continue have on-site management. The City and the applicant can come to that agreement. For the City to continue to check up on that would be a difficult task. This is not an annexation where we can make certain demands by contract. The extent to which the City can enforce these things absent willful behavior is pretty limited. With things like snow removal, we could become a third party beneficiary to try to enforce those rules, but it can be difficult. Who is to say they won't just give up on meeting their requirement and kick it to the City?

Commissioner Dunn said that was exactly what he was concerned about. He can put faith in the good will of the applicant, but ten years down the line, if the economy changes, the ownership changes, he was looking for a way that the on-site management component does not go away.

Mr. Hoistad did not think the City could force their hand on that. He was willing to discuss it with the City Attorney to see if there was something else, or if Council was reviewing it.

Chairman Dehm said he liked this proposal. It is what we need and it pushes the envelope a little. We have heard everything we need to hear. He asked Jill if she had reviewed the proposed conditions provided by the applicant.

Ms. Peterson replied that she just received them this afternoon and we haven't really reviewed them in any great detail.

Chairman Dehm said he wondered if she was comfortable with the draft conditions.

Ms. Peterson said she would defer her comments until the Commission was in discussion mode.

At 8:47 p.m., the Chair invited public comment. No one wished to comment. The Chair closed public comment period.

The Chair called for an intermission.

8:57 meeting resumed.

Chairman Dehm called for a motion.

Commissioner Blair said staff requested discussion and that should be honored.

Jon Hoistad, City Attorney's Office, commented on how the procedure should go. He said they needed an open motion to have the discussion.

MOTION: Action Item 1: Zoning Variance from 070.040.030(g)(6) to allow a maximum building height of 60.85 ft. which exceeds the maximum allowed height of 35 ft. in the C/1 Limited Commercial zone district. Commissioner Dunn moved to approve the variance for the maximum building height. The motion died for lack of a second.

MOTION: Action Item 1: : Zoning Variance from 070.040.030(g)(6) to allow a maximum building height of 60.85 ft. which exceeds the maximum allowed height of 35 ft. in the C/1 Limited Commercial zone district. Commissioner Grosscup moved to continue Action Item 1 with findings on page 29 of the staff report. Commissioner Blair seconded the motion.

Commissioner Dunn supported the motion. He wants to let the applicant know what we are okay with and what we are not okay with. He wants to be sure we are giving applicant enough information to go forward. This is a huge variance and in view of the site difficulties such as the grades of the site, he is in favor of the variance.

Commissioner Blair agreed with continuing so we can make comments for staff and the applicant. Regarding the height he does not disagree because the location of the site doesn't impact others' views. On the other hand, people might view the taller building with concern. He wants an alteration to the design and finish to lessen the appearance of the building height. This could be mitigated with materials and more linear features.

Chairman Dehm agreed with what he just heard and does not have an issue with the height. He understands the reason for the fourth floor.

Commissioner Grosscup says she wants to have a little more improvement on the materials used and colors to reduce the appearance of the taller height. The two cement siding colors are very close and she would like that addressed. She thought that 116 units is a large impact for this community.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 2: Zoning Variance from 070.050.060(b)(4), required 232 parking spaces to allow 183 parking spaces. Commissioner Dunn moved to continue the zoning variance requirement with findings on page 29 of the staff report. Commissioner Grosscup seconded the motion.

Commissioner Blair said that he understands what the applicant is proposing but he does have some concerns. This site is not in the core. There will be more vehicle traffic. Distance from other amenities may generate more vehicle traffic to and from the project. The developer could reduce the size of the building or look at nearby off-site parking spaces, perhaps to the north.

Commissioner Dunn said he still has hesitations. He feels that the Code needs to be more specific on parking requirements based on bedroom configuration. We hope for alternate forms of transit and they have addressed bicycles. They also need to include

motorcycles and scooters in modes of transit. He was concerned there may not be enough parking but he is not sure how they can add additional spaces.

Commissioner Grosscup needed more clarity of how the City might be involved in enforcing parking.

Commissioner Wussow said she does not feel the parking needs are being met.

Chairman Dehm wanted to know if we had approved 1.5 parking spaces per unit for any other projects. If we have, how was it working out?

The Chairman called for the question. The motion carried unanimously.

MOTION: Action Item 3: Zoning Variance from 070.040.030(n)(7) and 070.160.090(a)(2)b.iii.5 to allow a roof eave encroachment of 38.5 inches reducing the required setback from 25 ft. to 21 ft. 9.5 in. setback. Commissioner Grosscup moved to continue with the findings on page 29. Commissioner Dunn seconded the motion.

Commissioner Wussow commented that this variance request seems fairly straight forward.

The Chairman called for the question: The motion carried unanimously.

MOTION: Action Item 4: Design Variance from 070.030.080(b) and (e) re streetscape requirement to provide an 8 ft. sidewalk and 5 ft. planting strip along Donegan Road: Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Dunn said that he would be inclined to approve. He wanted to protect the trees.

Commissioner Wussow said she felt it was important to give energy to having trees along the street.

Chairman Dehm said that applicant has demonstrated support of pedestrian access with the crosswalk.

Commissioner Blair said that the City had a good reason not to put a sidewalk there due to the steeper grades.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 5: Design Variance from 070.030.090(b) limiting access points on arterial and collector streets to no more than one (1) access point. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Grosscup thought it was logical to approve the two accesses into the site so she likely can support.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 6: Design Variance from 070.050.060(b)(4) and 070.160.090(a)(5)ii., restricting developments which require more than 60 parking spaces from providing more than 60 parking spaces outside of the footprint of a building. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Chairman Blair asked staff and applicant to give consideration to this.

Commissioner Dunn was also concerned when parking was the primary reason for variances as more than half are. This tells him they need to look closely at parking.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 7: Design Variance from 070.050.100(3) and (4) dimensional requirements for parking spaces to allow 24 parking spaces with reduced dimensions. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Dunn commented that he might be confused as some of these were already addressed and he has outside and inside parking mixed up. He said that he had the same comment as before about parking variances. They have addressed this pretty well and he said he did not have any specific objections to this particular variance. Again, it is the overall parking issue.

Commissioner Wussow agreed with Commissioner Dunn. She is okay with the smaller sized spaces. She was just concerned about the total number of spaces available overall. She wants an overall better understanding of the parking solution.

Chairman Dehm asked if there were smaller sized parking spaces outside as well.

Ms. Peterson said she did not recall. She believed the applicant was making some revisions to the plan but we have not seen those yet. Perhaps it was to adjust the direction.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 8: Design Variance from 070.050.100(8) maximum grade of 4% for access ways in parking areas within 100 ft. of an access drive, and for parking spaces exceeding the maximum cross slope of 5%. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Wussow said that she needed an example of 5% parking grade on a parking space.

Ms. Peterson agreed to provide one.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 9: Design Variance from 070.160.090(a)(5)b.i.1.&2. To allow parking within proximity of a street frontage and to allow parking spaces within the 25 ft. front yard setback. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Dunn said that this was not a big issue and there might be a solution possible because it is just a couple of places and why not get it into conformity.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 10: Design Variance from 070.160.090(b)(2)b.v.1 – Development parcels greater than three (3) acres shall incorporate a minimum of two (2) housing types. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Blair said that he wants clarification of what is meant by housing type—does that mean size or square footage?

Ms. Peterson said that it comes from the residential design standards in the Code, the intent is a variation on housing types, stacked units versus townhomes, patio homes, or other type units.

Commissioner Dunn did not think this was a big issue. He said that in our community we need diverse housing types but on this lot in this location he thought that smaller units with higher density fits this site.

Chairman Dehm agreed with Commissioner Dunn's comments.

The Chairman called for the question and the motion carried unanimously.

MOTION: Action Item 11: Design Variance from 070.160.090(b)(6)b.i.1. requiring a minimum of 100 sq. ft. per residential unit of enclosed storage space. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Blair said storage is a serious consideration and needs to be given more consideration. People have too much stuff.

Commissioner Grosscup agreed with Commissioner Blair's comments. Finding more storage is an issue.

Commissioner Dunn thought there was a solution by putting storage above parking spaces per what the applicant had indicated was possible. He was confident that staff and the applicant can address this. They were already very close to the 100 sq. ft. goal. He thought it was attainable.

Chairman Dehm commented that if the applicant changed parking access to one way they could put storage in front of every parking space in the garage. Parking places could be closer to the center with storage in front of them on both sides. He thought this would free up at least four or five feet on each side to enclose for storage. He was curious to see who would love the storage and would not mind driving all the way through to get it.

The Chairman called for the question and the motion carried 4-1 with Commissioner Blair voting no.

Commissioner Blair said he voted no because he could.

MOTION: Action Item 12 – Major development. Commissioner Dunn moved to continue based on findings on page 29. Commissioner Grosscup seconded the motion.

Commissioner Blair said that before and during the meeting he had prepared many comments for this project. They don't fit with any of the previous action items. He wanted to express them because staff had requested comments and he wants staff, the applicant and Commissioners to hear them so they can give some thought to preparing comments and any changes they might want to make at the continued meeting.

He said that he agrees with the concept and generally liked the project but was concerned with the mass of the structure and the lack of parking on the small site. He thought that the site was very small for what the applicant wanted to do on the site. It is difficult to fit everything onto the site in accordance with City regulations. It was okay to request variances as we want to encourage creativity. He thought that good ideas could come forth next time. He said that his primary concern is the free market for all the rentals. Rentals in the city are already free market and that is not working for the general working population for the city. Teachers, police officers, nurses and others make good wages but those good wages don't fit the free market prices of rentals in Glenwood Springs. He does not think the City should subsidize a development just to meet free market housing prices. He would like to suggest the applicant propose some worker housing (up to 30 units) for those honest good workers in the city who cannot afford market rates. This development asks for a lot of variances and he thinks they should give something back in exchange. He feels it hurts the community when its workers cannot live here.

Commissioner Blair said that he is not pleased with the design of the building. It is too similar to buildings in Denver along the light rail tracks. The buildings are too modern looking for a Glenwood design. The City and CDOT recently had open houses that talked about design for the 6th Street area. The majority of comments requested traditional building design. These were older participants at the meetings. He thought they should consider the variances being requested in relation to what the City's regulations would require. He thought a smaller footprint coupled with better design might work with an extra floor. From Donegan it would still look like a one or two story building. He also commented that the recreational facilities on site were too small for the number of units proposed. He was sure there would be children in the building and many of them might be too small to walk the distance to the play facilities. He thought

that a different design might help it fit the site better. He liked their plan for landscaping on the site.

Commissioner Dunn wanted to revisit the items listed for discussion by staff on page 29 of the report. He went through these.

- (1) He was fine with the building height because of the location and topography.
- (2) He was okay with that as well. He thought it was a very good site plan and in general we do not like to see a lot of parking out front but in that particular case, it makes sense.
- (3) Understanding how the bottom units were, looking out on trees and terraced area, maybe there will not be a lot of natural light coming in, but it will still be a nice view out the back. He didn't think it would be cave-like because there is access to natural light.
- (4) As stated before, he was fine with the single housing type. He thought it was appropriate in this case.
- (5) He said he was echoing some of Commissioner Blair's concerns on the open space amenities and specifically the recreational facilities provided and a waiver for the park dedication. In order to waive the parkland dedication fee, he did not feel that it was adequately addressed. The statement that the private recreation facilities would fulfill a major portion of the recreational demands of a majority of the residents of the proposed development. He said that he has an issue with it because he thought the younger kids have facilities that meet the majority of their recreational needs. When you have kids past the ages of 5 or 6, there is just not enough space there for playing baseball, football or soccer. Although that is not a requirement for the applicant to address, that is why the parkland dedications were set up in the first place, so the community as a whole has those facilities. This application addresses one of our major needs, housing, but another need is the need for larger and more athletic fields and the ability to host tournaments and things like that. In order to make that happen, we need the money to do that, so he thinks that is why the fee in lieu was set up and he is not sure that what is being offered is really addressing that need sufficiently.
- (6) He said he had just addressed that.
- (7) He is fine with the building colors the way they are. He thinks it looks nice. He disagreed with Commissioner Blair as he liked the modern look. He thought it looks good.
- (8) He is fine with materials.
- (9) He thought he had already weighed in on storage requirements earlier.

Chairman Dehm started with (4) regarding mix of housing types; he said that he had envisioned multi-family on the site. He is pleased with the choices of the applicant. He is okay with open space amenities on the site. He is not happy with the parkland reduction. The colors could have better contrast. He thanked the applicant for the modern appearance. Accessory structures were already covered when we talked about keeping them light and simple. Storage needs to be addressed. As for drainage, the engineers can figure that out.

Commissioner Blair asked if they were going to vote on actions at the continued meeting even though they are continued.

Chairman Dehm said that we will go with the new staff report recommendations.

Commissioner Dunn said that he wants to see this happen. He believed that the community needs it. He hoped they could get it figured out. He further stated that he is not comfortable with taking actions without staff findings and conditions on the action items. He wants specifics from staff.

Commissioner Dehm echoed Commissioner Dunn's comments. He thought the applicants were thorough. We need staff findings for our actions. He is reluctant to approve something without staff's backing and recommendation. Staff knows what is in the code. He said that he will not be here in February. He wants to give the applicants a date certain when they return to this item.

Commissioner Blair had a question on procedure. We did not set a date certain for the next meeting. Do we need to do that?

Ms. Peterson said that February 23 is the next regular meeting date.

Jon Hoistad of the City Attorney's office noted that the public hearing was being continued to the next regular date (February 23rd), so we won't have to re-notice it because we had the public hearing open today and continued every one of the action items. No further notice is required but it will be a continued public hearing on that date.

The Chairman called for the question and the motion carried unanimously.

Other business:

MOTION: Commissioner Grosscup moved to continue meeting past 10:07 p.m. Commissioner Dunn seconded the motion. Motion carried by voice vote.

5. Community Development Director's Update.

Mr. McGregor reported that Judy Gillespie's last meeting was last month. He asked the Commissioners to express their appreciation for her many years of service when they see her.

He also reported that staff was reviewing proposals for the land use code rewrite. He envisioned that the process will start some time in February. We should enter into a contract soon and move forward.

The Sixth Street planning process is ongoing. A Steering Committee meeting will be held in the third week of February (February 17). He asked Chairman Dehm to appoint an alternate delegate if he would not be able to attend. That meeting would be followed by a workshop with the City Council to update them on the process regarding Sixth Street. It will happen at 5:00 p.m. He said he hadn't set a time yet for the Steering Committee meeting.

Commissioner Grosscup said that her neighbor wanted to follow the process. She had suggested they call the City. She wondered if anything was available on line.

Mr. McGregor said that for now they should just call us.

6. Comments from the Commissioners.

Commissioner Grosscup thought it was important to get our comments out there on the application.

Mr. McGregor said we cannot talk about the application now.

Commissioner Blair wanted to ask a general question. He wondered when the staff asks the Commission for discussion on items, are we doing it outside a motion or within a motion.

Mr. McGregor said the bylaws provide the option of doing it either way. This is a complicated application and you got there in the end.

Jon Hoistad said they can have an umbrella discussion by agreeing what the action is going to be and then walk through each of the specific action items and provide a little more pointed guidance to the developer on what the concern is.

Commissioner Dunn said the count of yeas and nays will help the applicant. It would be nice in general procedure if there was at least the option to take action. If we could take the yes or no action on certain items and still continue other items. When you are in a situation where you don't have conditions or findings to guide you, you are sort of locked into a continuance because how are you going to approve unless you have conditions. He wished there was a procedure where action could be taken on some items individually and continue others.

Mr. Hoistad said what you would like to do is to continue the whole application but then give an indication on particular variances you might wish to approve. Part of the problem that comes with that is if the project is going to reform or change in design to some degree, then you have approved a variance that might look wholly different when the project comes back. What happened here was appropriate because you said which particular things are not a concern but you continued it anyway.

Commissioner Dehm thought they did well for what it was. He noted that he would not be here in February and that one of the absent members could review the record and sit in.

Mr. McGregor said the rules have that option. He said applications for Commissioners are out and have been in the paper for several weeks now.

[Everyone was talking and no one was clearly audible.]

Mr. McGregor said the appointments would be done on February 4 so it was possible there would be new members who would be able to get up to speed. It would be great to have a full complement.

Commissioner Blair does not want to receive the Council's comments on review of a conceptual plan. He thought that unduly influenced the Commission because they want to follow what the Council said. He thought that was improper to do because it might influence the Commissioners' thoughts.

Commissioner Dunn asked how it went to Council first.

Ms. Peterson said they did a conceptual review which is part of the review process.

7. Adjournment. **10:18 p.m.**