

**CITY OF COLORADO SPRINGS PLANNING COMMISSION
RECORD-OF-DECISION**

THURSDAY, JANUARY 21, 2016

**CITY HALL COUNCIL CHAMBERS
107 NORTH NEVADA AVENUE
COLORADO SPRINGS, COLORADO 80903**

**CHAIRMAN PHILLIPS CALLED THE MEETING TO ORDER AT 8:30 A.M.
THE MEETING ADJOURNED AT 2:09 P.M.**

PRESENT:

Markewich
Henninger
Gibson
Donley
Phillips
Shonkwiler
Walkowski
McDonald
Smith

ABSENT:

ALSO IN ATTENDANCE:

Mr. Peter Wysocki, Planning and Development Director
Mr. Marc Smith, City Senior Corporate Attorney

RECORD OF DECISION

Moved by Commissioner Markewich, seconded by Commissioner McDonald to approve the December 17, 2015 Record of Decision.

Motion passed 9-0.

COMMUNICATIONS

Mr. Wysocki introduced Elena Lobato to her first formal City Planning Commission meeting and would like to recognize Cindy Hurst and Sue Matz for stepping in and helping out with the Administrative Technician position. There was a slight issue with the posting of the Short Agenda, basically the Table of Contents. The Short Agenda was not posted with the City Clerk's office until 2:30 p.m. yesterday, January 20, 2016. We did post the entire packet and the agenda on the City's website, it was noticed in the paper and of course all the public notices for the quasi-judicial items were mailed to the appropriate property owners. What we would ask the Planning Commission to do is make a finding that given all the other notices were met the agenda was fully noticed in a timely manner.

Mr. Smith added it appears we probably have from what Peter told us as evidenced by several dozen people in the crowd here, six or seven different forms of public notice, I believe between the informal meeting, the

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postcards that have gone out, and everything else that has gone out. The statute does not explicitly require we post in the City Clerk's glass case, which was what Mr. Wysocki was talking about. If we could get a motion that the commission believes that we have provided full and timely notice, we could proceed with the meeting, otherwise, we would need to wait until 2:30 to start the meeting or we would need to postpone to another date.

Chairman Phillips asked for Mr. Smith to clarify what was being asked of the Commission. Mr. Smith explained it would be a motion to take notice of the fact that the meeting has been fully and timely noticed and we would proceed as noticed on the agenda.

Moved by Commissioner Walkowski, seconded by Commissioner Smith, to approve the January 21, 2016, City Planning Commission meeting was fully and timely noticed.

Motion passed 9-0.

COMMUNICATIONS (cont'd)

Mr. Wysocki requests that Item 4A be heard first after the Consent Calendar. Also Item 8 which is an Ordinance amending Chapter 7 of City Code pertaining to marijuana consumption clubs be postponed to the February 18, 2016, Planning Commission.

Mr. Smith stated with the postponement public comment should be allowed on the postponement not anything specifically to the marijuana consumption clubs item.

Moved by Commissioner Markewich, seconded by Commissioner Gibson to postpone **Item 4.A CPC CA 15-00138**; Mr. Smith asked if there were any public comments on the marijuana consumption club ordinance. No public comments or discussion.

Motion passed 9-0.

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NEW BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION
<p>ITEM: 7.A CPC ZC 15-00140 (Quasi-Judicial)</p> <p>ITEM: 7.B CPC DP 15-00141 (Quasi-Judicial)</p> <p>PARCEL NO.'S: 745200096</p> <p>PLANNER: Conrad Olmedo</p>	<p>A request by Andrea Barlow of N.E.S., Inc., on behalf of Judy Henley, for approval of the following applications:</p> <ol style="list-style-type: none"> 1. A zone change from R1-6000 (Single-Family Residential) to OR (Office Residential). 2. A development plan for an Office/Medical Use. <p>The property consists of 15,782 square feet and is located at the northwest corner of the intersection of S. 8th St. and Cheyenne Blvd. at 802 Cheyenne Blvd.</p>

NEW BUSINESS CALENDAR

DATE: January 21, 2016
ITEM: 7.A – 7.B
STAFF: Conrad Olmedo
FILE NO.: CPC ZC 15-00140
 CPC DP 15-00141
PROJECT: 802 Cheyenne

STAFF PRESENTATION

Conrad Olmedo, Planner I, presented a PowerPoint slide presentation (**Exhibit A**).

Questions of staff: Will explain difference between medical and general office use is because it is state of Colorado definition.

5 comments from public

1. Zoning buffer
A.
2. Increase Traffic
3. Through access
A. TM

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Applicant: Andrea Barlow

Three requests for zc –

Use of property built in 1909...since 1993 has been in office use.

DP – map access to property is off 8th street. Extensive parking area. 7 spaces. Think there is room for additional space. Lower intensity medical use.

Well maintained, mature. All activity is from 8th street.

16000 sqft

Short on landscaping. On side.

Issue with client trying to sell the property.

Interior space is limited.

Point to make showing it is very much an office use and suits therapy business, not a medical which would .

3 in support with one caveat

Opposition – private property driveway...

Questions:

1. Gibson – looking for an alternative for landscapebuffer?

A. cannot do anything with landscape because it is a shared area. Looking for getting it waived????

Public Comments:

Supporters: none

Opposition: none

Staff: Donley question. Parking requirements are they different for office medical/regular.

Medical one space per 200 sqft

Regular is one space per 100 sqft

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Would need 8 for medical office that is why looking for administrative relief

No rebuttal.

Discussion:

1. Smith – I support the projects.
2. Walkowski – support the project, transitional property, meets the criteria for zc as well as the dp.
3. Donley – wrestling with medical office issue because of increased traffic and goes loonger into the day. If we limited office use from medical, maybe amend.
4. Henninger – good use what is asking for. Considered medical, but there are also medical facilities. Support.

Motion:

Markewich approve the zc does comply with zc criteria.

Henninger seconds.

8 approves, One opposition – Donley

Markewich approve dp meets review criteria

Henninger seconds

Approved 9 – 0.

Motions passes.

Supporters of the application:

Opponents of the application:

REBUTTAL:

Additional Comments / Questions of Staff:

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DECISION OF THE PLANNING COMMISSION

Moved by Commissioner ??????????, and seconded by Commissioner ??????????, to approve **Item No. 7.A, CPC ZC 15-00140 – Zone Change** for 802 Cheyenne Boulevard, based upon the finding that the zone change complies with the zone change review criteria in City Code Section 7.5.603.B.

Motion Passed:

Moved by Commissioner ??????????, and seconded by Commissioner ??????????, to approve **Item No. 7.B, File No. CPC DP 15-00141 – Development Plan**, based upon the finding that the development plan complies with the development plan review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or information plan modifications:

Technical and Informational Modifications to the Development Plan:

1. Include permit file number on site plan.
2. Include the zone change ordinance.
3. Include a note on the site plan indicating that there shall be no through access to Cheyenne Blvd. via the westerly adjacent property.

Motion Passed:

January 21, 2016

Date of Decision

Planning Commission Chair