



City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

Meeting Minutes - Final Planning Commission

Thursday, June 14, 2018

8:30 AM

Council Chambers

Special Meeting

1. Call to Order

Rollcall

Present: 8 - Samantha Satchell-Smith, Carl Smith, Chairperson Rhonda McDonald, Scott Hente, Jamie Fletcher, Jim Raughton, Vice Chair Reggie Graham and John Almy

Absent: 1 - James McMurray

2. Approval of the Minutes

None

3. Communications

Peter Wysocki, Director of Planning and Development

4. CONSENT CALENDAR

None

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS CALENDAR

- 6.A.** [AR NV](#) An appeal of an administrative approval of a nonuse variance to allow an
[18-00243](#) accessory structure to exceed the footprint of the principal structure
located at 2708 Beacon Street.

(Quasi-Judicial)

Presenter:

Susanna Dalsing, Planner I, Planning and Community Development

Staff presentation:

Susanna Dalsing gave a PowerPoint Presentation discussing the scope of the project

Appellant Presentation:

Ms. Crawley gave a presentation regarding the appeal and provided a packet in written form outlining the criteria that was not met during the review and/or errors in the review.

1. Erroneous data for footprint size of the principle residence was used.
2. The approval letter stating the house is smaller than most in the immediate neighborhood is false.
3. The approval letter states the proposed Accessory Dwelling Unit will have two off street parking spaces where there were none before, and this is erroneous.
4. The applicant's nonuse variance application was incomplete.
5. Approval of the nonuse variance is an adverse impact to surrounding property. (Parking issue)

Applicant Presentation:

Mr. Juvera gave a PowerPoint presentation discussing the scope of the reason for the nonuse variance. He explained that by building the ADU, he is creating a 2-car garage that will allow him to park there instead of on Beacon Street.

Questions:

Commissioner Smith asked if most of the alleys in the area are used for parking behind the houses or accessing the garage, and Mr. Juvera said that was primarily what the alleys are used for.

Chair McDonald asked Mr. Juvera to clarify the 150 square feet up and the 150 square feet down. Mr. Juvera explained the nonuse variance he asked for was a little more than 300 square feet. Not all of the 304 square feet is for the unit above the garage. The structure is pretty much a square and only 150 square feet is actually going for the living space above. His main concern was to make sure he had enough room to park two vehicles in the garage.

Chair McDonald asked what the total width of the garage will be. Mr. Juvera said it would be 26 feet wide and 28 feet 6 inches deep.

Supporters:

None

Opponents:

None

Rebuttal:

Planner Susanna Dalsing clarified the parking. City Code only requires one parking stall for the residence and one additional for the ADU. The applicant is meeting that requirement and adding an additional parking stall. The alley is a public alley and traffic is permitted to utilize the alley, including the church. Ms. Dalsing explained she left out 2718 Beacon Street because it is an ADU and she only used principle structures.

Ms. Crawley said that the ADU at 2718 Beacon Street is with a structure located on Tremont Street.

Mr. Rivera provided three letters in support of the nonuse variance and are directly affected by the variance.

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Chair McDonald expressed she feels for both sides of the subject, but feels the variance doesn't impact traffic or Beacon Street. Chair McDonald said she would be upholding the administrative decision.

Commissioner Raughton is in favor the mother in law structures and thinks it will strengthen the city. It creates diverse housing, affordable housing, and will help preserve older neighborhoods. Commissioner Raughton will support the administrative decision.

Commissioner Hente said he is supportive of the administrative decision and would like to make a motion to uphold the administrative approval.

Motion by Hente, seconded by Satchell-Smith, to Deny the appeal and uphold the administrative approval of the nonuse variance, based on the finding that the appellant has not substantiated that the appeal satisfies the review criteria outlined in City Code Section 7.5.906(A)(4), and that the nonuse variance application meets the review criteria in City Code Section 7.5.802.B. The motion passed by a vote of 8:0:1

Aye: 8 - Satchell-Smith, Smith, Chairperson McDonald, Hente, Fletcher, Raughton, Vice Chair Graham and Almy

Absent: 1 - McMurray

7. Adjourn