

PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

June 28, 2021 - 6:00 PM

MINUTES

Email public comments to: publiccomment@cityofsalida.com

Please register for the Planning Commission meeting: <https://attendee.gotowebinar.com/rt/1909092342220683277>

CALL TO ORDER BY CHAIRMAN – 6:00 PM

PRESENT

Chairman Greg Follet

Vice-Chair Francie Bomer

Commissioner Judith Dockery

Commissioner Giff Kriebel

Commissioner Doug Mendelson

Commissioner Michelle Walker

Commissioner-Alternate Suzanne Copping

ROLL CALL

APPROVAL OF THE MINUTES

1. May 24, 2021- Draft Minutes

Motion made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel, Commissioner Mendelson, Commissioner Walker, Commissioner-Alternate Copping

UNSCHEDULED CITIZENS- None

AMENDMENT(S) TO AGENDA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- | | |
|---|--|
| A. Open Public Hearing | E. Public Input |
| B. Proof of Publication | F. Close Public Hearing |
| C. Staff Review of Application/Proposal | G. Commission Discussion |
| D. Applicant's Presentation (if applicable) | H. Commission Decision or Recommendation |

2. El Tapatio Conditional Use – Downtown Street Patio - The applicant is requesting conditional use approval for a downtown street patio to be placed on E. Second Street in front of El Tapatio Restaurant located at 136 E. Second Street.

- A. Open Public hearing - 6:04 pm
- B. Proof of Publication -Yes
- C. Staff Review of Application –

Dunleavy reviews the Application for Tacos El Tapatio. They are requesting conditional use approval for a downtown street patio.

The proposal meets the standards of Public Works and the Land Use Code and the 9 recommended conditions of approval all stem from those standards as well as the agency review comments provided in the packet.

Staff recommends approval for the conditional use for a downtown street patio to be located in front of Tacos el Tapatio subject to the 9 conditions provided.

- D. Applicant's Presentation –

Dorothy Norbie, the building owner, supports the patio. She would like to have something more permanent, stable and safer. The awning will be taken off in the winter so snow will not build up. They will also trade parking with Ken Brandon with Box of Bubbles for the loss of parking spot. She believes this will make them competitive in the downtown district. Norbie emailed her neighbors and has not heard any opposition.

- E. Public Input –

Ken Brandon, the owner of the building across the street from the restaurant, let council know that he is creating a sign to designate a parking spot for Tacos el Tapatio.

- F. Close Public Hearing - 6:11pm

- G. Commissioner Discussion –

Bomer suggests changing the language to make it consistent with the operating hours of business.

Follet asks what if the business hours change to midnight?

Bomer clarifies that you also write in the hours next to the operating hours of business.

Follet asks whether we have to connect the patio to the ground.

Jefferson says that other patios do not have to be connected to the ground.

Dunleavy says that when she spoke to the contractor, they may be able to level it which would address the inspectors concerns but that would be determined in the building permit process.

Walker suggests that the language is there because their tent has been blown down.

Bomer asks if the other patios require building permits?

Jefferson says that they used to in the beginning but is unsure of whether other patios are required to.

Follet clarifies that they require them to be engineered. He questions whether we want holes in the sidewalks.

Bomer believes it should be consistent with other patios.

Follet wonders whether the planning commission can make that recommendation?

Almquist says that we could make the requirement more generalized to say to meet building code.

Bomer asks whether this is recommended condition number 6 instead of building permit it would say building code.

Almquist thinks **Bomer** should keep the language of building permits.

Discussion on what “anchoring” means whether it means bolted in the street or it just means stable.

Almquist was not sure when he read it whether the structure or the sail had to be anchored to the earth.

Bomer asks what if the commission said that the structure will require a permit and the windsail must be anchored so it will not move with the wind. She wants to replace it with windsail to provide more clarity.

Almquist says that it still needs to meet building codes regardless and his sense is that it would not need to be bolted in the space.

Bomer says that she would just move it to wind sail to make it clear.

Follet is looking at the letter from Dan to read the language. He believes the clarification is fine.

Copping says that clarity always improves things. She believes that it is such a heavy construction that she is not worried about it blowing in the wind.

Almquist states that it will have to go through the building permit process.

Bomer motions to approve the conditional use with two changes. Number three she would like to add “consistent to the operating hours of the business” and number six she would like to change it to windsail. Walker seconds.

H. Commission Decision -

Motion made by Vice-Chair Bomer, Seconded by Commissioner Walker.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel, Commissioner Mendelson, Commissioner Walker, Commissioner-Alternate Copping

THE MOTION PASSES.

UPDATES

COMMISSIONERS' COMMENTS

Almquist states that staff have covered their end but are happy to circle back to clarify anything in the work session.

Walker asks where raising the limited impact reviews minimums will have a negative impact.

Almquist says that there is less subjectivity to it. For example, a five unit apartment complex that would have to go through a limited impact review, there is not a very extensive amount of review standards but certainly there could be some subjectivity that plays into it. There are not a lot of downsides because there will still be a staff review, it just wouldn't go in front of the planning commission.

Bomer says that they would like administrative review standards in place before there is more administrative review.

Almquist says that if we would have to change the review standards today it would still be subject to the same standards that are currently in place ie. set backs, building heights, lot coverage, dimensional/density standards. There is not much in the way of

architectural standards outside of a major subdivision. That would be the case whether there was a limited impact review today or not.

Bomer asks when there is a limited impact review and it comes before commission, there is some subjectivity. Bomer feels like identifying the subjective items before we do something like that so that we would know that if some of the items were not to be met, they would go before planning commission again.

Almquist states that subjectivity is built into the standards themselves. It is on a case by case basis that comes up and is applicable. Staff would be looking at those same standards obviously when there is a larger amount of people to consider it, there are going to be a lot more thoughts.

Bomer wonders if the administrative review does not exceed objective requirements, then that process is fine. She believes that when it gets to the grey area, she would still like to have more brains in the mix.

Jefferson brings up the sidewalk requirement and talks about bringing it to the admin review process then it takes it out of the limited review requirement.

Bomer says that is the type of thing she is talking about. She wants more detailed thought.

Walker thinks that if the code could support and protect us more then we wouldn't have to worry.

Bomer agrees.

Almquist says that this is a first take work session on this one and nothing that they plan to move forward with quickly. Just wanted some feedback and can bring this back to an additional work session in the future.

Follet thinks maybe we can do some triggers. He asks how many limited impact reviews do we see in a year?

Almquist/Jefferson say 6-10

Follet asks how much time does that add to the applicant.

Jefferson says it depends on the application materials.

Follet asks how long does it take to make the packet.

Almquist says quite some time.

Copping had an observation. She wanted the commission to consider having public comment as a trigger.

Bomer agrees.

Almquist throws out different scenarios and staff can elevate things to a limited impact review. The other idea being not too dissimilar from the historic preservation commission is to bring two members of the commission to the review.

Bomer believes that and by defining the items that go into administrative review and anything outside of that would come into commission. It may incentivize the developer to stay within the lines

Almquist says the reason for bringing it up is feedback that they have heard about the uncertainty of such larger projects.

Jefferson reminds the commission that there is a joint meeting on Tuesday, July 6th, 5pm with Council. The subject is a major impact review with the County.

ADJOURN- With no further business to come before the Commission, the meeting adjourned at 6:34 p.m.