



**NOTICE AND AGENDA
SPECIAL MEETING
IDAHO SPRINGS PLANNING COMMISSION
CITY HALL
WEDNESDAY, FEBRUARY 3, 2021
5:30 P.M.**

WILL BE CONDUCTED AS A REMOTE MEETING

CALL TO ORDER

ROLL CALL

Executive session under C.R.S. section 24-6-402(4)(b) to confer with the Commission's legal counsel to receive legal advice on specific legal questions concerning the City's authority over land use projects proposed by other public entities.

ADJOURNMENT



**PLANNING COMMISSION
WORK SESSION
FEBRUARY 03, 2021
6:00 PM**

- ❖ **Proposed Code Amendment regarding parking-CA, Nina Williams**
- ❖ **Collaborative Care Clinic building height-Mike Davenport**
- ❖ **Work Plan for 2021-City Administrator**
- ❖ **Community Development Planner monthly report-Barb**

REMOTE MEETING PUBLIC ATTENDANCE INSTRUCTIONS

The Public will be able to view and hear this meeting remotely at the following address:

<https://www.colorado.gov/pacific/idahosprings/city-council-live>



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

Date: January 28, 2021

To: Planning Commission

Thru: Andrew Marsh, City Administrator

From: Barb Cole, Community Development Planner c/o Community Matters Institute

Mike Davenport, Community Development Planner c/o Community Matters Institute

RE: Community Clinic and Building Height

Summary:

At the last Planning Commission meeting, a question came up regarding the height of the community clinic building now under construction at the Miner and Soda Creek intersection.

1. The building height shown on the construction plans appears to be consistent with the building height shown on the elevations at the Planning Commission hearing. There is mechanical equipment on the roof that appears to be several feet taller.
2. The tower is within the maximum height range allowed by the East End Overlay District, and the rest of the building appears to be within the maximum height allowed in the C-1 zoning district. The taller mechanical equipment may exceed the C-1 zone maximum height by several feet, but it is well below the East End Overlay maximum height.
3. Because many buildings have a gable or hip roof, the building height definition allows the ridge line on those buildings typically to be another 5 to 10 feet higher than the maximum allowed height listed for the zone districts.
4. There are some gray areas in how building height is defined in the zoning regulations and the building code, which Planning Commission may want to review.

The decision-making process:

During the December 4, 2019 Planning Commission hearing, planner Alan Tiefenbach presented the project. The staff memo indicated the regulations allowed a maximum height no greater than 46 feet, with the proposed tower being 45 feet 9 inches in height.

Planning Commission approved the project and Resolution #1 with an additional condition regarding the location of the entry and exit driveways.

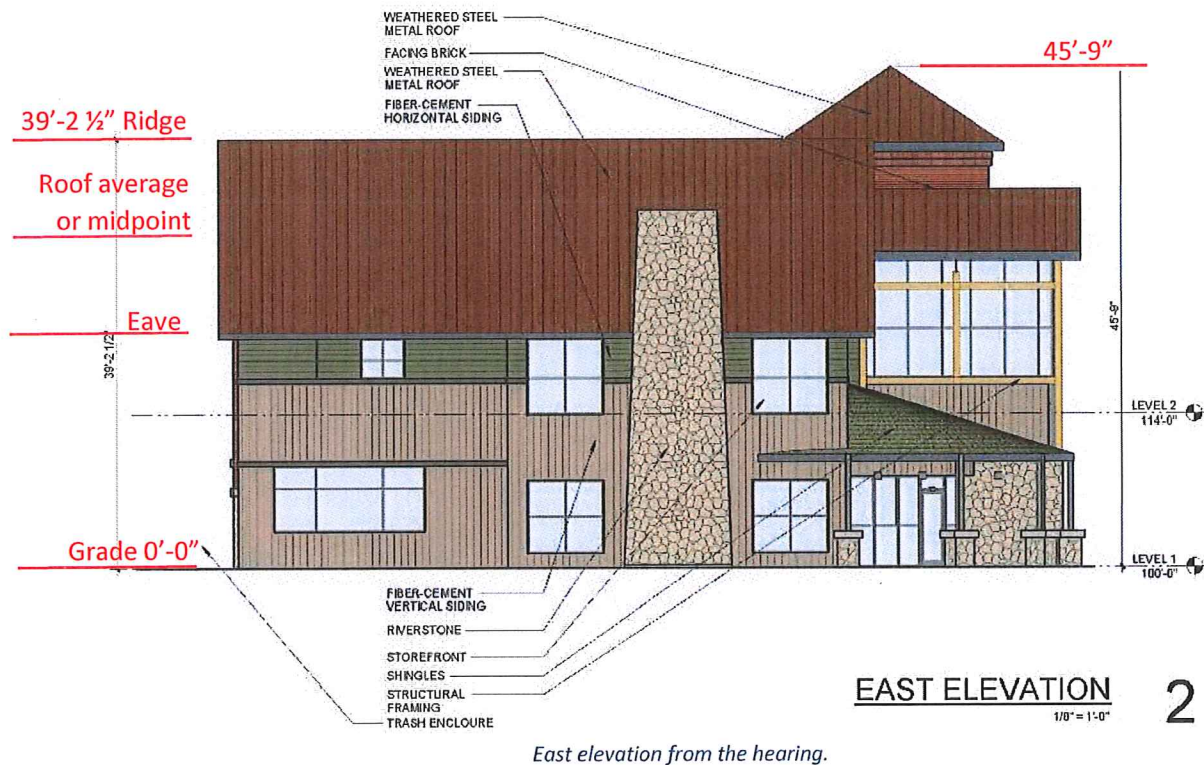
The clinic building is located in the C-1 zone district. The maximum allowable height in the C-1 district is 35 feet (Code Section 21-63 "Development Standards"). The East End Overlay District allows a maximum 37 feet to 57 feet in height.

Building height. Building height is measured from the average of finished grade at the center of all walls of the building to the top of the parapet or highest roof beam (whichever is higher) on a flat or shed roof, to the top of the parapet or deck level (whichever is higher) of a mansard roof, or the average distance between the highest ridge and its eave of a gable, hip or gambrel roof.

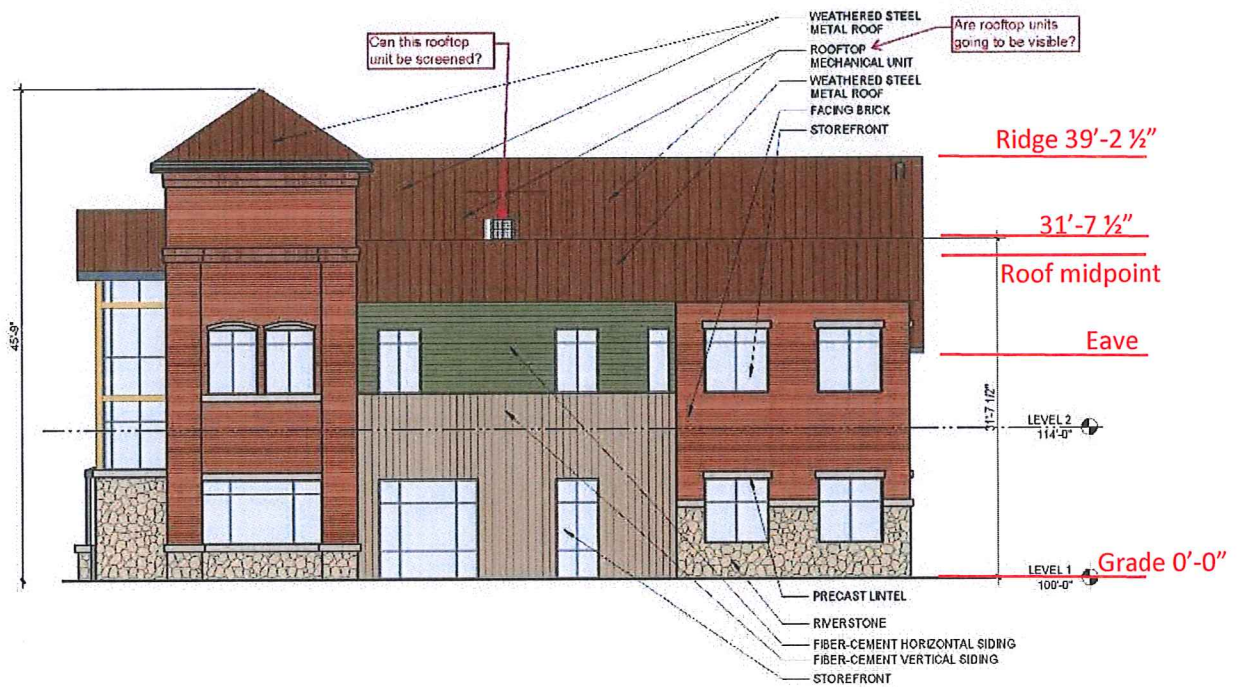
Ground level. A horizontal plane passing through the average of the highest and lowest elevation of the ground along that facade of the building or structure which is nearest the street. In the absence of any building or structure, the points shall be located on the front setback line, between the two (2) side setback lines (or between the side lot lines, if no side setback is specified in the district).



The hearing presentation drawings and the construction plan drawings contain a very limited number of dimensions that can be used for determining the height of the building as drawn. The following exhibits use drawings that allow a comparison of height between the hearing and construction drawings.

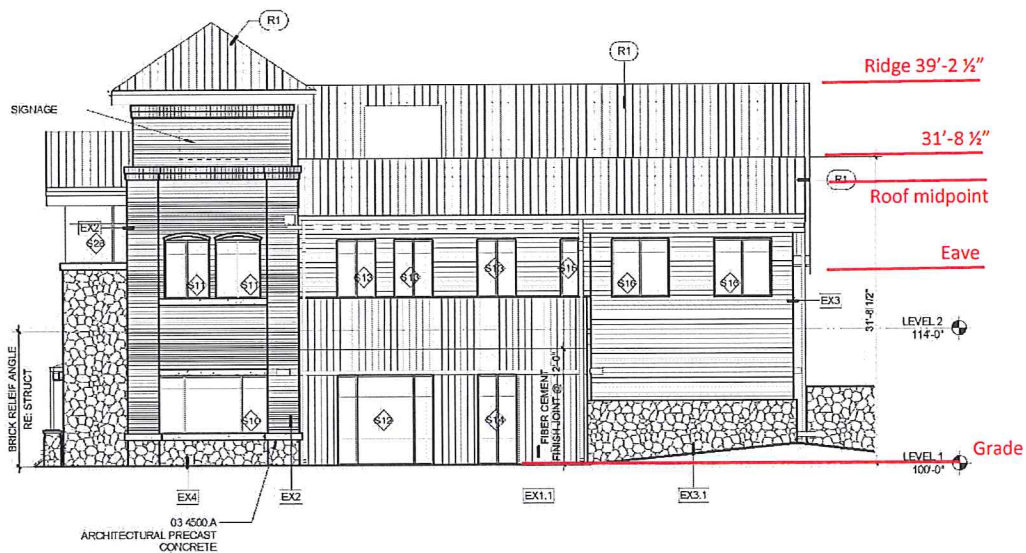


Above is an enlargement of the East Elevation. The drawing includes several vertical dimensions. Notes have been added in red to more clearly show the measurement of building height according to Code.



West elevation from the hearing.

The redline dimensions are for the same roof (seen from the opposite direction) that is shown with added redline dimensions in the East Elevation.



1st West elevation from the construction plans.

Conclusions (repeated from the summary in this memo):

1. The building height shown on the construction plans appears to be consistent with the building height shown on the elevations at the Planning Commission hearing. There is mechanical equipment on the roof that appears to be several feet taller.
2. The tower is within the maximum height range allowed by the East End Overlay District, and the rest of the building appears to be within the maximum height allowed in the C-1 zoning district. The taller mechanical equipment may exceed the C-1 zone maximum height by several feet, but it is well below the East End Overlay maximum height.
3. Because many buildings have a gable or hip roof, the building height definition allows the ridge line on those buildings typically to be another 5 to 10 feet higher than the maximum allowed height listed for the zone districts.
4. There are some gray areas in how building height is defined in the zoning regulations and the building code, which Planning Commission may want to review.

Definition of building height in the building code:

The 2018 International Building Code (IBC), adopted by the City in Summer 2020, uses a definition for building height that is different than the definition in the Land Development Regulations.

Height, Building. The vertical distance from *grade plane* to the average height of the highest roof surface.

Grade plane. A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line, or where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

Planning Commission may want to consider changes to the building height definition in the Land Development Regulations, such as having a common definition for building and planning.

Xc: Set of building elevations from the construction plans

/md

Filename: C:\...\ISP PC Work Session clinic building height staff memo 020321.docx





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1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
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FAX (303) 567-4955

Date: January 27, 2021

To: Planning Commission

Thru: Andrew Marsh, City Administrator

From: Mike Davenport, Community Development Planner c/o Community Matters Institute

RE: 2021 Work Program

In follow-up to the discussion at the January Planning Commission work session and as requested by the City Administrator, this memo identifies possible topics for Planning Commission consideration during 2021.

This memo also includes a list of topics for possible code changes that have been compiled by staff over the last five years. Topics that Planning Commission might consider can be grouped into the following areas.

1. **Adopted plans.** The Comprehensive Plan was adopted in November 2017 and the East End Action Plan adopted in February 2017. Communities periodically conduct reviews of their plans every 3-5 years. This may be a review of the entire plan document or just sections or topics for which there may be changing conditions. Also, the 3-Mile Area Plan should be updated this year.
2. **Studies.** In 2020, Planning Commission identified several topics needing further attention. These include affordable housing and lighting, both of which are still in progress discussions. Are there other topics Planning Commission would want to visit in 2021?
3. **Regulations – recurring item- Parking** This item came up because of a parking area located on an adjacent lot from the primary structure, which is not allowed as discussed with the City Attorney because accessory uses are required to be on the same lot as the principal structure. The existing code allows parking for commercial or residential uses to be within 600 feet (commercial uses) or 200 feet (residential uses), but the definition of accessory use requires parking to be on the same lot. The second parking issue is that the existing code does not identify parking as a primary use in any zoning district. Parking lots or garages as a stand-alone use should be considered, especially in light of the findings of the 2018 Urban Land Institute (ULI) Technical Advisory Panel (TAP) report.
4. **Regulations – court decisions and statutes.** Every year the State Legislature makes changes to statutes and courts make decisions that affect local government planning and regulation of development. If the City's regulations are challenged, they are more defensible if they are consistent with current statutes and court decisions. The City Attorney's office has kept the City

abreast of these changes.

5. **Regulations – interpretations/inconsistencies.** Over the past five years, Community Development staff compiled a list of topics where an interpretation was made as to what was required by a section of the code or staff has found areas that could be interpreted as conflicting.
6. **Questions for the Planning Commission.** Are there any sections of the code that you have found to be confusing or have led to unintended consequences? Are there sections of the code that are confusing?
7. **List of Possible Regulation Updates or Clarifications.** Five years ago, the previous planner started this list of potential regulation changes. We have added to it. We suggest breaking the list into smaller groups that can be done one group at a time.

Option 1: Review the needed code changes with the City Attorney's office. Determine which items are priority and bring code changes to the Planning Commission.

Option 2: Provide a further short explanation of why the code changes are needed. This is in part an educational exercise and can help officials understand the ins and outs of land use regulations.

Option 3: _____

The following list includes checkboxes so that the list can be used as a worksheet to identify priority items on the list. If you feel strongly about any item, let staff know.

- ☐ Accessory dwelling unit standards
- ☐ Accessory structure standards
- ☐ Annexation plat content
- ☐ Annexation procedures and regulations vs. actual practice
- ☐ Annexation notice requirements
- ☐ Application – for a site plan or improvements that does not include a building
- ☐ Application – involving a project involving land in the City and in the unincorporated County
- ☐ Application – which applications can or should precede other types of applications
- ☐ Billboard conversion
- ☐ Building over lot lines and boundaries of unplatted parcels
- ☐ Certificate of Appropriateness standards
- ☐ Conditions of approval
- ☐ Criteria for approval – for each type of application
- ☐ Definition – porch
- ☐ Demolition of nonbuilding structures
- ☐ Design standards
- ☐ Driveway slope
- ☐ Easement requirements

- ☐ Encroachments into setbacks
- ☐ Fee schedule – inconsistencies or gaps in the information listed
- ☐ Fee schedule – updating the schedule and fees
- ☐ Fence requirements
- ☐ Final development plan – community meeting for an addition less than 50% increase in floor
- ☐ Impact fee – review existing requirement
- ☐ Improvement agreements – when are they required
- ☐ Land dedication requirements
- ☐ Landscaping requirements
- ☐ Lot areas and setbacks
- ☐ Manufactured housing – in what zoning districts
- ☐ Murals
- ☐ Nonconformities – fill in gaps related to uses, lots, buildings, and other nonconformities
- ☐ Notice – provide additional information on what is required
- ☐ Platting – when is it required
- ☐ Rezoning boundary survey
- ☐ Signs
- ☐ Site plan approval
- ☐ Small wireless facilities
- ☐ Sustainability – section is a mixture of policy and regulation
- ☐ Temporary uses and structures
- ☐ Traffic and parking standards and studies
- ☐ Undergrounding utilities
- ☐ Use – caretaker dwelling
- ☐ Use – uses not listed in the table
- ☐ Use – parking lot without a building
- ☐ Use – storage units
- ☐ Variance – administrative

Staff Recommendation:

1. Identify which of the seven topic areas listed above in this memo to pursue in 2021.
2. Identify which of the possible regulation changes or updates are priorities.

/md

Filename: C:\...\ PC Work Session – 2021 Work Program Staff Memo – 27 Jan. 2021



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1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

Planner Communication

Date: January 27, 2021

To: Planning Commission Members

CC: Andrew Marsh, City Administrator

From: Barb Cole, Community Development Planner c/o Community Matters Institute

RE: December Activities of the Community Development Planners

The Community Development (CD) Planners are working on the following recent, current, and upcoming projects. Community Matters Institute (CMI) serves as the Community Development Planner for the City of Idaho Springs. Community Development activities still seem to be increasing, and projects initially reviewed by Alan remain in progress.

Development applications and pre-applications:

As needed, Staff has "Development Review Committee" meetings to ensure consistent and clear communication with applicants on complex projects. These virtual meetings include: The City Administrator, City Engineer, Planner, Public Works Superintendent, and sometimes the Building Official and City Attorney. Applicants appreciate one set of complete comments from staff.

- **Mighty Argo Gondola.** The City has issued an Earth Disturbance Permit for the upper landing, and site work is underway. Planners are working on assembling the documents (approved plans, plats, and agreements) that will govern the development of the property. Once all 12 conditions of the approved FDP have been met and all plan review and permit fees have been paid, the City will be able to issue building permits for the project.
- **Proposed housing at 2800 Miner Street.** The applicant withdrew the applications for rezoning and a final development plan (FDP).
- **Habitat for Humanity ("Habitat") Project at 1628 Virginia Street.** A Zoom meeting with the Habitat and the project architect took place on January 20th. Habitat may submit an application for an FDP as soon as February. At the required pre-application community meeting in February 2020, Habitat presented a multifamily project with 9 dwelling units divided among three buildings. Since the Habitat reduced the number dwelling units to 8 divided into 4 duplexes. In December 2020 the Variance Board approved a variance allowing 8 compact spaces to substitute for 5 of the required standard size parking spaces.
- **1800 Colorado Blvd.** Staff reviewed a building permit application for improvements to the existing building that includes adding a second and third level to the one-story east wing. The applicant submitted applications for an administrative plat and an FDP. Because the proposal is for an addition that is less than a 50% increase in floor area, the FDP is subject to administrative review

rather than public hearings by Planning Commission and City Council. The project was originally approved in the 1980s as a commercial building with two wings. The west wing and a portion of the east wing were completed. The applicant now proposes completion of the east wing with 10 dwelling units. When completed the east wing will match the west, generally consistent with the originally approved plan for the building. The administrative plat formalizes the boundary between private property and public right-of-way.

- **Annexation of City-owned Cemetery.** Work on the proposed annexation and rezoning was temporarily paused due to an increase in other planning and development activities. This matter will be moving forward for consideration this year.
- **Minor Subdivision for Colorado Boulevard.** City Council approved the minor subdivision involving CRC Park and the realignment of Colorado Avenue.
- **Carlson Elementary School.** The proposed administrative plat amendment involves the vacation of a portion of the alley and the creation of a legal lot. Staff is still awaiting the revised survey of both the vacation and administrative plat.

Other activities:

- **Redevelopment of Gold Digger Field and the School Bus Maintenance Facility.** These Clear Creek School District properties are under contract with Four Points Funding that has completed housing projects in Vail and Steamboat Springs. The developer's due diligence period ends on April 16th, 2021. The City has had an introductory meeting with the developer and was informed that the proposed plan includes affordable housing. The project will most likely involve a rezoning, a major subdivision, and dedication of streets, as well as vacation of existing right-of-way (ROW).
- **Soda Creek Road EV station.** The Colorado Department of Transportation (CDOT) sought comments on a proposed electric vehicle (EV) charging station in the City right-of-way on Soda Creek Road south of Interstate 25 (I-25). The referral related to the potential impact of the EV Station on the historic Indian Hot Springs immediately to the south of the proposed EV station. Copies of the documents were sent individually to the Planning Commission and HPRC for comment. This review of a project that may affect an historic property is referred to as a "Section 106" review for the section number in federal regulations that requires the review of the impact of a federally funded project on historic and prehistoric sites. If this project moves forward as proposed, it would need a recommendation from the Planning Commission and approval by the City Council.
- **USFS Agreement.** On January 25, a City Council resolution approved an agreement with the United States Forest Service (USFS) regarding its activities in the event of a disaster, such as a fire or flood, and how those activities relate to any Section 106 reviews. The purposes of the agreement are to (1) streamline certain USFS activities and procedures in the event of a disaster, (2) define how Section 106 reviews will be performed in the event of a disaster, and (3) improve communications with the parties to the agreement: the federal Advisory Council on Historic Properties (ACHP), the State of Colorado, Native American tribes, and local governments.
- **Inquiries.** Staff responded to several inquiries by developers and real estate appraisers.
- **Email.** Staff continues to monitor and respond to emails on a daily basis.

/bc

Filename: C:\...\2021-01-27 Memo to PC re current activities

GOLD RUSH CENTER

Mixed Use Addition

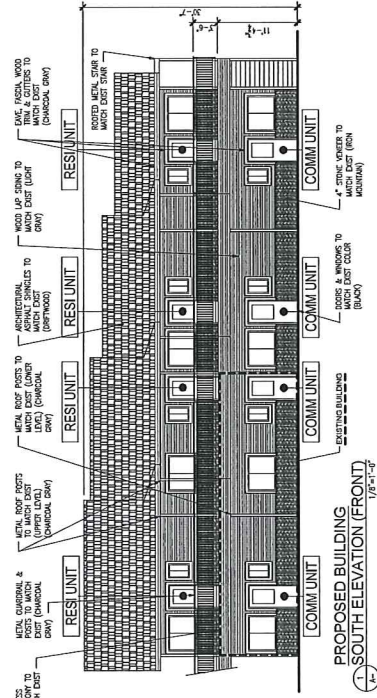
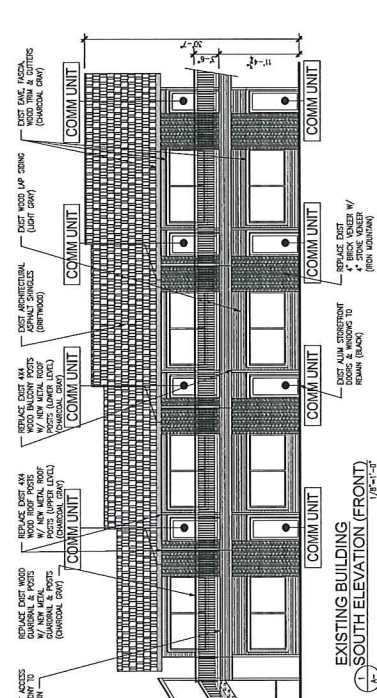
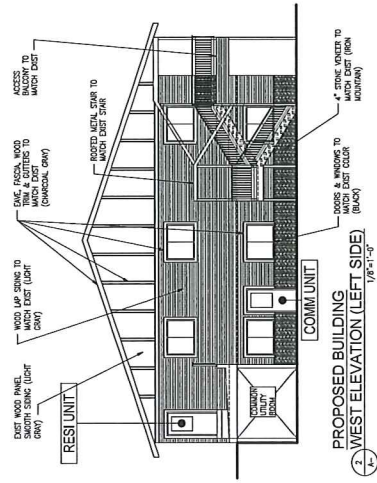
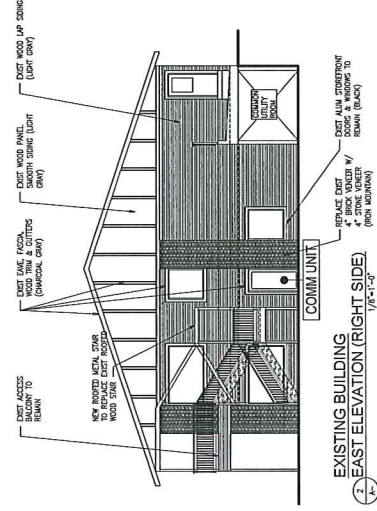
FINAL DEVELOPMENT PLAN

of Lots in Block 1 and Block 6 and vacated right of ways, IDAHO SPRINGS,
in the NE 1/4 of the SW 1/4 of Section 36,
Township 3 South, Range 73 West of the 6th Principal Meridian,
County of Clear Creek, State of Colorado
1800 Colorado Boulevard

CONTACTS

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MIXED USE DESCRIPTIONS:
COMMERCIAL UNITS (14) ARE EITHER RETAIL OR OFFICE USE
RESIDENTIAL UNITS (5) ARE LONG TERM APARTMENT RENTALS: (2) EFFICIENCY, (2) 1-BEDROOM, (1) 2-BEDROOM

Gold Rush Center
1800 Colorado Boulevard
Idaho Springs, CO 80452

architecture
HEINZ
construction