

**STEAMBOAT SPRINGS PLANNING COMMISSION MINUTES
JULY 22, 2010**

The special meeting of the Steamboat Springs Planning Commission was called to order at approximately 5:07 p.m. on Thursday, July 22, 2010, in the Citizens' Meeting Room, Centennial Hall, 124 10th Street, Steamboat Springs, Colorado.

Planning Commission members in attendance: Vice Chairman Kathi Meyer (alternate), Cedar Beauregard, Karen Dixon, and Rich Levy. Absent: Jason Lacy, Cindy Slavik, and Brian Hanlen. Resigned: Curtis Church

Staff members present were Interim Director of Planning & Community Development Jonathan Spence, Senior Planner Bob Keenan, City Planner Seth Lorson and Staff Assistant Tami Heskett.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

Betterview Business Park Lots 4 & 5 (Clear Water Studios) #PP-09-06 *TO BE TABLED* Preliminary Plat to alter lots 4 & 5 and outlots 4 & 5 into 3 lots (Lots 1, 2 & 3 of Clear Water Studios at Twenty Mile Road) and removal of building envelopes.

Discussion on this agenda item started at approximately 5:07 p.m.

RECOMMENDED MOTION

The Applicant respectfully requests this item be tabled to August 26, 2010.

MOTION

Commissioner Levy moved to approve the tabling of PP-09-06. Commissioner Dixon seconded the motion.

VOTE

Vote: 4-0

Voting for approval of motion to table: Meyer, Levy, Beauregard, and Dixon

Absent: Slavik, Lacy and Hanlen

Discussion on this agenda item ended at approximately 5:08 p.m.

Betterview Business Park Lots 4 & 5 (Clear Water Studios) #FDP-09-03 *TO BE TABLED* Final Development Plan proposal to develop 3 industrial mixed-use buildings and 2 residential buildings for a total of 43,752 sf (20, 121 sf of light industrial; and 23,631 sf of residential)

Discussion on this agenda item started at approximately 5:08 p.m.

RECOMMENDED MOTION

The Applicant respectfully requests this item be tabled to August 26, 2010.

MOTION

Commissioner Levy moved to approve the tabling of FDP-09-03. Commissioner Dixon seconded the motion.

VOTE

Vote: 4-0

Voting for approval of motion to table: Meyer, Levy, Beauregard, and Dixon

Absent: Slavik, Lacy and Hanlen

Discussion on this agenda item ended at approximately 5:09 p.m.

Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village) #PP-10-03 Preliminary Plat, PUD subdivision application to allow 14 duplex lots on the remainder portion of Lot 2, Block 5, Willett Heights Subdivision Filing 1 (Rocky Peak Village). This proposed application, if approved, will nullify the existing approved Development Permit for the remaining two triplexes and 11 duplexes. This new proposal creates individual duplex lots where the previously approved duplexes and triplexes would have been. The applicant is requesting the following variances: lot coverage, floor area ratio, front setback, private drive serves more than 4 lots, substandard lot size, corner lots shall have 15% greater lot area, required open space, and usable lot area.

Discussion on this agenda item started at approximately 5:09 p.m.

STAFF PRESENTATION

Bob Keenan –

This is a request by the applicant to subdivide the remainder portion of Rocky Peak Village into 14 lots. The applicant's request consists of the PP, DP, and community housing plan to allow conditional use of single family duplex on those lots. The zone restriction is multi-family and requires a review of conditional use and includes variances with the DP to make those lots developable. The process involves three different applications. Regarding the PP staff's analysis is that it's not in compliance with the criteria for approval especially considering the substandard lot sizes and for variances as well as the community area goals and policies. The applicant's request is significantly less than what's allowed. The applicant's request is no larger than 6,000 square feet for the largest lot when the required size is 12,000 square feet. Staff cannot recommend approval of this application. It is important to note that what the applicant is requesting is a similar product to what was previously approved and may not seem much different aside from the removal of the two triplex buildings that will be replaced by three duplex lots.

APPLICANT PRESENTATION

Sheryl Garrity –

We have completed the 1st phase of the project and would normally be moving onto the next phase, but we are stalled indefinitely. What we are requesting today is to make a few changes that would allow us to be able to move forward with this project. We have a problem that is an economic problem with bank financing. She gave a brief review of what's been approved prior to this application. There has been a huge change in construction financing. It is incredibly difficult to get financing for multi-family projects. We got financing for the 1st phase, but have not been able to get financing for the 2nd phase. We can't get financing for our entire project right now. Currently buyers are shifting to smaller less expensive homes. This project was originally approved for 34 homes, which includes 14 duplexes and 2 triplexes. We've completed 3 of the 14 duplexes. The homes are from 1,800 to 2,300 square feet at \$500K to \$700K price range. We have in the center of the development an extensive children's playground, soft surface trail, and dog-friendly pet stations. It was supposed to be a neighborhood park. That's one part of the infrastructure that hasn't been built out yet. The infrastructure is in as the City requested. Our proposal is to essentially plat before we build. We would like to provide the same number of homes, same duplex lots, and fundamentally do the same thing except

subdivide before we build. If we can create these exact same lots then we can get banks to finance the individual lots. We would hope that the individual loans are smaller, which is easier for us to pay back and for the banks to loan. If these lots were created and another contractor came forward to build one of our duplexes then they could purchase a lot and build a home. We could outsource some of the buildings, but we hope to be able to do it ourselves. In the end we want the same result. Right now we've laid off every one of our employees.

Ryan Spaustat –

There's been an enormous amount of investment put into this project. He gave a brief history of the project. Everything will still be the same, but the lots will have been subdivided. There are 2 changes; 1.) We would not be tied to the DP architecture, 2.) We have 3 duplexes instead of 2 triplexes. The triplexes are multi-family housing and there is no financing for those. In the end we decided to move forward with the multi-family zoning since there wasn't any other zoning that better fit the project. In this case the code didn't contemplate with this project.

Sheryl Garrity –

If the code never contemplated these things then we can't rely on the code to dictate how we move forward. My hope is that you can go with the global feel at first and see how we can get this done. We would like to get this project back on track. We're going to end up with the same thing in the end. We'll get banks to finance more easily. By doing the duplex lots that we'll have more market driven products.

COMMISSIONER QUESTIONS

Commissioner Dixon –

Assume for a minute that they didn't have a previously approved project and that they were coming in with a big chunk of land. Not asking to subdivide it, but asking to do 14-17 duplexes. Would it be approved through today's code?

Bob Keenan –

Not without a conditional use approval.

Commissioner Dixon –

It wouldn't be considered multi-family like it was in 2006?

Bob Keenan –

No, it's important to note that they had triplexes that added to the multi-family component. Given the recent Steamboat 700 vote and the fact that it's adjacent to other multi-family homes we would hope to have a better product there.

Commissioner Dixon –

You wouldn't consider 17 duplexes on 1 chunk of land on a multi-family project?

Bob Keenan –

No.

Commissioner Dixon –

If this were approved would they be required to come forward with an FDP on each of the duplexes or not?

Bob Keenan –

No.

Commissioner Levy –

Can you tell me why the RN3 zone was not desirable?

Ryan Spaustat –

We could not meet the dimensional standards. It didn't reduce the number of variances that we are requesting. It added the burden of going through a zoning change. We still would have to come before you to ask for a number of variances.

Bob Keenan –

The RN3 zone district has the same requirements of minimum lot size as the MF zone district. The only difference is that they wouldn't have to do the DP for the single family duplex use.

Jonathan Spence –

There would be a number of variances that would happen from that rezone.

Commissioner Levy –

Did you say that it would be the same number of variances, because the duplex wouldn't be a variance for RN3 right?

Jonathan Spence –

It wouldn't be a variance in either, but a conditional use.

Commissioner Levy –

Would it be a conditional use for RN3?

Bob Keenan –

You would still need the lot coverage FAR variances. You wouldn't need the 3rd story front setback variance. You would still have all of the PP variances.

Commissioner Levy –

Why do we have the corner lot requirement to be 15% larger than all of the other lots?

Jonathan Spence –

That's because you have a double front setback. It takes up more of the lot with all of the setbacks than a normal lot.

Commissioner Levy –

The desire would be to be able to put a similar size house on this lot.

Commissioner Beauregard –

How far was it from an RN4 zone? Was it just the alley requirement from the depth of lot?

Bob Keenan –

There's no way to alley load this development given the current infrastructure.

Commissioner Beauregard –

I thought that we went to a lower width for an alley?

Jonathan Spence –

It's 4'.

Commissioner Beauregard –

How much longer is their current vesting?

Bob Keenan –

August 2012.

Commissioner Beauregard –

Aren't there separate rules since they have the infrastructure?

Jonathan Spence –

They got that 3 year vesting period.

Commissioner Beauregard –

They already used that?

Bob Keenan –

It was set to expire on August 8, 2009. They've received vesting through August 8, 2012 at the beginning of this year.

Commissioner Beauregard –

Why wouldn't it be possible to subdivide the townhomes prior to construction rather than after construction?

Bob Keenan –

You can do it as soon as you pour the foundation. I believe that the intent is behind that. We tried to give them some direction in using someone else to avoid all of this cumbersome involved in the process. That was explored, but it didn't work for the applicant.

Sheryl Garrity –

It's a matter of cost. The way our business runs is that we receive construction financing. Those bills are paid by the construction loan. If we were to pour the foundation and then find out that the banks weren't going to step up to the plate then we would find ourselves in trouble.

Bob Keenan –

It wouldn't have to be the current developer that pours the concrete.

Commissioner Beauregard –

It's like an annie up you just have to pour the foundation, divide it up and then move forward that way if possible.

Bob Keenan –

They could even sell a lot to whomever.

Sheryl Garrity –

If you did do that then you would have to know what you're going to build. I don't think that we would go onto someone else's land and pour a foundation with the hopes that it would work out.

Commissioner Beauregard –

Assuming the RN4 did fit and that we were going through a rezone. Would the list requirements be there and do you think that this would fit that list?

Bob Keenan –

That's something that would take me hours to figure out.

Jonathan Spence –

That would have an entirely different set of requirements.

Bob Keenan –

Assuming that it was rezoned and assuming that the configuration of the minimum lot size it would have to meet all of the standards. I don't know how to answer that.

Commissioner Meyer –

We agreed that we would ask questions on the entire project even though we're going to be doing separate motions and separate deliberations. On pg 5-1 where your description says 'development plan PUD application', is this a PUD?

Bob Keenan –

Yes, the 3 variances kick it into a PUD.

Commissioner Dixon –

Just the DP and not the PP.

Bob Keenan –

Correct.

Commissioner Meyer –

Does the applicant understand that if the preliminary plat is approved your existing DP/FDP goes away?

Sheryl Garrity –

Yes.

Commissioner Levy –

It seems like most of the variances are due to the small lot size. I was wondering to what thought you gave to putting 2 duplexes on a lot so you can enlarge the lot size. I think that would eliminate 3 out of the 4 variances. I know that's not individual home sites, but it seems like a lot less procedural headache.

Ryan Spaustat –

We did not contemplate that.

Commissioner Dixon –

With the financing, it would be 2 duplexes on 1 lot. How would the bank view that? Would there be financing available?

Sheryl Garrity –

I don't know, but I would assume not very well since it wouldn't be a duplex. I think the bank would be confused.

Commissioner Levy –

On pg 4-7 in the staff report under minimum relief you specifically call out that 'the applicant could have eliminated the proposed variance by reducing the number of lots and increasing the size'. The applicant seems shocked by the idea. I want to know if this came up and if you came up with this analysis after the fact or did you talk with them.

Bob Keenan –

We didn't sit down and explore how to do a multi-family development. We didn't explore every single possibility of how to develop this part of the project.

Jonathan Spence –

We did talk about having larger lots and stuff like that.

Ryan Spaustat –

Anything larger than 2 units triggers the multi-family label with the banks, which is the whole reason why we're in here in the first place. We're trying to avoid that.

Commissioner Dixon –

Even if they're detached and there are 4 units per lot that would still trigger the multi-family in the bank's eyes?

Ryan Spaustat –

I can't answer that question. What I can tell you is that what we're proposing tonight we can get financing for.

PUBLIC COMMENTS

None

FINAL APPLICANT COMMENTS

Ryan Spaustat –

There are driveway restrictions. We worked on this with staff to ensure that this is as consistent as possible with the previous project.

FINAL STAFF COMMENTS

Bob Keenan –

Are you going to vote on all 3 applications at this time or 2 of them?

Commissioner Meyer –

We're going to vote on them 1 at a time.

Jonathan Spence –

You should have some discussion on the last item if the PP is approved.

Bob Keenan –

I just want to make sure that they're aware that this is all going to be voted on at this time.

Commissioner Meyer –

Each of these will be taken as separate requests and each will be voted on 1 at a time.

FINAL COMMISSIONER COMMENTS

Commissioner Levy –

The 2 things that crossed my mind are;

- 1.) Our vision in the planning process completely ruled by the banking situation, which we can all agree is temporary and it will change again. I don't know when it will become favorable for multi-family, high density. I'm leery about changing this just because what I would call is a temporary condition. I would think that we would have run into this before for whatever reason a developer has run into some financial problems. I can't imagine that this is that unique in that big picture that there's a financial problem and why we can't go forward with what we had originally planned. I'm kind of leery about that. We have a vision of density and it doesn't include duplexes and rezoning. That's on one side looking at it technically.
- 2.) On the other side as the applicant had proposed is that the final product isn't going to be that different from what was originally proposed. When I look at it that way as far as a PP it's not a direction that I would choose to go on. Those are the things that I'm weighing.

Commissioner Dixon –

I've gone round and round in my head on those same issues. In terms of financial I would tend to agree with Commissioner Levy if this was a single incident or an applicant specific incident. This is a national phenomenon. I don't see it changing any time soon. Our codes notoriously lag behind with whatever's happening in the market. We are in the process of reevaluating them on the heels of the sprawling out factor. I think creativity in terms of small lots should be explored. That's the 1 thing that the code didn't contemplate everything. That's why we have a variance process. It reminds us that variances aren't necessarily bad, but are things that weren't contemplated when we wrote the code. I'm leaning towards allowing the small lots for the PP.

Commissioner Beauregard –

For me it speaks more towards RN4 and what we came up with in RN4 than it does the applicant. Why did this get approved as an MF and not fit anything just because we changed the ownership? It doesn't register with me that the ownership alone and how it's laid out changes the entire game. This was acceptable in 2006. Yet we changed the ownership to individual lots and everything changes. That speaks more to our own code than it does the applicant. If this is our current banking situation then we need to address that with a new RN4. I'd like to see an RN4 with '0' setbacks and townhomes without a foundation.

Commissioner Meyer –

At first I thought that you were recognizing that the original approval was to a different developer.

Commissioner Beauregard –

No, I was talking about ownership configuration.

Commissioner Meyer –

You're talking about the transfer from the existing developer to individual lots and individual legal descriptions.

Commissioner Beauregard –

I think that should be something that we discuss, because that is the only difference between application 'A' and application 'B'. How does that change? I originally thought that there was no difference at all. I started to think that there is a difference. How is this reviewed if there is a variance? They come in with a difference on that particular duplex and staff pulls up the MF zone district. It doesn't fit it at all. If they want to build an addition then they're under the MF zone district. How are those different than residential? For me that's the heart of my decision is how are those differences going to be resolved and how do we deal with those. I want to approve their application, but I don't want to put us in a situation where you have a triangle and a square hole and it becomes a major headache for someone in the future.

Commissioner Dixon –

You would lean more towards a rezone in RN4 if our RN4 accommodated this?

Commissioner Beauregard –

That would solve all of the issues that come up with the ownership differential.

Commissioner Dixon –

It's the multi-family zone designation that's creating the problem.

Commissioner Beauregard –

That's the only difference that I can see between the ownership configurations.

Commissioner Meyer –

I've gone round and round about whether this is a unique situation or do we respectfully disagree with staff's position on granting variances. I know that this isn't a modification in the fact that we're modifying the existing proposal. It's a modification of the overall plan as

far as what was approved in 2006. I did approve the 2006 application. We aren't using that as a standard, but we have an existing project that is partially built out with infrastructure. I think that this is a unique situation. If this was just walking in the door asking for all of these variances then I don't think that I would grant it.

Commissioner Beauregard –

The infrastructure changes a lot for me. We talked about that when we did the vesting extensions. The infrastructure pulls in the prior application. We're not supposed to look at the prior application, but that infrastructure makes it impossible to not to.

Commissioner Meyer –

To try to retrofit and build a separate project, we have a partially built project. I would be leaning towards granting the variances on the PP in this case to allow the 14 remaining lots to be subdivided. I think that this is a unique case. We may have 1 or more other projects. These are unique times. We need to expand our to-do list in terms of looking at our subdivision regulations.

Commissioner Dixon –

I'll back what Commissioner Meyer just said 100%. The diagram on pg 4-15 of the staff report in the applicant's letter to us, that same diagram that shows us the same starting position and the same end result with different paths I think really simplified where I was going in my head. This isn't a huge impact over and above what we already approved. That clarified for me in leaning towards approving. I'm not sure that I like the idea of conditioning the PP on this particular DP. What if they did come back and were able to figure out more taps into that trunk for their infrastructure and add more units? I wouldn't want to prevent them from adding more units. I'm not sure that I want to condition it on this DP.

Commissioner Beauregard –

Couldn't it go the other way and build single-family residences?

Commissioner Dixon –

Not in a multi-family zone district. They could go higher, but I think that it would be tough to go lower.

Commissioner Levy –

They're already proposing 60% lot coverage and so it would be really hard to mortgage this.

Commissioner Dixon –

They could come in with a ZMA after it's already platted.

Commissioner Beauregard –

I do agree with staff's analysis in that they had to analyze it in the way they did. I agree with the fact that it's in this residential use in an MF zone district and that this is a lower density than what we could have here. I think that it's unfortunate that the infrastructure is in and that we can't go to a higher density here.

Commissioner Dixon –

I agree. I think that they could go to a higher density with the same infrastructure just by adding taps. I could be wrong about that, because they may have to upsize some lines.

RECOMMENDED MOTION

Recommended Finding

Staff finds that Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) #PP-10-03 is not consistent with the required findings for approval for a Preliminary Plat. Planning Staff recommends that the Planning Commission deny Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) - #PP-10-03.

Alternative Motion

Should the Planning Commission find that Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) #PP-10-03 is consistent with the required findings for approval for a Preliminary Plat, the following conditions should apply:

1. Approval of Preliminary Plat is contingent on Development Plan DP-10-02 approval.
2. Approval of Community Housing Plan, CHP-10-02, is required prior to Final Plat.
3. Digital Plat submittal prior to approval of Final Development Plan.
4. As a condition of approval all fire department access roads shall be dedicated to the City of Steamboat Springs as “Emergency Access Easements” and shall be noted on the Final Plat. Also a “Dedication of Easement” form supplied by the City shall be completed and recorded by the County Clerk’s Office. This comment was made previously with this project and doesn’t appear to have been accomplished.
5. The water and sewer infrastructure installed for the initial development was built to serve duplexes and triplexes. Please be advised that at the time of building construction, any unused water and sewer stub-outs to a given lot shall be abandoned per City requirements.

The developer/owner must complete all remaining infrastructure requirements for the original Rocky Peak Village Final Development plan as agreed to in the Subdivision Improvements Agreement for this development. Any new improvements for this subdivision will be required

MOTION

Commissioner Dixon moved to approve the recommended alternate motion PP-10-03 with the listed conditions. Commissioner Beauregard seconded the motion.

DISCUSSION ON MOTION

Commissioner Dixon –

I do find that they meet the criteria for variances and respectively disagree with staff’s analysis of that.

Commissioner Meyer –

A friendly; do you want to include on pg 4-9 items 1-6 in your motion?

Commissioner Dixon –
Yes.

Commissioner Beauregard –
Yes.

VOTE

Vote: 3-1

Voting for approval of motion to approve: Meyer, Beauregard, and Dixon

Voting against the motion to approve: Levy

Absent: Slavik, Lacy and Hanlen

Discussion on this agenda item ended at approximately 6:02 p.m.

Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village) #DP-10-02 A new Development Plan application to allow 14 duplex lots on the remainder portion of Lot 2, Block 5, Willett Heights Subdivision Filing 1 (Rocky Peak Village). This proposed application, if approved, will nullify the existing approved Development Permit for the remaining two triplexes and 11 duplexes. The applicant is requesting approval of a Conditional Use to allow a duplex use within a multi-family zone district.

Discussion on this agenda item started at approximately 6:02 p.m.

STAFF PRESENTATION

Bob Keenan

RECOMMENDED MOTION

Recommended Finding

Staff finds that Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) PUD #DP-10-02 is **not consistent** with the required findings for approval for a Development Plan (PUD). Planning Staff recommends that the Planning Commission **deny** Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) - #DP-10-02.

Alternative Motion

Should the Planning Commission find that Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) PUD #DP-10-02 is consistent with the required findings for approval for a Development Plan (PUD), the following conditions should apply:

1. Prior to Final Plat, the applicant shall enter into a Development Agreement with the City of Steamboat Springs to memorialize the lot coverage, FAR, 3rd story setback variances, the use of the property as single-family/duplex and exclude the use of the property for multi-family development.

MOTION

Commissioner Dixon moved to approve PUD DP-10-02 with the 1 condition. Commissioner Beauregard seconded the motion.

DISCUSSION ON MOTION

Commissioner Levy –

The 2 things that force me to vote no on the PP and DP are;

- 1.) I'm not sure that even with the PP breakdown that we're going to see construction go forward in these economic times with the considerations.
- 2.) Thinking of that at some point it's not possible to build it as it was envisioned. I'm not positive that we have to make these concessions.

Commissioner Beauregard –

Are we setting the vesting to the existing vesting, because we're adding 6 years to the existing vesting then?

Commissioner Dixon –

The other goes away.

Bob Keenan –

Once the plat has been recorded then it's been vested for life. In the next 2-3 years as long as they've filed their final plat at that time it's vested for life.

Commissioner Meyer –

The DP still has a 3 year vesting?

Bob Keenan –

We've got a development agreement conditional approval here that we can address through that.

Jonathan Spence –

We would not place a time on that.

Commissioner Meyer –

What happens to the architecture, which was contained in the FDP from 2006?

Commissioner Dixon –

It's controlled by the HOA.

Bob Keenan –

And our duplex use with criteria.

Commissioner Dixon –

If they were to come in with a different product type would that be considered if we approve this DP?

Bob Keenan –

We're not looking at any architecture when they come through with a building permit.

Commissioner Dixon –

Say they wanted to do row houses and say they figured out how to make their infrastructure work and do row houses on each of these individual lots would that be something that we would consider?

Bob Keenan –

Through a different application, because from what you're saying multi-family is out and single-family duplex is in.

VOTE

Vote: 3-1

Voting for approval of motion to approve: Meyer, Beauregard, and Dixon

Voting against the motion to approve: Levy

Absent: Slavik, Lacy and Hanlen

Discussion on this agenda item ended at approximately 6:06 p.m.

Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village) #CHP-10-02 Community Housing Plan for related 14 duplex lots subdivision on the remainder portion of Lot 2, Block 5, Willett Heights Subdivision Filing 1 (Rocky Peak Village).

Discussion on this agenda item started at approximately 6:07 p.m.

STAFF PRESENTATION

Bob Keenan –

The request to exempt is not an alternative means of compliance. It's noncompliance.

Commissioner Meyer –

In the staff report you say that the applicant is required to provide 2 units of community housing under our current rules. Can't they pay a fee-in-lieu?

Bob Keenan –

They haven't proposed anything.

COMMISSIONER QUESTIONS

Commissioner Beauregard –

I don't think that the community's goals have changed with the community housing.

Commissioner Dixon –

I agree. It's a new application and it's a new approval.

Commissioner Beauregard –

This seems really strange to approve.

RECOMMENDED MOTION

Recommended Finding

Staff finds the Community Housing Plan for Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) #CHP-10-02 is **NOT CONSISTENT** with the minimum requirements. Staff recommends the Planning Commission **DENY** the Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) #CHP-10-02

Motion #1

Planning Commission recommends denial of the Willett Heights Filing 1, Block 5, Lot 2 (Rocky Peak Village, Filing 2) #CHP-10-02 with the findings that the proposal does not meet the minimum requirements of CDC Sec. 26-148, Community Housing.

MOTION

Commissioner Dixon moved to deny CHP-10-02. Commissioner Levy seconded the motion.

VOTE

Vote: 4-0

Voting for approval of motion to approve: Meyer, Levy, Beauregard, and Dixon

Absent: Slavik, Lacy and Hanlen

Discussion on this agenda item ended at approximately 6:09 p.m.

APPROVAL OF JUNE 24, 2010 MEETING MINUTES

MOTION

Commissioner Dixon moved to approve the Planning Commission Meeting minutes from June 24, 2010 as written. Commissioner Levy seconded the motion.

VOTE

Vote: 4-0

Voting for approval of motion to approve: Meyer, Levy, Beauregard, and Dixon

Absent: Slavik, Lacy and Hanlen

DIRECTOR'S REPORT

Commissioner Dixon is leaving the Planning Commission.

ADJOURNMENT

Commissioner Levy moved to adjourn the meeting at approximately 6:12 p.m.

Commissioner Beauregard seconded the motion.

VOTE

Vote: 4-0

Voting for approval of motion to approve: Meyer, Levy, Beauregard, and Dixon

Absent: Slavik, Lacy and Hanlen