



**CITY OF MANITOU SPRINGS
CITY PLANNING COMMISSION**
Regular Meeting Minutes
Hybrid Meeting via Zoom and at Memorial Hall
April 8, 2026

A. CALL TO ORDER

A Regular Meeting of the Manitou Springs City Planning Commission (CPC) was held at Manitou Springs Memorial Hall, 606 Manitou Avenue. Chair Delwiche called the meeting to order at 5:30 PM and declared a quorum present.

COMMISSIONERS PRESENT FOR ROLL CALL:

Chair Alan Delwiche
Vice Chair Justin Wilson
Commissioner Stephen Graybill
Commissioner Roy Rosenthal
Commissioner Keith Harper
Commissioner Frank DeLay
Commissioner Megan Day

STAFF PRESENT:

Planning Director Frederick Rollenhagen
Senior Planner Chelsea Royston

GUESTS PRESENT:

CPC Attorney Kunal Parikh

B. APPROVAL OF MINUTES

1. CPC Minutes 03.11.2026

Chair Delwiche pointed out a discrepancy in the minutes on the last page.

Commissioner Graybill motioned to postpone approval of the minutes to the May 13, 2026 meeting. Commissioner Rosenthal seconded the motion. The motion passed unanimously (7-0).

C. PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no public comment.

D. UNFINISHED BUSINESS

No unfinished business was discussed.

E. NEW BUSINESS

1. Public Hearing on LUDC Revisions – Variances and Administrative Adjustments

Planner Royston presented Land Use and Development Code (LUDC) Revisions regarding variances and administrative adjustments. She reviewed the intent of a variance, takeaways from a previous January work session, and updates to proposed criteria, including the removal of a distance qualifier for impacts, inclusion of nuisance-based language, and a requirement to meet a subset of criteria. The findings of fact process was outlined as a proposed process for variance approval. An administrative adjustments section of code was proposed, as well as approval criteria for the allowance of administrative adjustments.

Chair Delwiche questioned why there would be different approval criteria for Commission variances and administrative adjustments. Planner Royston explained that variances are more stringent and can allow greater differences from the regulations. She stated that meeting different thresholds would be appropriate. Chair Delwiche disagreed, stating that the criteria should be the same.

Chair Delwiche noted that accessory additions to height are already addressed within the height definition section of the code and suggested that separating the two could confuse people.

Commissioner DeLay supported the changes and suggested that all four criteria should be met to grant a variance.

Commissioner Rosenthal stated his opinion that three of the four criteria be met. He noted that the recommendations were balanced and that a three-out-of-four threshold would better support flexibility while maintaining structure in the approval process.

Chair Delwiche supported the suggested threshold to meet all four criteria and added that having tighter voting structure allows for more thought on each individual variance.

Vice Chair Wilson said he believes all four criteria should be met, especially one, two, and three.

Commissioner Rosenthal reiterated that he is opposed to requiring all four criteria because the failure to meet one criteria could kill an application. He proposed the option of meeting three criteria with conditions, meaning the variance could only be approved if no harm comes from not meeting the fourth condition.

Commissioner Day agreed it would be tough to meet all four.

Commissioner DeLay noted the latitude within the criteria, and that there was room for flexibility in having all four criteria required.

Vice Chair Wilson proposed requiring applicants meet three of the four criteria, including one and two, and either criterion three or four. Commissioner Graybill supported the compromise.

Chair Delwiche raised concerns about the proposed administrative adjustments, specifically the 15% deviation from dimensional standards. He stated he could not support that provision, but was otherwise supportive of the remaining elements. Chair Delwiche explained his concern was with allowing staff approval, as he does not see it as necessary.

Planner Royston explained that similar neighboring municipalities have the rule, as well as the 15% standard. She also noted that many citizens seek lesser applications but are unable to apply for a variance.

Commissioner Day shared her opinion that administrative approval would alleviate burden within neighborhoods in Manitou Springs with varying construction methods. She expressed confidence in the professional judgment of Planning Staff and stated her support for administrative approval.

Commissioner DeLay agreed with Chair Delwiche's comments, and asked how many applications per year would meet the requirements for Administrative Adjustments. Planner Royston stated that she did not have the data, but could research meetings held by the Planning Department throughout the last year.

Vice Chair Wilson stated that he is in favor of the nuisance criteria and removing the distance qualifier for the proposed criteria.

Chair Delwiche supported the proposed nuisance language.

Planner Royston clarified that the nuisance language will not be limited to a range of 300 feet or adjacent properties.

Chair Delwiche noted that the term "reasonable use" in the existing code has been problematic. He also raised concerns about defining "hardship" and what constitutes financial and technical infeasibility.

Planner Royston clarified that the intent of proposed criteria is for the applicant to argue for the variance to the Commission, and that creating narrower definitions for terms would make things harder for the Commission to justify.

Commissioner Day stated that a hardship should not be required.

Planner Royston stated that the term "hardship" could be applied differently than Commissioner Day's interpretation. She stated that it was not easy to define the term across the board.

Commissioner Rosenthal expressed concern about limiting subjective judgement, stating it is an important component to the process. Commissioner Day agreed and added that variances are intended to allow discussion.

Planner Royston provided clarification on the City definition of hardship and compared it with other jurisdictions. The local definition aims to prove that hardship exists, while other jurisdictions define hardship as resulting from strict enforcement of code.

Director Rollenhagen commented that hardship is usually tied to something with the land, and it's not usually financial.

Planner Royston stated that if the Commission feels that financial infeasibility is not a reason for variance, then they can choose to change that. Planner Royston encouraged allowing the applicants to make the argument, allowing the Commission decide if the argument is persuasive enough.

Chair Delwiche confirmed his preference for hardship defined as resulting from enforcement of the code.

Director Rollenhagen stated that staff was not prepared to define hardship at this time, but could do so in the future. Planner Royston noted that defining the term may be difficult.

Commissioner Rosenthal motioned to approve the amendment as proposed with the following changes:

- E. Approval Criteria. The endorsement of the variance by adjacent landowners does not relieve the applicant of the burden of meeting the requirements set forth in this section:
 - 1. No variance shall be authorized unless the Planning Commission finds that the following condition has been met:
 - a. The granting of a variance will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property, or which constitutes a health or safety hazard.
 - 2. Additionally, variance requests must meet a minimum of two of the following criteria:
 - a. Literal enforcement of the code would result in an unnecessary hardship.
 - b. There are no design alternatives that achieve the same objective, reduce the degree to which a variance is needed, and do not result in a technically or financially infeasible solution.
 - c. The property has one or more of the following extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district:
 - 1) The property is partially encumbered by the flood zone, no-build area, or other restrictions resulting in a reduction in developable area.
 - 2) The variance is necessary to allow or improve access to sunlight.

- 3) The variance is necessary to protect heritage trees.
- 4) Other substantial documented circumstance.

Commissioner Day seconded the motion. The motion passed (4-3) with Commissioners Delwiche, Wilson, and DeLay opposed.

Chair Delwiche explained he opposed the motion due to concerns with the administrative adjustment section, which he feels is less transparent to the community. He also preferred that all four criteria be required.

Vice Chair Wilson stated he opposed the motion because he believes criteria one and two should be mandatory and that variances should be tied to a documentable hardship.

2. Public Hearing on LUDC Revisions; Density and Height Allowances

Director Rollenhagen presented LUDC revisions. He reviewed the current maximum densities and heights. He referenced previous work sessions and explained that in other communities, density is often based on local need. He stated that proposed densities of 25 to 30 units per acre in Commercial and Multi-Use Commercial Districts is not out of the ordinary. He also reviewed recommendations from the Urban Renewal Authority (URA) and the Housing Advisory Board (HAB). He reminded the Commission that the current code allows up to a 25% density bonus when at least 25% of the units are rent or sold at an affordable price as determined by the United States Department of Housing and Urban Development standards.

Commissioner DeLay asked about the HAB recommendation for allowing 50 units per acre, and if there would be a height requirement, as well as a square footage per unit requirement. Director Rollenhagen noted that there would be a lot of variables including environmental constraints and lot size.

Chair Delwiche referenced a proposal from 2 years ago that included 39 units per acre, and met height requirements. He stated that this wouldn't support HAB goals because of the smaller unit sizes. He suggested a compromise of 30 dwelling units per acre with a 39-foot height limit. Commissioner DeLay agreed.

Chair Delwiche motioned to approve the change in density in Commercial and Multi-Use Commercial Zoning Districts to 30 dwelling units per acre and the maximum height to 39 feet. The motion was seconded by Commissioner Day. The motion passed unanimously (7-0).

F. OTHER BUSINESS

No other business was discussed.

G. NOTICE OF COUNCIL ACTION AND UPDATES

Chair Delwiche commented on a state bill that would allow nonprofit organizations to build on residential lots up to 38 feet.

H. ADJOURNMENT

With no further business to discuss, Chair Delwiche adjourned the meeting at 6:56 PM.

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