



Minutes
Planning & Zoning Commission
Carbondale Town Hall and Via Zoom
Thursday, September 14, 2023

Commissioners Present:

Nicholas DiFrank	Vice-Chair
Jarrett Mork	Member
Nick Miscione	Member
Kim Magee	Member
Jess Robison	Alternate
Cindy Suplizio	Alternate

Commissioners Absent:

Jay Engstrom	Chair
Kade Gianinetti	Member

Town Staff Present:

Jared Barnes	Planning Director
Kae McDonald	Planning Technician

Guests and Attendees:

Tony Spires	ANB Bank
Will Coffield	Alder Real Estate
Roman Gershkovich	Open Studio Architecture
Julie Pratte	The Land Studio Inc.
Doug Pratte	The Land Studio Inc.
Kyle Sanderson	Sopris Engineering, LLC
Chad Lee	JVAM
Michelle Tang	Stok

1. Call to Order

Nicholas DiFrank called the September 14, 2023, meeting of the Carbondale Planning and Zoning Commission to order at 7:03 p.m.

2. Roll Call

3. 7:00 p.m. - 7:05 p.m.: Consent Agenda

3.1 Minutes of the August 24, 2023, Meeting

Move to approve the Planning and Zoning Commission August 24, 2023, meeting minutes.

Moved by: Jess Robison

Seconded by: Cindy Suplizio

Aye Nicholas DiFrank, Kim Magee, Jess Robison, and Cindy Suplizio

Abstain Nick Miscione and Jarrett Mork

Carried 4-0

3.2 326 S. 3rd Street Approval Document

Move to approve Resolution No 4, Series of 2023 for an Accessory Dwelling Unit to be located at 326 S. 3rd Street.

Moved by: Cindy Suplizio

Seconded by: Jarrett Mork

Aye Nicholas DiFrank, Kim Magee, Jarrett Mork, Jess Robison, and Cindy Suplizio

Abstain Nick Miscione

Carried 5-0

4. 7:05 p.m. - 7:10 p.m.: Public Comment for Persons Not on the Agenda

There was no one present, not on the agenda, to address the Planning and Zoning Commission.

5. 7:10 p.m. - 8:50 p.m. Action Items

5.1 7:10 p.m. - 8:45 p.m. PUBLIC HEARING: ANB Bank Mixed-Use Project - Rezoning, Major Site Plan, Alternative Compliance, and Conditional Use Permit

Staff Report

Jared stated that this is a combined application for a Rezoning, Major Site Plan Review, Alternative Compliance, and Conditional Use Permit for the proposed construction of an approximately 27,000sf mixed-use building. He explained that the combined application requires courtesy reviews by the Tree Board and Bike, Pedestrian & Trails Commission (BPTC), a public hearing and recommendation by the Planning and Zoning Commission (P&Z), and a subsequent public hearing and action by the Board of Trustees (BOT). Jared reminded the Commission that in 2020, ANB submitted applications to subdivide the lot into two parcels, rezone both parcels, and construct a new bank building with a drive-through facility on the northern lot while reserving the southern lot for future development, but the application was subsequently withdrawn after the Board of Trustees highlighted a variety of concerns including adding a new drive-thru and abandoning the existing drive-thru, potentially adding a deed

restriction to prohibit a fast food restaurant, unknown future development on the subdivided Lot 2 (the mixed-use lot), and a desire for the new building to be closer to net zero. Jared noted that a new application was submitted in December 2022, and it was reviewed by the Tree Board on August 17, 2023, and the Bike, Pedestrian and Trails Commission on March 6, 2023; the BPTC will review the application again in October due to the project changes.

Jared stated that the project proposes to rezone the lot from Planned Community Commercial (PC) to Mixed-Use (MU) and to construct a two-story mixed-use building ranging in height between 29 and 32 feet and will house the bank and other office space (~7,000sf), retail and restaurant space (~7,100sf), and 16 dwelling units. He described the project components, noting that the single building is broken into two parts: 1) a square-shaped building on the north end that is oriented on a North-South axis and is anchored by ANB Bank on the ground floor and general office space on the second floor, and 2) a rectangular-shaped building that parallels Highway 133 and includes restaurant, retail, and residential units on the ground floor and residential units on the second floor; the two parts of the building are connected via a lobby. He added that the ground floor has 12' tall ceilings and the second floor has nine-foot-tall ceilings. He noted the project is architecturally diverse with varied roof lines, materials, setbacks and is designed to be all-electric except for the restaurant space.

Jared reviewed the project as it relates to Carbondale's Comprehensive Plan and the Unified Development Code, explaining that the Future Land Use Map (FLUM) designates the subject property as "New Urban". He noted that the proposed project achieves several goals, policies, and the general intent of the 2022 Comprehensive Plan and the proposed rezoning from an obsolete zone district, PC, to a standard zone district, MU, meets the intent of the Future Land Use Map and the New Urban land use designation. Jared highlighted the purpose of the MU zone district and noted that the project fulfills that purpose with a compact, mixed-use development that will provide people the opportunity to live, work, recreate, and shop in a pedestrian-friendly environment and the project contains both a vertical and horizontal mix of land uses and provides an interesting and walkable environment through pedestrian-oriented design and landscaping.

Jared pointed out that the Conditional Use Permit applies to the proposed residential uses on the ground floor which will include a 1-bedroom unit and a portion of a 2-bedroom unit on the ground floor of the building. He noted that the units are located at the south end of the building with adjacent ground-floor patios that will benefit from the southern exposure. He pointed out the ground floor residential spaces are set back from Hwy 133 and are buffered by several feet of landscaping on all sides, concluding that the location of the ground floor residential use is thoughtful and adds variety to the mix of dwelling units in the project. Jared explained that the application is consistent with other Conditional Use Permits approved in the project's vicinity.

Jared stated that the project meets all the standards of the MU zone district and complies with the height limits but explained that alternative compliance is requested from the maximum front setback and the minimum landscaped buffer. He explained that Staff agrees that the design of the project benefits from both the requested exceptions to the maximum setback and the projections into the required landscape buffer and provides an architecturally interesting building façade.

Jared noted that the subject property abuts a mixed-use property to the south and provides a 50-foot buffer between the subject and adjacent properties. He added that the site plan includes an outdoor dining area for the proposed restaurant use; this area complies with the

requirements of subsection Q and the area square footage has been included in the parking requirements calculation. Jared also noted that the landscaping plan was referred to the Tree Board and the Town Arborist and changes to the landscaping plan were made in response to recommended changes; there is a condition of approval tied to landscape compliance at the building permit level.

Jared noted that this project is unique in terms of site and building design because it is subject to most of the design standards of the UDC -- the residential use standards, the multi-family building standards, the commercial use standards, the buildings with more than 10,000 square feet standards, and the properties along Highway 133 standards. He acknowledged there is a lot of repetition in the regulations and any unique requirements for the review criteria were broken out in the Staff Report. He stated that overall, the application meets all standards for site and building design and takes in site specific factors including Highway 133 and the neighboring property:

- The project prioritized pedestrian features.
- There is a mix of residential unit types, roof line variations and materials.
- There is on-site solar and beneficial electrification incorporated into the project.
- Jared asked that the commission members provide feedback regarding whether the repetition of roof forms meets the Town's design expectations from a qualitative perspective.
- Jared explained that the private outdoor space exceeds the requirements for bike parking and although the applicants took advantage of both parking reductions, they also exceeded the parking requirements.
- Inclusionary housing requires three deed-restricted units with a total of three bedrooms.
- The Engineering Report included a Traffic Study which recommended a right turn acceleration lane exiting Hendrick Drive onto Highway 133. The applicant will work with the Town to prepare the Highway 133 CDOT permit.

Jared stated that overall, Staff feels this is a high-quality application that has improved over time and recommends approval of the project.

Questions for Staff

Jarrett asked what guidelines should be used to comment on the design.

Jared replied that it is part of the review criteria and how the project is consistent with the Comprehensive Plan.

Applicant Presentation

Doug introduced the project and the project team:

- Tony Spires, ANB Bank Community Branch President
- Will Coffield, Owner Representative: Alder Real Estate

- Roman Gershkovich, Architect
- Julie and Doug Pratte, Planner/Landscape Architect
- Kyle Sanderson, Surveyor/Civil Engineer
- Chad Lee, Land Use Attorney
- Michelle Tang, Energy Consultant

Tony Spires noted that he has been with ANB Bank for 17 years, 12 of which have been in Carbondale. He added that there are 25 ANB Banks -- including five in the Roaring Fork Valley -- and their employees all live in the communities that these banks serve. Tony explained that the banks in the Roaring Fork Valley serve approximately 10,000 customers and the bank has been a member of the Carbondale community for 20 years, albeit in various locations including their current location on Dolores Way. Tony pointed out that ANB Bank supports the community by providing significant funds for homes, businesses, critical infrastructure, community projects, affordable housing, and numerous other community amenities.

Will Coffield explained that the reasoning behind ANB Bank's decision to relocate included a location that was closer to downtown providing improved ease of access, synergy that comes from being in a highly concentrated activity area, the opportunity to provide employee housing, modernizing the bank's layout to align with ANB's current banking operations, and enhanced site amenities. He noted that the applicant has incorporated feedback provided by the Board of Trustees, Planning & Zoning Commission and Town Staff and pointed out that the entire development plan was revised to meet all the criteria previously conveyed including comprehensive plan compliance, no drive-through, development of the entire lot, employee housing and energy efficiency. Will listed the project highlights including community housing opportunities, synergistic location, true mixed use, thoughtful and functional design, accessibility, and sustainability.

Doug walked the commission members through the current application including the proposed rezoning from Planned Community Commercial (an obsolete zone district) to Mixed-Use zoning, the location of the proposed project as it relates to other recent development, how the project relates to the Comprehensive Plan Future Land Use and the New Urban designation, bicycle and pedestrian access, and the Highway 133 Access Control Plan.

Kyle Sanderson explained the Highway 133 Access Control Plan in more detail, pointing out the distinctions between the existing conditions and proposed recommendations, as well as how the project site plan is situated along Highway 133. He highlighted the conclusions from the traffic analysis that the ANB Bank development can be successfully incorporated into the existing and future roadway network. He also noted that Sopris Engineering and ANB Bank have been working with CDOT and the Town of Carbondale on the Access Permit at Hendrick Drive 133 intersection and the Access Permit Closure for the existing access into the property off Hwy 133 and reported that both permits have been executed and issued by CDOT.

Roman Gershkovich explained that he has been working on this project since 2019. He detailed the architectural details of the proposed buildings as they relate to the Comprehensive Plan and the Unified Development Code:

- The building was designed in two sections with the bank and commercial space at the north end and the residential component comprising the southern end. The building mass was broken up to reduce the visual of one big box and the programming and materiality are meant to distinguish the commercial from the residential. The

community space – the play area, dog park and public art – and landscaping are meant to buffer the residential space and parking lot.

- The primary entrance is from the parking lot and there are two sheltered secondary entrances on the east side. A connecting path was preserved to provide a shortcut for cyclists and pedestrians. There are 22 bike stalls scattered throughout the project – with additional bike storage inside the building -- and 74 parking stalls, four of which provide EV charging. The parking reductions were taken advantage of to reduce the lot size and maximize the space for other needs.
- There is a shared lobby between the bank and the commercial space; the bank comprises only 13% of the building square footage. The commercial space offers three units, one of which could be a restaurant. There are a total of 16 residential units including three studios, nine one-bedrooms, and four two-bedrooms ranging in size from 400 to 1,000 square feet. Bulk storage is provided, and the private outdoor space offers a sheltered deck set back from the building façade.
- The central façade is broken up every 30 feet and is set back on the ground floor. While there is only a 30% transparency requirement, the current design offers 70%. The façade is further broken up by the integration of canopies and the inset balconies are lined with wood for a warmer look. The sandstone veneer is quarried from a Colorado location and the brick was manufactured in the Denver area. The glazing provides transparency for the retail spaces, but also is highly insulating for the office and residential spaces.

Doug explained the landscape plan, noting that they will coordinate with CDOT to incorporate better topsoil, fix the irrigation, and use the approved seed mix for revegetating the area disturbed along Highway 133. He added that all the trees were selected from the approved Street Tree list, and based on the Tree Board's input, they added a fourth tree along the Hendrick Drive streetscape to make up for the tree removed at the southwest corner. Doug noted that they have contacted Carbondale Arts for input on public art.

Roman summarized the energy initiatives, noting that they referred to Carbondale's 2017 Climate Action Plan as they designed the project. He highlighted those design elements that are part of the project's energy initiatives including solar panels, E-charging stations, locally sourced and recycled materials, low U-Value glass, native landscaping, solar shading, sensor lighting systems, and all electric mechanical systems. He also noted that they have complied with the 2018 Energy Code and have added IGCC compliance for various elements.

Doug summarized community outreach efforts which included meeting with Carbondale Arts Education Director and Carbondale Public Arts Commission Chair, presented – and will present again – to the Bike, Pedestrian and Trails Commission, discussed the project with We-Cycle, presented the project to Carbondale Rotary Club and Chamber of Commerce, engaged in ANB Bank customer outreach, discussed the project with Roaring Fork Valley Habitat for Humanity, and met with the Tree Board.

Public Comment

There was no one from the public to comment on the proposed project.

Questions for Applicant/Commissioner Discussion

Cindy asked if it was possible to design covered parking that could support additional solar arrays. She asked what square footage the building's roof was and commented that at a recent

Board of Trustee meeting CLEER was pushing hard for netzero with that emphasis falling on new construction.

Roman replied that the topic was discussed, but the design element would require a lot of maintenance, a lot more material, and it would block visibility. He noted that the roof is 12,000 square feet, and tucking the solar arrays on the roof opens the ground space and aligns with the needs of the project.

Michelle Tang replied that the primary focus was reducing energy and carbon use, and then focusing on renewable energy. She noted that the project supports energy efficient designs and the onsite renewables offset approximately 1/3 of the project. She noted they are also discussing augmenting that with an off-site renewable garden, as well.

Nicholas suggested considering shade structures along the seven-foot sidewalk cut on the south end.

Jarrett pointed out that a counter to that argument would be to detach the resident parking which wouldn't block the commercial frontage.

Roman conceded that covered parking along the south side wouldn't obscure the commercial frontage, but pointed out that the applicant is also subscribing to offsite solar.

Cindy asked which solar garden they are contracting with.

Will replied that ANB Bank contracts with Pivot/Nautilus Energy which has two offsite solar arrays – one in Parachute and one in Denver. He pointed out that Carbondale isn't yet online, so it wasn't added into their calculations.

Kim appreciated the collaborative approach with the community. She complimented the design, noting that the building elevations are mindful of the residential need for privacy, and liked the application of glass throughout the project.

Nick pointed out that another transformer along Main Street and just south of the City Market has received a lot of negative press and wondered if the existing box could be relocated behind the curb cut.

Kyle replied that they are coordinating the location with Excel and there will be two parallel boxes near the center of the southern property line.

Nicholas asked if the residential units will be made available to bank employees and if they will get the first right of refusal. He asked if the units would be for sale.

Will replied that that has yet to be determined but stated that he would like to see ANB Bank employees live there. He stated that all the units will be long-term rentals.

Jarrett complimented the amount of storage included in the design.

Nicholas noted that the conceptual drawing that looks toward Red Hill shows a lot of buildings along Highway 133 that have a similar look and, although these buildings are nice looking, there have been a lot of community comments about that "look." Nick pointed out that 1) this is a gateway area, and the Comprehensive Plan is moving the Highway 133 corridor into an aesthetic and, 2) Does this "feel like Carbondale."

Jarrett thought that in terms of scale, the height and variety is acceptable. He thought the façade undulation was also acceptable. Jarrett didn't think the duplication of aesthetic across developments represents Carbondale. He didn't like the use of so much glazing and questioned whether that was environmentally appropriate.

Nicholas pointed out that they have encouraged creating active frontages on Highway 133 and the glazing allows the activity to be seen but agreed that there might be an environmental cost.

Kim replied that while design guidelines may have mistakenly by creating a canyon effect but prefers this design to that across the street. She thought it was a mindful development and given the parameters that have been set, they did a great job. She reiterated that she liked their creative approach and use of glass.

Jess stated that while it was a thoughtful approach, she was disappointed in how flat and boxy the design was. She suggested considering ways to make the residential portion more interesting. She added that while she appreciates modern design – and the residential component is located where it should be – she thought it looked more like Boulder than Carbondale. Jess also noted that despite the community’s criticism of the New Urban design, they are conducting a public hearing, and nobody is here.

Nick questioned why more open space would be consumed by more construction when the bank already owns a building, but also agreed that the residential component was needed, and the applicant satisfied all the requirements.

Nicholas asked what would happen to the other building.

Will replied that it would be sold.

Jarrett asked if the residential units will be deed restricted.

Jared replied that there was some discussion about deed restrictions with the previous application but was never required.

Michelle pushed back on the statement that the proposed glazing will translate to higher energy usage. She pointed out that the code allows a maximum 40% ratio of window to wall, but the proposed design has a 35% ratio. She further noted that the selected windows have a good solar heat gain coefficient and good U-value, so there is less heat going through the windows and less heat loss through frames. She also pointed out that with more access to natural lighting, that lessens the use of artificial lighting which translates to energy savings.

Nicholas questioned the design of the play space and didn’t think locating the dog park contiguous to it was a good idea. He asked why the Tree Board agreed to removing street trees from the design and wondered if it would be possible to add more to buffer any echoing along the Highway 133 “canyon.”

Julie explained that the trees were taken out of the sight triangle, but pointed out several trees were added along Hendrick Drive.

Doug added that landscape elements along Highway 133 must satisfy the ten-foot right-of-way and setback requirements which limit those choices.

Nick suggested considering an increase to the setback requirements.

Nicholas reiterated his concern with the play area and asked for clarification on what will be installed and how that will best serve the buildings’ residents. He noted his appreciation that the applicants responded to the code requirements but wondered if that was an inappropriate use of land.

Nick thought the most appropriate location for the playground was the courtyard.

Roman countered that the play area as designed was adjacent to the residential units while the courtyard served the bank and commercial spaces.

Doug added that the play area would be fenced for protection from the roads, and it would be separated from the dog park. He noted that the planned art installations would increase activity in the area as well.

Jarrett commented that if features are required, they should consider what is important to the zoning – for example, if biking and walking are encouraged, parking should be reduced to make it safer.

Kim reiterated the applicants complied with the code requirements and have taken care to divide the spaces and add fencing.

Cindy suggested an open space rather than a play area.

Roman reminded the commission members that the code specifies a play area.

Jarrett suggested the applicants consider enticing the community with something they have been asking for, which is a safe crossing of Highway 133. He didn't think that the bank satisfied the New Urban requirement and commented the project was too vehicular focused because 60% of the site plan was pavement.

Nicholas replied that sharing a parking lot with the City Market wasn't reasonable and pointed out that the parking space dimensions have been reduced. He asked about the proposed public art and how it would be selected.

Doug replied that they are still considering several scenarios which might include Carbondale Arts working in conjunction with ANB.

Nick **moved** to approve the application as stated in the meeting packet. Kim **seconded** the motion.

Discussion

Nicholas pointed out that there were options other than a yes or no vote and the commission members could choose to continue the public hearing if changes to the application might sway their decision.

Cindy wondered if it would be possible to continue the public hearing and ask the applicants to scale down the parking lot and add more open space.

Jared explained that, as a point of order, there was a motion on the table and if that motion fails, a new motion could then be made.

Aye Kim Magee, Nick Miscione

Nay Cindy Suplizio, Jarrett Mork, Nicholas DiFrank

Abstain Jess Robison

Failed 2-3

Nick asked if it would be better to continue the public hearing to the next meeting.

Jared replied that the Commission could choose to continue but will need to determine what additional clarification is needed, whether design modifications are needed or to give direction to Staff to assist in fleshing out a more well-crafted motion.

Jess asked Jared if the Commission has purview over design.

Jared replied that the Commission must determine compliance with the review criteria outlined at the end of the Staff Report, pointing out that some of the criteria address the Comprehensive Plan's goals and nested within that document there are statements and goals that speak to architectural standards. He explained that it is within those confines a decision needs to be made whether the application satisfies those standards.

Nick cautioned that the Commission needed to proceed with caution because it has already been determined that the application meets the requirements of the UDC and if they vote to deny approval, the commission members need to be clear on what grounds it is denied.

Nicholas countered that they also have the Comprehensive Plan guidelines, so they have both quantitative and qualitative standards.

Nick asked if there had been any qualitative comments about the design.

Jess noted that she had suggested re-working the roofline design, so it has more breaks.

Nick suggested adding a condition to reevaluate the roofline and to reevaluate the play area and dog park.

Jared replied that if the commission members want additional specifications on the play area, those details could be brought back for review by the Commission for future evaluation as a condition, but because the roofline is integral to the building design it would be challenging to move the application forward to the BOT and it would be best to continue the hearing to re-review the design.

Nicholas suggested a 14th Condition of Approval: A re-review of the playground/dogpark to find a solution that is appropriate for the Highway 133 corridor.

Move to recommend to the Board of Trustees approval of the combined application for Rezoning, Conditional Use for ground floor residential use, Major Site Plan Review and Alternative Compliance for the maximum front setback with the following conditions of approval and findings of fact, to rezone Parcel #239333400006 from Planned Community Commercial (PC) to Mixed Use (MU) and to allow the construction of a 2-story mixed-use building with approximately 27,000sf of retail, restaurant and office space and 16 dwelling units with the stated 13 conditions of approval and a 14th condition: Because the Planning and Zoning Commission has expressed concerns about the safety and appropriateness of the dog park and play area, those plans shall be reviewed and approved by said Commission.

Moved by: Nick Miscione

Seconded by: Kim Magee

Aye Nicholas DiFrank, Kim Magee, Nick Miscione, Jarrett Mork, Jess Robison, and Cindy Suplizio

Carried 6-0

5.2 **8:45 p.m. - 8:50 p.m. CONTINUED PUBLIC HEARING: Impervious Lot Coverage Code Text Amendments**

Move to continue the public hearing to October 12, 2023, for Amendments to the Unified Development Code related to Impervious Lot Coverage and Section 3.8.5.

Moved by: Nick Miscione

Seconded by: Cindy Suplizio

Aye Nicholas DiFrank, Kim Magee, Nick Miscione, Jarrett Mork, Jess Robison, and Cindy Suplizio

Carried 6-0

6. **8:50 p.m. - 9:00 p.m.: Staff Update**

Jared noted that a Diligent Community review will take place at a future meeting.

7. 9:00 p.m. - 9:05 p.m.: Commissioner Comments

Nicholas commented that he had had a conversation with Jared regarding the submitted landscape plans and the desire to have those plans drawn to the same level as architectural plans. He proposed that the standards be modified to conform with that requirement, and they should be stamped by a Landscape Architect. He noted that this requirement would only apply to commercial, mixed-use, and larger residential projects.

Jared explained that the desire is to raise the minimum standards so there is less confusion during plan and building reviews and it would not only benefit Staff, but also contractors when projects are under construction. He noted that it would be an application change and does not require any code modification.

8. 9:05 p.m. Adjournment

Jarrett moved to adjourn the September 14, 2023, meeting of the Carbondale Planning and Zoning Commission at 9:43 p.m.