



Town of Carbondale  
511 Colorado Avenue  
Carbondale, CO 81623

**AGENDA**  
**PLANNING & ZONING COMMISSION**  
**THURSDAY, April 15, 2021**  
**7:00 P.M. Virtual Meeting \***

1. CALL TO ORDER
2. ROLL CALL
3. 7:00 p.m. – 7:05 p.m.  
Minutes of the March 11, 2021 meeting.....Attachment A
4. 7:05 p.m. – 7:10 p.m.  
Public Comment for Persons not on the agenda (See instructions below)
5. 7:10 p.m. – 7:35 p.m.  
CONTINUED Virtual HEARING – Rezoning/Site Plan Review Review/  
Preliminary Plat/SUP..... Attachment B  
Applicant: ANB Bank  
Location: Hendrick Drive & Highway 133
6. 7:35 p.m. – 8:05 p.m.  
CONTINUED Virtual HEARING – 485 Mancos- Minor Site Plan Review/ADU... Attachment C  
Applicant: Jennifer Newcomb  
Location: 485 Mancos Street
7. 8:05 p.m. – 8:20 p.m.  
Recommendation on Selection of Consultant for Comp Plan Update 2021.....Attachment D
8. 8:20 p.m. – 8:25 p.m.  
Staff Update
9. 8:25 p.m. – 8:30 p.m.  
Commissioner Comments
10. 8:30 p.m. – ADJOURN

**\*Please note all times are approx.**

**ATTENTION:** Due to the continuing threat of the spread of the COVID-19 Virus, all regular Carbondale P & Z Meetings will be conducted virtually. If you have a comment concerning one or more of the Agenda items please email [msikes@carbondaleco.net](mailto:msikes@carbondaleco.net) by 4:00 pm on April 15, 2021.

If you would like to comment during the meeting please email [msikes@carbondaleco.net](mailto:msikes@carbondaleco.net) with your full name and address by 4:00 pm on April 15, 2021 Also, you may contact [msikes@carbondaleco.net](mailto:msikes@carbondaleco.net) to get a phone number to listen to the meeting, however, you will be unable to make comments.

**Upcoming P & Z Meetings:** 4-29-2021 – 159/160 12<sup>th</sup> Street- Major Site Plan Review  
1629 East Dolores Way – Site Plan Review  
5-13-21 - TBD



**Hi there,**

**You are invited to a Zoom webinar.**

**When: Apr 15, 2021 07:00 PM Mountain Time (US and Canada)**

**Topic: 4-15-2021 Planning and Zoning Commission Meeting**

**Please click the link below to join the webinar:**

**<https://us06web.zoom.us/j/89636215226?pwd=V01SUzdKdW4vYjRYOGxBRXRvTmE5QT09>**

**Passcode: 842151**

**Or One tap mobile :**

**US: +13462487799,,89636215226#,,, \*842151# or +16699006833,,89636215226#,,, \*842151#**

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## **MINUTES**

### **CARBONDALE PLANNING AND ZONING COMMISSION**

Thursday March 11, 2021

#### **Commissioners Present:**

Jay Engstrom, Vice-Chair  
Jarrett Mork (2<sup>nd</sup> Alternate)  
Jeff Davlyn  
Marina Skiles

#### **Staff Present:**

Janet Buck, Planning Director  
John Leybourne, Planner  
Mary Sikes, Planning Assistant

#### **Commissioners Absent:**

Erica Stahl Golden  
Michael Durant, Chair  
Nicholas DiFrank  
Kim Magee (1<sup>st</sup> Alternate)  
Nick Miscione

#### **Other Persons Present Virtually**

Rob Classen, architect  
Jennifer Newcomb, owner of 485 Mancos Street  
Cari Kaplan, 488 Morrison Street  
Laura Sugaski, 487 Mancos Street  
Gene and Stephanie Schilling, 492 Mancos Street  
Anne Krimmer, 501 Mesa Verde  
Carolyn Williams, 494 Mesa Verde Avenue  
Bob Kaplan, 104 Cornwall Road, Rehoboth Beach, Delaware  
Travis Newcomb, 485 Mancos Street  
John Ward, ANB  
Tony Spires, ANB  
Will Coffield, ANB  
Doug Pratte, Land Studio  
Roman Gershtovich, Architect  
Yancy Nichol, Engineer at Sopris Engineering  
Chad Lee, Attorney at Balcomb and Green

The meeting was called to order at 7:04 p.m. by Jay Engstrom

#### **February 25, 2021 Minutes:**

Jeff made a motion to approve the February 25, 2021 minutes. Mariana seconded the motion, and they were approved unanimously.

#### **Resolution 2, Series of 2021 – 26 Maroon Drive/Minor Plat Amendment/Variances**

Jeff made a motion to approve Resolution 2, Series of 2021, approving the Minor Plat Amendment and Variances for 26 Maroon Drive. Mariana seconded the motion, and it was approved unanimously.



Janet noted that she would change the signature line to read Jay Engstrom.

**Public Comment – Persons Present Not on the Agenda**

There were no persons present to speak on a non-agenda item.

**VIRTUAL HEARING – Minor Site Plan Review/ADU**

**Location: 485 Mancos Street**

**Applicant: Jennifer Newcomb**

There were sixteen letters entered into the record that were sent to the Commission.

John said that this is an application for a Minor Site Plan Review and Conditional Use Permit. He stated that the Commission is required to hold a public hearing and approve the application, deny it or continue the public hearing.

John stated that the applicant is proposing to remove an existing garage structure and construct a new attached garage with an accessory dwelling unit (ADU) over the garage.

John said that while the Covenants that were recorded in 1975 state that “Lots shall be used for no other purpose than single family residences”, the Town does not enforce covenants as they are agreements between property owners within the subdivision and that the Town is not party to those agreements. He stated that as the subdivision is not a planned unit development then the development standards that are in the Residential Low Density zone district (R/LD) apply.

John explained that in the Comprehensive Plan that the property is designated as Developed Neighborhoods in the Future Land Use Plan. He said that the properties in this designation represent developed neighborhoods with little to no change occurring and allow the construction of ADU's.

John said that the property is entirely within the R/LD zone district. He stated that an ADU is allowed to be up to 850 square feet and a minimum of 300 square feet and that the proposed ADU is 596 square feet in size.

John stated that the required setbacks in the R/LD zone district have been met by the proposed garage. He said that the allowed maximum impervious surface is 52% and the applicant is proposing 42%.

John said Section 5.8.3. of the UDC requires 2.5 parking spaces for the main dwelling, and 2 spaces for an ADU. He said that the applicant has indicated four spaces, three located in the driveway and one located in the new proposed garage. He stated that it should be noted the amount of parking does not round up to five parking spaces as the code states that a fraction exceeding .05 would not be rounded up.



John stated that the proposed garage is setback fourteen feet from the front of the existing house and is proposed to have a stucco finish with accent siding. He said that the existing home is proposed to be painted and or receive stucco to match the proposed garage.

John stated that no solar access was provided with the application and will need to be submitted and verified at building permit if approved.

John said that a site plan may be approved upon a finding that the application meets all of the following criteria:

1. The site plan is consistent with the Comprehensive Plan.
2. The site plan is consistent with any previously approved subdivision plat, planned unit development, or any other precedent plan or land use approval as applicable.
3. The site plan complies with all applicable development and design standards set forth in this Code; or
4. Traffic generated by the proposed development will be adequately served by existing streets within Carbondale, or the decision-making body finds that such traffic impacts will be sufficiently mitigated.

John stated that as this is a review for a site plan and runs concurrently with a Staff level Conditional Use Permit. He said that if that if the Site Plan Review is denied by the Planning and Zoning Commission tonight then the Conditional Use Permit also dies, he said that you can't have one without the other.

Jeff asked for clarification regarding the Conditional Use Permit.

John said that the code requires a Conditional Use Permit, which is at Staff level, but that the code also replies that any ADU within the R/LD zone district go before the P&Z through a Minor Site Plan Review. He said that the Minor Site Plan Review, being the higher level of review by the P&Z, if denied then essentially the Conditional Use Permit cannot go forward.

Marina asked for clarification that every time we have approved an ADU that we have approved the site plan and the conditional use permit at the same time.

John stated that is correct.

Marina said that we did receive several letters and that one was about covenants. She said that this is not a PUD, like RVR, what is the Town beholden to in terms of covenants. She asked if an HOA Board exists in this neighborhood.

John said that if the HOA Board did exist, the covenants call out an architectural design review committee, the same as RVR. He said that the applicant would have to go before



the committee first before coming to the Town. He said that the Town is not party to any covenants and we do not enforce covenants. He said that they are private agreements between the property owners within that subdivision. He said that if adjacent landowners did not like the proposal then it becomes a civil matter.

Marina asked for clarification on short term rentals.

John said that the only code language we have is that any short-term rentals are required to get a lodging tax license.

Marina asked if that would be a complaint-based situation if you didn't have a license.

John said that a neighbor could complain if they didn't have a lodging tax license, noise or parking. He said that we have these issues with other short-term rentals.

Jarrett asked if there was a plan showing the square footage.

John said that the applicant can address that.

Jarrett said that there is storage for the ADU on the lower level so that should count as part of the square footage for the FAR.

John said that we don't use FAR.

Jarrett said that he doesn't see it indicated on the plans and that building height is another concern. He said that if it is considered an accessory unit to the primary structure that twenty-two feet would be its limit. He said that it looks like this roof is taller.

Janet said that twenty-two feet is for an accessory building and that this is an addition on to the main structure.

John said that after checking the code that the maximum height can be twenty-seven feet, which is the R/LD district standards. He said that it had to be scaled out on the plans submitted.

Jay asked for clarification on parking spaces and rounding up.

John explained that there is confusion that some applicants ask for an exception that they need to keep one space available on site if there were ever any parking issues. He said that this applicant has not asked for this exception. He said that the applicant is offering the full four parking spaces.

Janet read the code; *that when measurements of required spaces result in a fractional number, any fraction exceeding .5 shall be rounded up.*



Rob Classen introduced himself as an architect in Glenwood. He said that he has some history on the house, which he said was one of the original homes built in Colorado Meadows. He said that it was his house, that he designed and built back in the 70's. He said that he lived in it for seventeen years. He said that his sister, Jenny Newcomb, purchased the house. He said that her son Travis and his family currently live there. He said that this home has been in the family for over forty years. He said that Travis intends on purchasing the home from Jenny. He said that he's helping with the ADU and working through the codes with the least impacts to the neighbors. He explained his design. He said that the stairway going up is not included in the ADU square footage so that is why the ADU, and garage square footages are different. He said regarding the solar access for the neighbor to the north, there are two large pine trees that are fifty feet tall that will be screening the new ADU. He said the trees would be limiting to doing any type of solar applications.

Jarrett read from the code that the residential scale and character of the project shall be emphasized. He said that the scale of this project doesn't fit with the diagrams and that it may fit with a residential/medium density (R/MD) zoning.

Rob Classen said that the ADU is less than 600 square feet and explained about his design.

Jarrett said the length looks to be thirty feet in depth and that the proposed addition is thirty-two feet with a two foot overhang. He said that it is a difference in scale for this low-density neighborhood.

Rob Classen continued to explain the design.

Jeff asked the applicants for the background on the covenants and any conversation with the neighborhood prior to this application.

Rob Classen said that there has never been an HOA or any type of neighborhood group that reviewed any plans or submittals. He said that they were all done through the Town of Carbondale through a building permit.

Jenny Newcomb said that as far as she knows there is no HOA in this subdivision.

Jeff said that the difference between the HOA and covenants could be important and whether there's been discussion about the covenants. He said maybe there's been enforcement of the covenants in the past that we don't know about.

Jenny said that her son Travis, that actually lives in the house, went to all the neighbors directly impacted and spoke with them before the letter was sent out.

Jay asked for clarification on the parking and asked if there will be two additional spaces added with the proposed project.

Rob Classen said that is correct.



Jay explained the public comment process.

Cari Kaplan, **488 Morrison Street** said that she lives directly behind Jenny's house. She said that she will be the most impacted by this project. She said that she's sent in many letters. She said that she has been doing her due diligence and researching the code. She said that she has talked to architects, land planners and that this is a very devastating project for her and her neighbor Laura, who lives to the north. She said that she appreciates what Jenny is doing and protecting her investment. She said that she thinks it's great that it will stay in the family and that it will make your house look a lot better since nothing has ever been done to the house on the outside. She said that Travis never came to talk to her before this application was put in. She continued to explain further communications that happened via text and by phone. She said that Rob is wrong in saying that her privacy fence will help with privacy from this ADU and that it absolutely will not. She said that she has nothing buffering between the ADU and her yard. She said that the majority of the branches from the tree will need to come down because they will be in the way. She said that her privacy fence is six feet tall, and the deck will be twenty-five feet tall so she would need a twenty-five-foot pine tree to provide any kind of privacy. She said that there is no mitigation on the deck for noise and sound pollution, privacy and safety. She said that it will all decrease her property value. She said that there is also the issue of the Comprehensive Plan being updated, she said you read my letter, so you know what I'm talking about. She said that the parking is going to cause a lot of congestion in the neighborhood, she said that you know the story with the parking on this side of town. She said that it's all there in her letters and photos. She said that it will look like a townhouse behind her house.

Laura Sugaski, **487 Mancos Street** said that she is questioning the parking from the code Section 5.8 it says that only one car can be parked behind an enclosed garage or parking spot. She said that in this case with the one car garage they have three car spaces parked behind one car, which doesn't seem to code to her. She said that maybe there is an explanation. She said that the attached wall says that it needs to be twenty five percent of the wall needs to be attached to the principal building. She said that only fifteen percent is. She said regarding Rob stating that her privacy and solar is not affected, she said that she does have south facing windows shown in her photos. She said that she has a sunroom, which is her dining room and that she has a full view of her southern lot line. She said that the elm tree is dying, which will affect Cari as well. She said that in the winter when there are no leaves that she gets a lot of view with blue sky and light, as well as in the summer. She said that the spruce trees are about forty-five years old and that they are not going to last a lot longer. She said that one of her spruce trees has already been smothered by the elm tree and the whole half of it is completely branchless. She said that the main structure is sixteen feet if you include the two-foot jog out and the deck is another eight feet. She said that you are looking at twenty-four feet towards Cari's lot line and twenty-four feet further into my back yard. She said that when she had people come look at her solar that her west roof would be the best place for it. She explained the sun's location on to her roof. She said that from what she read in the code that the height was twenty-two feet for an accessory dwelling unit. She said that this will not increase the value of her home or any of her neighbors because we value living in a low density, very quiet and peaceful neighborhood. She



said that everyone in her neighborhood would really like that. She said that unfortunately they have not been informed of this. She said that she hasn't had the time to talk to everyone in Colorado Meadows because she works.

Gene and Stephanie Schilling, **492 Mancos Street** said that they live across from the applicant. Gene said that he has lived in his house since 1979 and that no one in his neighborhood has ever done anything with the covenants. He said that they have many houses in the subdivision and, that he knows that right doesn't make wrong, that have violated the rules with second units with people living in them as well as renting them out. He said that the applicant has gone to the ends to make sure this is something that follows the rules and that would make the houses in our neighborhood more valuable. He said that he applauds them and that he would recommend that this application of an ADU and garage is approved. Stephanie said that she would like to say thank you to all of her neighbors who appreciate our little corner of the world, Colorado Meadows. She said that she is really glad that we are looking to improve our neighborhood with the density issue being considered. She said that Jen has gone through all of the proper ways of doing it rather than just renting a room in your basement, which could be dangerous and impact our neighborhood.

Anne Krimmer, **501 Mesa Verde** said she is on the other side of the park from Mancos Street. She said that not to get into a pissing match but that she has owned her house for eighteen years. She said that she has talked to the neighbors surrounding her, the ones that do not have short term rentals. She said that we all are against more ADU's being added to the neighborhood. She said that we all bought because it was single family. She said that she had to sign off on the covenants when she bought her house, and it was required as part of her closing. She said that while they have never been enforced, we were forced to sign that we were aware of the covenants, back in 2002. She said that she has talked to neighbors that were original owners and that they don't like to rock the boat, but they are against the ADU as well. She said that we are surrounded by legal and illegal short-term rentals and that it is getting ridiculous because you don't know your neighbors. She said that if these additions were restricted to being long term, she would feel differently about it and that without restrictions on the length of time they are rented that it affects the character of the neighborhood. She said that she is a rabble-rouser and that she is ok with rocking the boat and that she is more than happy to be that one. She said that her quality of life and her quality of her property is also important. She said that the excuse of needing the income, that Rob kept pushing that they were the original owners and that it's all in the family and that over forty years that they could have scraped together money to fix up the outside if that was important to them. She said that she just refinanced so that she could replace her windows and that she's not making tons of money but that we are doing the best we can. She said that a lot of us believe in it being a single-family home, so we are going to suck it up until we have to move to a different town. She said that adding on for the only reason of being a rental is the right way to go. She said that she met Cari over twenty years ago and that she's not nuts.

Carolyn Williams, **494 Mesa Verde Avenue** said that they have lived in two different houses in Colorado Meadows since 2000 and that they really appreciate the low-



density. She said that it is so rare to have a lower density neighborhood so close to town. She said that many of us have chosen not to live on Wheel Circle or Vito's Way because we did not want to live in townhomes, and we paid more money to have a single-family home in this neighborhood. She said that she has serious concerns about the lack of parking and infrastructure in her neighborhood to support ADU's. She said that she is also concerned about the precedent of building an ADU with the intention of being an ADU. She said that there are many illegal ones but that it's a whole different thing when you have separate entrances and separate buildings. She said that it could be in the family today and that it could be sold tomorrow and rented as a short-term rental. She said that it is a real problem in our community and a broader problem for Carbondale. She said that between parking and setting the precedent for building ADU's for the purpose of renting them out is going to change the character of the neighborhood in a negative way. She said that while she appreciates the efforts to improve a property that she does not see that as improving anyone else's property because we have all paid a premium to live in a low-density neighborhood.

Bob Kaplan, **104 Cornwall Road, Rehoboth Beach, Delaware** said that he is a retired architect. He said that the architect brought up the impact of the rear elevation and the fact that it reduced the setback from the common property line on the west from forty-one feet to approximately seventeen feet. He said that plus, because the existing house lower level is half below grade, the main or upper floor is only approximately five feet above existing grade. He said that the new addition is a full two stories from grade and the garage was nine or ten feet itself. He said the height of the new second floor is about five feet taller than that of the existing house and the existing deck. He said combined with being approximately seventeen feet from the rear setback rather than forty-one feet. He continued to explain comparisons in heights to Cari's house. He said that her privacy is compromised, and that landscaping isn't going to lessen that. He suggested a six-foot-high privacy screen on the deck, in lieu of a railing. He said that the impact on her house is catastrophic and that this is her only home. He said that this would destroy her finances and dramatically damage the resale value of her house. He said that he is asking the Board to consider this and perhaps make some adjustments and requirements of landscaping that would minimize the impact.

Travis Newcomb, **485 Mancos Street** said that he is the current tenant. He said that he wanted to address some concerns and let the neighbors know that he heard their concerns and that they are their concerns too. He said that it has been our family in the house since it was built. He said that he has lived here since he was five years old and currently it's his wife and two-year-old daughter. He said that he understands the concerns the safety of the streets and noise and light pollution. He said that he has a two-year-old in the house, so they are our concerns too. He said that the overall impact of the project was to maintain a sustainable house for his family. He said that we have gone above and beyond to stay within those limitations of keeping the off-street parking. He said that we are the exception in our neighborhood that doesn't use any on street parking. He said that the new garage will accommodate a vehicle and we will have an extra vacant spot on the driveway, and we don't plan on using any on street parking. We value others privacy as well as we value ours. He said that they will not have anyone staying that will have a negative impact on his family or the neighbors. He said



that he hopes we can ease some of the concerns. He said that for a number of years it has just been our family in the house. He said that we are currently the only home with one family per household and that every neighbor that he shares a yard with has renters, whether legitimately or illegitimately. He said that he appreciates everyone's comments and concerns and hopefully we can alleviate them and move forward.

### **Motion to close the comment portion of the public hearing**

Jeff made the motion to close the comment portion of the public hearing. Jarrett seconded the motion, and it was approved unanimously.

### **Commissioner Comments**

- Accessory roof height would be limited to twenty-two feet.
- The structure is connected so it would be twenty-seven feet in height.
- More documentation needed to show the heights.
- The code allows ADU's in low density and we have approved them for years.
- This appears to be a neighborhood issue.
- Existing garage is being moved back from the street.
- This proposal is not out of scale for the neighborhood.
- There is a parking problem across the street, which is not in our purview.
- Parking has been addressed with the requirements for a use that is approved by the Commission.
- The nature of backyards is that they intersect in a neighborhood.
- There are violations currently in this neighborhood and that calls to the Board would help mitigate the issues as well as the parking situations.
- This applicant is trying to do everything legally, which needs to be recognized.
- Solar access study is needed as a condition of approval, which is in compliance with the building code.
- This neighborhood doesn't have second story decks.
- This kind of infill is encouraged as per the Comprehensive Plan, in a growing town.
- The neighborhood doesn't seem like a low-density neighborhood.
- Required private outdoor space could be on ground level, removing second level deck.
- Required solar shading plan is needed.
- Reduced height of the house could be asked of the applicant.
- The garage is considered part of the residential structure, floor of the ADU is the twenty five percent of the connected portion to the main residential structure.
- Section 5.8.4g in the UDC explains the stacked and tandem spaces for parking, tandem parking is allowed for a single-family duplex and triplex residential uses, one space on the driveway, behind each space in the garage.
- An accessory building is defined as a detached subordinate building on the same lot, which would be a height limit of twenty-two feet.
- More documentation would be needed to clarify the proposed project, we don't want to limit the right to develop.



Further discussion ensued on continuing the public hearing.

**Motion for Continuance**

Jeff made a motion to continue the public hearing to April 15, 2021. Marina seconded the motion, and it was approved unanimously with the request that the applicant provide the following;

- A solar access plan.
- Required private outdoor space for an ADU revised.
- Details on the building height.

**VIRTUAL HEARING – Rezoning, Administrative Site Plan Review, Preliminary Plat, Special Use Permit**

**Location: Hendrick Drive and Highway 133**

**Applicant: ANB Bank**

Janet stated that this is a public hearing for to consider the ANB application. She said that the Commission is required to hold a public hearing and recommend approval of the application recommend denial or continue the public hearing.

Janet outlined the following;

The proposal is to subdivide the 1.44-acre parcel into two lots:

Lot 1 (northerly lot) .728 acres

Lot 2 (southerly lot) .712 acres

The applicants propose to rezone Lot 1 to the Commercial/Retail/Wholesale (C/R/W) zone district and rezone Lot 2 to Mixed-Use. Lot 2 would remain undeveloped.

A drive-through bank is proposed for Lot 1. The drive-through requires a Special Use Permit. The bank is 3,727 sq. ft. so it is classified as an Administrative Site Plan Review. This site plan is being referred up to the Commission as the Commission is the approving authority for the Special Use Permit.

Since the rezoning goes to the Board, the Commission may refer the entire application to the Board of Trustees.

So, the first step is to consider the rezoning:

Rezoning may be approved if the Town finds:

1. The amendment will promote the public health, safety, and general welfare;



2. The amendment is consistent with the Comprehensive Plan and the purposes stated in the Unified Development Code;
3. The amendment is consistent with the stated purpose of the proposed zoning district(s);
4. The amendment is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be substantially mitigated;
5. The amendment is not likely to result in material adverse impacts to other properties of the subject property; and
6. Facilities and services are available.

## **Comprehensive Plan**

The Future Land Use Plan is the foundation for making changes to zoning in the future. The land use designations shown on the Future Land Use Map set the general direction for the development of land and the desired character.

The Future Land Use Map designates this area as “New Urban.” This designation balances an urban, pedestrian/bike friendly feel with the need to accommodate automobile access and parking on-site. Buildings should be the focal point of the site close to the sidewalk with the parking behind or to the side of buildings. Commercial, mixed-use, light industrial, local food production, live/work, and urban residential uses are all allowed in appropriate places.

The Map also identifies the intersection of Highway 133 and Main Street as a gateway. This part of the highway should emphasize bike and pedestrian oriented design and reinforce small town character.

The Comp Plan includes a Highway 133 Character Spectrum. The northerly most portion of the highway near the Highway 82 intersection is defined as Employment/Light Industrial. Then as the highway travels south, it is defined as the Auto-Urban area. As it approaches Main Street, it is designated as New-Urban. This designation balances urban, pedestrian/bike friendly fee with the need to accommodate automobile access and parking on-site.

## **1.3 Purpose of the Unified Development Code**

1.3.1. This Unified Development Code is enacted to protect the public health, safety, and general welfare and to implement the policies of the Town of Carbondale Comprehensive Plan and adopted area plans, as may be amended from time to time.

1.3.2. This Code is specifically intended to:



- A. Lessen congestion in the streets;
- B. Secure safety from fire, floodwaters, and other dangers;
- C. Provide adequate light and air;
- D. Avoid undue concentration of population;
- E. Facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements; and
- F. Promote energy conservation, the use of solar energy and environmentally sensitive development.

1.3.3. This Code is drawn with reasonable and able consideration, among other things, as to the character of each zoning district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and property and encouraging the most appropriate uses of land throughout the Town.

Janet said that the Comprehensive Plan was adopted in 2013. She said at that time, the Town did not have a mixed-use zone district to reflect the New Urban designation which had been placed on the Future Land Use Map. She stated as a result, the Town created a new Mixed-Use Zone District when the UDC was done in 2016 achieve the New Urban character.

Janet stated that this parcel is currently zoned Planned Community Commercial (PC). She said that this is an obsolete zone district. She stated that the development standards for the PC zone district are included in the Appendix to the UDC. She continued by saying that the properties zoned PC can be developed under those standards. She said however, no land may be rezoned to an obsolete zone district and property owners are encouraged to rezone land from the obsolete zone district.

Janet said that the applicant didn't want to pursue the Mixed-Use Zone because drive-throughs are not allowed in the that zone district.

## **PRELIMINARY/FINAL PLAT**

Janet stated as far as the technical review, the subdivision complies with the UDC and design standards for subdivision.

Janet said that the Site Plan also generally complies with the zoning parameters – setbacks, lot coverage, building height, and parking.

Janet stated that the one exception is the 10 ft. wide landscape strip along the Highway 133 right-of-way and the building is required. A 7.1 ft. strip is proposed.



Janet said while there have been issues in the past with buildings required to meet the maximum front yard setback of 10 ft., this has been in the Mixed-Use zone district. She stated that there is no maximum front yard setback in the C/R/W zone district, and it is unclear why the 10 ft. is in the code.

Janet said that the design standards suggest human-scaled features at ground level to encourage pedestrian use. She stated that this includes articulated entries and windows, canopies, arcades, recessed entries, changes in color, material, or texture. She stated that there are several canopies on the building, as well as one over the employee plaza.

Janet stated that this section also discusses façade modulation. She said that the building is square with some bump out on the south and east sides of the building.

Janet stated that early on during the pre-application meetings, she had questioned whether the proposal and rezoning complied with the Comprehensive Plan. She said that her sense was that a drive-through bank is an auto-oriented use, which did not fit within the vision outlined in the New Urban designation shown in the 2013 Comprehensive Plan.

Janet said that she had told the development team that if they wanted to move forward, they should try to include elements that would bring the proposal more in line with the New Urban designation. She stated that they provided outdoor seating areas, artwork, public plaza, and an improved building design. She said that the building is close to the front property line with the parking to the side and rear.

Janet stated however, Staff does not feel that a drive-through bank fits in with the vision of the Comprehensive Plan. She said that it is an auto-oriented use that may be a better fit in the Auto-Urban Area shown in the 2013 Comprehensive Plan. She stated because of that, she recommends denial of the rezoning. She stated that if the rezoning is denied, then the other components of the land use application may not move forward and are denied as well. She stated that the findings of denial are included in the Staff report.

### **Commission Questions and Discussion**

Marina asked if the location was adjacent to the City Market gas station?

Janet said yes, it is south of the fueling station.

Marina said that there is already a gas station next door and that it prohibits any pedestrian movement all ready.

Janet said that City Market went through development prior to the UDC being adopted and it was already zoned CRW. She said that we didn't have a lot of ability to use the Comp Plan to say that they couldn't do that. She said it was already zoned and a property right. She said in this case they need a rezoning. She said that the code directs



me to look at the Comp Plan and the designation. She read the purpose section of the (MU) zoned district. She said that when you are rezoning that you try to look at what the vision was in the Comp Plan. She said as development happens to the south, we would keep the pattern of the (MU) development, which was already done to the west as well.

Jeff asked if the existing zone was PCC.

Janet said yes, Planned Community Commercial.

Jeff asked if that would allow the variances that they are looking for.

Janet said that the PCC allows a drive-through service window as a conditional use, however the zoning is geared toward strip malls. She said that the front yard setback on Highway 133 is thirty feet, which would push the building way back on the lot and the parking in the front. She said that everyone agrees that PCC is not real desirable.

Janet said that the code encourages people that own obsolete zone district properties to rezone and the code says that the Town provides incentives to do it, even though it hasn't been done yet. She said most people choose to rezone. She said that they could move forward under the PCC.

Jeff asked if it was a requirement to rezone upon subdivision.

Janet said that it was under Section 3.1, in the beginning of zone districts, in the UDC.

Marina said that she also was agreeing with Jeff in that a development would have to rezone as per the UDC.

Janet read; *Landowners are encouraged to rezone land from the obsolete zone district classification. The Board may offer incentives such as modified application fees to accomplish his goal.*

Jeff asked if that was for a development proposal or subdivision or is it the same standard for both.

Janet said it would be for anytime, she said that we could approach property owners that own PCC and encourage them to rezoning if they don't have an application in. She said that she didn't think we would do that.

Further discussion ensued about the rezoning.

Jay asked about a building that already has a drive-through if the new owner would have to apply with for a special use for a drive-through.

Janet said that is correct and the Town's code really limits what uses are allowed to have drive-throughs. She said that we don't allow restaurants to have drive-throughs.



She said that whoever bought the building at their old location on Dolores Way would have to reapply.

John said the use would have to be discontinued for one year. He said that the special use permit runs with the land.

Doug Pratte said that he is a land planner with the Land Studio and that he has a team here. He introduced Tony from ANB as the branch President.

Tony Spires said that he is the community bank President and said that he has been at this bank for about ten years. He said that we have John Ward, the regional President of the mountain region, Laura Schmoltz that is SPV, our senior digital officer and Will Coffield, owner representative of the bank. He introduced Roman Gershtovich, architect, Yancy Nichol, engineer with Sopris Engineering, Chad Lee, with Balcomb and Green, land use attorney.

Tony explained his role at the bank. He said that ANB has been here for twenty years and our employees are community members. He said that we have four banks in the region that service about ten thousand customers. He said we try to help our customers grow.

Doug shared his screen outlining the following;

- ANB's existing location and proposed location.
- The new location being in walking proximity to all of the new residential development.
- Screenshots of current developments surrounding this proposal.
- Lots 1 and 2, Lot 1 being the bank lot.
- Explanation of the possible uses of the subdivision and diversity for Lot 2.
- The relationship to City Market, the fueling station and Main Street Marketplace.
- Existing zoning, PCC, CRW zoning to the north and west.
- Rezoning to be compatible with Mixed-Use zoning.
- Rezoning to benefit the community and benefiting this project as CRW and MU.
- Future land use map associated with the Comp Plan, New Urban designations.
- New Urban is urban, pedestrian and bike oriented with buildings close to sidewalks and streets, with parking behind the units.
- Lot 2 could include live/work use.
- Pedestrian and bicycle paths.
- Highway 133 Access Control Plan, existing conditions.

Yancy Nichol explained the Access Control Plan and the compliance with the plan. He said that there was a traffic analysis done with a traffic study included in the application. He explained the traffic study for both Lots 1 and 2. He stated that this proposal for the bank has five hundred square feet added from their existing location and how the traffic trips would compare. He said that Dolores Way is a challenging intersection at Highway 133 and a poor level service. He said that this applicant is willing to deed restrict their old property to get rid of the drive-through at the Dolores site so it would no longer exist.



Roman Gershkovich, Architect with Open Studio Architecture explained the site layout, architectural mass and materials as well as the sustainability for the project outlining the following.

- Single story building with the setbacks.
- Drive-through and parking location tucked into the back behind the building.
- Screening from Hendrick and Highway 133.
- Side walls and garden walls for the parking adjacent to the front door.
- Shaded canopy areas and landscaping.
- Enhancing the multi-modal that they are trying to promote with the bike path and pedestrian crossing in front of the bank.
- Bike parking to the east, shaded canopy for the entry point, seating areas for flexible outdoor activity space.
- Walk up ATM.
- Create a strong urban edge along the gateway to Carbondale.
- Materials of brick, canopies along the windows, natural limestone cladding that are regional materials.
- Elevations showing the height of the building, parapet, drive-through, glazing along the façade and screened wall elements.
- Energy efficiencies are above what is required by code.

Doug Pratte explained the landscape plan outlining the following;

- Plant materials with recommendations from the Tree Board.
- Materials that were utilized in the neighboring project.
- Screening for the drive-through.
- Complete the landscaping along Highway 133 and the bike path associated with Lot 2.
- Plaza can take advantage of art, which can be a gateway for pedestrian access.
- The applicant is willing to put in the additional right turn lane to compensate for the twenty percent traffic increase.

Tony said that Kathleen assisted with the community outreach and since she has been hired by the Town. He said that they met with Carbondale Arts, Bike and Trails Commissions, Carbondale Rotary, Carbondale Chamber and that we put some information in the Sopris Sun. He said that we sent out materials to current bank customers and to the neighborhood as well as emails to adjacent businesses. He said that the biggest questions that they got were for the plans of the existing building. He continued to elaborate on the positive feedback that they have received.

Doug continued the presentation by explain how they have met the New Urban designation and how they have met the standards and the reasons they wanted to use the CRW zoning to accommodate the project.

Chad Lee, attorney at Balcomb and Green said that he wanted to solicit feedback from the Commission on the interpretation of the Comprehensive Plan. He said he wanted to



explain how we got to our interpretation and why we designed the project the way we did. He said that we reached out to the community and we have put a lot of effort into this. He said that we have revised our plans and brought them back, but we are still not having an understanding with Staff. He said that the Comprehensive Plan is an advisory document that provides general guidance for changes to the land use code and rezoning. He said that it is the appropriate document to look towards. He said that currently this property is zoned strip mall with a thirty foot setback from the highway and it is an obsolete zone district. He said that there is no requirement to rezone upon a site plan development application. He said that the intent of our application was to heed that advice, that rezoning was encouraged and rezone to an appropriate district within the future comprehensive land use designation. He said that the appropriate district was the CRW and the MU district, splitting the difference with CRW to the north and MU to the south. He said for us it made a lot of sense. He said that we voluntarily offered to deed restrict our current drive-through and shut it down. He said that as Janet discussed in her Staff report, there is a Highway 133 spectrum. He continued to explain that it is heavily auto urban verses new urban. He said that the uses between the two are almost identical. He continued to read from the Comp Plan and give his interpretation of the code saying that their rezoning of CRW to the north and MU to the south are consistent with the New Urban designation. He said that a bank is an allowed use in all possible zone districts and the only difference is the drive-through. He said we are just asking to move our current drive-through location down the road to this better location with better access.

Doug said in closing that rather than referring to this project or this bank as a drive-through bank, he said that he would refer to it as a full-service bank that has a drive-through. He said that your discussion, comments, and your opinions are very important to us. He said that we do want to hear them, and we recognize that you are probably not in a position to grant us an approval tonight but there were conditions of approval that were drafted to help you do that. He said that we would like to continue to a next hearing but in the context of continuing we don't want you to cut it off and say that we'll talk to next time. He said that we would like to hear what you have to say. He said that if we do continue, we would like to know if there are things we need to work on between now and the next meeting.

Jay thanked the applicants and told them that their presentation was very thorough with great explanation to what is going on.

### **Commissioner Comments**

- Clarification on art events and discussion with Carbondale Arts.
- Does current location have walk up business.
- It's hard to design a good bank and this one was a good job.
- Were there design changes based on community outreach.
- Sustainability quantification suggested.
- Lot 2 access.
- Trash location is in an inconvenient place.
- Pedestrian access with a curb cut to tie in sidewalk across Hendrick Drive.
- Vehicle entrance that is double-wide shortened up.



- A bank in this location is a nice buffer or transition to the taller MU.
- Clarification on entrances for parking and the drive-through.
- Is setback on Highway 133 of ten feet possible.
- Alternative material for the asphalt.
- Update current development across the highway in presentation.
- The design was complimented by several Commissioners.
- Engage more Commissioners with this application.

There were no members of the public to comment.

Janet asked if the applicant could add a rendering/elevation from the direction of the round-about heading northwest, in the direction of City Market and the apartment buildings.

Janet commended the applicants for their responses to proving that their application was New Urban.

### **Motion for Continuance**

Jeff made a motion to continue the public hearing to April 15, 2021. Marina seconded the motion, and it was approved unanimously.

Marina commended Jarrett for his first P&Z meeting, which was an epic one.

### **Staff Update**

Janet said that we received five proposals (RFP's) for the Comprehensive Plan. She said that when we create sub-committees it allows a more frank and open discussion. She said that the Commission as a whole is also an option to review the proposals in order to select two to interview. She noted that it would be on YouTube. She said that we are wanting to be fully transparent in the process.

John said that it's been busy with inquiries.

### **Commissioner Comments**

There were no Commissioner comments.

### **Motion to Adjourn**

A motion was made Jeff to adjourn, Marina seconded the motion, and the meeting was adjourned at 10:09 p.m.





**TOWN OF CARBONDALE  
511 COLORADO AVENUE  
CARBONDALE, CO 81623**

## Planning and Zoning Commission Agenda Memorandum

Meeting Date: 4-15-21

**TITLE:** Continued Public Hearing - ANB – Rezoning, Preliminary/Final Plat, Site Plan Review, Special Use Permit and Alternative Compliance (Landscape)

**OWNER:** ANB Bank, Koger Propsi, CEO and President

**APPLICANT:** Doug Pratte, The Land Studio, Inc.

**LOCATION:** West of Highway 133, directly south of the City Market Fueling Station

**CURRENT ZONING:** Planned Community Commercial (PC)

**PROPOSED ZONING:** Commercial/Retail/Wholesale (C/R/W)  
Mixed-Use (MU)

**ATTACHMENTS:** Supplemental Information dated 4-6-2021

### BACKGROUND

The Planning Commission reviewed this application at its March 11, 2021 meeting. The minutes of the meeting are included in the packet. The public hearing was continued to April 15, 2021.

This is a summary of the proposal:

1. Divide the 1.44 acre parcel into two lots

Lot 1 (northerly lot)	31,693 sq. ft. or .728 acres
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Lot 2 (southerly lot)	31,020 sq. ft. or .712 acres
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2. Rezone the lots as follows:

Lot 1 – Commercial/Retail/Whole (C/R/W)



## Lot 2 – Mixed-Used (MU)

3. Site Plan Review for a 3,727 sq. ft. bank
4. Special Use Permit for the drive-through associated with the bank.

### **Summary of March 11, 2021 Discussion**

At that meeting, Staff went through the technical aspects of the review, noting that the subdivision and development generally complied with the UDC.

Staff expressed reservations about the drive-through bank use in the New Urban designation but acknowledged changes in the site plan and building design over a series of meetings with the development team.

At that point there was a presentation from the development team.

The discussion then focused on whether the determination of character was defined by the intensity of the development, the layout of buildings and parking, and the design features rather than defined by a specific use. Specifically, did the proposal comply with the New Urban designation in the Comprehensive Plan?

Here are summary points from the 2013 Comprehensive Plan:

The “New Urban” designation:

- Urban, pedestrian/bike friendly
- Need to accommodate automobile access and parking on-site
- Buildings should be focal point of the site located close to the sidewalks/street
- Parking behind or to side of the buildings
- Commercial, mixed-use, light industrial, food production, live/work uses

Main and Highway 133 as Gateway:

- Entry monumentation and feature landscape.
- Emphasize bike and pedestrian oriented design.
- Reinforce small town character.

Highway 133 Character Spectrum – New Urban:

- Balances pedestrian/bike friendly with vehicle access and parking on-site.
- Buildings the focal point of the site located close to street
- Parking should be behind or to side of the buildings
- Commercial uses, mixed use, small scale lodging and urban residential uses



The specific design features discussed were:

- Single story building located near Highway 133.
- Drive-through and parking location behind the building.
- Screening from Hendrick Drive and Highway 133.
- Side walls and garden walls for the parking adjacent to the front door.
- Shaded canopy areas and landscaping.
- Public trail through the bank property from the Highway 133 bike path to Hendrick.
- Bike parking to the east, shaded canopy for the entry point, seating areas for flexible outdoor activity space.
- Walk up ATM.
- Materials of brick, canopies along the windows, natural limestone cladding - regional materials.
- Elevations showing the height of the building, parapet, drive-through, glazing along the façade and screened wall elements.
- Materials that were utilized in the neighboring project.
- Screening for the drive-through.
- Landscaping along Highway 133 and the bike path associated with Lot 2.
- Plaza can take advantage of art, which can be a gateway for pedestrian access.
- Relationship of project to City Market, the fueling station and Main Street Marketplace.

Other points of discussion included:

- Properties to the north and west of this property are zoned CRW and PC
- Property is currently zoned PC which is an obsolete zone district.
- PC not consistent with New Urban due to required 30 ft. setback from Highway 133.



- Banks are permitted uses in both CRW and MU. Difference is CRW allows drive-through.
- Lot 2 would be rezoned to MU.
- The applicant is willing to put in the additional right turn lane to compensate for the twenty percent traffic increase.
- The new location is in walking proximity to the new residential development in the area.
- Proposal to deed restrict their existing property on Dolores to prohibit a drive-through.

At the conclusion of the hearing, the Commission indicated that the proposal may work on the parcel, particularly with the City Market/retail development as the backdrop. In addition, it was noted that having a single story building would break things up at this intersection and to preserve the views to the west and north.

The Commission requested some clarification on some specific items from the development team. The Commission also directed Staff to prepare conditions and findings of approval. The hearing was then continued to April 15, 2021.

### **Supplemental Information**

The specific comments and questions from the Commission from the March 11, 2021 meeting were as follows:

- Clarification on art events and discussion with Carbondale Arts.
- Does current location have walk up business?
- Were there design changes based on community outreach.
- Sustainability quantification suggested.
- Lot 2 access.
- Trash location is in an inconvenient place.
- Pedestrian access with a curb cut to tie in sidewalk across Hendrick Drive.
- Vehicle entrance that is double-wide shortened up.
- A bank in this location is a nice buffer or transition to the taller MU.
- Clarification on entrances for parking and the drive-through.



- Is setback on Highway 133 of ten feet possible.
- Alternative material for the asphalt.
- Update current development across the highway in presentation.
- Engage more Commissioners with this application.

The applicants submitted Supplemental Information to address those concerns. The letter in the material addresses those items on a point by point basis.

## **FISCAL ANALYSIS**

This use does not generate sales tax; however, it does not appear that this proposal will have a negative fiscal impact on the Town.

## **RECOMMENDATION**

If the Planning Commission is inclined to approve the application, Staff would recommend the following motion: **Move to recommend approval of the Rezoning, Preliminary/Final Plat, Site Plan Review, Special Use Permit and Alternative Compliance (Landscape) with the conditions and findings in the Staff report.**

### **Conditions of Approval for Preliminary Subdivision Plat**

1. A Subdivision Improvement Agreement (SIA) shall be required prior to recordation of the Subdivision Plat. The SIA shall guarantee and secure completion of the Infrastructure after recordation of the Plat. The SIA shall be subject to review and approval by the Town Attorney.
2. The final plat shall be revised to reflect a plat note that labels Lot 2 as "Reserved for Future Development."
3. The plat shall be revised to reflect a unique subdivision name.
4. The plat shall be revised reflect a public pedestrian easement on the 5 ft. wide sidewalk which extends from Highway 133 to Hendrick Drive.
5. The final plat shall be subject to review and approval by the Town Attorney.
6. The applicant shall submit final engineering and construction drawings for review and approval by the Town prior to recordation of the plat.
7. The engineer's estimate shall be revised to reflect all public improvements, subject to Town review and approval, prior to recordation of the final plat.



8. The developer shall be responsible for the construction and cost of all infrastructure improvement. The construction of the infrastructure shall be completed within one (1) year of the recordation of the Plat.
9. A construction management plan must be included in SIA to minimize the effects of construction on the environment. The construction management plan is required to include reclamation requirements, including re-grading and seeding, in the event that any ongoing construction ceases prior to completion.
10. A fee-in-lieu of highway improvements in the amount of \$17,000 shall be paid prior to recordation of the subdivision plat.

#### **Conditions of Approval for Site Plan Review and Special Use Permit**

11. All development shall comply with the site plan and architectural drawings submitted during Site Plan Review.
12. A materials board shall be placed on the construction site demonstrating that the building materials being placed on the structure match the architectural drawings approved by the Town during the land use process.
13. This approval does not include approval of the signage. A separate permit is required to be approved by Town Staff.
14. The floor plans shall be revised to reflect an on-site changing room and shower facilities in the bank building prior to recordation of the plat.
15. The site plan shall be revised to reflect a "No Idling" sign at the drive-through prior to recordation of the plat.
16. The site plan shall be revised to reflect a 20 ft. separation between the trash enclosure and the Hendrick Drive right-of-way.
17. Fees in lieu of water rights shall be due prior to issuance of a building permit.
18. The applicant shall enter into an agreement with the Carbondale & Rural Fire Protection District that addresses payment of impact fees prior to the issuance of any building permits for this project.
19. All representations of the Applicant in written submittals to the Town or in public hearings concerning this project shall also be binding as conditions of approval.
20. The Applicant shall pay and reimburse the town for all other applicable professional and Staff fees pursuant to the Carbondale Municipal Code.



## **Rezoning Criteria**

1. The amendment will promote the public health, safety, and general welfare;
2. The amendment is consistent with the Comprehensive Plan and the purposes stated in this Unified Development Code as follows:

Lot 1 - the layout of buildings and parking, building design and use of materials, and the design features on the site meet the New Urban character, and

Lot 2 – the proposed zoning is Mixed-Use (MU) which includes zoning parameters which will result in future development that will be in compliance with the New Urban designation.

3. The amendment is consistent with the stated purpose of the proposed zoning districts as follows:

Lot 1 - The CRW zone district encourages a flexible mix of retail, restaurants, service commercial, lodging, and offices. The zone district encourages attractive commercial development with adequate street access and parking.

Lot 2 - The purpose of the Mixed-Use zone district is to have compact, mixed-use development in a pedestrian friendly environment. A vertical and horizontal mix of land uses, tailored building design and streetscape standards are encouraged.

4. The amendment will not result in significant adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation, or such impacts will be substantially mitigated;
5. The amendment will not result in material adverse impacts to other property adjacent to or in the vicinity of the subject property; and
6. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) available to serve the subject property while maintaining adequate levels of service to existing development.

## **Preliminary Plat Criteria**

1. The proposed subdivision complies with all applicable use, density, development, and design standards set forth in this Code.
2. The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to minimize land disturbance and maximize the amount of open space in the development and



accomplishes the purposes and intent of this Code. No critical wildlife, tree/vegetation or riparian areas are present on-site.

3. The applicant has provided evidence that provision has been made to connect to the Town's public water supply system.
4. The applicant has provided evidence that provision has been made for a public sewage disposal system.
5. The applicant has provided evidence to show that all areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed use of these areas are compatible with such conditions.
6. There are no identified natural hazards including flood and wildfire present on the site.
7. The application provides a clear assumption of responsibility for maintaining all roads, open spaces, and other public and common facilities in the subdivision.
8. There is no phasing of development.
9. A subdivision conceptual plan was not required.
10. The subdivision is consistent with Comprehensive Plan and other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan.

### **Site Plan Review Criteria**

1. The site plan is consistent with the Comprehensive Plan as the building is the focal point by being located closer to Highway 133, and there is and pedestrian/bike friendly feel while accommodating automobile access. The parking lot will be screened from Highway 133 by enhanced landscaping;
2. The site plan is consistent with the approved Carbondale Marketplace Subdivision Plat;
3. The site plan complies with all applicable development and design standards set forth in this Code; and
4. Traffic generated by the proposed development is adequately served by existing streets within Carbondale.



### **Special Use Permit Criteria**

1. The proposed development meets the purposes of the zone district in which it is located and all of the criteria and regulations specified for such use in that zone district, including but not limited to height, setbacks and lot coverage;
2. The proposed development shall be required to comply with all applicable fire, building, occupancy and other municipal code provisions adopted by the Town of Carbondale for the protection of public health, safety and welfare;
3. The proposed development has adequately mitigated traffic impacts in a neighborhood;
4. The proposed development does not have an adverse effect upon the character of surrounding uses.
5. The impacts of the proposed use on adjacent properties and the surrounding neighborhood have been minimized in a satisfactory manner.
6. The impacts of the use, including but not limited to its design and operation, parking and loading, traffic, noise, access to air and light, impacts on privacy of adjacent uses, and others, shall not create a nuisance and such impacts shall be borne by the owners of the property on which the proposed use is located rather than by adjacent properties or the neighborhood.
7. Access to the site is adequate for the proposed use, considering the width of adjacent streets and alleys, and safety.

### **Alternative Compliance Criteria**

1. Achieves the intent of the 10 ft. wide landscape buffer to a better degree than the standard as it allows varied setbacks;
2. Advances the goals and policies of the Comprehensive Plan and this Code to a better degree than the standard as plaza, seating and a landscape and art areas are provided;
3. Results in benefits to the community that exceed benefits associated with the standard; and
4. Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this ordinance.

Prepared by: Janet Buck, Planning Director






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365 River Bend Way • Glenwood Springs, CO 81601 • Tel 970 927 3690 • landstudio2@comcast.net

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April 6, 2021

Ms. Janet Buck  
Planning Director  
Town of Carbondale  
511 Colorado Ave.  
Carbondale, CO 81623

Re: ANB Bank Carbondale Rezoning, Special Use Permit, Administrative Site Plan Review and Subdivision Preliminary Plat Application Supplemental Information

Dear Janet:

The following Applicant response to the March 11, 2021 Planning and Zoning Commission hearing for review of the ANB Bank Carbondale Rezoning, Special Use Permit, Administrative Site Plan Review and Subdivision Preliminary Plat Application is provided to address the comments that we heard at that meeting. Below are the comments from the meeting minutes followed by a short response:

1. Clarification on art events and discussion with Carbondale Arts.  
***The art area at the south plaza was established based on input from Carbondale arts groups. Art will be integrated into the design of the south plaza as discussed with these groups.***
2. Does current location have walk up business?  
***The current ANB location is situated on the Highway 133 pedestrian/bike path and does receive some walk up/bike up business. It is anticipated the new location will have increased walk up/bike up activity due to its proximity to denser development at the Highway 133/Main Street crossroads of town. A walk up ATM is included in the new location to accommodate this increased activity.***
3. Were there design changes based on community outreach.  
***The art at the south plaza is a response to outreach as mentioned above. Bike racks, energy efficiency, and the drive through were already proposed and supported by community outreach.***
4. Sustainability quantification suggested.  
***The 2012 International Green Construction Code Compliance Report is included in the response attachments for the April 15, 2021 hearing.***
5. Trash location is in an inconvenient place.  
***Additional screening has been added to the trash enclosure and the updated Landscape Plan is included in the response attachments.***
6. Pedestrian access with a curb cut to tie in sidewalk across Hendrick Drive.  
***Pedestrian access with a curb cut and crosswalk across Hendrick drive has been illustrated on the updated Site Plan included in the response attachments.***



7. Vehicle entrance that is double-wide shortened up.  
***The drive through vehicle entrance has been narrowed and is illustrated on the updated Site Plan included in the response attachments.***
8. A bank in this location is a nice buffer or transition to the taller MU.  
***New illustrations from Highway 133 looking towards the new City Market and gas station have been provided to illustrate transitions between uses.***
9. Clarification on entrances for parking and the drive-through.  
***Signage has been updated to reflect "Entrance Only" access and is included in the response attachments.***
10. Is setback on Highway 133 of ten feet possible.  
***While the 10' landscape easement encroachment is possible to eliminate, the two small encroachments are flanked by landscaped areas wider than 10' along Highway 133. Overall, 30% of the site is landscaped compared to the required 20%.***
11. Alternative material for the asphalt.  
***While hardscape is still proposed due to snowplowing and maintenance needs for parking, traffic areas, pedestrian/bike access, sidewalks, and public plazas, the Applicant would like to verify that 30% of the site is landscape area compared to the required 20%.***
12. Update current development across the highway in presentation.  
***The Vicinity Map has been updated to include the Carbondale Center Place and 1201 Main Site Plans. This updated map is included in response attachments.***
13. Engage more Commissioners with this application.  
***We are hoping that the continued hearing with the Planning Commission and the Applicant response to comments has allowed us to appropriately engage with P&Z.***

Attached is additional Applicant response information submitted for you to include in the Planning and Zoning Commission packets for the April 15, 2021 continued hearing. The PDF attachments include the following:


Updated PowerPoint Presentation  
 Updated Sopris Engineering Site and Grading Plans  
 Updated Landscape Plan  
 2012 International Green Construction Code - Compliance Report

Please email or call with discussion as needed and we look forward to continued work with you on this project.

Kind regards,

THE LAND STUDIO, INC

By:

  
 Douglas J. Pratte





# Hendrick Drive & HWY 133 Carbondale

*Applicant Response to March 11, 2021  
Planning and Zoning Commission Comments  
Prepared for April 15, 2021 Continued P&Z Hearing*



# What we heard

COMMENTS FROM MARCH 11th P&Z MEETING

STUDY HOW THE BUILDING  
SCREENS THE CITY  
MARKET PARKING AND THE  
FILLING STATION

Add curb cut and  
continuation of  
pedestrian path across  
Hendrick Drive

Can the width of the  
drive thru entry be  
reduced?

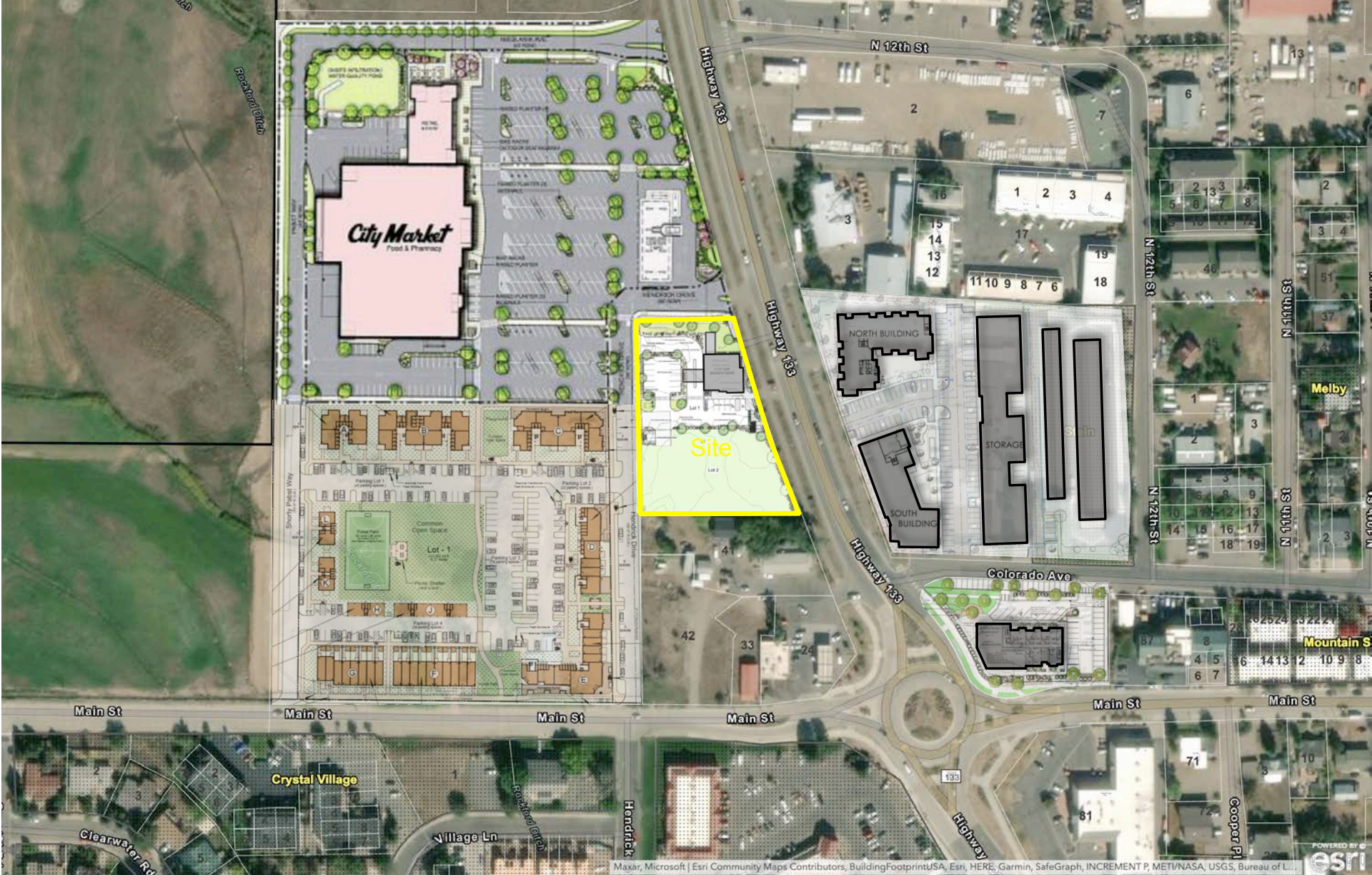
P&Z commission was  
generally complementary  
of the design and layout of  
the bank and it's surrounding  
pedestrian spaces

Evaluate the layout  
and design of the  
trash enclosure.

Provide more detail  
on how the building is  
exceeding the adopted  
International Green  
Construction Code (IGCC).

Clarify size  
and location of  
photovoltaic panel  
array.





## Updated Vicinity Map



# Site Plan Revisions

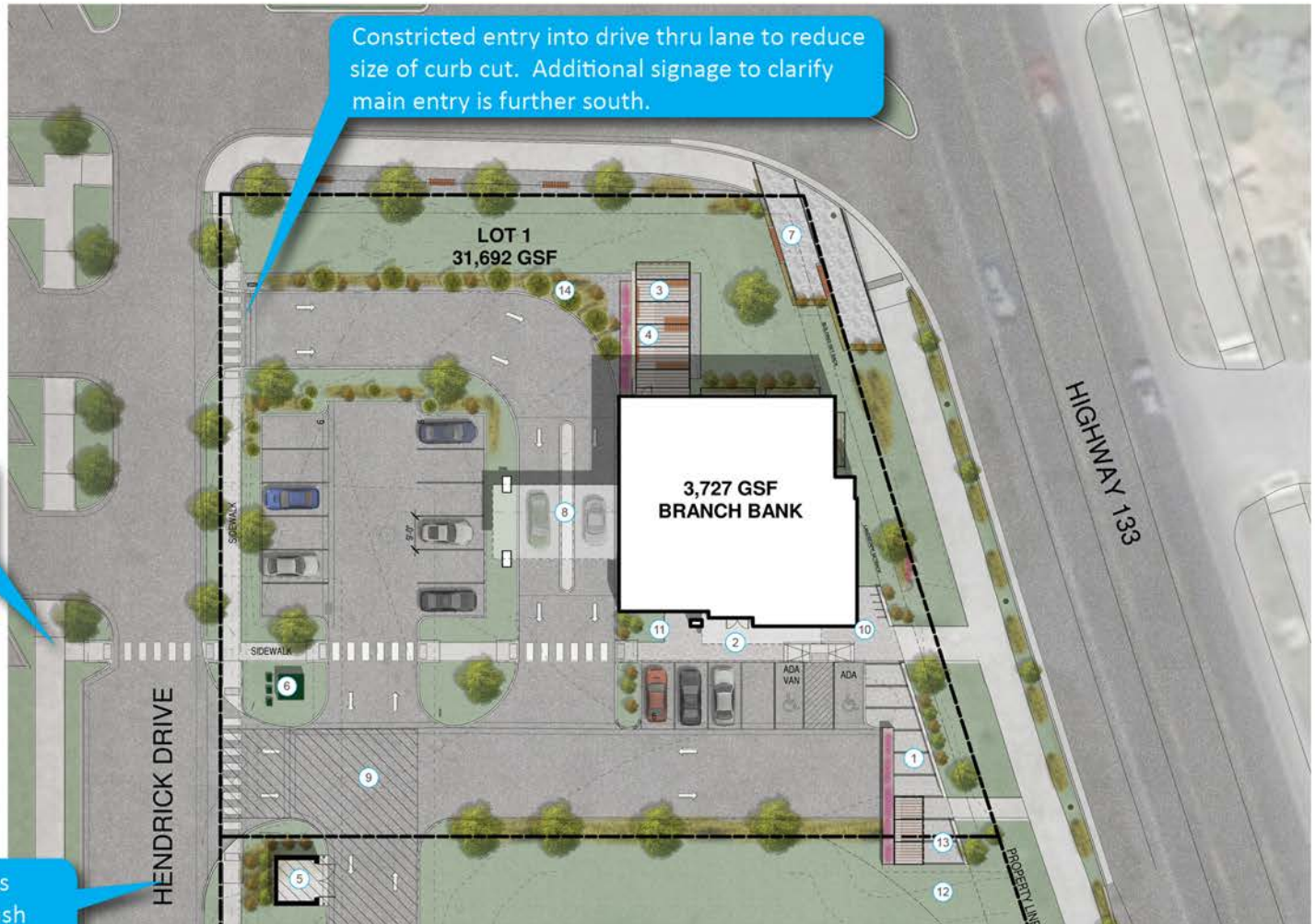
## Site Legend

- 1 Outdoor Plaza
- 2 Bldg Entry
- 3 Screen Wall & Trellis
- 4 ANB Employee Plaza
- 5 Shared Trash Enclosure
- 6 Transformer
- 7 Public Corner Plaza
- 8 Drive Thru with Overhead Canopy
- 9 Common Access Easement
- 10 Bike Racks
- 11 Walk Up ATM; Flagpole
- 12 Landscape Easement
- 13 Potential Art Programming
- 14 Landscape Screen for Drive Thru Lane

Constricted entry into drive thru lane to reduce size of curb cut. Additional signage to clarify main entry is further south.

Extension to the sidewalk with curb cut across Hendrick Drive for easier bike connection

Additional plantings added to screen trash enclosure from public walk.







**Deciduous Trees**

CR	Canada Red Chokecherry
O	Swamp White Oak
SS	Crabapple 'Spring Snow'
NM	Norway Maple 'Emerald Queen'
SG	Sienna Glenn Maple
CH	Thornless Cockspur Hawthorn

2.5" cal.	Prunus Virginiana	2
	Quercus Bicolor	2
	Malus 'Spring Snow'	2
	Acer Platanoides 'Emerald Queen'	3
	Acer x freemanii 'Sienna'	4
	Crataegus crusgalli inermis	2
<b>Total Trees</b>		<b>15</b>

**Shrubs**  
All shrubs #5 container

B	Compact Burning Bush
M	Blue Mist Spirea
G	Globe Blue Spruce
S	Gro-Low Sumac
L	Miss Kim Dwarf Lilac
C	Crimson Pygmy Barberry
D	Bailey Red Twig
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Euonymus alatus 'Compactus'	8
Caryopteris x clandonensis 'Blue Mist'	9
Picea pungens 'Globoosa'	9
Rhus aromatica 'Gro-low'	20
Syringa Patula 'Miss Kim'	6
Berberis thunbergii 'Crimson pygmy'	6
Cornus Stolonifer 'Bailey'	7
Spiraea nipponica 'Snowmound'	10
<b>Total Shrubs</b>	<b>75</b>

**Perennials & Grasses**  
#1 container

Blue Avena Grass
Heavy Metal Switch Grass
Blue Fescue Grass
Firecracker Penstemon
May Night Salvia
Moonshine Yarrow
Walker's Low Catmint
Purple Coneflower 'Pow Wow'

Helictotrichon sempervirens	25
Panicum Virgatum 'Heavy Metal'	17
Festuca Ovina Glaucia	23
Penstemon Eatonii	20
Salvia nemorosa 'May Night'	20
Achillea 'Moonshine'	30
Nepeta x faassenii	20
Echinacea Purpurea 'Pow Wow'	20
<b>Total Perennials &amp; Grasses</b>	<b>175</b>

**Notes**

- Warranty plants and trees for one year after final acceptance. Replace dead or dying materials not in vigorous, thriving condition as soon as weather permits.
- Determine locations of underground utilities and perform work in a manner which will avoid possible damage.
- Plants shall be specimen quality, typical of their species or variety.
- Plant trees and shrubs in pits 12" larger than tree ball, backfill with a mix of 2 parts topsoil and 1 part Nutri-Mulch.
- Install "Weed Restrictor Fabric" between soil and crushed rock or cobble.
- All plant materials in river rock, or cobble will be irrigated with an underground drip zone system.
- All sod and seed areas will be irrigated with an underground system utilizing rotating sprinkler nozzles.
- Weather based irrigation controls shall include functioning soil moisture sensors and a rain sensor as components of the system.

**Irrigated Areas**

Sod or seed (rotating sprinkler nozzles) 9,041 SF  
Trees, shrubs & perennials (drip zone) 3,693 SF

Total Area 12,734 SF



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Glenwood Springs, CO 81601  
(970) 927-3690  
landstudio2@comcast.net

**Landscape Plan**  
**ANB Bank / Carbondale, Colorado**  
 Subdivision, Rezoning, Site Plan Review, & Special Use Permit Application

Updated March 30, 2021

December 21, 2020  
**LANDSCAPE PLAN**  
w/ IRRIGATION NOTES

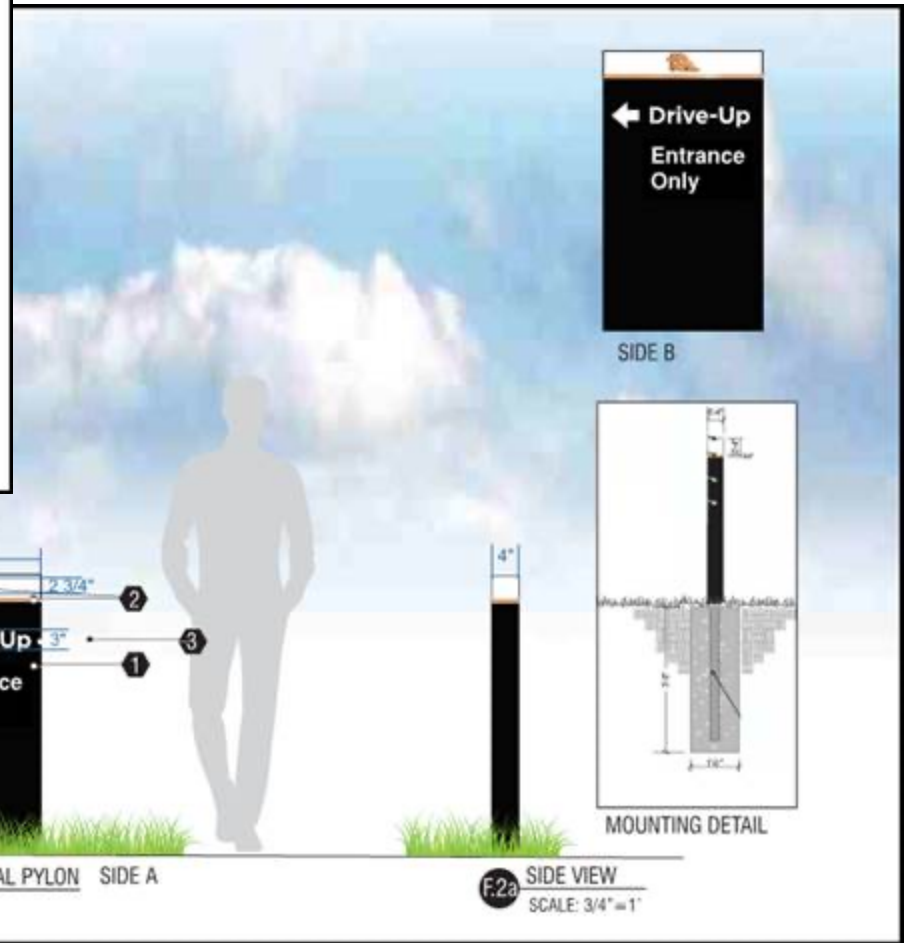
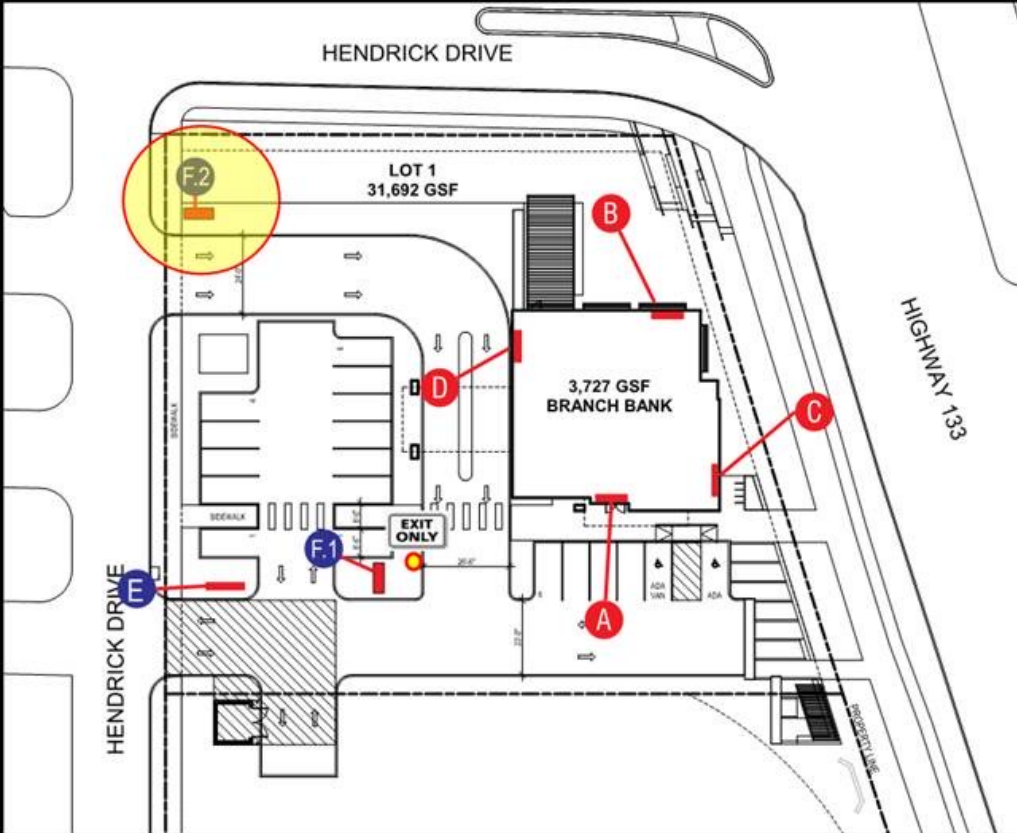
L1



NMLS 457261 | anbbank.com







## Signage Revisions



# Sustainability Metrics

ANB Carbondale

2012 International Green Construction Code - Compliance Report



## 2. Section 602 Calculations

End Use	Budget Design				Proposed Design			
	Site Fuel	Source Fuel		Emissions	Site Fuel	Source Fuel		Emissions
Interior Lighting	9,174 kWh	31,303 kBtu	99,543 kBtu	18,339 lbs CO <sub>2</sub> e	5,031 kWh	17,166 kBtu	54,589 kBtu	10,057 lbs CO <sub>2</sub> e
Exterior Lighting	13,077 kWh	44,621 kBtu	141,893 kBtu	26,141 lbs CO <sub>2</sub> e	3,282 kWh	11,199 kBtu	35,612 kBtu	6,561 lbs CO <sub>2</sub> e
Space Heating	340 therms	34,000 kBtu	37,060 kBtu	4,670 lbs CO <sub>2</sub> e	11 therms	1,100 kBtu	1,199 kBtu	151 lbs CO <sub>2</sub> e
	0 kWh	0 kBtu	0 kBtu	0 lbs CO <sub>2</sub> e	18,250 kWh	62,272 kBtu	198,024 kBtu	36,482 lbs CO <sub>2</sub> e
Space Cooling	7,226 kWh	24,656 kBtu	78,407 kBtu	14,445 lbs CO <sub>2</sub> e	6,100 kWh	20,814 kBtu	66,189 kBtu	12,194 lbs CO <sub>2</sub> e
Fans-Interior	25,948 kWh	88,538 kBtu	281,552 kBtu	51,870 lbs CO <sub>2</sub> e	3,423 kWh	11,680 kBtu	37,142 kBtu	6,843 lbs CO <sub>2</sub> e
Service Hot Water	385 kWh	1,314 kBtu	4,177 kBtu	770 lbs CO <sub>2</sub> e	383 kWh	1,307 kBtu	4,156 kBtu	766 lbs CO <sub>2</sub> e
Receptacle Equipment	13,899 kWh	47,425 kBtu	150,813 kBtu	27,784 lbs CO <sub>2</sub> e	13,899 kWh	47,425 kBtu	150,813 kBtu	27,784 lbs CO <sub>2</sub> e
Exterior	350 kWh	1,194 kBtu	3,798 kBtu	700 lbs CO <sub>2</sub> e	350 kWh	1,194 kBtu	3,798 kBtu	700 lbs CO <sub>2</sub> e
<b>TOTALS</b>		<b>273,051 kBtu</b>	<b>797,243 kBtu</b>	<b>144,718 lbs CO<sub>2</sub>e</b>		<b>174,157 kBtu</b>	<b>551,520 kBtu</b>	<b>101,536 lbs CO<sub>2</sub>e</b>

### Equation 6-1

EUIp	150.9 kBtu/SF-yr
EUI	218.1 kBtu/SF-yr
<b>zEPI</b>	<b>39.4 (less than 47 - complies)</b>

### Equation 6-2

CO <sub>2</sub> e srbd	144,718 lbs CO <sub>2</sub> e
CO <sub>2</sub> e pd ≥	100,114 lbs CO <sub>2</sub> e
CO <sub>2</sub> e pd (from model)	101,536 lbs CO <sub>2</sub> e (less than CO <sub>2</sub> e srbd - complies)

## 3. Section 610 Calculations

ON-Site Renewable Offset Target	Annual Energy to be Offset		Array Size	
10%	17,500 kBtu	5,200 kWh	4 kW	250 SF



# IGCC Compliance



ADDITIONAL ENERGY PERFORMANCE DETAILS COMPLYING WITH THE 2012 INTERNATIONAL GREEN CONSTRUCTION CODE [IGCC] AND CARBONDALE AMENDMENTS

**[IGCC SEC 407]** (1) ELECTRIC VEHICLE CHARGING STATION

**[IGCC SEC 505.2.5]** INDIGENOUS OR RECYCLED BUILDING MATERIALS WILL BE USED

**[IGCC SEC 605.1]** U.057 INSULATION FOR WALLS (CI AND BATTS) AND R-31 (U.032) INSULATED ROOF EXCEEDS IECC BY MORE THAN 10% (U.084 FOR WALLS AND .068 FOR ROOF)

**[IGCC SEC 605.1.1.1]** PERMANENT FIXED SHADING DEVICES FOR FENESTRATIONS.

**[IGCC SEC. 606]** VARIABLE AIR VOLUME, ZONED HVAC DISTRIBUTION

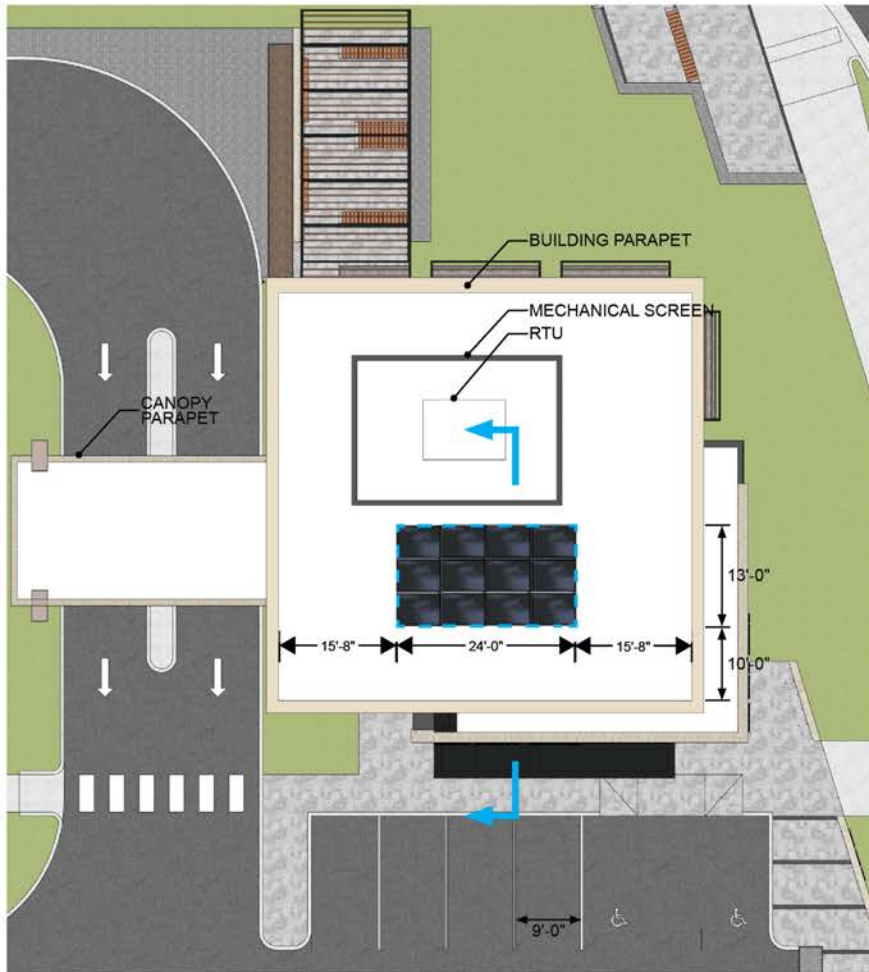
**[IGCC SEC. 608]** LED LIGHT FIXTURES THROUGHOUT AVERAGE 0.7 WATTS/SF (1.3 WATT MAX ALLOWED PER CODE)

**[IGCC SEC 610]** 250 SF/ 4KW SOLAR ARRAY EXCEEDS 10% OF ESTIMATED ANNUAL ENERGY USE

**[IGCC SEC 702]** LOW FLOW PLUMBING FIXTURES



# On-Site Renewable Energy



ROOF PLAN WITH PHOTOVOLTAIC PANEL ARRAY  
NTS

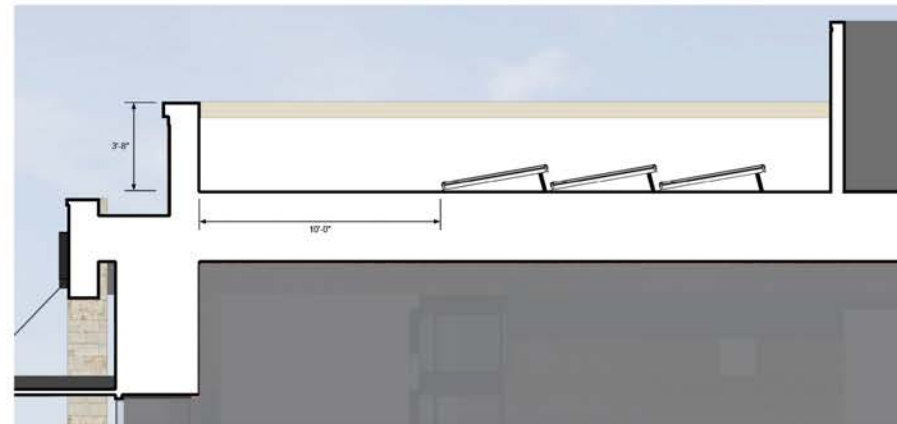
## SECTION 610

Installing a 4-kW onsite photovoltaic array is calculated to offset 10% of the total annual building energy consumption.

-OR-

Contracting a 10-year commitment to offsite renewable energy credit ownership of no less than 7,700 kWh/yr is calculated to offset 15% of the total annual building energy consumption.

On-Site Renewables	Photovoltaics: <ul style="list-style-type: none"> <li>Panel Density – 17.8 W/SF</li> <li>Site Generation Potential – 1,300 kWh/yr per installed kW (flat mounted)</li> </ul>
--------------------	--



PARTIAL BUILDING SECTION SHOWING PHOTOVOLTAIC ARRAY  
NTS



# Adjacent Context on HWY 133



VIEW LOOKING NORTH FROM 133



VIEW LOOKING NW FROM 133



# ANB Bank Carbondale

Rezoning, Special Use Permit, Administrative Site Plan Review  
and Subdivision Preliminary Plat Application Supplemental  
Information Exhibits

April 15, 2021

*Updated Sopris Engineering Site and Grading Plans*

*Updated Landscape Plan*

*2012 International Green Construction Code  
Compliance Report*



6:\2019\19215\CIVIL\DWGS\LOT SHEET SET\19215-2 SITE PLANS.DWG - Mar 29, 2021 - 12:01am



CALL 2-BUSINESS DAYS IN ADVANCE  
BEFORE YOU DIG, GRADE, OR EXCAVATE  
FOR THE MARKING OF UNDERGROUND  
MEMBER UTILITIES

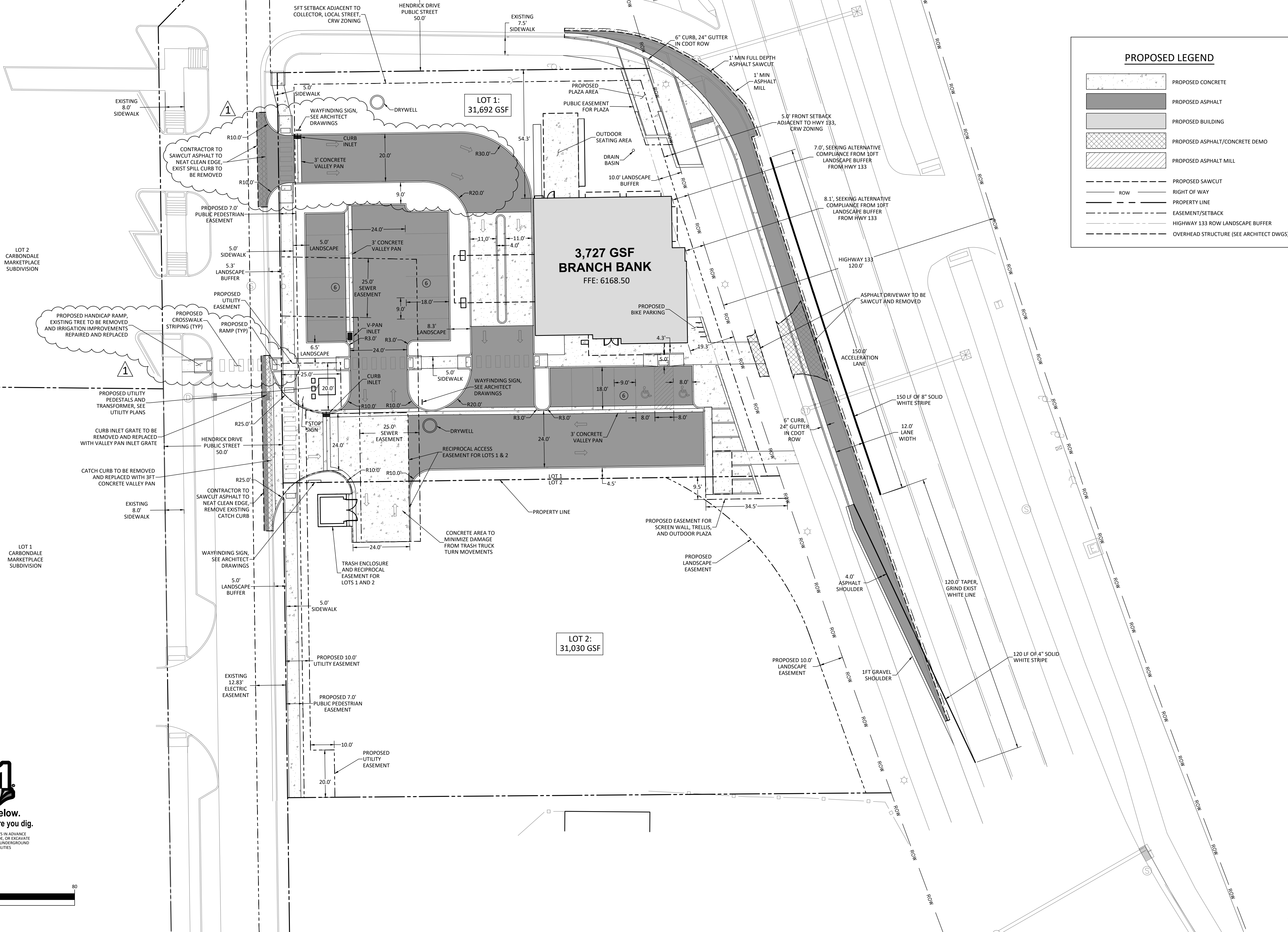
GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

LOT 2  
CARBONDALE  
MARKETPLACE  
SUBDIVISION

LOT 1  
CARBONDALE  
MARKETPLACE  
SUBDIVISION



#### PROPOSED LEGEND

- PROPOSED CONCRETE
- PROPOSED ASPHALT
- PROPOSED BUILDING
- PROPOSED ASPHALT/CONCRETE DEMO
- PROPOSED ASPHALT MILL
- PROPOSED SAWCUT
- RIGHT OF WAY
- PROPERTY LINE
- EASEMENT/SETBACK
- HIGHWAY 133 ROW LANDSCAPE BUFFER
- OVERHEAD STRUCTURE (SEE ARCHITECT DWGS)

SOPRIS ENGINEERING, LLC.  
CIVIL CONSULTANTS  
502 MAIN STREET  
CARBONDALE, CO 81623  
(970) 704-0311  
FAX: (970) 704-0313

SOPRIS ENG  
STAMP

DESIGNED BY  
DRAWN BY  
CHECKED BY  
DATE: 12-22-2020  
JOB NO. 19215.02

ANB BANK  
CARBONDALE, COLORADO  
MAJOR SITE PLAN REVIEW APPLICATION

REGIONAL  
STAMP

DATE	REVISION
3-28-21	ADDED SHORTY PABST RAMP AND CROSSWALK, REDUCED NORTH DRIVEWAY WIDTH

TITLE  
SITE PLAN

DRAWING NO.  
C-2.0





ANB BANK  
CARBONDALE, COLORADO  
MAJOR SITE PLAN REVIEW APPLICATION


DATE	REVISION
3-28-21	1 ADDED SHORTY PABST RAMP AND CROSSWALK, REDUCED NORTH DRIVEWAY WIDTH



BOW = BOTTOM OF WALL  
EOA = EDGE OF ASPHALT  
EX = EXISTING GRADE  
FFE = FINISHED FLOOR ELEVATION  
FG = FINISHED GRADE  
FL = FLOW LINE  
HP = HIGH POINT  
LP = LOW POINT  
LS = LANDSCAPE  
ME = MATCH EXISTING  
RIM = RIM ELEVATION  
TBC = TOP BACK OF CURB  
TC = TOP OF CONCRETE







DRAINAGE DIRECTION/SLOPE 

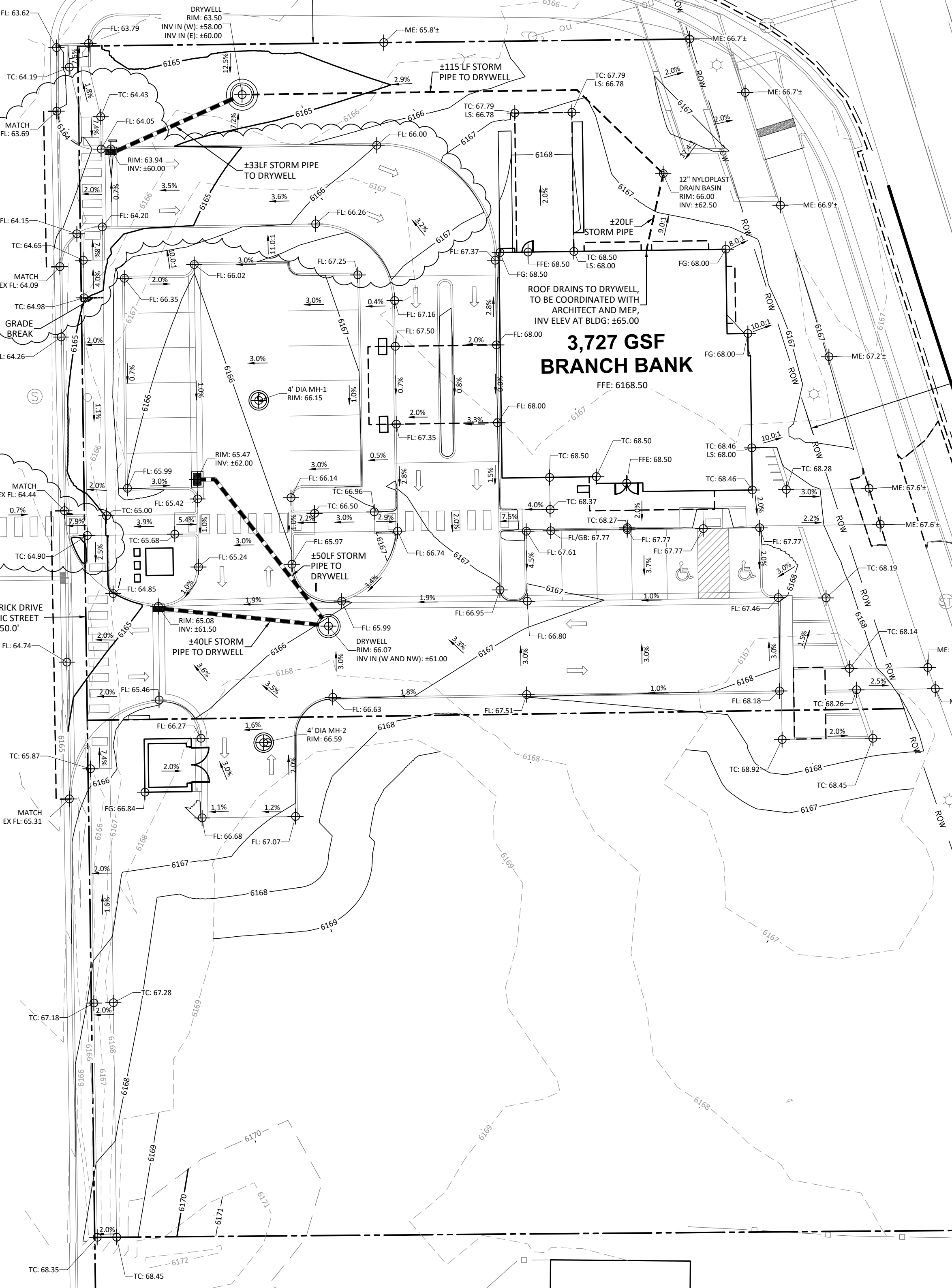
SPOT ELEVATION  XX: XX.XX

EXAMPLE: TOP OF CONCRETE @  TC: 68.00

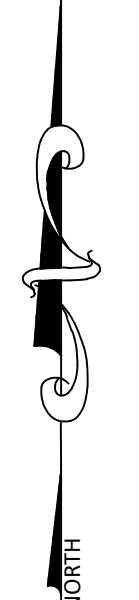
6168.00.00' =

### PROPOSED LEGEND

- 
-  PROPOSED STORM SEWER  
 PROPOSED SAWCUT LINE  
 RIGHT OF WAY  
 PROPERTY LINE  
 EASEMENT/SETBACK  
 HIGHWAY 133 ROW LANDSCAPE BUFFER  
 OVERHEAD STRUCTURE  
 (SEE ARCHITECT DWGS)



LOT 1  
CARBONDAL  
MARKETPLACE  
SUBDIVISION



**Know what's below.  
Call before you dig.**

CALL 2-BUSINESS DAYS IN ADVANCE  
BEFORE YOU DIG, GRADE, OR EXCAVATE  
FOR THE MARKING OF UNDERGROUND  
MEMBER UTILITIES

GRAPHIC SCALE

( IN FEET )  
1 inch = 20 ft.





**Deciduous Trees**

CR	Canada Red Chokecherry
O	Swamp White Oak
SS	Crabapple 'Spring Snow'
NM	Norway Maple 'Emerld Queen'
SG	Sienna Glenn Maple
CH	Thornless Cockspur Hawthorn

2.5" cal.	Prunus Virginiana	2
	Quercus Bicolor	2
	Malus 'Spring Snow'	2
	Acer Platanoides 'Emerald Queen'	3
	Acer x freemanii 'Sienna'	4
	Crataegus crusgalli inermis	2
Total Trees		15

**Shrubs,**

All shrubs #5 container

B	Compact Burning Bush
M	Blue Mist Spirea
G	Globe Blue Spruce
S	Gro-Low Sumac
L	Miss Kim Dwarf Lilac
C	Crimson Pygmy Barberry
D	Bailey Red Twig
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Caryopteris x clandonensis 'Blue Mist'	9
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Cornus Stolonifer 'Baileyi'	7
Spiraea nipponica 'Snowmound'	10
Total Shrubs	75

**Perennials & Grasses**

#1 container

Blue Avena Grass
Heavy Metal Switch Grass
Blue Fescue Grass
Firecracker Penstemon
May Night Salvia
Moonshine Yarrow
Walker's Low Catmint
Purple Coneflower 'Pow Wow'

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Panicum Virgatum 'Heavy Metal'	17
Festuca Ovina Glauca	23
Penstemon Eatonii	20
Salvia nemorosa 'May Night'	20
Achillea 'Moonshine'	30
Nepeta x faassenii	20
Echinacea Purpurea 'Pow Wow'	20
Total Perennials & Grasses	175

**Notes**

Warranty plants and trees for one year after final acceptance. Replace dead or dying materials not in vigorous, thriving condition as soon as weather permits.

Determine locations of underground utilities and perform work in a manner which will avoid possible damage.

Plants shall be specimen quality, typical of their species or variety.

Plant trees and shrubs in pits 12' larger than tree ball, backfill with a mix of 2 parts topsoil and 1 part Nutri-Mulch.

Install "Weed Restrictor Fabric" between soil and crushed rock or cobble.

All plant materials in river rock or cobble will be irrigated with an underground drip zone system.

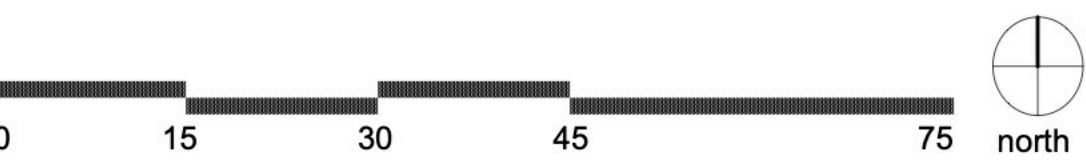
All sod and seed areas will be irrigated with an underground system utilizing rotating sprinkler nozzels.

Weather based irrigation controls shall include functioning soil moisture sensors and a rain sensor as components of the system.

**Irrigated Areas**

Sod or seed (rotating sprinkler nozzles) 9,041 SF  
Trees, shrubs & perennials (drip zone) 3,693 SF

Total Area 12,734 SF



Prepared by:

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(970) 927-3690  
landstudio2@comcast.net

**Landscape Plan**  
**ANB Bank / Carbondale, Colorado**  
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Updated March 30, 2021

December 21, 2020

**LANDSCAPE PLAN**  
w/ IRRIGATION NOTES

**L1**





## ANB Carbondale

### 2012 International Green Construction Code - Compliance Report

March 9, 2021





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    1.1. Summary of Results.....3

2. Section 602 Calculations .....4

3. Section 610 Calculations .....4

Appendix A: Energy Model Inputs .....5

Disclaimer: stok makes no guarantee that energy performance or savings will be achieved as estimated, except that services or work product were performed pursuant to generally accepted standards of practice in effect at the time services were performed. Any recommendations which may be made are for the consideration of the architect and engineers; they are not to be used instead of, or as a replacement for, licensed design. Many factors in the construction and operation of the building will affect the energy use, which are outside of stok’s ability to control. This report is based on our understanding of the building design at this time, and results are subject to change with changes to the “Current Design.”





## 1. Executive Summary

ANB Carbondale project consists of a new ~3,700 square-foot stand-alone, commercial bank building. This report shows compliance with the 2012 International Green Construction Code (2012 IgCC).

This 2012 IgCC compliance has been evaluated through the Performance-Based compliance option, using modified results of the ASHRAE 90.1-2010 Appendix G Performance Rating Method (PRM) as described in Section 602.1.2. Whereas the standard ASHRAE 90.1-2010 Appendix G calculation uses energy cost to evaluate performance; the 2012 IgCC uses conversion factors provided in Tables 602.1.2.1 and 602.1.2.2 to determine each model's source energy use index (EUI) and performance.

Compliance is determined by the calculation of the Zero Energy Performance Index (zEPI) and Carbon Dioxide equivalent (CO<sub>2</sub>e) emissions as described in section 602.1 of the 2012 IgCC.

This analysis is based on a Sketchup model of ANB Carbondale dated 12/19/2020 and a reference drawing set for ANB Patterson dated 05/16/2018. EnergyPro v6.8.0.4 was used for this analysis.

### 1.1. Summary of Results

- ✓ ANB Carbondale complies with the City of Carbondale's implementation of Section 602 and 610 of the 2012 IgCC:

#### Section 602

A **Zero Energy Performance Index (zEPI) of 39.4** was calculated based on the performance of the Proposed and Baseline models. This is less than the maximum target zEPI of 47 as outlined in the Section 602 of the Performance Pathway Requirements.

The proposed design's annual direct and indirect **CO<sub>2</sub>e emissions of 101,500 pounds-per-year is less than the standard reference budget design's value of 144,700 pounds-per-year.**

#### Section 610

Installing a **4-kW onsite photovoltaic array** is calculated to offset 10% of the total annual building energy consumption. **-OR-**

Contracting a 10-year commitment to **offsite renewable energy credit ownership of no less than 7,700 kWh/yr** is calculated to offset 15% of the total annual building energy consumption.

Please see supporting calculations in following sections for the complete compliance calculations.





## 2. Section 602 Calculations

End Use	Budget Design				Proposed Design			
	Site Fuel	Source Fuel		Emissions	Site Fuel	Source Fuel		Emissions
Interior Lighting	9,174 kWh	31,303 kBtu	99,543 kBtu	18,339 lbs CO <sub>2</sub> e	5,031 kWh	17,166 kBtu	54,589 kBtu	10,057 lbs CO <sub>2</sub> e
Exterior Lighting	13,077 kWh	44,621 kBtu	141,893 kBtu	26,141 lbs CO <sub>2</sub> e	3,282 kWh	11,199 kBtu	35,612 kBtu	6,561 lbs CO <sub>2</sub> e
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<b>TOTALS</b>		<b>273,051 kBtu</b>	<b>797,243 kBtu</b>	<b>144,718 lbs CO<sub>2</sub>e</b>		<b>174,157 kBtu</b>	<b>551,520 kBtu</b>	<b>101,536 lbs CO<sub>2</sub>e</b>

### Equation 6-1

EUIp	150.9 kBtu/SF-yr
EUI	218.1 kBtu/SF-yr

zEPI 39.4 (less than 47 - complies)

### Equation 6-2

CO <sub>2</sub> e <i>srbd</i>	144,718 lbs CO <sub>2</sub> e
CO <sub>2</sub> e <i>pd</i> ≥	100,114 lbs CO <sub>2</sub> e

CO<sub>2</sub>e *pd* (from model) 101,536 lbs CO<sub>2</sub>e (less than CO<sub>2</sub>e *srbd* - complies)

## 3. Section 610 Calculations

ON-Site Renewable Offset Target	Annual Energy to be Offset		Array Size	
10%	17,500 kBtu	5,200 kWh	4 kW	250 SF

OFF-Site Renewable Offset Target	Annual Energy to be Offset	
15%	26,200 kBtu	7,700 kWh





## Appendix A: Energy Model Inputs

Design Feature	ASHRAE 90.1-2010 Appendix G Baseline	Proposed Design
Location	Carbondale, CO, Climate Zone 5B Weather file: CO_Grand_Junction_Walker.bin	
Gross Floor Area	3,656 square-foot stand-alone, commercial bank building	
Hours of Operation	Monday – Friday: 8AM to 5PM Saturday – Sunday: closed	
Energy Cost	Energy Information Administration (EIA) 2019 Average Colorado <ul style="list-style-type: none"> <li>Electricity: \$0.10/kWh</li> <li>Natural Gas: \$0.67/therm</li> </ul>	
Site/Source Energy Factor	RMPA eGRID 2007 Sub-Region <ul style="list-style-type: none"> <li>Electricity: 3.18</li> <li>Natural Gas: 1.09</li> </ul>	
Emission Factor	RMPA eGRID 2007 Sub-Region <ul style="list-style-type: none"> <li>Electricity: 1,999 lbs CO<sub>2e</sub>/MWh</li> <li>Natural Gas: 137.35 lbs CO<sub>2e</sub> /MMBtu</li> </ul>	
Exterior Walls	Steel-framed (U=0.084)	Brick face over R-7.5 rigid and R-19 batt in 6-inch metal frame (U=0.057)
Exterior Roof	Insulation entirely above deck (U=0.063)	R-31 rigid over deck (U=0.031)
Ground floor	Unheated slab on grade, no perimeter insulation (F=0.73)	Unheated slab on grade, 48-inch vertical, R-10 Insulation (F=0.65)
Windows (WWR = 36%)	U-0.57 & SHGC-0.49	SNX 62/27 IGU (Assembly: U=0.43, SHGC=0.27)





Design Feature	ASHRAE 90.1-2010 Appendix G Baseline	Proposed Design
HVAC	<p>(10) Packaged Single Zone Units (BSL SYS-03)</p> <ul style="list-style-type: none"> <li>• Cooling: <ul style="list-style-type: none"> <li>○ ≤ 65,000 Btu/hr / each</li> <li>○ 13 SEER</li> <li>○ Total Capacity: 212,400 Btu/hr</li> </ul> </li> <li>• Heating: <ul style="list-style-type: none"> <li>○ ≤ 65,000 Btu/hr / each</li> <li>○ 78% AFUE</li> <li>○ Total Capacity: 129,000 Btu/hr</li> </ul> </li> <li>• Total Air Flow: 6,540 CFM</li> <li>• Economizer w/ 75F shut-off</li> <li>• Constant Volume Fans</li> </ul>	<p>RTU-01: Roof-top, Variable Air Volume, Packaged Unit</p> <ul style="list-style-type: none"> <li>• Cooling: <ul style="list-style-type: none"> <li>○ 159,000 Btu/hr</li> <li>○ 12.5 EER</li> </ul> </li> <li>• Heating: <ul style="list-style-type: none"> <li>○ 286,500 Btu/hr</li> <li>○ 82% AFUE</li> </ul> </li> <li>• Air flow: 5,500 CFM <ul style="list-style-type: none"> <li>○ Supply Fan: 3.55 bhp</li> <li>○ Return Fan: 1.5 bhp</li> </ul> </li> <li>• Filtration: MERV 11</li> <li>• Terminal Units: Electric Resistance</li> <li>• Electric Baseboard Heaters as scheduled</li> </ul>
	<p>(1) Packaged Single Zone Units (BSL SYS-03)</p> <ul style="list-style-type: none"> <li>• Cooling: <ul style="list-style-type: none"> <li>○ 77,900 Btu/hr</li> <li>○ 11.0 EER/11.2 IEER</li> </ul> </li> <li>• Heating: <ul style="list-style-type: none"> <li>○ 37,000 Btu/hr / each</li> <li>○ 78% AFUE</li> </ul> </li> <li>• Air Flow: 2,220 CFM</li> <li>• Economizer w/ 75F shut-off</li> <li>• Constant Volume Fans</li> </ul>	<p>AC-1: Mini-split Indoor Unit</p> <ul style="list-style-type: none"> <li>• Cooling: <ul style="list-style-type: none"> <li>○ 12,000 Btu/hr</li> <li>○ 14 SEER</li> </ul> </li> <li>• Air flow: 330 CFM <ul style="list-style-type: none"> <li>○ Supply Fan: 60W</li> </ul> </li> </ul> <p>UH-1: Electric Unit Heater</p> <ul style="list-style-type: none"> <li>• Heating: <ul style="list-style-type: none"> <li>○ 3.0 kW</li> </ul> </li> <li>• Air flow: 350 CFM <ul style="list-style-type: none"> <li>○ Supply Fan: 1/100 hp</li> </ul> </li> </ul> <p>CUH-1: Electric Cabinet Unit Heater</p> <ul style="list-style-type: none"> <li>• Heating: <ul style="list-style-type: none"> <li>○ 7.5 kW</li> </ul> </li> <li>• Air flow: 350 CFM <ul style="list-style-type: none"> <li>○ Supply Fan: 58W</li> </ul> </li> </ul>





Design Feature	ASHRAE 90.1-2010 Appendix G Baseline	Proposed Design
Interior Lighting	Average LPD = 1.3 W/SF	Bldg. Average LPD = 0.70 W/SF
Exterior Lighting	Allowance: 3.3 kW	Installed: 0.84 kW
Plug Loads	1.5 W/SF	
On-Site Renewables	<p>Photovoltaics</p> <ul style="list-style-type: none"><li>• Panel Density – 17.8 W/SF</li><li>• Site Generation Potential – 1,300 kWh/yr per installed kW (flat mounted)</li></ul>	





**TOWN OF CARBONDALE**  
**511 COLORADO AVENUE**  
**CARBONDALE, CO 81623**

## Planning and Zoning Commission Agenda Memorandum

Meeting Date: 4-15-2021

**TITLE:** 485 Mancos, Minor Site Plan Review and Conditional Use Permit

**SUBMITTING DEPARTMENT:** Planning Department

**Owner:** Jennifer Newcomb

**Applicant:** Jennifer Newcomb

**Property Location:** 485 Mancos

**Zone District:** Residential Low Density

**Lot Size:** 6700 Sq. Ft.

**Present Land Use:** Single Family Residence

**Proposed Land Use:** Single Family residence with attached ADU located above new garage.

**ATTACHMENTS:** Land Use Application  
Public Comments  
March 11, 2021 Minutes

---

### BACKGROUND

This is a continued public hearing for a Minor Site Plan Review and Conditional Use Permit. The Commission is required to hold a public hearing and approve the application, deny it or continue the public hearing.

The applicant is proposing to remove an existing garage structure and construct a new attached garage with an assessory dwelling unit (ADU).

At the March 11, 2021 meeting the Commission closed the public hearing and requested the following information be provided at the next meeting, that a solar access plan be provided, that the applicant look into revising the private outdoor space and to provide more detail on the garage/ADU building height, the requested information was provided by the applicant and is included in the packet and noted in the report.

### DISCUSSION



Under the UDC, a proposed ADU in the R/LD zone district must go through a minor site plan review before the Planning and Zoning Commission who will issue a decision and



findings on the application. A Conditional Use Permit is also required and can run concurrently.

#### Comprehensive Plan

The property is designated as Developed Neighborhoods in the Future Land Use Plan. The properties in this designation represent developed neighborhoods with little to no change occurring.

#### Zoning

The Property is entirely within the R/LD zone district where an ADU is allowed by a Conditional Use Permit/Minor Site Plan review.

An ADU is allowed to be up to 850 square feet and a minimum of 300 square feet, the proposed ADU is 596 square feet in size.

#### Setbacks

The required setbacks in the R/LD zone district have been met for the the proposed garage.

#### Maximum Impervious Surface

The allowed maximum impervious surface is 52% and the applicant is proposing 42%.

#### Parking

Section 5.8.3. of the UDC requires 2.5 parking spaces for the main dwelling, and 2 spaces for an ADU.

The applicant has indicated 4 spaces, three located in the driveway and one located in the new proposed garage.

#### Building Design

The proposed garage is setback 14' from the front of the existing house and is proposed to have a stucco finish with accent siding. The existing home is proposed to be painted and or receive stucco to match the proposed garage. The applicant has indicated changes to the deck railing, raising it 6" to 42" with lattice screening and extending the posts for the inclusion of a solar shade/curtain for privacy.

#### Solar Access

Section 5.12 Solar Access discusses the provision of adequate light to allow solar access on adjacent properties. The applicant has provided a solar access/fence diagram that indicates a shading height of 9' 4" on the 16 ft allowed solar fence. Section 5.12.5 states that a structure or vegetation would not shade any higher than



a theoretical 16-foot high solar fence on the building envelope of the adjoining property.

The provided diagram shows compliance with this section.

#### Site Plan Review Criteria

A site plan may be approved upon a finding that the application meets all of the following criteria:

1. The site plan is consistent with the Comprehensive Plan.
2. The site plan is consistent with any previously approved subdivision plat, planned unit development, or any other precedent plan or land use approval as applicable.
3. The site plan complies with all applicable development and design standards set forth in this Code; or
4. Traffic generated by the proposed development will be adequately served by existing streets within Carbondale, or the decision-making body finds that such traffic impacts will be sufficiently mitigated.

#### Findings for Approval - Site Plan Review Criteria

1. The site plan is consistent with the Comprehensive Plan.
2. The site plan is consistent with any previously approved subdivision plat, planned unit development, or any other precedent plan or land use approval as applicable;
3. The site plan complies with all applicable development and design standards set forth in this Code,
4. Traffic generated by the proposed development will be adequately served by existing streets within Carbondale.

#### **RECOMMENDATION:**

Staff recommends that the following motion be approved: **Move to approve a Minor Site Plan Review and Conditional Use Permit for an Accessory Dwelling Unit to be located at 485 Mancos, Carbondale, Colorado, with the following conditions:**

1. The Accessory Dwelling Unit shall not have separate water or sewer service.
2. All other representations of the Applicant in written submittals to the Town or in public hearings concerning this project shall also be binding as conditions of approval.



3. The Applicant shall also pay and reimburse the town for all other applicable professional and staff fees pursuant to the Carbondale Municipal Code.
4. The applicant shall apply for and receive a building permit as required.

Prepared By: John Leybourne





Town of Carbondale  
511 Colorado Ave  
Carbondale, CO 81623  
(970)963-2733

Pre-Application Meeting Date \_\_\_\_\_  
Fees \_\_\_\_\_ Date Pd \_\_\_\_\_

### Land Use Application

#### PART 1 – APPLICANT INFORMATION

Applicant Name: Jennifer Newcomb Phone: (970)618-1503  
Applicant Address: 485 Mancos  
E-mail: Jmnuke@msn.com  
Owner Name: SAME AS ABOVE Phone: \_\_\_\_\_  
Address: MAIL - 75 ELK SPRINGS DRIVE, GLENWOOD SPRINGS, CO. 81601  
E-mail: JMNUKE @ MSN. COM

Location of Property: provide street address and either 1) subdivision lot and block; or 2) metes and bounds:

485 Mancos Section 34 Township 7 Range 88 Colorado  
LOT 10, BLOCK 5 PARCEL NO. 239334204010 MOORADOWS

#### PART 2 – PROJECT DESCRIPTION

General project description: REMOVE EXISTING GARAGE CONSTRUCT  
NEW 624 SQ. FT. GARAGE WITH A 596 SQ. FT., ONE BEDROOM ADU  
ABOVE, ATTACHED TO THE NORTH SIDE OF THE EXISTING 1842 SQ. FT. HOME.  
Size of Parcel: 6700 SQ. FT. # Dwelling Units: 1 HOME Sq Ftg Comm: SEE ABOVE  
Type of Application(s): MINOR SITE PLAN REVIEW  
Existing Zoning: R/LD Proposed Zoning: R/LD

#### PART 3 – SIGNATURES

I declare that I have read the excerpt from the Town of Carbondale Municipal Code Article 8 Land Use Fees. I acknowledge that it is my responsibility to reimburse the Town for all fees incurred as a result of this application.

I declare that the above information is true and correct to the best of my knowledge.

Jenny Newcomb 02/02/2021  
Applicant Signature Date

**Signature of all owners of the property must appear before the application is accepted.**

Jenny Newcomb \_\_\_\_\_  
Owner Signature Date

STATE OF COLORADO )  
COUNTY OF GARFIELD ) ss.

The above and foregoing document was acknowledged before me this 2nd day of  
February 2021, by Jennifer Dee Newcomb.

Witness my hand and official  
My commission expires: 2-25-2021

MAUREEN CAREW  
Notary Public - State of Colorado  
Notary ID 19974003500  
My Commission Expires Feb 25, 2021

Maureen Carew  
Notary Public

2-2-2021





Town of Carbondale  
Minor Site Plan Review  
Checklist  
(970) 963-2733

Project Name: NEWCOMB - NEW GARAGE/ADU  
Applicant: JENI NEWCOMB  
Applicant Address: 275 ELK SPRINGS DRIVE, GLENWOOD SPRINGS, COLO, 81601  
Location: 485 MANCOS, CARBONDALE, COLO, 81623  
Date: 1-28-21  
Staff Member: JANET BUCK

Section 2.3 of the UDC requires a pre-application meeting with planning staff prior to submittal of a land use application.

Per Section 2.3.2.B of the UDC, the Planning Director shall determine the form and number of application materials required.

Required Attachments

- ☐ Filing Fee of \$600 and Land Use Application (separate attachment)
- ☐ The applicant shall submit to the Director all of the information required in the application packet, along with any information identified in the pre-application meeting and all required information stated elsewhere in this Code for a minor site plan review. At minimum, the application shall include the following:
  - a. A site plan on a dimensioned plat of the property clearly indicating the following information:
    - i. The site location, dimensions and topography. Topography shall be at two-foot contours for properties with less than ten percent slope and five foot contours for properties with greater than ten percent slope; EXISTING FLAT LOT.
    - ii. The immediately adjoining properties and an indication of the land uses existing on adjoining properties; R/LD, RESIDENTIAL
    - iii. The location on the site of all existing and proposed buildings and structures; SEE DRAWINGS
    - v. The location of all parking areas (vehicle and bicycle), driveways, and sidewalks; SEE DRAWINGS
    - v. The location of all proposed landscaping and fencing or walls. Elevations of fences and walls shall be provided if proposed; ALL EXISTING
    - vi. The location of existing and/or proposed drainage facilities; EXISTING TO STREET AND REAR



- vii. The location of streets, alleys, trails; SEE SITE PLAN
- viii. The location of all solid waste containers; IN GARAGE
- ix. The location of all snow storage areas; and SEE SITE PLAN
- x. The location and size of existing and proposed utilities, existing and proposed easements and an indication of any changes in these utilities which will be necessitated by the proposed project. SEE SITE PLAN
- b. A table of site data calculations indicating: SEE SITE PLAN
  - i. Total number of dwelling units and number of each type of unit (studio, one bedroom, etc.);
  - ii. Floor area of each dwelling unit;
  - iii. Lot size and dimensions;
  - iv. Setbacks to be maintained;
  - v. Total area of all impervious surfaces, including area covered by primary buildings and accessory buildings, area covered by parking areas and garages, driveways, decks, sidewalks and other impervious surfaces;
  - vi. The amount of private outdoor open space and the amount of bulk storage space;
  - vii. Total landscaped area;
  - viii. Total number of parking spaces (vehicle and bicycle) provided;
- c. Conceptual building elevations with notes indicating type of construction, exterior finishes, location of entry doors, decks, and other external structures;
- N/A d. Sample material boards with proposed façade treatments, roofing materials, and other relevant building treatments; and
- N/A e. A final grading plan which shows both present and proposed drainage. The drainage plan should be submitted by a licensed engineer if appropriate.

EXISTING

- ☐ Additional information requested at the pre-application meeting:




Reception No. 44557 Recorder  
 Recorded at 11:11 o'clock A M. MAY 11 1992

# WARRANTY DEED

BOOK 831 PAGE 252

THIS DEED, Made this 1ST day of MAY, 1992, between  
 ROBERT CHARLES CLASSEN AND GAIL L. CLASSEN

GARFIELD  
 MAY 11 1992  
 State Doc. Fee

of the said County of GARFIELD and State of COLORADO, grantor, and  
 JENNIFER D. NEWCOMB AND DAVID M. NEWCOMB

whose legal address is 1179 HIGHWAY 133,  
 CARBONDALE, CO 81623  
 of the said County of GARFIELD and State of COLORADO, grantees

WITNESS, that the grantor, for and in consideration of the sum of GOOD AND VALUABLE  
 CONSIDERATION AND TEN DOLLARS, the receipt and sufficiency of which is hereby  
 acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the  
 grantees, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property, together with improvements,  
 if any, situate, lying and being in the said County of GARFIELD and State of Colorado described as follows:

LOT 10  
 BLOCK 5  
 COLORADO MEADOWS SUBDIVISION  
 TOWN OF CARBONDALE ACCORDING TO THE PLAT THEREOF RECORDED AS  
 DOCUMENT NO. 270460. SUBJECT TO PROTECTIVE COVENANTS RECORDED  
 AS DOCUMENT NO. 270461 IN BOOK 481 AT PAGE 50 AND CONSENT AND  
 WAIVER RECORDED AS DOCUMENT NO. 273532 IN BOOK 486 AT PAGE 774.

as known by street and number as 485 MANCOS, CARBONDALE, CO 81623

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion  
 and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand what-  
 soever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and  
 assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with  
 the grantees, their heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above  
 conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and  
 lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all  
 former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except  
 real property taxes for the year 1992, not yet due or payable, patent  
 reservations, prior mineral reservations and easements and rights of way,  
 including those shown in plat of Colorado Meadows Subdivision Document  
 No. 270460.

The grantor shall and will WARRANTY AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession  
 of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular  
 number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above

ROBERT CHARLES CLASSEN

GAIL L. CLASSEN

State of COLORADO )  
 ) ss  
 County of GARFIELD )

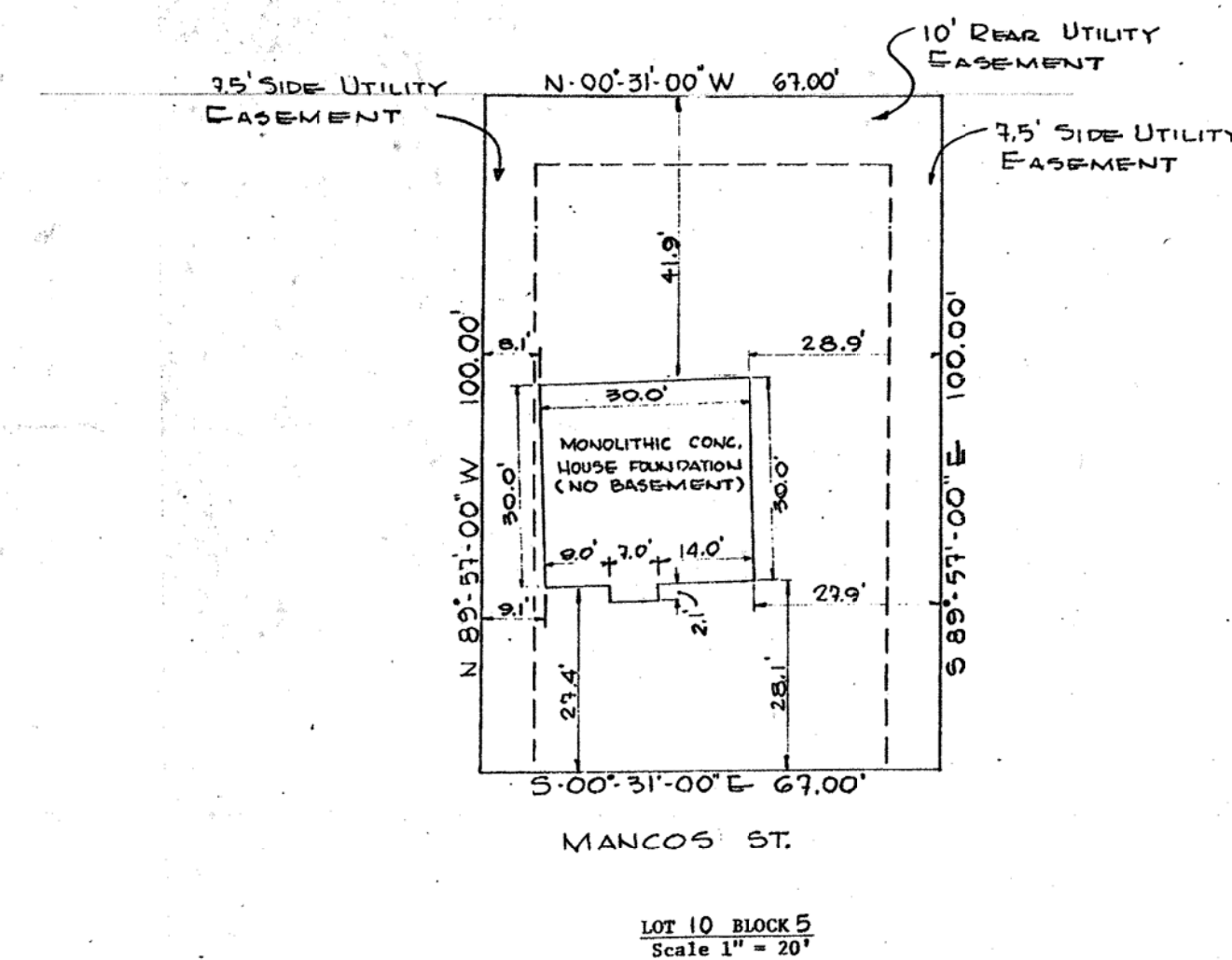
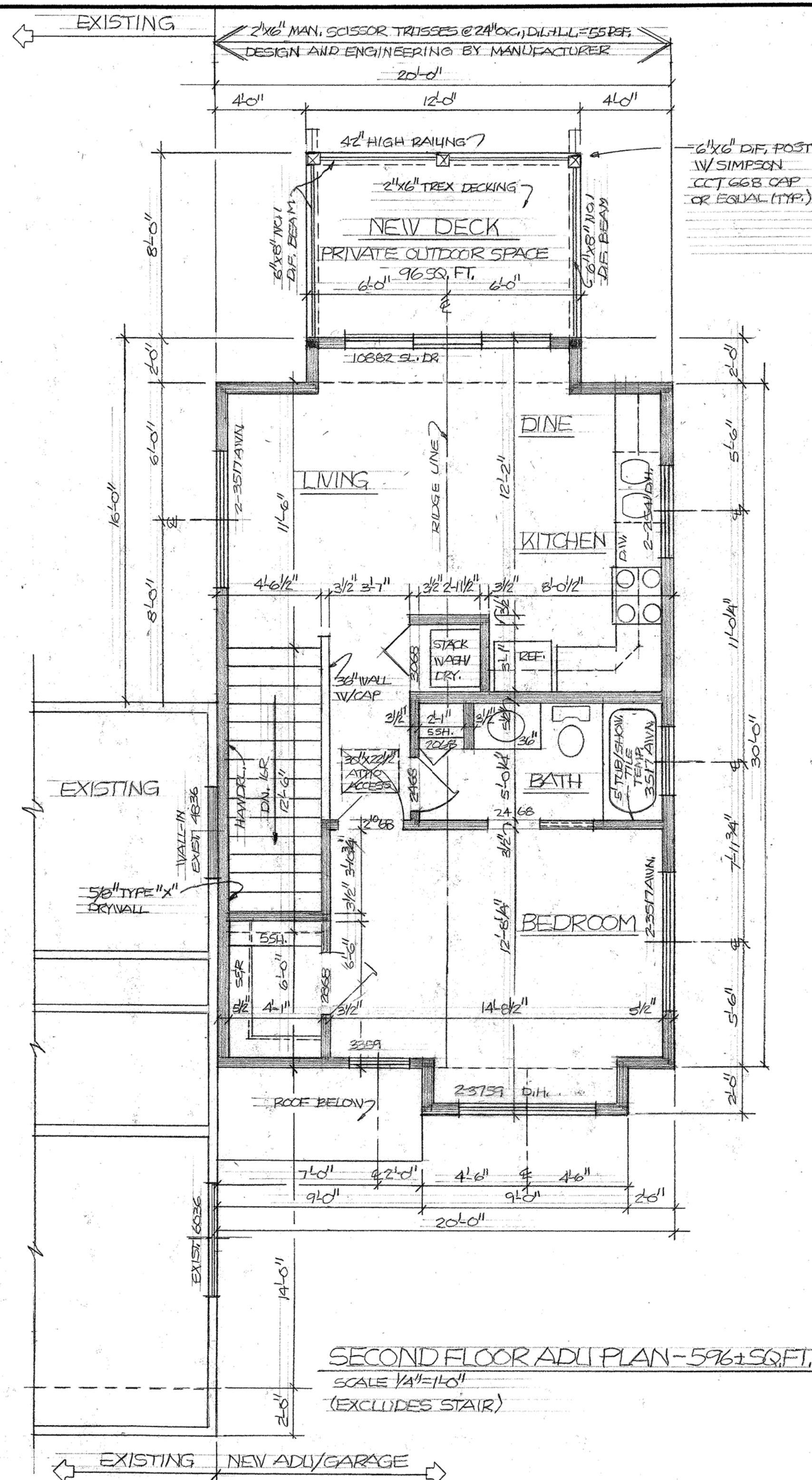
The foregoing instrument was acknowledged before me this 1st day of MAY, 1992,  
 by ROBERT CHARLES CLASSEN AND GAIL L. CLASSEN

My commission expires 12/15/92

Witness my hand and official seal

*Bonny A. Linck*  
 Notary Public





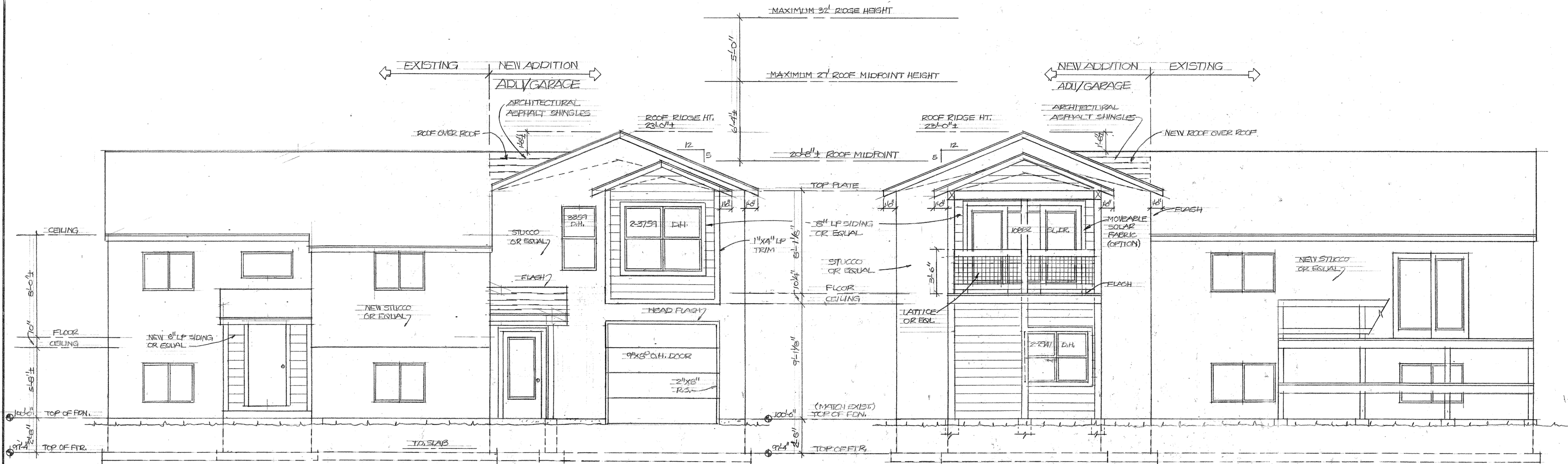
RECEIVED  
5-11-94  
455 MEADOWS

IMPROVEMENT SURVEY  
**COLORADO MEADOWS SUBD**  
Carbondale, Colorado  
County of Garfield

E LASSEN

**UTILITIES: ALL UTILITIES ARE EXISTING. THE NEW ADU/GARAGE WILL CONNECT TO THE EXISTING UTILITY LINES.**



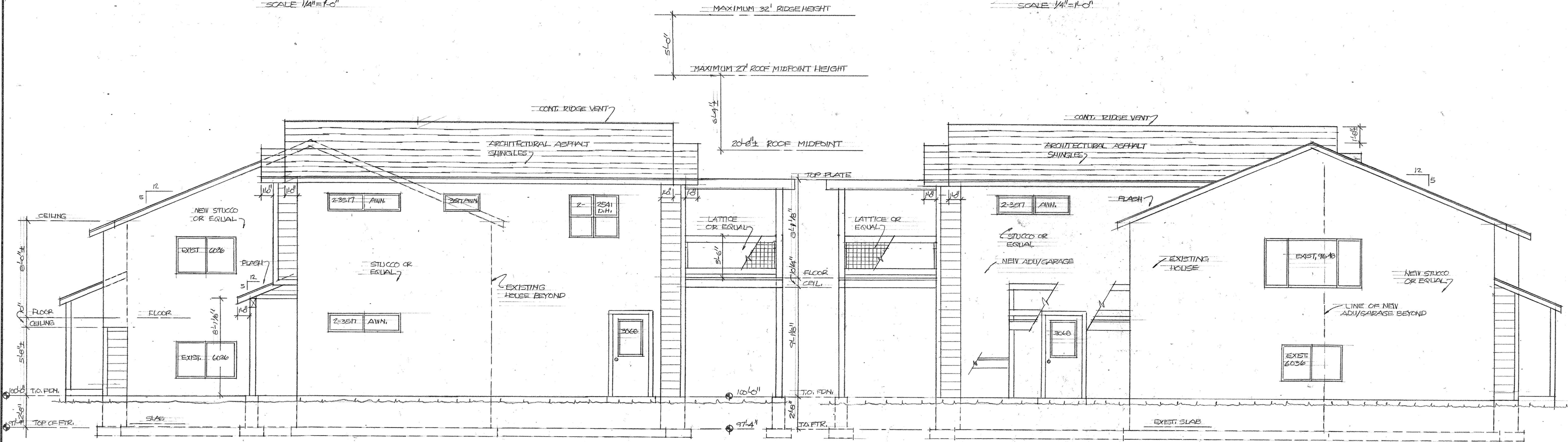


FRONT ELEVATION - (EAST)

SCALE 1/4" = 1'-0"

REAR ELEVATION - (WEST)

SCALE 1/4" = 1'-0"



RIGHT SIDE ELEVATION - (NORTH)

SCALE 1/4" = 1'-0"

LEFT SIDE ELEVATION - (SOUTH)

SCALE 1/4" = 1'-0"

NEWCOMB: NEW GARAGE/ADU

485 MANCOS

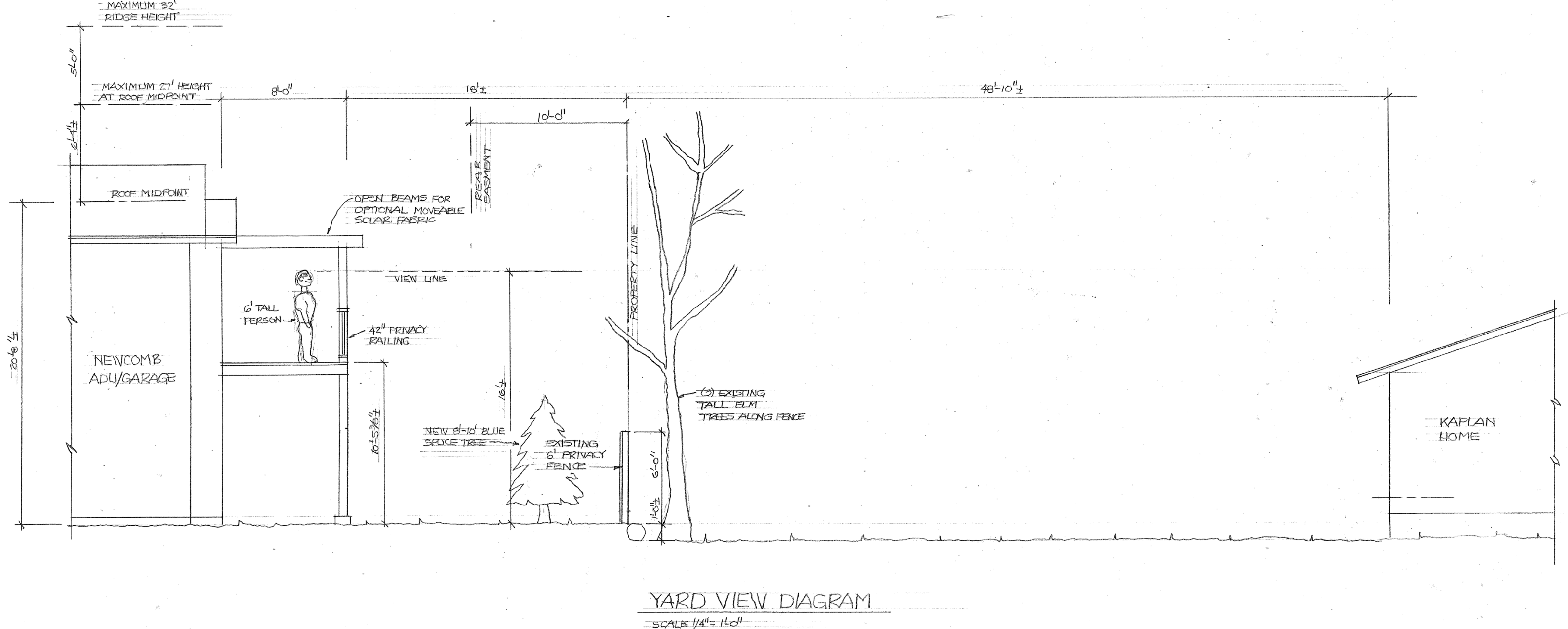
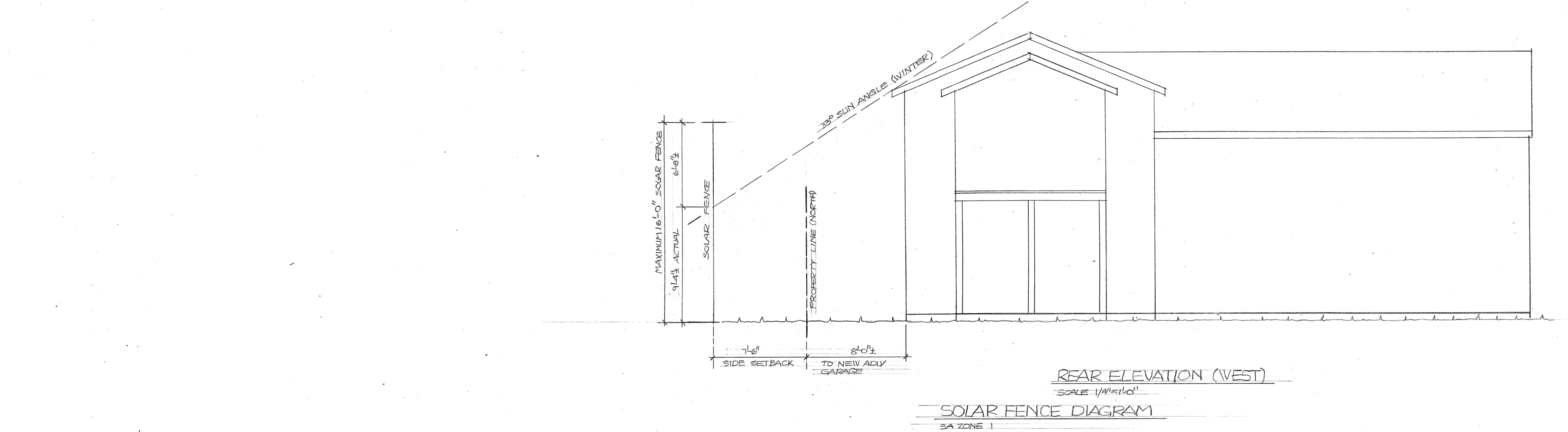
CARBONDALE, COLORADO 81623

THE DRAWINGBOARD  
BOX 1227 GLENWOOD SPRINGS COLORADO 81602  
970-945 5025

DRAFTING BLUEPRINTING DESIGN CONSULTING SOLAR EARTH SHELTERS ILLUSTRATION GRAPHICS

COM NO 1116  
DATE 1-25-21  
DRAW BY RCC  
CHK BY  
REV 3-25-21  
REV  
SHEET 2 OF 2





**NEWCOMB: NEW GARAGE/ADU**  
485 MANCOS  
CARBONDALE, COLORADO 81623

**THE DRAWINGBOARD**  
BOX 1227 GLENWOOD SPRINGS COLORADO 81602  
970-945 5025

COM NO 1116  
DATE 9-25-21  
DRAW BY ROC  
CK BY  
REV  
SHEET  
**3**  
OF 3

DRAFTING BLUEPRINTING DESIGN CONSULTING SOLAR EARTH SHELTERS ILLUSTRATION GRAPHICS



**TO: TOWN OF CARBONDALE  
PLANNING DEPARTMENT  
PLANNING COMMISSION  
511 COLORADO AVENUE  
CARBONDALE, COLORADO 81623**

**3-26-21**

**FROM: JENI NEWCOMB (OWNER)  
75 ELK SPRINGS DRIVE  
GLENWOOD SPRINGS, COLORADO 81601  
PHONE: (970) 618-1503**

**ROB CLASSEN, ARCHITECT, THE DRAWINGBOARD  
P.O. BOX 1227  
GLENWOOD SPRINGS, COLORADO 81602  
PHONE: (970) 945-5025**

**PROJECT: NEW ADU OVER NEW GARAGE, ATTACHED TO THE  
EXISTING HOME AT  
485 MANCOS STREET  
CARBONDALE, COLORADO 81623  
COLORADO MEADOWS SUBDIVISION**

**LETTER OF PROPOSAL- MINOR SITE PLAN REVIEW  
ADDITIONAL INFORMATION AND REVISIONS**

**Dear ladies and gentlemen,**

**We are submitting additional information, diagrams and revisions to address the questions and concerns raised at the Planning and Zoning meeting on 3-11-21.**

**A Solar Fence Diagram was prepared. The solar fence height is well below the 16 foot maximum solar fence height allowed.**

**A yard view diagram was prepared to better visualize the heights, distances, existing and proposed conditions on the site. Please note that the rear side of the new ADU/Garage is**



**approximately 74 feet from the rear side of the home to the West.**

**Additional information was added to the plans to show the maximum allowable 32 foot roof ridge height, the maximum allowable 27 foot roof midpoint height and the actual ADU/Garage roof midpoint height. The ADU/Garage roof midpoint height is 6'-4" below the maximum allowable roof midpoint height of 27 feet.**

**There currently exists 2 or 3, 40 foot plus tall elm trees on the adjacent property to the West, approximately 3 feet beyond the 6 foot privacy fence.**

**The adjacent property to the North has 2, 40 foot plus tall pine trees along the North property line, privacy fence line.**

**These existing trees already significantly screen the proposed new ADU/Garage addition, as can be seen from the photos submitted.**

**The Newcombs propose to plant a new 8 foot to 10 foot tall Blue Spruce tree, to be located 5 feet to 10 feet from the West (rear) privacy fence, and centered on the new ADU deck, as shown on the plans. This will provide further screening and privacy for the property to the West.**

**The ADU deck railing has been raised up 6" to 42" tall and will be enclosed with lattice work or equal, matching the existing deck railing on the house deck. The 6"x6" posts have been extended up to include new 6"x8" horizontal beams. This will allow for the attachment of an optional, moveable solar fabric curtain above the 42" privacy guard rail.**

**The above mentioned items will provide additional screening and privacy for the neighbors, Newcombs and the occupants of the ADU.**

**Please keep in mind that under the Carbondale Unified Development Code and IBC, the proposed ADU/Garage could have been located 10 feet from the rear (West) property line and**



**be 6'-4" taller. The owner could have chosen to simply add a much larger and taller addition to the existing home with an application for a Building Permit. In respect for the neighbors and the citizens of Carbondale, the Newcombs have chosen to be honest, up-front, law abiding neighbors and to follow the regulations and codes of the Town of Carbondale.**

**We respectfully submit this project for your further review and approval. Thank you for your time and consideration.**

**Sincerely,**

A handwritten signature in blue ink, appearing to read "Rob Classen", written in a cursive style.

**Jeni Newcomb, Owner**

**Rob Classen, Architect, The Drawingboard**





TAKEN AS IF STANDING ON THE  
NEIV ADU DECK, LOOKING IVEST





TAKEN FROM EXISTING HOME  
DECK, LOOKING WEST.





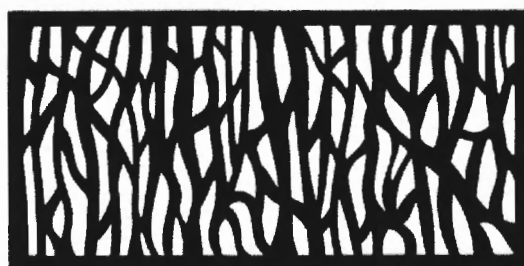
EXISTING HOME DECK  
RAILING WITH LATTICE.



Furniture Outdoor Bedding & Bath Rugs Décor & Pillows Organization Light

## 2 ft. H x 4 ft. W Sprig Privacy Screen

By Barrette Outdoor Living



447

\$31.25 ~~\$35.99~~

On Sale 13% Off

Free Shipping on orders over \$35.00

Get it by Mon, Mar 29 ⓘ

POSSIBLE DECK  
RAILING,

Finish  
Black



Add to Cart

[See Full Details](#)

\$40 OFF your qualifying first order of \$250+<sup>1</sup> [with a Wayfair credit card](#)

Similar Fencing Below





March 25, 2021

To Town of Carbondale Planning and Zoning, and Commissioner's,

As the homeowner of 485 Mancos, I am writing to you with some of my thoughts and comments regarding my ADU addition and home remodel application.

I want to thank you first for all of the hard work that you have put into this project. I know there has been a lot of communication between all involved to get this project ready for approval.

We are well within the requirements that are set by the Town of Carbondale for the project. The plans for the ADU are smaller in size by square feet and are below what is allowed in height and within all the setbacks.

We designed it this way with consideration of any impact it may have to the immediate neighbors.

The ADU would be a way for me as the property owner to be able to make these improvements economically and sustainable to afford.

I am a hardworking first responder of this valley for the last 34 years and lived in the house on Mancos for the majority of that time.

My son Travis and his wife and little girl now live in the house he grew up in. This house was built back in 1974 and is in much need of a remodel which includes a garage that is a appropriate size to park a car in and utilize the rest of garage for some storage area.

Taking into consideration the comments that were made in the last meeting, we have revised several items from the original plans for the ADU. This is an attempt to come up with a compromise that appeases the neighbor and allows me as the owner of the property to remodel and improve the house.

The deck in the back yard seemed like the main concern. We have put an additional 6 inches of height on the deck railings along with adding a privacy barrier around the whole deck. We will plant an evergreen tree along the back fence in line sight with the neighbor (Carr) deck. This will allow the privacy that my tenants will seek and to give them the space for a bbq and some chairs to enjoy the outdoors.

It will also give the privacy to Carr, and her tenants, that she is so concerned about. With all due respect to the neighbors, whoever will be living in the ADU, they will most certainly want their privacy and be able to enjoy sitting outdoors. This is the purpose of the outdoor space, not to lurk on the neighbors. It also was one of the requirements of the Town.



Rob Classen has spent many hours on these plans and speaking with Janet and John to make sure that we have meet all the requirements set by the town. We have not asked for any variances for parking or any other item. I do not believe that having one or two more people living on this property will impact the neighborhood in a negative way. There are several houses that are two stories on Mancos and the neighboring streets. The design will fit in with the neighborhood. The intention of this project is to improve the house aesthetice which will impact my son and his family in a positive way, along with helping another couple be able to afford to live in this lovely neighborhood of Carbondale.

I am asking as the property owner that you as the Town Commissioner's conser my rights to move forward with this upgrade and approve this project.

Thank you again for your time, Jan Newcomb

---



**KEY TO IMG IMAGES BELOW**

**IMG 1191: TAKEN STANDING ON THE NEW ADU DECK,  
LOOKING WEST**

**IMG 1190: TAKEN STANDING ON THE NEW ADU DECK,  
LOOKING WEST**

**IMG 1193: TAKEN STANDING ON THE NEW ADU DECK,  
LOOKING NORTH**

**IMG 1192: TAKEN STANDING ON THE NEW ADU DECK,  
LOOKING SOUTH**

**IMG 1194 TAKEN ON THE GROUND LEVEL LOOKING  
WEST**

**IMG 1195: TAKEN STANDING ON THE EXISTING HOME  
DECK, LOOKING WEST**

**IMG 1196: EXISTING PRIVACY LATTICE DECK RAILING  
ON THE EXISTING HOME**































## **MINUTES**

### **CARBONDALE PLANNING AND ZONING COMMISSION**

Thursday March 11, 2021

#### **Commissioners Present:**

Jay Engstrom, Vice-Chair  
Jarrett Mork (2<sup>nd</sup> Alternate)  
Jeff Davlyn  
Marina Skiles

#### **Staff Present:**

Janet Buck, Planning Director  
John Leybourne, Planner  
Mary Sikes, Planning Assistant

#### **Commissioners Absent:**

Erica Stahl Golden  
Michael Durant, Chair  
Nicholas DiFrank  
Kim Magee (1<sup>st</sup> Alternate)  
Nick Miscione

#### **Other Persons Present Virtually**

Rob Classen, architect  
Jennifer Newcomb, owner of 485 Mancos Street  
Cari Kaplan, 488 Morrison Street  
Laura Sugaski, 487 Mancos Street  
Gene and Stephanie Schilling, 492 Mancos Street  
Anne Krimmer, 501 Mesa Verde  
Carolyn Williams, 494 Mesa Verde Avenue  
Bob Kaplan, 104 Cornwall Road, Rehoboth Beach, Delaware  
Travis Newcomb, 485 Mancos Street  
John Ward, ANB  
Tony Spires, ANB  
Will Coffield, ANB  
Doug Pratte, Land Studio  
Roman Gershtovich, Architect  
Yancy Nichol, Engineer at Sopris Engineering  
Chad Lee, Attorney at Balcomb and Green

The meeting was called to order at 7:04 p.m. by Jay Engstrom

#### **February 25, 2021 Minutes:**

Jeff made a motion to approve the February 25, 2021 minutes. Mariana seconded the motion, and they were approved unanimously.

#### **Resolution 2, Series of 2021 – 26 Maroon Drive/Minor Plat Amendment/Variances**

Jeff made a motion to approve Resolution 2, Series of 2021, approving the Minor Plat Amendment and Variances for 26 Maroon Drive. Mariana seconded the motion, and it was approved unanimously.



Janet noted that she would change the signature line to read Jay Engstrom.

**Public Comment – Persons Present Not on the Agenda**

There were no persons present to speak on a non-agenda item.

**VIRTUAL HEARING – Minor Site Plan Review/ADU**

**Location: 485 Mancos Street**

**Applicant: Jennifer Newcomb**

There were sixteen letters entered into the record that were sent to the Commission.

John said that this is an application for a Minor Site Plan Review and Conditional Use Permit. He stated that the Commission is required to hold a public hearing and approve the application, deny it or continue the public hearing.

John stated that the applicant is proposing to remove an existing garage structure and construct a new attached garage with an accessory dwelling unit (ADU) over the garage.

John said that while the Covenants that were recorded in 1975 state that “Lots shall be used for no other purpose than single family residences”, the Town does not enforce covenants as they are agreements between property owners within the subdivision and that the Town is not party to those agreements. He stated that as the subdivision is not a planned unit development then the development standards that are in the Residential Low Density zone district (R/LD) apply.

John explained that in the Comprehensive Plan that the property is designated as Developed Neighborhoods in the Future Land Use Plan. He said that the properties in this designation represent developed neighborhoods with little to no change occurring and allow the construction of ADU’s.

John said that the property is entirely within the R/LD zone district. He stated that an ADU is allowed to be up to 850 square feet and a minimum of 300 square feet and that the proposed ADU is 596 square feet in size.

John stated that the required setbacks in the R/LD zone district have been met by the proposed garage. He said that the allowed maximum impervious surface is 52% and the applicant is proposing 42%.

John said Section 5.8.3. of the UDC requires 2.5 parking spaces for the main dwelling, and 2 spaces for an ADU. He said that the applicant has indicated four spaces, three located in the driveway and one located in the new proposed garage. He stated that it should be noted the amount of parking does not round up to five parking spaces as the code states that a fraction exceeding .05 would not be rounded up.



John stated that the proposed garage is setback fourteen feet from the front of the existing house and is proposed to have a stucco finish with accent siding. He said that the existing home is proposed to be painted and or receive stucco to match the proposed garage.

John stated that no solar access was provided with the application and will need to be submitted and verified at building permit if approved.

John said that a site plan may be approved upon a finding that the application meets all of the following criteria:

1. The site plan is consistent with the Comprehensive Plan.
2. The site plan is consistent with any previously approved subdivision plat, planned unit development, or any other precedent plan or land use approval as applicable.
3. The site plan complies with all applicable development and design standards set forth in this Code; or
4. Traffic generated by the proposed development will be adequately served by existing streets within Carbondale, or the decision-making body finds that such traffic impacts will be sufficiently mitigated.

John stated that as this is a review for a site plan and runs concurrently with a Staff level Conditional Use Permit. He said that if that if the Site Plan Review is denied by the Planning and Zoning Commission tonight then the Conditional Use Permit also dies, he said that you can't have one without the other.

Jeff asked for clarification regarding the Conditional Use Permit.

John said that the code requires a Conditional Use Permit, which is at Staff level, but that the code also replies that any ADU within the R/LD zone district go before the P&Z through a Minor Site Plan Review. He said that the Minor Site Plan Review, being the higher level of review by the P&Z, if denied then essentially the Conditional Use Permit cannot go forward.

Marina asked for clarification that every time we have approved an ADU that we have approved the site plan and the conditional use permit at the same time.

John stated that is correct.

Marina said that we did receive several letters and that one was about covenants. She said that this is not a PUD, like RVR, what is the Town beholden to in terms of covenants. She asked if an HOA Board exists in this neighborhood.

John said that if the HOA Board did exist, the covenants call out an architectural design review committee, the same as RVR. He said that the applicant would have to go before



the committee first before coming to the Town. He said that the Town is not party to any covenants and we do not enforce covenants. He said that they are private agreements between the property owners within that subdivision. He said that if adjacent landowners did not like the proposal then it becomes a civil matter.

Marina asked for clarification on short term rentals.

John said that the only code language we have is that any short-term rentals are required to get a lodging tax license.

Marina asked if that would be a complaint-based situation if you didn't have a license.

John said that a neighbor could complain if they didn't have a lodging tax license, noise or parking. He said that we have these issues with other short-term rentals.

Jarrett asked if there was a plan showing the square footage.

John said that the applicant can address that.

Jarrett said that there is storage for the ADU on the lower level so that should count as part of the square footage for the FAR.

John said that we don't use FAR.

Jarrett said that he doesn't see it indicated on the plans and that building height is another concern. He said that if it is considered an accessory unit to the primary structure that twenty-two feet would be its limit. He said that it looks like this roof is taller.

Janet said that twenty-two feet is for an accessory building and that this is an addition on to the main structure.

John said that after checking the code that the maximum height can be twenty-seven feet, which is the R/LD district standards. He said that it had to be scaled out on the plans submitted.

Jay asked for clarification on parking spaces and rounding up.

John explained that there is confusion that some applicants ask for an exception that they need to keep one space available on site if there were ever any parking issues. He said that this applicant has not asked for this exception. He said that the applicant is offering the full four parking spaces.

Janet read the code; *that when measurements of required spaces result in a fractional number, any fraction exceeding .5 shall be rounded up.*



Rob Classen introduced himself as an architect in Glenwood. He said that he has some history on the house, which he said was one of the original homes built in Colorado Meadows. He said that it was his house, that he designed and built back in the 70's. He said that he lived in it for seventeen years. He said that his sister, Jenny Newcomb, purchased the house. He said that her son Travis and his family currently live there. He said that this home has been in the family for over forty years. He said that Travis intends on purchasing the home from Jenny. He said that he's helping with the ADU and working through the codes with the least impacts to the neighbors. He explained his design. He said that the stairway going up is not included in the ADU square footage so that is why the ADU, and garage square footages are different. He said regarding the solar access for the neighbor to the north, there are two large pine trees that are fifty feet tall that will be screening the new ADU. He said the trees would be limiting to doing any type of solar applications.

Jarrett read from the code that the residential scale and character of the project shall be emphasized. He said that the scale of this project doesn't fit with the diagrams and that it may fit with a residential/medium density (R/MD) zoning.

Rob Classen said that the ADU is less than 600 square feet and explained about his design.

Jarrett said the length looks to be thirty feet in depth and that the proposed addition is thirty-two feet with a two foot overhang. He said that it is a difference in scale for this low-density neighborhood.

Rob Classen continued to explain the design.

Jeff asked the applicants for the background on the covenants and any conversation with the neighborhood prior to this application.

Rob Classen said that there has never been an HOA or any type of neighborhood group that reviewed any plans or submittals. He said that they were all done through the Town of Carbondale through a building permit.

Jenny Newcomb said that as far as she knows there is no HOA in this subdivision.

Jeff said that the difference between the HOA and covenants could be important and whether there's been discussion about the covenants. He said maybe there's been enforcement of the covenants in the past that we don't know about.

Jenny said that her son Travis, that actually lives in the house, went to all the neighbors directly impacted and spoke with them before the letter was sent out.

Jay asked for clarification on the parking and asked if there will be two additional spaces added with the proposed project.

Rob Classen said that is correct.



Jay explained the public comment process.

Cari Kaplan, **488 Morrison Street** said that she lives directly behind Jenny's house. She said that she will be the most impacted by this project. She said that she's sent in many letters. She said that she has been doing her due diligence and researching the code. She said that she has talked to architects, land planners and that this is a very devastating project for her and her neighbor Laura, who lives to the north. She said that she appreciates what Jenny is doing and protecting her investment. She said that she thinks it's great that it will stay in the family and that it will make your house look a lot better since nothing has ever been done to the house on the outside. She said that Travis never came to talk to her before this application was put in. She continued to explain further communications that happened via text and by phone. She said that Rob is wrong in saying that her privacy fence will help with privacy from this ADU and that it absolutely will not. She said that she has nothing buffering between the ADU and her yard. She said that the majority of the branches from the tree will need to come down because they will be in the way. She said that her privacy fence is six feet tall, and the deck will be twenty-five feet tall so she would need a twenty-five-foot pine tree to provide any kind of privacy. She said that there is no mitigation on the deck for noise and sound pollution, privacy and safety. She said that it will all decrease her property value. She said that there is also the issue of the Comprehensive Plan being updated, she said you read my letter, so you know what I'm talking about. She said that the parking is going to cause a lot of congestion in the neighborhood, she said that you know the story with the parking on this side of town. She said that it's all there in her letters and photos. She said that it will look like a townhouse behind her house.

Laura Sugaski, **487 Mancos Street** said that she is questioning the parking from the code Section 5.8 it says that only one car can be parked behind an enclosed garage or parking spot. She said that in this case with the one car garage they have three car spaces parked behind one car, which doesn't seem to code to her. She said that maybe there is an explanation. She said that the attached wall says that it needs to be twenty five percent of the wall needs to be attached to the principal building. She said that only fifteen percent is. She said regarding Rob stating that her privacy and solar is not affected, she said that she does have south facing windows shown in her photos. She said that she has a sunroom, which is her dining room and that she has a full view of her southern lot line. She said that the elm tree is dying, which will affect Cari as well. She said that in the winter when there are no leaves that she gets a lot of view with blue sky and light, as well as in the summer. She said that the spruce trees are about forty-five years old and that they are not going to last a lot longer. She said that one of her spruce trees has already been smothered by the elm tree and the whole half of it is completely branchless. She said that the main structure is sixteen feet if you include the two-foot jog out and the deck is another eight feet. She said that you are looking at twenty-four feet towards Cari's lot line and twenty-four feet further into my back yard. She said that when she had people come look at her solar that her west roof would be the best place for it. She explained the sun's location on to her roof. She said that from what she read in the code that the height was twenty-two feet for an accessory dwelling unit. She said that this will not increase the value of her home or any of her neighbors because we value living in a low density, very quiet and peaceful neighborhood. She



said that everyone in her neighborhood would really like that. She said that unfortunately they have not been informed of this. She said that she hasn't had the time to talk to everyone in Colorado Meadows because she works.

Gene and Stephanie Schilling, **492 Mancos Street** said that they live across from the applicant. Gene said that he has lived in his house since 1979 and that no one in his neighborhood has ever done anything with the covenants. He said that they have many houses in the subdivision and, that he knows that right doesn't make wrong, that have violated the rules with second units with people living in them as well as renting them out. He said that the applicant has gone to the ends to make sure this is something that follows the rules and that would make the houses in our neighborhood more valuable. He said that he applauds them and that he would recommend that this application of an ADU and garage is approved. Stephanie said that she would like to say thank you to all of her neighbors who appreciate our little corner of the world, Colorado Meadows. She said that she is really glad that we are looking to improve our neighborhood with the density issue being considered. She said that Jen has gone through all of the proper ways of doing it rather than just renting a room in your basement, which could be dangerous and impact our neighborhood.

Anne Krimmer, **501 Mesa Verde** said she is on the other side of the park from Mancos Street. She said that not to get into a pissing match but that she has owned her house for eighteen years. She said that she has talked to the neighbors surrounding her, the ones that do not have short term rentals. She said that we all are against more ADU's being added to the neighborhood. She said that we all bought because it was single family. She said that she had to sign off on the covenants when she bought her house, and it was required as part of her closing. She said that while they have never been enforced, we were forced to sign that we were aware of the covenants, back in 2002. She said that she has talked to neighbors that were original owners and that they don't like to rock the boat, but they are against the ADU as well. She said that we are surrounded by legal and illegal short-term rentals and that it is getting ridiculous because you don't know your neighbors. She said that if these additions were restricted to being long term, she would feel differently about it and that without restrictions on the length of time they are rented that it affects the character of the neighborhood. She said that she is a rabble-rouser and that she is ok with rocking the boat and that she is more than happy to be that one. She said that her quality of life and her quality of her property is also important. She said that the excuse of needing the income, that Rob kept pushing that they were the original owners and that it's all in the family and that over forty years that they could have scraped together money to fix up the outside if that was important to them. She said that she just refinanced so that she could replace her windows and that she's not making tons of money but that we are doing the best we can. She said that a lot of us believe in it being a single-family home, so we are going to suck it up until we have to move to a different town. She said that adding on for the only reason of being a rental is the right way to go. She said that she met Cari over twenty years ago and that she's not nuts.

Carolyn Williams, **494 Mesa Verde Avenue** said that they have lived in two different houses in Colorado Meadows since 2000 and that they really appreciate the low-



density. She said that it is so rare to have a lower density neighborhood so close to town. She said that many of us have chosen not to live on Wheel Circle or Vito's Way because we did not want to live in townhomes, and we paid more money to have a single-family home in this neighborhood. She said that she has serious concerns about the lack of parking and infrastructure in her neighborhood to support ADU's. She said that she is also concerned about the precedent of building an ADU with the intention of being an ADU. She said that there are many illegal ones but that it's a whole different thing when you have separate entrances and separate buildings. She said that it could be in the family today and that it could be sold tomorrow and rented as a short-term rental. She said that it is a real problem in our community and a broader problem for Carbondale. She said that between parking and setting the precedent for building ADU's for the purpose of renting them out is going to change the character of the neighborhood in a negative way. She said that while she appreciates the efforts to improve a property that she does not see that as improving anyone else's property because we have all paid a premium to live in a low-density neighborhood.

Bob Kaplan, **104 Cornwall Road, Rehoboth Beach, Delaware** said that he is a retired architect. He said that the architect brought up the impact of the rear elevation and the fact that it reduced the setback from the common property line on the west from forty-one feet to approximately seventeen feet. He said that plus, because the existing house lower level is half below grade, the main or upper floor is only approximately five feet above existing grade. He said that the new addition is a full two stories from grade and the garage was nine or ten feet itself. He said the height of the new second floor is about five feet taller than that of the existing house and the existing deck. He said combined with being approximately seventeen feet from the rear setback rather than forty-one feet. He continued to explain comparisons in heights to Cari's house. He said that her privacy is compromised, and that landscaping isn't going to lessen that. He suggested a six-foot-high privacy screen on the deck, in lieu of a railing. He said that the impact on her house is catastrophic and that this is her only home. He said that this would destroy her finances and dramatically damage the resale value of her house. He said that he is asking the Board to consider this and perhaps make some adjustments and requirements of landscaping that would minimize the impact.

Travis Newcomb, **485 Mancos Street** said that he is the current tenant. He said that he wanted to address some concerns and let the neighbors know that he heard their concerns and that they are their concerns too. He said that it has been our family in the house since it was built. He said that he has lived here since he was five years old and currently it's his wife and two-year-old daughter. He said that he understands the concerns the safety of the streets and noise and light pollution. He said that he has a two-year-old in the house, so they are our concerns too. He said that the overall impact of the project was to maintain a sustainable house for his family. He said that we have gone above and beyond to stay within those limitations of keeping the off-street parking. He said that we are the exception in our neighborhood that doesn't use any on street parking. He said that the new garage will accommodate a vehicle and we will have an extra vacant spot on the driveway, and we don't plan on using any on street parking. We value others privacy as well as we value ours. He said that they will not have anyone staying that will have a negative impact on his family or the neighbors. He said



that he hopes we can ease some of the concerns. He said that for a number of years it has just been our family in the house. He said that we are currently the only home with one family per household and that every neighbor that he shares a yard with has renters, whether legitimately or illegitimately. He said that he appreciates everyone's comments and concerns and hopefully we can alleviate them and move forward.

### **Motion to close the comment portion of the public hearing**

Jeff made the motion to close the comment portion of the public hearing. Jarrett seconded the motion, and it was approved unanimously.

### **Commissioner Comments**

- Accessory roof height would be limited to twenty-two feet.
- The structure is connected so it would be twenty-seven feet in height.
- More documentation needed to show the heights.
- The code allows ADU's in low density and we have approved them for years.
- This appears to be a neighborhood issue.
- Existing garage is being moved back from the street.
- This proposal is not out of scale for the neighborhood.
- There is a parking problem across the street, which is not in our purview.
- Parking has been addressed with the requirements for a use that is approved by the Commission.
- The nature of backyards is that they intersect in a neighborhood.
- There are violations currently in this neighborhood and that calls to the Board would help mitigate the issues as well as the parking situations.
- This applicant is trying to do everything legally, which needs to be recognized.
- Solar access study is needed as a condition of approval, which is in compliance with the building code.
- This neighborhood doesn't have second story decks.
- This kind of infill is encouraged as per the Comprehensive Plan, in a growing town.
- The neighborhood doesn't seem like a low-density neighborhood.
- Required private outdoor space could be on ground level, removing second level deck.
- Required solar shading plan is needed.
- Reduced height of the house could be asked of the applicant.
- The garage is considered part of the residential structure, floor of the ADU is the twenty five percent of the connected portion to the main residential structure.
- Section 5.8.4g in the UDC explains the stacked and tandem spaces for parking, tandem parking is allowed for a single-family duplex and triplex residential uses, one space on the driveway, behind each space in the garage.
- An accessory building is defined as a detached subordinate building on the same lot, which would be a height limit of twenty-two feet.
- More documentation would be needed to clarify the proposed project, we don't want to limit the right to develop.



Further discussion ensued on continuing the public hearing.

**Motion for Continuance**

Jeff made a motion to continue the public hearing to April 15, 2021. Marina seconded the motion, and it was approved unanimously with the request that the applicant provide the following;

- A solar access plan.
- Required private outdoor space for an ADU revised.
- Details on the building height.

**VIRTUAL HEARING – Rezoning, Administrative Site Plan Review, Preliminary Plat, Special Use Permit**

**Location: Hendrick Drive and Highway 133**

**Applicant: ANB Bank**

Janet stated that this is a public hearing for to consider the ANB application. She said that the Commission is required to hold a public hearing and recommend approval of the application recommend denial or continue the public hearing.

Janet outlined the following;

The proposal is to subdivide the 1.44-acre parcel into two lots:

Lot 1 (northerly lot)                      .728 acres

Lot 2 (southerly lot)                      .712 acres

The applicants propose to rezone Lot 1 to the Commercial/Retail/Wholesale (C/R/W) zone district and rezone Lot 2 to Mixed-Use. Lot 2 would remain undeveloped.

A drive-through bank is proposed for Lot 1. The drive-through requires a Special Use Permit. The bank is 3,727 sq. ft. so it is classified as an Administrative Site Plan Review. This site plan is being referred up to the Commission as the Commission is the approving authority for the Special Use Permit.

Since the rezoning goes to the Board, the Commission may refer the entire application to the Board of Trustees.

So, the first step is to consider the rezoning:

Rezoning may be approved if the Town finds:

1. The amendment will promote the public health, safety, and general welfare;



2. The amendment is consistent with the Comprehensive Plan and the purposes stated in the Unified Development Code;
3. The amendment is consistent with the stated purpose of the proposed zoning district(s);
4. The amendment is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be substantially mitigated;
5. The amendment is not likely to result in material adverse impacts to other properties of the subject property; and
6. Facilities and services are available.

## **Comprehensive Plan**

The Future Land Use Plan is the foundation for making changes to zoning in the future. The land use designations shown on the Future Land Use Map set the general direction for the development of land and the desired character.

The Future Land Use Map designates this area as “New Urban.” This designation balances an urban, pedestrian/bike friendly feel with the need to accommodate automobile access and parking on-site. Buildings should be the focal point of the site close to the sidewalk with the parking behind or to the side of buildings. Commercial, mixed-use, light industrial, local food production, live/work, and urban residential uses are all allowed in appropriate places.

The Map also identifies the intersection of Highway 133 and Main Street as a gateway. This part of the highway should emphasize bike and pedestrian oriented design and reinforce small town character.

The Comp Plan includes a Highway 133 Character Spectrum. The northerly most portion of the highway near the Highway 82 intersection is defined as Employment/Light Industrial. Then as the highway travels south, it is defined as the Auto-Urban area. As it approaches Main Street, it is designated as New-Urban. This designation balances urban, pedestrian/bike friendly fee with the need to accommodate automobile access and parking on-site.

## **1.3 Purpose of the Unified Development Code**

1.3.1. This Unified Development Code is enacted to protect the public health, safety, and general welfare and to implement the policies of the Town of Carbondale Comprehensive Plan and adopted area plans, as may be amended from time to time.

1.3.2. This Code is specifically intended to:



- A. Lessen congestion in the streets;
- B. Secure safety from fire, floodwaters, and other dangers;
- C. Provide adequate light and air;
- D. Avoid undue concentration of population;
- E. Facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements; and
- F. Promote energy conservation, the use of solar energy and environmentally sensitive development.

1.3.3. This Code is drawn with reasonable and able consideration, among other things, as to the character of each zoning district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and property and encouraging the most appropriate uses of land throughout the Town.

Janet said that the Comprehensive Plan was adopted in 2013. She said at that time, the Town did not have a mixed-use zone district to reflect the New Urban designation which had been placed on the Future Land Use Map. She stated as a result, the Town created a new Mixed-Use Zone District when the UDC was done in 2016 achieve the New Urban character.

Janet stated that this parcel is currently zoned Planned Community Commercial (PC). She said that this is an obsolete zone district. She stated that the development standards for the PC zone district are included in the Appendix to the UDC. She continued by saying that the properties zoned PC can be developed under those standards. She said however, no land may be rezoned to an obsolete zone district and property owners are encouraged to rezone land from the obsolete zone district.

Janet said that the applicant didn't want to pursue the Mixed-Use Zone because drive-throughs are not allowed in the that zone district.

## **PRELIMINARY/FINAL PLAT**

Janet stated as far as the technical review, the subdivision complies with the UDC and design standards for subdivision.

Janet said that the Site Plan also generally complies with the zoning parameters – setbacks, lot coverage, building height, and parking.

Janet stated that the one exception is the 10 ft. wide landscape strip along the Highway 133 right-of-way and the building is required. A 7.1 ft. strip is proposed.



Janet said while there have been issues in the past with buildings required to meet the maximum front yard setback of 10 ft., this has been in the Mixed-Use zone district. She stated that there is no maximum front yard setback in the C/R/W zone district, and it is unclear why the 10 ft. is in the code.

Janet said that the design standards suggest human-scaled features at ground level to encourage pedestrian use. She stated that this includes articulated entries and windows, canopies, arcades, recessed entries, changes in color, material, or texture. She stated that there are several canopies on the building, as well as one over the employee plaza.

Janet stated that this section also discusses façade modulation. She said that the building is square with some bump out on the south and east sides of the building.

Janet stated that early on during the pre-application meetings, she had questioned whether the proposal and rezoning complied with the Comprehensive Plan. She said that her sense was that a drive-through bank is an auto-oriented use, which did not fit within the vision outlined in the New Urban designation shown in the 2013 Comprehensive Plan.

Janet said that she had told the development team that if they wanted to move forward, they should try to include elements that would bring the proposal more in line with the New Urban designation. She stated that they provided outdoor seating areas, artwork, public plaza, and an improved building design. She said that the building is close to the front property line with the parking to the side and rear.

Janet stated however, Staff does not feel that a drive-through bank fits in with the vision of the Comprehensive Plan. She said that it is an auto-oriented use that may be a better fit in the Auto-Urban Area shown in the 2013 Comprehensive Plan. She stated because of that, she recommends denial of the rezoning. She stated that if the rezoning is denied, then the other components of the land use application may not move forward and are denied as well. She stated that the findings of denial are included in the Staff report.

### **Commission Questions and Discussion**

Marina asked if the location was adjacent to the City Market gas station?

Janet said yes, it is south of the fueling station.

Marina said that there is already a gas station next door and that it prohibits any pedestrian movement all ready.

Janet said that City Market went through development prior to the UDC being adopted and it was already zoned CRW. She said that we didn't have a lot of ability to use the Comp Plan to say that they couldn't do that. She said it was already zoned and a property right. She said in this case they need a rezoning. She said that the code directs



me to look at the Comp Plan and the designation. She read the purpose section of the (MU) zoned district. She said that when you are rezoning that you try to look at what the vision was in the Comp Plan. She said as development happens to the south, we would keep the pattern of the (MU) development, which was already done to the west as well.

Jeff asked if the existing zone was PCC.

Janet said yes, Planned Community Commercial.

Jeff asked if that would allow the variances that they are looking for.

Janet said that the PCC allows a drive-through service window as a conditional use, however the zoning is geared toward strip malls. She said that the front yard setback on Highway 133 is thirty feet, which would push the building way back on the lot and the parking in the front. She said that everyone agrees that PCC is not real desirable.

Janet said that the code encourages people that own obsolete zone district properties to rezone and the code says that the Town provides incentives to do it, even though it hasn't been done yet. She said most people choose to rezone. She said that they could move forward under the PCC.

Jeff asked if it was a requirement to rezone upon subdivision.

Janet said that it was under Section 3.1, in the beginning of zone districts, in the UDC.

Marina said that she also was agreeing with Jeff in that a development would have to rezone as per the UDC.

Janet read; *Landowners are encouraged to rezone land from the obsolete zone district classification. The Board may offer incentives such as modified application fees to accomplish his goal.*

Jeff asked if that was for a development proposal or subdivision or is it the same standard for both.

Janet said it would be for anytime, she said that we could approach property owners that own PCC and encourage them to rezoning if they don't have an application in. She said that she didn't think we would do that.

Further discussion ensued about the rezoning.

Jay asked about a building that already has a drive-through if the new owner would have to apply with for a special use for a drive-through.

Janet said that is correct and the Town's code really limits what uses are allowed to have drive-throughs. She said that we don't allow restaurants to have drive-throughs.



She said that whoever bought the building at their old location on Dolores Way would have to reapply.

John said the use would have to be discontinued for one year. He said that the special use permit runs with the land.

Doug Pratte said that he is a land planner with the Land Studio and that he has a team here. He introduced Tony from ANB as the branch President.

Tony Spires said that he is the community bank President and said that he has been at this bank for about ten years. He said that we have John Ward, the regional President of the mountain region, Laura Schmoltz that is SPV, our senior digital officer and Will Coffield, owner representative of the bank. He introduced Roman Gershtovich, architect, Yancy Nichol, engineer with Sopris Engineering, Chad Lee, with Balcomb and Green, land use attorney.

Tony explained his role at the bank. He said that ANB has been here for twenty years and our employees are community members. He said that we have four banks in the region that service about ten thousand customers. He said we try to help our customers grow.

Doug shared his screen outlining the following;

- ANB's existing location and proposed location.
- The new location being in walking proximity to all of the new residential development.
- Screenshots of current developments surrounding this proposal.
- Lots 1 and 2, Lot 1 being the bank lot.
- Explanation of the possible uses of the subdivision and diversity for Lot 2.
- The relationship to City Market, the fueling station and Main Street Marketplace.
- Existing zoning, PCC, CRW zoning to the north and west.
- Rezoning to be compatible with Mixed-Use zoning.
- Rezoning to benefit the community and benefiting this project as CRW and MU.
- Future land use map associated with the Comp Plan, New Urban designations.
- New Urban is urban, pedestrian and bike oriented with buildings close to sidewalks and streets, with parking behind the units.
- Lot 2 could include live/work use.
- Pedestrian and bicycle paths.
- Highway 133 Access Control Plan, existing conditions.

Yancy Nichol explained the Access Control Plan and the compliance with the plan. He said that there was a traffic analysis done with a traffic study included in the application. He explained the traffic study for both Lots 1 and 2. He stated that this proposal for the bank has five hundred square feet added from their existing location and how the traffic trips would compare. He said that Dolores Way is a challenging intersection at Highway 133 and a poor level service. He said that this applicant is willing to deed restrict their old property to get rid of the drive-through at the Dolores site so it would no longer exist.



Roman Gershkovich, Architect with Open Studio Architecture explained the site layout, architectural mass and materials as well as the sustainability for the project outlining the following.

- Single story building with the setbacks.
- Drive-through and parking location tucked into the back behind the building.
- Screening from Hendrick and Highway 133.
- Side walls and garden walls for the parking adjacent to the front door.
- Shaded canopy areas and landscaping.
- Enhancing the multi-modal that they are trying to promote with the bike path and pedestrian crossing in front of the bank.
- Bike parking to the east, shaded canopy for the entry point, seating areas for flexible outdoor activity space.
- Walk up ATM.
- Create a strong urban edge along the gateway to Carbondale.
- Materials of brick, canopies along the windows, natural limestone cladding that are regional materials.
- Elevations showing the height of the building, parapet, drive-through, glazing along the façade and screened wall elements.
- Energy efficiencies are above what is required by code.

Doug Pratte explained the landscape plan outlining the following;

- Plant materials with recommendations from the Tree Board.
- Materials that were utilized in the neighboring project.
- Screening for the drive-through.
- Complete the landscaping along Highway 133 and the bike path associated with Lot 2.
- Plaza can take advantage of art, which can be a gateway for pedestrian access.
- The applicant is willing to put in the additional right turn lane to compensate for the twenty percent traffic increase.

Tony said that Kathleen assisted with the community outreach and since she has been hired by the Town. He said that they met with Carbondale Arts, Bike and Trails Commissions, Carbondale Rotary, Carbondale Chamber and that we put some information in the Sopris Sun. He said that we sent out materials to current bank customers and to the neighborhood as well as emails to adjacent businesses. He said that the biggest questions that they got were for the plans of the existing building. He continued to elaborate on the positive feedback that they have received.

Doug continued the presentation by explain how they have met the New Urban designation and how they have met the standards and the reasons they wanted to use the CRW zoning to accommodate the project.

Chad Lee, attorney at Balcomb and Green said that he wanted to solicit feedback from the Commission on the interpretation of the Comprehensive Plan. He said he wanted to



explain how we got to our interpretation and why we designed the project the way we did. He said that we reached out to the community and we have put a lot of effort into this. He said that we have revised our plans and brought them back, but we are still not having an understanding with Staff. He said that the Comprehensive Plan is an advisory document that provides general guidance for changes to the land use code and rezoning. He said that it is the appropriate document to look towards. He said that currently this property is zoned strip mall with a thirty foot setback from the highway and it is an obsolete zone district. He said that there is no requirement to rezone upon a site plan development application. He said that the intent of our application was to heed that advice, that rezoning was encouraged and rezone to an appropriate district within the future comprehensive land use designation. He said that the appropriate district was the CRW and the MU district, splitting the difference with CRW to the north and MU to the south. He said for us it made a lot of sense. He said that we voluntarily offered to deed restrict our current drive-through and shut it down. He said that as Janet discussed in her Staff report, there is a Highway 133 spectrum. He continued to explain that it is heavily auto urban verses new urban. He said that the uses between the two are almost identical. He continued to read from the Comp Plan and give his interpretation of the code saying that their rezoning of CRW to the north and MU to the south are consistent with the New Urban designation. He said that a bank is an allowed use in all possible zone districts and the only difference is the drive-through. He said we are just asking to move our current drive-through location down the road to this better location with better access.

Doug said in closing that rather than referring to this project or this bank as a drive-through bank, he said that he would refer to it as a full-service bank that has a drive-through. He said that your discussion, comments, and your opinions are very important to us. He said that we do want to hear them, and we recognize that you are probably not in a position to grant us an approval tonight but there were conditions of approval that were drafted to help you do that. He said that we would like to continue to a next hearing but in the context of continuing we don't want you to cut it off and say that we'll talk to next time. He said that we would like to hear what you have to say. He said that if we do continue, we would like to know if there are things we need to work on between now and the next meeting.

Jay thanked the applicants and told them that their presentation was very thorough with great explanation to what is going on.

### **Commissioner Comments**

- Clarification on art events and discussion with Carbondale Arts.
- Does current location have walk up business.
- It's hard to design a good bank and this one was a good job.
- Were there design changes based on community outreach.
- Sustainability quantification suggested.
- Lot 2 access.
- Trash location is in an inconvenient place.
- Pedestrian access with a curb cut to tie in sidewalk across Hendrick Drive.
- Vehicle entrance that is double-wide shortened up.



- A bank in this location is a nice buffer or transition to the taller MU.
- Clarification on entrances for parking and the drive-through.
- Is setback on Highway 133 of ten feet possible.
- Alternative material for the asphalt.
- Update current development across the highway in presentation.
- The design was complimented by several Commissioners.
- Engage more Commissioners with this application.

There were no members of the public to comment.

Janet asked if the applicant could add a rendering/elevation from the direction of the round-about heading northwest, in the direction of City Market and the apartment buildings.

Janet commended the applicants for their responses to proving that their application was New Urban.

### **Motion for Continuance**

Jeff made a motion to continue the public hearing to April 15, 2021. Marina seconded the motion, and it was approved unanimously.

Marina commended Jarrett for his first P&Z meeting, which was an epic one.

### **Staff Update**

Janet said that we received five proposals (RFP's) for the Comprehensive Plan. She said that when we create sub-committees it allows a more frank and open discussion. She said that the Commission as a whole is also an option to review the proposals in order to select two to interview. She noted that it would be on YouTube. She said that we are wanting to be fully transparent in the process.

John said that it's been busy with inquiries.

### **Commissioner Comments**

There were no Commissioner comments.

### **Motion to Adjourn**

A motion was made Jeff to adjourn, Marina seconded the motion, and the meeting was adjourned at 10:09 p.m.



I am writing in response to the application for an ADU on Mancos. I am a homeowner and have lived in Colorado Meadows subdivision for over 20 years. Mancos is a tight street and parking is already overwhelming the street - even with current low density designation. The houses and driveways are relatively small, with one car garages forcing vehicles on the streets. The house directly across the street from 485 Mancos already has multiple cars parked directly on the lawn. It is already a relatively dangerous street for children on bikes and runners, with visibility impacted by the cars, in comparison to other streets in the neighborhood. It has been wonderful to have my children learning to ride bikes on relatively quiet streets. I therefore oppose this use permit. It will make a main access street to the park that much more busy and congested for residents. It will make a congested street, with people already parking on their lawns, even more congested.

There are other parts of town for high density, but this is not Colorado Meadows. Even more, this negatively impacts my main investment, my home.

Sincerely,  
Carolyn Williams  
494 Mesa Verde Avenue  
Carbondale  
Carolyn Williams College Consulting  
970-274-6298



Hi Mary,

I have thought quite a bit about the proposed variance in my neighborhood. There are small things one could quibble with pro and con, but for me the biggest issue is the covenants of this neighborhood say no ADU. I think for this reason it should be denied. Because how can you say one person can have their variance but when the next neighbor wants one, then it is too many or sentiments have changed. I'm not saying they shouldn't be able to build an ADU, but I think the covenants of the neighborhood would need to be changed before it should be allowed so the rules are clear and it is not arbitrary where one person gets a variance but the next person doesn't.

My two cents,

David Teitler  
483 Mesa Verde Ave.



To Whom it may concern at the Town of Carbondale:

My name is Cari Kaplan and I live at and own 488 Morrison Street, located directly behind 485 Mancos Street. I have lived in Carbondale for 26 years; 14 of them on Morrison Street. I have seen our neighborhood Sopris Meadows change, for better or worse, and I know it is inevitable. I am grateful to have Jenni, Travis, and his family as neighbors all these years, as they are quiet, kind and considerate. But I genuinely have concerns regarding their proposed addition with and ADU, and after reviewing the site plans, I feel obliged to share such concerns.

First, I do understand the Newcomb's need and desire to remodel their existing home, including adding a rental unit. The design looks purposeful and aesthetically pleasing, yet there could be some negative impacts, such as:

**1. Parking and Congestion.** This is already a major, growing problem in our neighborhood. After speaking with my neighbors, this is their first concern regarding ADU additions. I understand this plan calls for off-street car parking, but there will inevitably be work vehicles, trailers and extra vehicles taking up street space. Further, if every house adds a unit, how will our neighborhood accommodate this? We are not Old Town where infill and ADUs are encouraged. We do not have their alleys for parking, or large lots to sustain this additional density in a safe, pleasant manner (as per LD/R designation). We do not have an HOA here, so residents currently park their cars and trailers on their yards and take up street parking with extra vehicles. I would encourage all of you to talk a walk through Sopris Meadows at 5:30 in the morning, when everyone is idling their vehicles (many parked at the park/playground) and see how congestion and pollution are already an issue. Many of us working-class residents have more than one vehicle, and this is a problem in many other parts of Carbondale as well.

**2. Transient Resort Rental vs. Long Term Rental.** If approved, I am hoping this ADU could add to the long-term rental supply in town limits, and not just be another Airbnb. We all know the noise and safety problems associated with short-term rentals in Carbondale, and our town has limited enforcement mechanisms to handle neighbor complaints. Many of us have the concern that this ADU addition will set a detrimental precedent in our already small, compact, low-density neighborhood. In essence, every house here will have the right to build an ADU, thus creating a neighborhood of "duplexes", not single-family homes. A few ADUs like this may not be a huge impact for all, but the town planners must consider the big picture.

**The Carbondale UDC states: "The purpose of Low-Density/ Residential is for low-density neighborhoods comprised primarily of single-family DETACHED homes in a comfortable, safe, healthy and pleasant environment..."** Our expectations when we purchased our homes were that we were investing in an intimate, mature, single-family home community. I am concerned this designated right to have said comfort, safety, health and a pleasant feel of our neighborhood, will be forever lost if we approve so many additions with ADUs.

**3. Street Appeal vs. Backyard Impact.** Our backyards on Morrison and Mancos streets are our pride and joy; our little slice of heaven we can call our own. It is our piece of land we must



preserve- for our peace, privacy, safety, and property value. Aside from the raucous family party, we enjoy friendly neighbors and limited light and noise pollution. We share common fence lines and back up directly to one another in this section of Sopris Meadows, and have limited privacy as a result. But I am concerned ADU additions, especially if they have decks facing our backyards, will be a detriment to the respite and serenity of our backyards.

**4. Directly behind my property.** I am most concerned about the proposed ADU's west-facing deck. It will be built in closer proximity to my yard, (and 5 other backyards as well), and several feet higher, than the existing house's deck. The Newcombs and I have 3 large elm trees between our properties that have historically provided much-needed sound and privacy barriers. However, the drier and hotter climate is threatening the health of these trees and their canopies are decreasing each year. I have invested thousands of dollars to professionally treat these trees for elm scale and drought, to preserve them. I even planted 4 new trees a couple years ago to prepare for their eventual demise; but had I known this ADU deck would be built, I surely would have planted evergreens. I would have planted them in more strategic locations to provide this buffer. Travis informed me he will keep his elm tree, however many of the mature branches that are currently in a great place to buffer my yard from the new deck, will likely have to be removed for construction. There will be no landscaping to mitigate the sound and light pollution, and there will be zero privacy. Another issue to consider: our homes in this section of Mancos and Morrison streets all back up to one another, in a direct parallel grid pattern. This hovering deck will have a 100% straight-shot, unobstructed view of my entire house and yard.

**5. Elimination of Views and Solar.** This addition will block all views of Basalt Mountain, and the morning sun, for me and my next-door neighbors. One neighbor is extremely concerned about his solar panels being blocked as a result. We will have less sun to passively heat our homes in the winter, potentially increasing our energy bills.

If this project is set to be approved, I would propose that you please consider these suggestions:

**1. Move the depicted deck to the east side,** facing the street (and Basalt Mountain) rather than our backyards. Better views for the renters, and the preservation of limited noise and light pollution in our backyards. Or even a ground level patio somehow? What about the south side of the ADU? The neighbor on the south side has no windows and this would be less impact in our backyards.

**2. Require specific landscaping or privacy mitigation.** Perhaps a large evergreen could be planted, or some other landscaping and/or privacy fencing. Discuss and plan for any existing landscape that may be affected; i.e, the mature branches on the existing elm tree.

**3. Set a precedent carefully.** If approved, this will set a precedent for each house to add an ADU/garage addition. I understand those of us that do not wish to see the density of our



neighborhood increase may not be able to stop approval, but we do hope that parking, congestion, light/ sound pollution, and privacy will be addressed and mitigated by the Town.

Thank you so much for your consideration. I really do appreciate the hard work you put into Carbondale's future.

Sincerely,  
Cari Kaplan



## 485 Mancos - Newcomb ADU application

I request that P&Z reject the ADU application for additional square footage at 485 Mancos. Mancos is a tight street with street parking currently utilized on both sides. The road width is not adequate at the curve and is not navigable by two vehicles at the same time. Mancos is dangerous as is, with poor sight lines. There is a parking issue throughout the Colorado Meadows neighborhood due to the street design and increased vehicles. The ADU calculations require off-street parking for 4.5 vehicles. This is not possible within the submitted design. There are also many business vehicles, trailers and boats at this and surrounding residences being parked in yards/streets/driveways. Increasing square footage for rental bedrooms will always increase parking and traffic stressors.

Colorado Meadows was designed as a low density single family home PUD. I was the only resident to speak out at a P&Z meeting against our first legal ADU at 512 N 8th Street in 2015 or 2016. Many of my neighbors did not know what an ADU was at that time. This was when I first realized that property covenants were not protection for our neighborhood and would not be considered by P&Z. I ask P&Z to review those meeting notes: the property owners claimed that the ADU would be rented to "family or friends" and the owners' "will live in the main part of the house." That ADU was on AirBNB for short term rental within days of receiving the CO. The property owners do not live in the house. Even the ADU owners didn't want to live next to one. Trash cans were to be kept inside the garage. Parking spaces were also to be inside the garage and driveway. None of these promises were kept. Many of my neighbors continue to be shocked that we have no say in ADU approval based on single family zoning.

Carbondale P&Z needs to consider and discuss quality of life for existing residents. We have been in our house for 18 years. Colorado Meadows passed through the man camp days of crowded streets and homes. Our neighborhood was finally back to single family function & gloriously low-use streets after the recession. This has changed again due to the advent of the UDC and blanket approval of ADU's. From my front door I can see 6 houses. One has a legal ADU that is a commercial short term rental, and the main house is also a rental. One has at least one very old illegal addition that is a commercial short term rental (previously rented for multiple years by families). One has part of the house from the front entrance locked off for commercial short term rental. One has illegal apartments rented out long term. One entire house is rented out depending on the owner's travel. Only one house of the six is occupied year-round by a family. I didn't choose to buy in Colorado Meadows anticipating that higher density would be allowed and encouraged, or to provide "local flavor" to commercial tourism enterprises. I bought in Colorado Meadows because it was a single family zoned PUD.

If Carbondale P&Z feels that ADU's are the best solution to creation of housing, ADU's must be restricted to long term residential renting (6 month leases) and not commercial enterprise. Lot sizes, utilities, and street design must be adequate for the additional population and that population's cars, bikes and toys. Also, care needs to be taken to insure against any and all negative impacts to existing residents.

Sincerely,  
Anne Krimmer  
501 Mesa Verde Ave



Mary, please replace this email with the previous one I sent; I had accidentally put Sopris instead of Colorado Meadows. Thx!

---

**From:** Cari Kaplan

**Sent:** Friday, March 5, 2021 12:53 PM

**To:** [msikes@carbondaleco.net](mailto:msikes@carbondaleco.net) <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>; j buck@carbondaleco  
<j buck@carbondaleco>

**Subject:** Proposed 485 Mancos Street Addition/ADU

To Whom it may concern at the Town of Carbondale:

My name is Cari Kaplan and I live at and own 488 Morrison Street, located directly behind 485 Mancos Street. I have lived in Carbondale for 26 years; 14 of them on Morrison Street. I have seen our neighborhood Colorado Meadows change, for better or worse, and I know it is inevitable. I am grateful to have Jenni, Travis, and his family as neighbors all these years, as they are quiet and considerate. But I genuinely have concerns regarding their proposed addition with and ADU, and after reviewing the site plans, I feel obliged to share such concerns.

First, I do understand the Newcomb's need and desire to remodel their existing home, including adding a rental unit. The design looks purposeful and aesthetically pleasing, yet there could be some negative impacts, such as:

**1. Parking and Congestion.** This is already a major, growing problem in our neighborhood. After speaking with my neighbors, this is their first concern regarding ADU additions. I understand this plan calls for off-street car parking, but there will inevitably be work vehicles, trailers and extra vehicles taking up street space. Further, if every house adds a unit, how will our neighborhood accommodate this? We are not Old Town where infill and ADUs are encouraged. We do not have their alleys for parking, or large lots to sustain this additional density in a safe, pleasant manner (as per LD/R designation). We do not have an HOA here, so residents currently park their cars and trailers on their yards and take up street parking with extra vehicles. I would encourage all of you to talk a walk through Colorado Meadows at 5:30 in the morning, when everyone is idling their vehicles (many parked at the park/playground) and see how congestion and pollution are already an issue. Many of us working-class residents have more than one vehicle, and this is a problem in many other parts of Carbondale as well.

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creating a neighborhood of "duplexes", not single-family homes. A few ADUs like this may not be a huge impact for all, but the town planners must consider the big picture.

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Thank you so much for your consideration. I really do appreciate the hard work you put into Carbondale's future.

Sincerely,  
Cari Kaplan



Hi John and Janet...

Thank you so much for replying to me and sending me the Colorado Meadows plat. As the neighbor MOST affected by this proposal (I live directly behind the Newcombs), I need all the knowledge- aka "ammunition"- that I can get. My neighbor Laura Sugaski (who lives next door on the north of the Newcombs) will also be severely impacted by this addition, and we are really trying to get familiar with the neighborhood history, the UDC and Comprehensive Plans. Alas, we see on the plat that our grid lots between Mancos and Morrison are the smallest in the entire subdivision.

We are both totally out of our wheelhouses for this process and are so nervous about how we are to plead our case to you decisionmakers. As single, middle-aged, working class gals, we ONLY have our homes to rely on for our future financial security and we are well aware that this invasive, out-of-scale ADU addition will forever ruin our property values. We see on the packet that you have already recommend this ADU be approved, so we are doing all we can, including taking the week off work to campaign to our neighbors to oppose to this, to convince you to deny this proposal. Or at least to delay a decision. Please hear us out. Our little homes are EVERYTHING to us, and we have worked so hard in sweat equity, and have invested many thousands of dollars, to beautify our little slices of heaven here...

Because I have also been in opposition to the 8th Street decision that the Trails Commission made, against residents' sentiments, I have spent the week making fliers, and going door-to-door trying to educate my neighbors that both these proposals will devastate our safety, comfort, and our property values. Our streets will become even more packed with parked vehicles; overflow from 8th Street as their parking spaces will be slashed in half. And add on ADUs to each home here, complete with Airbnb traffic, and we all lose.

However, as we know humans are reactive, not proactive, so it has been challenging to get folks to write letters, and to commit to speaking at Thursday's meeting. Ours is a neighborhood of busy, working-class families, and finding the time to imagine the big picture impact, and to get involved is difficult. In addition, many of our residents are Spanish speakers (I am not sadly) and were not able to understand Jeni's letter and the Public Hearing Notice. In fact, some of my neighbors just a few doors down never even got the letter in the mail, despite it being certified!!! I offered to help my next-door neighbors- who are homeowners- submit their opinions, but once again, the language barrier has been an issue. They too are greatly concerned at the impact on their property, primarily his solar panels not getting the morning sun we enjoy currently. Morning sun will be lost for us once this imposing structure is built. And he wants peace and quiet, safety and privacy for his kids. They don't feel comfortable speaking at tomorrow's meeting, that is for sure.

More scary for us is the prospect that the current Comprehensive Plan is in the process of perhaps being updated. What if the new plan is more sensible and will not encourage large ADU additions in low density residential neighborhoods (especially on small lots like ours)? I know the Newcomb's squeaked



by the deadline to submit their proposal, but we only think it fair to consider the permanent detrimental impact on our homes. We will plead for you to realize that we will be catastrophically impacted with the Newcomb addition, whilst other neighbors on comparable lots may be protected from future ADU approval with the new Plan.

All this said, and regurgitated, Laura and I are TERRIFIED that our letters and photos will just get lost in your mix as more NIMBYism vs growth. We are small peanuts compared to the big, urban decisions you must consider as well. But we are the glue that holds this town together; the working-class locals that have truly made Carbondale a beloved place for many people for many years (26 for me). PLEASE don't make us sell and move out of our little neighborhood, which is what will when my home and yard are ruined. I even stopped a refinance I was in the middle of processing when I first saw Jeni's site/ design plan. What is the point if I will no longer enjoy living here? My heart sank and I started to cry...no joke.

Thank you again for hearing me out. I will be sending you all a third, more business-like letter (apologies- I have too much to say!) with attached photos, to be entered into the record. I am having pdf/jpeg/mac vs. word document/ issues, so I am working on it now!!....

Also, my father is Bob Kaplan (301-518-8181), and he may sit in the meeting but he doesn't think he should speak, even though he is an architect and has done this for a living. If we are to begin to negotiate design issues at this meeting, he may want to speak up; however he insists I have more heart and soul invested here and should be the one to plead my case. Despite my nervousness and insecurity.

I wanted to write you this letter because I am scared, and I truly hope you will take that into consideration tomorrow eve when I speak up. I may jumble my words, and experience brain farts. And in addition, I may screw up my Zoom. Wish me Godspeed!

Thank you so much !!!

Cari Kaplan

488 Morrison Street

970-379-8762



Please see below letter from Co-Owner of 487 Mancos St.

----- Forwarded message -----

From: **Don Sugaski** <[dsugaski@comcast.net](mailto:dsugaski@comcast.net)>

Date: Wed, Mar 10, 2021 at 10:34 AM

Subject: 485 Mancos St - ADU

To: Laura Sugaski <[laurasugaskiphotography@gmail.com](mailto:laurasugaskiphotography@gmail.com)>

Planning and Zoning Committee,

I am a co-owner of 487 Mancos St, bordering the north side of 485 Mancos St.

Besides the many valid concerns of neighbors that I've heard recently, what stands out to me is the footprint of the ADU. It pushes the building including the new 2<sup>nd</sup> floor deck back 24 feet from the back of the house and roughly 3 feet higher than the house.

Looking at approximately 625 feet of additional new siding and windows doesn't sound very appealing to me..

The new deck will take away from any privacy while people sitting on the deck can see over all the fencing. Neighbors abutting the property won't feel real good about that when in their backyards. So much for all the privacy fencing.

Thanks for your consideration.

Donald Sugaski



## OPPOSITION TO 485 MANCOS ST ADU PROPOSAL

Planning and Zoning Committee,

I am the owner of 487 Mancos St, just north of Jeni Newcomb's property. I am highly opposed to this addition due to several factors.

1. **Loss of Sunlight and Solar Heat:** This new structure is being built much further back into the backyard than I had originally thought it would be. Due to the 2 story height and proximity to my southern lot line, this structure will drastically reduce the amount of southern sun exposure on my property and into my home. The Letter of Proposal that Rob Classen wrote says, "the home directly on the north side of this lot has no windows on the south facing wall". **This is not true!** I, in fact, do have a wall of windows on my south facing wall in my sunroom/dining room. At only 7.5 ft from my lot line, this structure will significantly reduce sun exposure especially in the winter months. As seen in my photos, despite the trees on my southern line, I still get a significant amount of sunshine that filters through to my property and windows, which is desperately needed in the winter months. I'm also worried that my hope for future solar panels, which I already had a quote for, will not be possible due to loss of direct solar radiation.



Sunlight filtering through my southern lot line.





**My south facing windows.**



**View from Dining / Sunroom**



**2. Privacy, Noise and Light Pollution:** If constructed, I will essentially have 2 families living on the lot just south of me. If it is rented as an Air B&B, the occupants will be nightly renters on vacation that will not have the best interest of a residential neighborhood in mind. The plans show an elm tree on the property that is not correctly placed. That elm tree is currently on our property line and much closer to the structure than the drawing portrays. Most of the larger branches will need to be cut down thus reducing the privacy even more. Also, that same tree will eventually need to be cut down due to the way the fence was built around it and encroaching on my property. This tree also struggles with surviving the droughts. I also wonder how much longer my spruce trees will survive. They are aging as well and may die off like my cottonwood trees. When these trees are gone, there will be zero privacy between my home and the ADU, which has a second story deck that will loom above my property.



**My southern fence line with encroaching fence. 485 Mancos St on right.**

**3. Street Congestion:** Currently, the owner has 3 vehicles and one large snowmobile trailer with 2 snowmobiles parked on their property. This leaves no room for the occupants of the ADU to park off street, which most likely will be at least 1-2 cars. We already have an overwhelming amount of cars that park on the streets in Colorado Meadows. Some neighbors have resorted to parking their cars on the lawns, which is not good for property values. I also question why the architect has only 4 parking spaces in his plan when he says 4.5 parking spaces are required?





**Current owner of 485 Mancos St parking situation.**



**My SE view. 6 vehicles and a trailer on 1 lot. Vehicles parked on the lawn.**



4. **Loss of Property Values:** Our neighborhood is zoned Low Density Residential and our residents value this zoning which is rare in downtown Carbondale. Most of us chose this neighborhood for this reason. Additional ADU's in our neighborhood are not in line with our low-density zoning. If everyone is allowed to add ADU's to their homes, essentially this becomes a multi-family, high density neighborhood. From what I've seen while driving around our neighborhood, the larger existing 2nd floor ADU's are on much larger corner lots. Most of Colorado Meadow's lots are too small for these multi-family units and should be reconsidered in our Unified Development Code to preserve the character of our town. Without careful consideration of each individual lot in Carbondale, this blanket UDC will destroy our little town and should have never been approved. Is this what we want Carbondale to look like? **See below.**



**A monstrous ADU being built on 10<sup>th</sup> St. next to a cute historical home.**

I hope you will take significant time to review the letters and concerns of the full time residents in Colorado Meadows.

Thank you for your time!

Laura Sugaski  
487 Mancos St  
720-209-6605



Please see attached letter from Co-Owner, Sharon Sugaski of 487 Mancos St.

On Wed, Mar 10, 2021 at 7:07 AM Comcast <[ssugaski@comcast.net](mailto:ssugaski@comcast.net)> wrote:

Planning and Zoning Board

To Whom It May Concern:

By allowing more ADU's in the quaint little town of Carbondale it will definitely change the complexion of Carbondale. The charm of Carbondale is that it is a small "Artsy" mountain town. Unfortunately, this is changing by allowing more ADU's and with an overview, it looks like one huge parking lot especially at night.

I am definitely against additional ADU's especially on small, single-family lots in subdivisions like our Colorado Meadows.

Sincerely,  
Sharon Sugaski  
Co owner  
[487 Mancos st](#)  
[Carbondale, Co](#)



Planning and Zoning Commission,

After studying the Unified Development Code of Carbondale dated 2019, I have found what I believe to be a few violations.

### **ATTACHED WALL SIZE**

In Section 4.4. According to this code, the ADU proposed for 485 Mancos St should be attached by at least 1/4 (25%) of its wall perimeter. The architect's design shows a total of 104 linear feet around the structure's perimeter. Yet, it is only attached by 16 linear ft. This 16 linear feet only equals 15% of the total wall perimeter. Please take a closer look at this plan for a possible violation.

#### 4.4. Accessory Uses and Structures

##### 4.4.4. Additional Standards for Specific Accessory Uses And Structures

#### CHAPTER 17.04: USE REGULATIONS

##### 4.4.4.A. Accessory CHAPTER 17.04: USE REGULATIONS Dwelling Units

#### 2.

##### Location and Design

##### a.

Except as set forth below, an ADU shall be fully attached to or within the principal structure on the lot. "Attached" shall mean at least one-quarter of the total wall area or the floor or ceiling of the ADU shall be fully connected to a wall, floor, or ceiling of the principal residential structure

### **OFF-STREET PARKING**

1.) The total off-street parking required is 4.5 according to **TABLE 5.8-1** in the UDC, **Number of Off-Street parking spaces required: Schedule A.**

2.5 spaces are needed for the main structure and 2 spaces for the ADU. Yet, the architect's plan only has 4 parking spaces.

2.) Also, according to **Section 5.8.5B**, only one parking space can be behind the garage.

#### **5.8. Off-Street Parking 5.8.5. General Standards for Off-Street Parking and Loading Areas**

##### **5.8.5.B. Use of Off-Street Parking and Loading Areas CHAPTER 17.05: DEVELOPMENT STANDARDS**

##### **B. Use of Off-Street Parking and Loading Areas**

Off-street vehicle parking areas required by this Section shall be used solely for the parking of licensed motorized vehicles in operating condition.

#### **2. Residential Areas**

Within the OTR, R/LD, R/MD, and R/HD zoning districts (or within any PUD zoning district that allows residential use, unless such parking is otherwise allowed in the PUD zoning district text):

##### **a. Parking Within a Front Yard**

There may be **one** open or exterior parking space on a designated driveway permitted in front of each enclosed parking space.



Please take a discretionary look at these possible violations for the sake of the residents of Colorado Meadows and especially the neighbors who's property lines border the Newcomb's property.

Thank you very much for your time!

Sincerely,  
Laura Sugaski  
487 Mancos St



Dear Ms. Sikes,

My name is Felipe Gomez. I am writing this email to you from my parents Ruben and Maria Gomez who live at 490 Morrison St. Carbondale, CO, 81623. They have asked me to write this due to their limited English writing.

My parents, like other neighbors, are against the conditional use permit and minor site plan review application for the construction of a 596 square foot ADU. They understand the need for a new garage, however are against the ADU.

Our property corners 485 Mancos and we feel that if approved, our property would be affected for the following reasons:

First, as it is right now, the ADU will sit higher than the current house. We are afraid that if approved, this would set precedent and allow all the houses to build ADU's that sit higher. We are unsure if this unit would affect our solar panels sunlight but if approved sooner or later someone would build a unit that would affect them. We purchased these solar panels as a small step for us to do our part in regards to renewable energy.

Second, with the ADU sitting that high, we are afraid it will impact our right to our already limited privacy. We live in Carbondale, Colorado in an area zoned as a single family community not in an area zoned for multi-family homes where the right to privacy is less expected. This is one reason why we purchased this home back in 2004. So that our children could grow in a safe low density area where they could do what kids do in the privacy of our backyard. Although our children are now grown, they still come to visit and our grandchildren will soon be the ones playing in the backyard. This unit will be able to not only peer down at our yard, but our surrounding neighbors yard as well.

Third, we agree that our home and possibly others in Colorado Meadows are in need of remodeling and updates. However, with these updates, we feel that Colorado Meadows needs to stay a low-density single family home community. Carbondale has changed a lot since we first moved here in 1994. We understand it will continue to change and most if not all the changes in Carbondale have been for good. We feel though that allowing the homes to build ADU's in Colorado Meadows will set precedent and will soon turn the area into a high density area like areas in Denver.

We hope you take our thoughts into consideration when you make your decision. Another thing we would like to say is that we feel like the plans and letters given to us were broad and not entirely clear to understand. We are not architects, we are blue collar workers and had trouble understanding. It wasn't until we spoke with a neighbor that we learned the ADU unit will stick back further than the actual house and that it and the deck would be 4 ft taller than the house. We also feel that latinos are part of this community and the letter and plans left underneath our doormat were not made clearly for us to understand.

Thank you for your time,

Ruben & Maria Gomez.



**From:** Julie Jenkins <[JJenkins@aspenhospital.org](mailto:JJenkins@aspenhospital.org)>

**Sent:** Thursday, March 11, 2021 12:47 PM

**To:** Mary Sikes <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>

**Subject:** Opposition to ADU @ 485 Mancos St

Dear Mary,

I am a concerned Carbondale resident writing to oppose the ADU at 485 Mancos Street. This already overcrowded neighborhood should not be allowed to further overbuild on a lot of this size. Parking and density are already an issue in that area. This proposal is not consistent with the long term comprehensive plan for Carbondale, and I am concerned that an addition like this will severely, negatively impact our town. The disproportionate size & design will overwhelm this "low density" neighborhood while setting an unwelcome precedent. Please do not approve this ADU unless the size is revised (downsized) dramatically.

Thank you for your prompt attention to this matter.

Sincerely,

Julie Jenkins

(970) 274-4599



-----Original Message-----

From: Anne Bennett <[abfaspen@comcast.net](mailto:abfaspen@comcast.net)>

Sent: Thursday, March 11, 2021 12:51 PM

To: Mary Sikes <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>

Subject: R/LD in Carbondale

Dear Mary, I'm a owner of a house that my husband & I live in year around in a R/LD neighborhood called Colorado Meadows. I would like to express my concerns over a plans in our neighborhood for an ADU unit on 485 Mancos St. Parking issues are already a problem on our streets, not only in our neighborhood but on others around us. I would like to say that each ADU that comes up in front of the board needs to be evaluated. Some people for example use short term rentals to rent out their homes already. Others are considering it, plus thinking of adding ADU units to do so as well. We need to consider each new plan for their lot size and how it affects each neighbor around the ADU unit. Our neighborhood is R/LD and would like to keep it that way. Parking issues all around the neighborhood are an issue already, which also brings me to think about the 8th street options coming up. The last thing we need is people living on 8th Street having to park on surrounding streets because of the options being considered. I would consider Option A the best so far. Thank you for reading my thoughts. Anne Bennett



**From:** lisa dameron <[lisadameron@gmail.com](mailto:lisadameron@gmail.com)>  
**Sent:** Thursday, March 11, 2021 2:54 PM  
**To:** Mary Sikes <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>  
**Subject:** 485 Mancos Street ADU Addition

Greetings Planning & Zoning Commission,

I write today to lobby against permitting an ADU at 485 Mancos Street.

Under the Town's upcoming Comprehensive Plan, the Colorado Meadows subdivision is designated low-density residential. The proposed ADU will have the look and feel of a duplex/townhome and will be out of character with the single-family homes in the neighborhood. The proposed ADU would be a better fit for high-density residential in the downtown core, where I live. The Newcombs were free to purchase a home in this zone, but they did not. Owners in Colorado Meadows subdivision are counting on you to abide by the intent of the zoning described in the Town's upcoming Comprehensive Plan - "neighborhoods composed primarily of single family DETACHED homes in a comfortable, healthy, safe and pleasant environment." In fact, owners throughout Carbondale are counting on you to abide by all zoning in the upcoming Comprehensive Plan. To allow such egregious departures from the plan immediately before its enactment goes against your mission as honest and forthright public servants to abide by the direction in which the Town has decided to go.

Thank you for carefully considering the potential impacts of the proposed ADU at 485 Mancos Street.

Lisa Dameron  
124 Euclid Avenue  
Carbondale, CO 81623  
970.987.2455



**From:** Melissa Malone <[meldickey@gmail.com](mailto:meldickey@gmail.com)>

**Sent:** Thursday, March 11, 2021 3:05 PM

**To:** Mary Sikes <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>

**Subject:** 485 Mancos Street ADU Addition

Hi,

I am writing to you to let you know my opposition for the propose ADU at 485 Mancos St. The plans don't fit with the residential area of the street or take into consideration the lack of parking that already exist on the street. Please take into consideration the town's comprehensive plan when considering this project.

Thank you.

Melissa Malone



March 16, 2021

Planning and Zoning Commission

Town of Carbondale

Re: Application by J. Newcomb for attached garage and ADU

I am voicing my approval of this application. It will allow removal of an old detached garage and build an accessory dwelling unit above it. The house is two story and the new addition will blend in well with that existing house.

I am a long time resident of Colorado Meadow Subdivision as is the Newcomb family. I have lived here since 1991.

This home improvement will not impact the neighborhood. It will not add to more cars in the area, as only one car will not cause any congestion to our block with ten houses on it. The ADU will not significantly increase the amount of traffic. I will continue to not fear for my grandchildren's safety on Mancos Street.

While a number of homes already have non-family guests staying with them, the Newcomb's have chosen to go the legal route and request this improvement. There are currently three vehicles associated with my house as with a number of houses on Mancos Street.

I am sorry I did not get this email to you before the March 11 meeting and hope you will consider this at the April meeting.

Thank you for your favorable consideration.

Sincerely,

Marie Sullivan

486 Mancos Street

970 963-0063



-----Original Message-----

From: Eileen <ishcarb@msn.com>

Sent: Sunday, March 28, 2021 12:08 PM

To: Mary Sikes <msikes@carbondaleco.net>; John Leybourne <jleybourne@carbondaleco.net>; Janet Buck <jbuck@carbondaleco.net>

Subject: 485 Mancos

We live at 481 Mancos and have no problem with the project at 485 Mancos. It will only improve the neighborhood. Mancos has less traffic then any street in the neighborhood. This will not impact it at all. Thank you. Bob and Eilene Ish

Sent from my iPhone



**From:** susan burger <[smburger100@gmail.com](mailto:smburger100@gmail.com)>  
**Sent:** Tuesday, April 6, 2021 7:43 PM  
**To:** Mary Sikes <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>  
**Cc:** John Leybourne <[jleybourne@carbondaleco.net](mailto:jleybourne@carbondaleco.net)>  
**Subject:** 485 mancos st.proposed renovation/addition

I am a homeowner in Colorado meadows. I heard & read about both sides of this situation involving 485 mancos homeowners & the 2 women neighbors in opposition for improvements to the property.

My feeling on this subject seems to me to be a "no-brainer". The owner of 485 Mancos has every right to expand, build, improve to the extent that is allowed on the property. The stipulations, as I understand were in place when they took ownership of the property. Just as the opposing neighbors have the same stipulations for expansion on their properties.

In my opinion, I feel guidelines were clearly put into place for the homeowners in the entire neighborhood, any homeowner in that neighborhood is entitled to similar improvements, without argument.

This is only my opinion on the subject. The law states what it states. Although I did not read in either case that it was unlawful to do what the homeowner is suggesting to do their home.

Good luck in decision making on this particular situation. (I don't know the owner of 485 Mancos, but I do know the opposing neighbors, whom of which I do not wish ill on in any way. I just feel the homeowners of 485 have the right to do what they wish, provided its legal & in the guidelines)  
Thank you.



**From:** Bob Kaplan <bobkaplan@live.com>

**Sent:** Friday, March 19, 2021 2:01 PM

**To:** Janet Buck <jbuck@carbondaleco.net>; John Leybourne <jleybourne@carbondaleco.net>; Mary Sikes <msikes@carbondaleco.net>

**Cc:** Cari Kaplan <carikaplan@hotmail.com>; Laura Sugaski <laurasugaskiphotography@gmail.com>; drawbd@rof.net

**Subject:** 485 Mancos ADU submission

I am Cari Kaplan's architect father. As you know, she lives directly behind the proposed project and is significantly impacted.

She is passionately exploring every effort to desperately save her privacy and enjoyment, property value, and to preserve the neighborhood's tranquility, and I agreed to help her where I can.

Please find attached my graphic suggestions for minimizing the critical impact of Mr. Claussen's submission, should the Carbondale Planning and Zoning Commission allow *any* ADU to be built, which would be, in my opinion, a disastrous decision with high-risk ramifications and precedence.

I request to have this included and evaluated at the next public hearing on 15 April. Should you have any initial informal questions or requests, prior to or during the next hearing, please don't hesitate to contact me directly.

Thank you for your consideration and compassion.

Bob Kaplan

[bobkaplan@live.com](mailto:bobkaplan@live.com)

301-518-8181 text/cell



19 March 2021

TO: Carbondale Planning and Zoning Commission

FROM: Bob Kaplan, architect

RE: 485 Mancos ADU submission

I am submitting for your consideration the attached floor plan alternatives that I have come up with to illustrate a possible significant reduction in the mass and impact on the adjacent neighbors, particularly those of my daughter Cari Kaplan to the west and Laura Sugaski to the north.

This plan reduces the ADU unit to 443 sq.ft. from the 596 sq.ft. submitted, reduces the footprint to 16 ft wide instead of 20 ft, and its depth to 28 ft rather than 34 ft, extends only 6'6" beyond the rear of the existing house instead of 17 ft. The front ground offset setback is 10 ft instead of 14 ft, yet still maintains the minimum 36 ft required driveway length plus 2 additional feet for a possible raised planter.

Although my plan significantly reduces the size and impact from that which was submitted, I still believe strongly that any ADU granted for this property will have severe and detrimental impact and effect on the neighborhood including its usage as well as the physical ramifications, and establishes a dangerous precedence.

From the current Comprehensive Plan; With infill in existing neighborhoods, **special care shall be taken to ensure mass and scale conform to the existing neighborhoods beyond what is allowed in the current underlying zoning.** All infill development on existing developed lots should take **special care to minimize impacts on neighbors.**

Should the commission unfortunately (and in my humble opinion incorrectly) allow an ADU, it is incumbent that major mitigation to that which was originally submitted be required as conditions for approval, perhaps even greater to what I have attached. A few other highlights to my suggested plan include:



The owners' program has not changed, i.e., a garage and 1 bedroom unit is maintained and all code requirements can be met.

By placing the ADU unit's entry door to the side, the addition can move closer to the street because the driveway need not be extended to include clearance along the front wall to access the entry door.

The 16 ft width instead of 20ft will reduce the overall height because the roof slope is perpendicular to the existing home but with a smaller span the peak will be lower. Its visual impact from the street should look more in scale with the existing home and neighborhood. Because of this plus the dramatically reduced rear depth protrusion, the owners' existing elm tree becomes less vulnerable.

I am suggesting that the ceiling height (and upper floor elevation above grade) be reduced by 1 ft by using a 7 ft high overhead garage door in lieu of an 8 ft. This would reduce the overall height even further.

The gain of 4 ft to the north side is beneficial to the adjacent neighbor for solar access and privacy, and allows a pleasant approach to the entry porch, which will be within the allowable lot building width.

Placement of windows are carefully considered for the neighbors privacy. On the rear west wall, there are no windows other than transom gable glass made possible with the use of scissor trusses or common framing. On the north side, a high window sill is recommended, and the maximum window width afforded on the south side. Windows should be sliders to match the existing house, not double hungs. Additionally, skylights are possible.

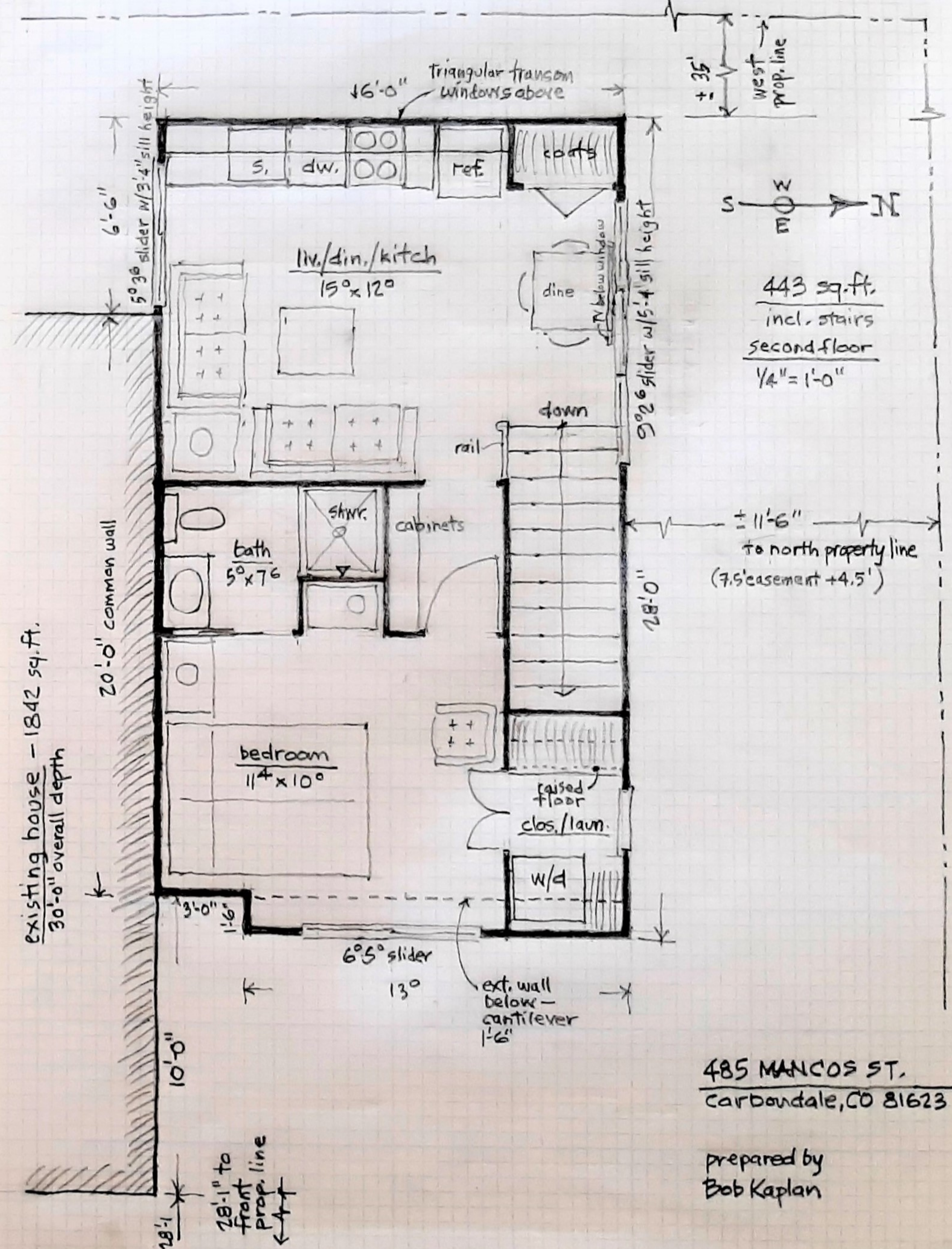
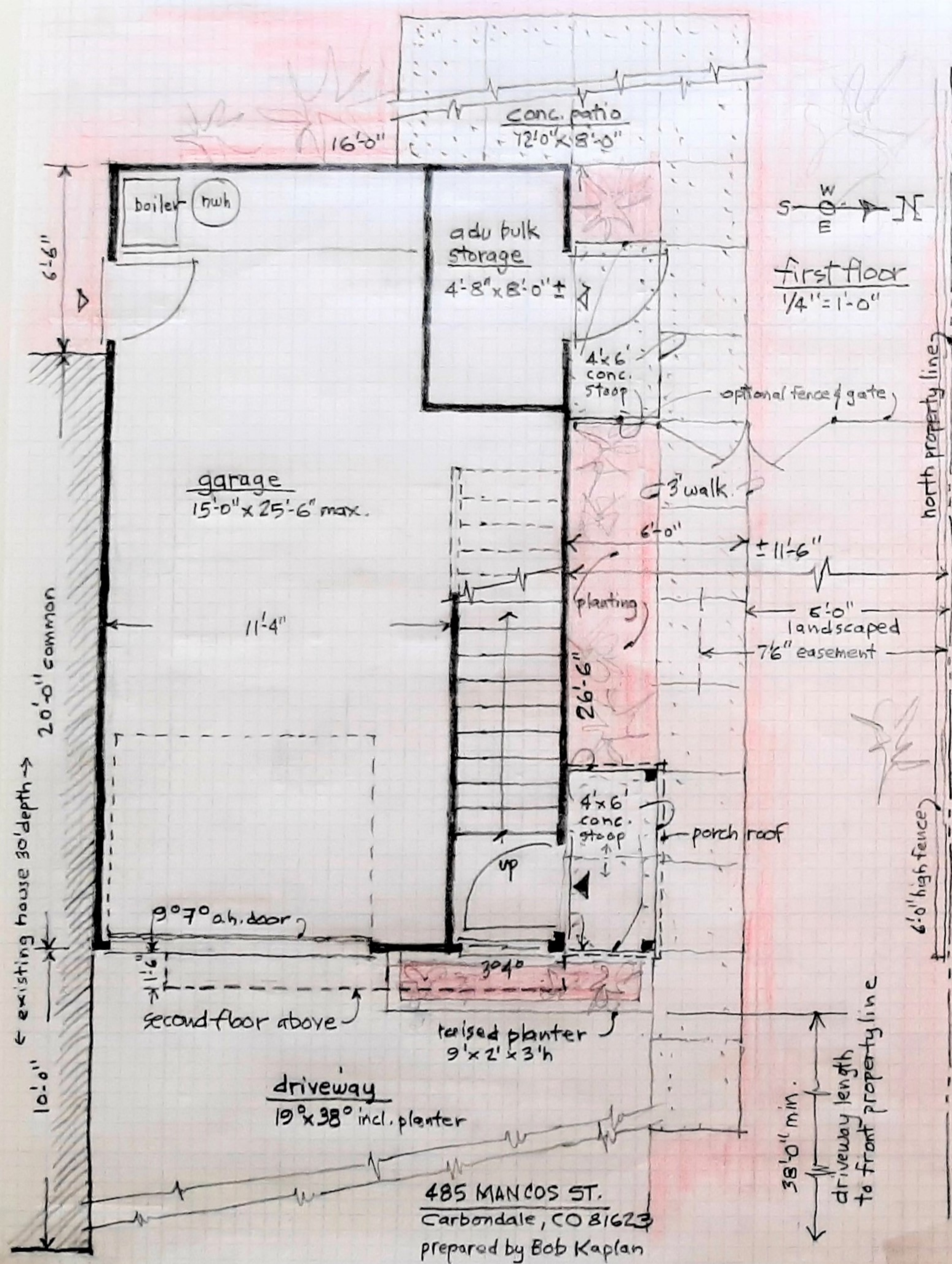
The garage is conveniently adjacent to the owner, and its door aligned with one side of the driveway. The ADU's outdoor space rear patio is convenient to their entry and bulk storage. This is a major improvement from a 2nd floor deck.

Thank you for your time to review the enclosed. I sincerely hope this will assist you in your decisions and pacify the neighborhood.











Mary,

I cannot attend the planning meeting for this remodel, but would like to give our support to remodel. The house is in desperate need of repairs and a face lift. Many of the houses in our neighborhood have renters just to make ends meet and I think that it is very selfish and unfair that the same people complaining about this project are ones with their own renters. Our neighborhood is one of the oldest in town and if we don't allow homeowners to update and upgrade their homes, I am afraid that it will become one of the less desirable neighborhoods in town. We live at 487 Mesa Verde just one street over, so even though this remodel will not impact our property directly, it will improve the overall look and feel of our neighborhood.

Please consider approving this project.

Sincerely,

Lisa & Steve Fischer



Janet Coursey  
498 Morrison St.  
Carbondale, CO 81623

07 April 2021

Town of Carbondale  
Planning & Zoning Commission  
511 Colorado Avenue  
Carbondale, CO 81623  
via email

Dear Madam or Sir:

I interpret the ADU-by-right as a backdoor zoning change. The design of a home, position on the lot, and landscaping choices made thirty years ago did not envision more second stories, and the closer approach to lot lines. The reduction of views, sun and solar, and privacy, I regard as a taking.

Had one known, the bedrooms may have been positioned at the other end of a house. The large windows for the Mt. Sopris view placed elsewhere. Hedges grown. People made choices in reliance on what they understood to be zoning protections.

New or remodel buildings should make every accommodation to preserve the views, sun and privacy of existing structures.

Truly yours,

Janet Coursey



**From:** Cari Kaplan <[carikaplan@hotmail.com](mailto:carikaplan@hotmail.com)>  
**Sent:** Monday, April 5, 2021 4:01 PM  
**To:** Janet Buck <[jbuck@carbondaleco.net](mailto:jbuck@carbondaleco.net)>  
**Subject:** Re: 485 Mancos Street Application

Janet- Thanks so much for taking your time to explain the process. There is so much a layperson just wouldn't know without research and asking you questions. I can't imagine how tough your job is.

I always figured the planning Dept acts as the judges in any project, basically making sure laws and codes are met . That is probably why we are so uneasy about everything because this project does meet code technically , and it's up to a few of us to persuade the commission to hear us out and consider design changes and conditions. So having only the 4 young commissioners to decide our fate is scary. It's seems so subjective, as each of them may have certain opinions about how a neighborhood and a building should look design-wise, or how the comp plan should be interpreted .... Tough decisions, especially in a small intimate town like Carbondale .

It has been a great learning experience and I have truly enjoyed getting involved in community activism..Thank you again so much for your reply-we will see you at the zoom April 15! Fingers crossed we can convince the commissioners to shrink the size of the ADU and move some windows around !

Cari Kaplan  
Sent from my iPhone

On Apr 5, 2021, at 2:33 PM, Janet Buck <[jbuck@carbondaleco.net](mailto:jbuck@carbondaleco.net)> wrote:

The Planning Commission does not do Site Review Meetings at properties that are the subject of a public hearing.

Public hearings are quasi-judicial matters and the Planning Commission acts as the judges. All information needs to be considered by the Commission at the public hearing. This creates a fair hearing where applicants, members of the public and all members of the Planning Commission receive all of the evidence and hear all of the discussions related to a land use application. The easiest way to understand it is that it is similar to a court hearing where all evidence is channeled into the hearing.

For example, there can be no ex parte communication outside of the public hearing. If a member of the public discusses a land use application with a Commissioner outside of the public hearing, the Commissioner is then required to disclose the communication at the public hearing so that all their fellow Commissioners, applicant and the public hear the new evidence to create a fair playing field.

That being said, I believe that all Commissioners noted at the last public hearing that they had visited the neighborhood.

Thanks –

Janet Buck  
Planning Director



Town of Carbondale

**From:** Cari Kaplan <[carikaplan@hotmail.com](mailto:carikaplan@hotmail.com)>

**Sent:** Monday, April 5, 2021 9:12 AM

**To:** Janet Buck <[jbuck@carbondaleco.net](mailto:jbuck@carbondaleco.net)>; John Leybourne <[jleybourne@carbondaleco.net](mailto:jleybourne@carbondaleco.net)>; Mary Sikes <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>; Laura Sugaski <[laurasugaskiphotography@gmail.com](mailto:laurasugaskiphotography@gmail.com)>

**Subject:** 485 Mancos Street Application

Hi Planners...

Laura Sugaski and I are the next door and backyard neighbors of the proposed 485 Mancos ADU...We were wondering if the commissioners can do a site visit before the April 15 meeting? We would like to invite them to our homes so they can view the impending impacts of this new structure from our point-of-views.

We know everyone is extremely busy and we thank you very much for your consideration of this matter.

Sincerely,

Cari Kaplan -970-379-8762

Laura Sugaski -720-209-6605



Dear Planners...

By now, you have read it all and heard it all...on both sides of this ADU addition proposal. So, forgive me for giving you more fodder, but please hear me out once more. I thank you so very much for your time.

Your decisions during this nutzo time are beyond tough. Your jobs require you to approve projects based on meeting the code requirements; as this one does; yet as planners, you are also burdened with "planning" the future goals of our beloved little Carbondale. I believe this ADU addition as proposed simply does not meet the goals of the Town as set forth in the 2013 Comprehensive Plan.

The Plan states, that with infill of existing neighborhoods, **"special care shall be taken to ensure mass and scale conform to the existing neighborhood, beyond what is allowed in the current underlying zoning. ADU infill on existing lots should take special care to minimize impacts on surrounding neighbors"**.

This project meets the UDC requirements (though many of us are STILL confused about why the .5 parking space is not provided, as it gets rounded down, and not up. Conventional wisdom in math states .5 gets rounded up), yet not the requirements as set forth in the Plan.

The height, the 9 feet of west-facing glass doors, the large deck placement, and the setback of this structure so far into the applicant's backyard, simply are not in scale with the existing neighborhood. You all have scrutinized my neighbor Laura's and my letters and photos, and we hope they illustrate just how obtrusive and invasive this addition will be for us. We truly had hoped you could come to our homes and backyards, to see in person how the mass and location of this addition will affect our privacy, our views, and our solar access. This structure is to be two stories; 4 of the surrounding homes are not. We live in ranchers, so this ADU will literally be hovering over and into our properties. **The maxed-out proximity, 2 story height, the large deck and glass doors and window placements of this ADU addition are simply out of scale and maximizes impacts to neighbors.**

The Town requires that privacy, scale, solar shading, and landscaping standards are to be met with new developments. Had the developers of Colorado Meadows known a 2 -story structure could be constructed so close to one- story houses, different architecture and landscaping could have been implemented back in 1978 to provide a more enjoyable property. Had I known, I would have planted 5 evergreen trees when I purchased my home in 2007, instead of 3 ash trees.

My neighbors and I had zero expectation that what will essentially be a duplex (perhaps for Airbnb/VRBO use) could be hovering over us one day. We invested in a low-density, single-family detached home community. This addition simply is not in scale with the surrounding single-story homes on already congested, interior lots. I also wish to point out that though the applicants are currently a family of three, and his ADU may sleep 2 (or more perhaps), what



happens if they or their renters, expand their family? What if 8 adults live there one day and need 8 or more parking spaces? This is totally feasible and what most of the neighbors I spoke with are concerned about. Increased density and cars, on an already congested street. What if all the homes here follow suit? Yuck...it will be messy.

***WE ARE CONCERNED THIS IS AN UNSUSTAINABLE PRECEDENT FOR LOW-DENSITY ZONING DISTRICTS.***

If approval is unavoidable, I respectfully request you consider a smaller sized addition, replacing the deck to a ground level patio as discussed last meeting, and eliminating or reducing the amount of glass on the north and west sides of the ADU to satisfy light, sound, and privacy concerns of surrounding neighbors . Bob Kaplan's submitted alternative plan has shown this is possible, while still meeting code and providing a very functional garage and a comfortable ADU.

Additionally, a 6-month minimum lease should be imposed to meet the Town's intent of ADU infill in existing LD/R zoning districts, which is to increase smaller, more affordable housing options for local workers, seniors, and family members. A commitment from the applicant that this ADU will be used for this intended purpose, and not for non-local short-term rentals, would satisfy many of the residents of Colorado Meadows, and elsewhere in town as well.

Thank you all again for hearing me out...I greatly appreciate your hard and dedicated work on behalf of our beloved Carbondale.

Sincerely,  
Cari Kaplan



TO: Carbondale Planning & Zoning Commission

FROM: Cari Kaplan, owner of 488 Morrison Street

RE: Land Use Application for 485 Mancos Street Plan Review (new ADU addition)

DATE: 10 March 2021

I live directly behind the Newcomb property at the above address, and will be *cat-astrophically* impacted by the proposed project and respectfully request your thorough and comprehensive review of this application before your decision, based on the following factors:

1) SIZE, LOCATION AND ARCHITECTURAL DETAILS:

The submitted plans call for the maximum allowable size possible, be it square footage or impervious land coverage, with no regard to the impact of the adjacent neighbors, with my property clearly being the most affected. *It will destroy my view of Basalt Mountain entirely, plus any and all privacy* from my home and rear yard, full enjoyment of my property, reduce solar gain, and compromise my personal safety from increased [rental] neighbors and visitors, noise and lighting.

The height of the proposed second floor is at least 4ft (one-half story) above the existing upper level and deck, whereby dense mitigating new landscaping would likely never mature to screen their view down to my home and yard. The plans show a large 3-panel sliding glass door opening onto a deck larger than minimally required with no built-on privacy screening, and both will directly align and view onto my deck and into my home's glass doors, and will be much closer horizontally.

The proposed addition is set back further from the street and even more so to the rear to the minimum rear setbacks allowed. This was presumably done not only to maximize the allowable size, but also to accommodate a longer driveway needed for the required parking spaces. The new rear setback would be less than half that of the existing house, and 24 feet closer to my home.

The few ADU additions in Colorado Meadows are on larger or corner lots. This property would be the first ADU in the center of the neighborhood, where the lots are smallest. Our subdivision has relatively small lots in proper scale for the single family homes that were built. Increased density makes maintaining our privacy and enjoyment difficult, and we strive to maintain what we have. ADU's increase the traffic and subject it to greater noise, light, safety and environmental concerns, perhaps exacerbated by rentals or Airbnb visitors. Setting precedence should be an important consideration.



## 2) EXISTING MATURE LANDSCAPING DESECRATION:

The elm tree shown on the submitted site plan is not accurately shown in location nor the spread of its canopy. Currently this large elm tree on the Newcomb property provides moderate privacy and sound/light buffering between our properties. The tree is one of four large elm trees (three at my back yard) which are already compromised because of drought and disease. I have spent thousands of dollars to professionally treat them and continue to do so. The elm closest to the addition will require significant mature branches to be removed, and likely cause severe health and/or structural damage and possibly kill it. It's total removal would result in even greater negative impact to all the concerns listed herein. It would also be imperative that the property lines landscaping and fencing be maintained and/or enhanced.

## 3) PROPERTY VALUE IMPACT:

Needless to say, *this project will have a dramatic affect on the value of my property*, in addition to my enjoyment. Being taller, larger and much closer, with no viable mitigation, it is incomprehensible imagining the magnitude of my loss. As a tax paying homeowner, I have the legal right and expectation to reasonable comfort, enjoyment, safety and environmental protection. I purchased my home years ago in part by it's low density designation and appearance, and had zero expectation that my neighbor would "grow" into one of duplexes. Any ADU applications should be individually assessed and approved based on it's unique impact to the neighbors.

## 4) TIMING REGARDING THE PROPOSED UPDATED CARBONDALE COMPREHENSIVE PLAN:

Regardless of last minute "grandfathering" applications prior to a closing date, the decision of this Commission will be everlasting. In all fairness and respect, it is incumbent upon this public group that decisions be scrutinized for it's lasting impact, particularly where and when the future Comprehensive Plan may address. It would be prudent and fair for this project to be tabled or delayed, if not denied on it's own merits. The ordinance that was passed allowing ADUs in LD/R neighborhoods was passed a couple years ago without the benefit of an updated Comprehensive Plan. The current plan is from 2013. And in order to have a code change, it must be consistent with the Comprehensive Plan, and is not. A moratorium is needed on this ordinance until the new Plan is revealed.

## 5) THE DESIGNATED PARKING DOES NOT MEET CODE.

As other residents have noted in their letters, this increased density will cause less parking. This is already a major problem, especially on Mancos Street, and may become even more of problem on all streets in Colorado Meadows once half the spaces on 8th Street are eliminated. The code calls for 4.5 spaces and this application has



noted space for 4 cars only. On this alone, this application does not meet code and therefore should be denied.

Please review and consider the above concerns and objections carefully. I wish to recommend and invite the members of this Commission to visit my property and view the situation from my rear yard before making finalizing a decision. To further assist you, I am submitting some photos to illustrate the current conditions.

Should the project be granted approval by this Commission, I would at least expect that specific conditional adjustments to the plans be made and thus required and implemented. In addition to zoning and landscaping adjustments, architectural modifications should also be considered, such as requiring the deck provide a 6 foot high privacy screen permanently attached along the rear facing and a portion of the side wall in lieu of 3 foot high open railings. Lighting can also be addressed such as using low "foot well" lighting at the deck instead of an overhead or side fixture.

Thank you for your consideration of the critical nature of project on me and my neighbors' behalf.

Cari Kaplan



My view towards the new ADU; the crucial elm tree branches you see in background, will have to be removed for construction.







Looking south west from the “4 Corners” of our lot lines.



To show scale. Taken from the front/west wall of my house. The view from my entire living area will be of this ADU and existing house.



From my side of the fence I share with the Newcombs





Looking West from fence line



Three homes with ADUs at  
Morriosn/ Mesa Verde/ 8th  
Street. Much larger lots.  
And little to no impact to  
adjacent neighbors.



Dear Neighbors of Colorado Meadows,

I am the owner of 487 Mancos St bordering the north side of the proposed 485 Mancos St ADU. I am highly opposed to this addition for a few reasons and let me explain why.

When Travis first told me he wanted to construct this new addition, I wasn't very alarmed and thought it could be a nice improvement. But, when I finally saw the building plans, I was immediately in disapproval. Because Travis's lot is an inner lot on one of the smallest lots in Colorado Meadows and Carbondale in general (67'x100'), 50% of the new construction needs to be built in his back yard and 2 stories high. The reason for this is because, legally, he needs to provide for 4.5 parking spaces in the front (2.5 for his home and 2 for the ADU).

And, it has to be built on top of the garage otherwise there would be too much impervious area on his property. I have a sunroom with lovely views to the south with trees, blue sky, and sunshine that shines through especially in the winter. Looking at the side of a 2-story building instead will be devastating.

This is even more devastating to his western neighbor, Cari Kaplan, who will have zero privacy in her backyard from this 2<sup>nd</sup> story unit. The building plans have an extra large 2<sup>nd</sup> story sliding glass door and deck looking straight into her backyard. Currently, she has a lovely outdoor space and hot tub with no large trees that could possibly provide privacy from this ADU. Like you, we cherish our backyards and want to protect what little privacy a 6 foot fence can provide.

Regardless of the extra parking spaces provided, the renters of the ADU will not be able to park on the property. The Newcomb's already own 3 vehicles and a snowmobile trailer with 2 snowmobiles, which currently takes up 4 spots on his small property. The new renters, whom likely will be up to 2 people, could own 2 cars, which will need to be parked in the street.

Another reason I am opposed to this being built is because of the affects it will have on our quiet little neighborhood. I bought this home 8 years ago after owning other high-density properties in Colorado since 1997. For a 50 yr old, single woman with no husband to share expenses, it is a dream to own a single-family home in a low-density residential neighborhood. I did not inherit my home and I struggle to pay expenses and make much needed updates to my 1977 home in Carbondale like many of us. I always rent one bedroom to a long term local to help pay the bills but there are rarely more than 2 people in my home. Coincidentally, this is also similar to Cari's story.

This new ADU alone might not change our neighborhood significantly, but it sets the precedent for endless amounts of other ADU's to be built in our neighborhood. Eventually, we could have several more built on our small inner lots, which will



forever change the look and feel of our precious rare neighborhood in downtown Carbondale.

During the first Planning and Zoning Commission hearing for this proposal, one P&Z Commissioner said, "The parking across the street is atrocious" and another commissioner said, "This already feels like a medium-density neighborhood". This is exactly my point! Why would we approve additional dwelling units in a neighborhood that is already starting to feel medium-density and congested? The addition of more ADU's in our neighborhood will only add to the street congestion, noise, and lack of privacy.

Although, this ADU proposal is "to code" according to the Unified Development Code. The architect has pushed the building plans to the maximum possible limits in every way. They are legally building the largest and tallest possible addition (33% of the size of the primary dwelling) on the lot with no consideration of how this affects their bordering neighbors.

Unfortunately, in 2013, the Planning and Zoning Commission wrote a Comprehensive Plan for Carbondale that "encourages ADU's" for infill with no exception for small, Low-Density Residential lots. Despite this comprehensive plan, the Planning and Zoning Commission has the right to deny this proposal on the basis that the "mass and scale" of the building plan does not conform to the neighborhood. Fortunately, one commissioner already stated in the first hearing that he believed this building plan does not fit in. This especially does not fit into this particular lot. It is nearly the smallest possible R/LD lot in Carbondale and all 5 of the neighbors that border the Newcomb's property are one-story ranch style homes. Every neighbor bordering their property will be negatively affected by this addition in a special way that no one else in the neighborhood would understand.

Don't get me wrong. I am absolutely not opposed to Travis and his family building an attached garage and improving the curb appeal of their home. I wouldn't even be opposed to them adding additional living space on top with small windows facing their neighbors similar to the owners at 479 Mancos St. I just highly oppose the massive rear projection of the proposed ADU that invades our views and privacy.

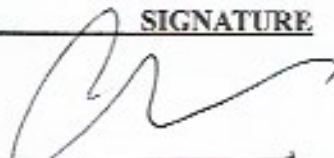
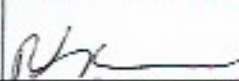

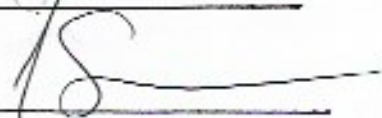

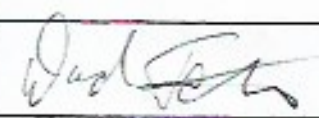
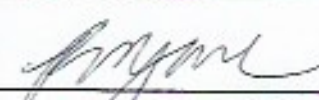

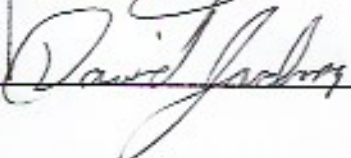
Now, I know that you are probably thinking, "This doesn't affect me and I don't have much concern for this." But just remember, your neighbor could propose the exact same thing next month. Please think long and hard about how this decision could affect the future of our neighborhood. I have attached information on how to get involved in the next hearing on April 15<sup>th</sup>. YOUR OPINION DOES MATTER ☺

Sincerely,

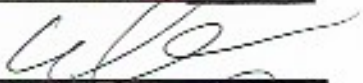




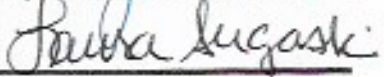
Laura Sugaski  
487 Mancos St



The undersigned respectfully request the Town of Carbondale take special care to ensure that the mass and scale of any ADUs approved in Low-Density/Residential Zone Districts, and elsewhere in Town conform to the existing neighborhood, and to minimize impacts on surrounding neighbors, as required by the Town's Comprehensive Plan.

NAME	ADDRESS	SIGNATURE
1. CARI KAPLAN	488 MORRISON STREET CARDALE	
2. Rebecca Muller	907 Wheel Circle	
3. Cirilano Fuchs	441 Morrison	
4. JEFF SPIROPOULOS	498 MORRISON ST.	
5. Megan Noman	500 Morrison St.	m. Noman
6. Pico Coursey	498 Morrison St.	P. Coursey
7. Janet Coursey	498 Morrison St.	J. Coursey
8. ANNE KRIMMER ERIC KRIMMER	501 Mesa Verde Ave	
9. Elizabeth Cammack	483 Mesa Verde Ave	Elizabeth Cammack
10. David Teitler	483 Mesa Verde Ave	
11. Rubin Gomez	490 Morrison St	Rubin Gomez
12. Maria L Gomez	490 Morrison St	Maria L Gomez
13. Ryan Williams	488 Morrison St.	
14. Mark Buff	484 Morrison St	
15. David L. Robin	486 Morrison St	
16. Jackson		



NAME	ADDRESS	SIGNATURE
17. Carolyn Williams	494 Mesavende Ave	
18. Bella Fabela	491 Morrison St <sup>Cabrera</sup> <sub>Corkendale</sub>	
19. Linda Arnold	499 Morrison St	
20. CHAD Rasmussen	500 Morrison St	
21. Meghan Schmitt	1670 Redstone Ave	
22. Laura Sugaski	487 Marcos St	



*Dear Planners at the Town of Carbondale:*

We, the residents of Colorado Meadows, strongly oppose the unlimited ability of owners to construct ADU additions in our Low-Density Residential zoning district. We are asking the Town to protect our single-family, detached home neighborhood by ensuring that new structures are in scale with surrounding homes, and to maintain the existing density in our neighborhood of compact lots, and congested streets by denying or scaling back multi-family-duplex-like additions. We are concerned about the precedent the proposed ADU addition at 485 Mancos Street will set, as the mass and scale of the proposed ADU and similar projects on narrow internal lots will permanently eliminate the low-density look and feel of our neighborhood. If every house added an ADU in our community, the congestion will be catastrophic and unsustainable. Colorado Meadows already “looks medium density,” as one planning commissioner noted at the 3/11/21 hearing; accordingly, we request denial of this application as proposed, based on its failure to comply with the Town’s Comprehensive Plan.

The Carbondale Comprehensive Plan of 2013 states that with infill of existing neighborhoods, **“special care shall be taken to ensure mass and scale conform to the existing neighborhood, beyond what is allowed in the current underlying zoning. ADU infill on existing lots should take special care to minimize impacts on surrounding neighbors”**. We feel that the mass and scale of this proposed addition, which is on one of the smallest, densest, center grid lots, does not conform to the neighborhood and maximizes the negative impact on surrounding neighbors’ privacy, solar access, and views. The existing ADUs in Colorado Meadows are on much larger corner and/or periphery lots and are not nearly as invasive to surrounding neighbors’ yards and homes.

We also feel the commercial, short-term rental of ADUs in our zoning district is inappropriate, due to increased congestion, noise, light pollution, and threat to our safety. The Town’s intent for ADU infill was to provide additional small and relatively affordable dwellings to our housing inventory; to be rented to local workers, family members, and older adults. We are concerned the applicant may intend to use this ADU for short-term, non-local rental to maximize profits, and we simply feel that though currently legal, this is the wrong, unintended use for ADUs in our intimate, family-oriented single-family neighborhood.

If approval is unavoidable, we respectfully request you consider the maximum mass and scale of this proposed addition, and the negative impacts on the neighborhood. **The height and size of the ADU can easily be reduced; and the window, door and deck placements can be moved, minimized or eliminated to ensure neighbor privacy, solar access, and lessen noise and light pollution. The necessary removal of the mature tree branches can be partially mitigated with planting of large, fast-growing evergreen trees. Further, a required 6-month minimum rental term should be imposed.**

We understand the Comprehensive Plan is being updated, and therefore would additionally ask the planners to delay this new ADU construction until the new plan is revealed. This would give citizens a chance to voice their opinions of short-term rental and neighborhood impacts of ADUs in LD/R zoning districts. Due to Covid interruptions and protocols, this has been difficult.

We thank you so much for your consideration of our concerns. We greatly appreciate your hard work, dedication, and tough decision-making during this very stressful time.

*Sincerely,  
Residents of Colorado Meadows (see attached signatures and addresses)*







**From:** Carolyn Williams <[carolyn@carolynwilliamscollegeconsulting.com](mailto:carolyn@carolynwilliamscollegeconsulting.com)>

**Sent:** Thursday, April 8, 2021 2:58 PM

**To:** Mary Sikes <[msikes@carbondaleco.net](mailto:msikes@carbondaleco.net)>

**Subject:** Colorado Meadows ADU

I urge the town to deny the application for the ADU at 485 Mancos in Colorado Meadow. Our neighborhood is low density designation, with mid century one level and one and a half level homes with one car garages.

The garages and carports were built at a time when most people had one car. The streets and driveways cannot handle more cars, especially in light of decreased parking on eighth street. People will simply start parking around the park, making it less safe for children and families moving through the park.

Adding so much square footage above ground changes the character of the neighborhood and will negatively impact immediate neighbors, congestion, noise, visibility, car traffic, sunlight, and views. ADUs are increasingly utilized as Air B and Bs, and this brings in non-homeowners to our neighborhood and changes its character. I do not want this to be a precedent in this neighborhood. I want to preserve our privacy, our neighborhood family owned feel, and our views.

I appreciate that the family is taking the legal route. I recognize that there are illegal separate living quarters in existing homes in our neighborhood. However, adding such significant, tall square footage with a separate entrance is new for this neighborhood, could be more easily rented out, and could be the start of significant change in density and character.

Sincerely,  
Carolyn Williams  
494 Mesa Verde Avenue

**CAROLYN WILLIAMS**  
**970.274.6298**  
[carolynwilliamscollegeconsulting.com](http://carolynwilliamscollegeconsulting.com)



To Whom It May Concern,

April 9, 2021

My neighbors are requesting Special Review approval for an ADU at 485 Mancos. While I do not know the standards for Special Review for this Use, it has been with great interest to hear the concerns expressed by others in the neighborhood regarding this application.

I've heard the concerns about density and comparisons to development on Wheel Drive, but I understand Wheel Drive has a higher density zoning, and most structures there are Duplexes, allowing for two *families* per lot.

I visited Wheel Drive and in areas it is like driving through a parking lot, where front yards have been turned into parking spaces in addition to fully occupied parking on the street. Some lots have no front yards.

I've considered the fears expressed about a bigger structure on a small lot, and how this will impact setbacks, views of Sopris, sunlight, occupancy, and privacy. But the Applicant is not seeking variances to Height, Setbacks, or Floor Area, so I am assuming the proposed structure is in compliance with the requirements of our zone district. My understanding is that if the existing house were to be torn down, a new one could occupy the same area as the proposed ADU, with the same or worse impacts and no input from neighbors.

All that being said, I would love to support an ADU at this site, but I totally object to its design. It is not at all similar in design to the existing house, and front loads all of the parking. It does not appear as an addition to the sfr, or as a separate Accessory Structure/Use, but rather, the design makes the structure look like a Duplex. If that is allowed on every lot, it would appear as if our low density subdivision has doubled its density, and I definitely don't support that!

And parking is a real concern, as we have a popular, public, pocket-park two doors down from 485 Mancos, which generates its own parking needs. And without limited occupancy of the ADU, more cars could be generated than parking requirements off-set. Could the Applicant design a drive-thru garage and park in the backyard, pulling the structure forward and relieving some of the adjacent neighbor's concerns about privacy and sunlight? Cars can more easily be screened by landscaping than a two story structure. But mostly, it would preserve the front yard, and not turn it into a parking lot. Front yards are important in neighborhoods for too many reasons to list here.

All of my neighbors concerns are valid and typical in old neighborhoods where upgrades and redevelopment is necessary, but where current codes allow development that is incompatible with existing surrounding conditions. It would be best for my neighbors to consider some targeted changes to our Zoning which would better address everyone's concerns and prevent the type of development so many are finding offensive. Current allowed Height, Floor Area, and Setbacks could be reviewed for compatibility with the neighborhood we all love, keeping in mind everyone's right to maximize whatever the zoning allows.

Limitations can be placed on accessory dwelling units (ADU's), such as height, size, occupancy, and parking. But more importantly, they should appear as *accessory* to the principal single family residence. Not as large as, or bigger than the existing residence, or of a totally different design.



Is there anyway the Town can survey the neighborhood to see if the idea of making zoning changes for Colorado Meadows to address concerns about the future redevelopment of our neighborhood is supported? Otherwise, the same issues will come up with the redevelopment of every lot. Is this something the Town can help facilitate? Colorado Meadows is old, but it's not going to stay this way for long. Its re-development is coming. We could get ahead of the ball.

Respectfully submitted,

Joanna Schaffner  
498 Mesa Verde Avenue  
(20 year owner/resident of this address)

P.S. Don't even get me started about what Airbnb's and VRBO's are doing to our quiet neighborhoods and housing market!





**TOWN OF CARBONDALE  
511 COLORADO AVENUE  
CARBONDALE, CO 81623**

## **Planning Commission Agenda Memorandum**

Meeting Date: 4-15-21

**TITLE:** Comprehensive Plan Update - 2021

**SUBMITTING DEPARTMENT:** Planning Department

**ATTACHMENTS:** None

### **BACKGROUND**

The Town has budgeted \$75,000 to prepare a Comprehensive Plan Update. A Request for Proposal (RFP) was sent out in March.

### **DISCUSSION**

The Town received five proposals from consultant teams for the Comprehensive Plan Update 2021 project. Three Planning Commissioners reviewed the proposals and made a short list of three consultant teams.

The Commissioners interviewed the three consultant teams on April 6<sup>th</sup>, April 7<sup>th</sup>, and April 9<sup>th</sup>. Some additional due diligence is being done prior to finalizing the recommendation.

It is hoped that this can be done prior to the April 15, 2021 Planning Commission meeting. This will most likely result in supplemental packet information being provided to the Commission next week.

### **FISCAL IMPACTS**

There is \$75,000 in the Town's budget to prepare an update to the 2013 Comprehensive Plan.

### **RECOMMENDATION**

A recommendation will be forwarded to the Planning Commission along with the supplemental packet information.

Prepared By: Janet Buck, Planning Director