



*Town of Carbondale
511 Colorado Avenue
Carbondale, CO 81623*

**AGENDA
PLANNING & ZONING COMMISSION
THURSDAY, February 8, 2018
7:00 P.M. TOWN HALL**

1. CALL TO ORDER
2. ROLL CALL
3. 7:00p.m. – 7:05 p.m.
Minutes of the January 25, 2018 meeting.....Attachment A
- ..
4. 7:05 p.m. – 7:10 p.m.
Public Comment – Persons present not on the agenda
5. 7:10 p.m. – 7:50 p.m.
PUBLIC HEARING –689 Main Street Rezoning.....Attachment B
Applicant: AMG Properties LLC
Location: 689 Main Street
6. 7:50 p.m. – 7:55 p.m.
Staff Update
7. 7:55 p.m. – 8:00 p.m.
Commissioner Comments
8. 8:00 p.m. – ADJOURN

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

Upcoming P & Z Meetings:

2-22-18 – Sopris Labs- SUP for MIP, UDC discussion

3-8-18 - Thompson Park Amendment and MSPR, Stolbach Site Plan/Subdivision Exemption

MINUTES

CARBONDALE PLANNING AND ZONING COMMISSION

Thursday January 25, 2018

Commissioners Present:

Michael Durant, Chair
Marina Skiles
Jeff Davlyn
Ken Harrington
Nick Miscione, 2nd Alternate

Staff Present:

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

Commissioners Absent:

Yuani Ruiz, Chair Pro Tem
Gavin Brooke
Jay Engstrom, 1st Alternate
Jennifer Gee DiCuollo

Other Persons Present

Kris Jeukes, 155 Rio Grande Lane
Terry Classen, 650 Lariat Lane, Glenwood Springs
Randy Henrie, 411 E. Main Street, Suite 205, Aspen
Seth Hmielowski, 411 E. Main Street, Suite 205, Aspen
Abdi Pirzadel, 110 Spur Drive, Glenwood Springs
Eric Fisher, 3 Pine Ridge Road, Basalt
Kelley Amdur, 195 Oak Run Road, Carbondale
Ian Oeser, 850 Garfield Avenue

The meeting was called to order at 7:02 p.m. by Michael Durant.

Marina arrived at 7:05

January 11, 2018 Minutes:

Ken made a motion to approve the January 11, 2018 minutes with three changes. Jeff seconded the motion, and they were approved unanimously with Marina abstaining,

Other Persons Present

There was no public comment.

PUBLIC HEARING – Amendment to the UDC -5.8 Off-Street Parking

Applicant: Town of Carbondale

Location: Town-wide

Janet stated that this is a public hearing for the purpose of considering an amendment to the UDC. She said that the Commission is required to hold a public hearing and

recommend approval of the amendments or recommend denial. She told the Commission that they may also continue the public hearing.

Janet explained that last November, the Planning Commission reviewed an application for an assisted living facility. She said that at that meeting, the Planning Commission said that they would consider amending the off-street parking requirements for Assisted Living facilities because the existing standards seemed to require too much parking.

Janet said that after that meeting, she contacted Clarion and that they said they have seen a downward trend in parking for assisted living facilities. She stated that Clarion said there should be a higher level of parking required for independent living and assisted living, and less for memory care, along with some additional spaces for staff.

Janet stated that Staff checked off-street parking requirements in Castle Rock, Durango and Glenwood Springs. She said that we found that Glenwood Springs had recently done an extensive survey of off-street parking requirements for assisted living facilities and we included that in the packet.

Janet said that based on our research, we recommend that there be:

One space per unit for Independent Living units
One space per 3 beds for Assisted Living and Memory Care units
One space for each employee at maximum staffing

Janet explained that during this research, she realized that Table 5.8.1 had the same off-street parking requirements under "Group Living" for group homes, adult day care facilities, assisted living facilities and nursing homes. She said that it seemed that assisted living facilities and nursing homes were similar and should be broken out. Janet said that she would recommend that we:

- Ø Keep group homes and adult day care facilities under the current requirements.
- Ø Separate out assisted living facilities as its own line item under Group Living with the new off-street parking requirement
- Ø Have a separate line item under Group Living for nursing homes with an off-street parking requirement of 1 space per 3 beds + 1 space per employee

Janet said that she redlined the UDC to reflect these changes and she explained some of the redline revisions to reflect what she has in her report.

Jay asked if there was a difference between a garage or open parking space.

Janet said that they are counted the same whether they are in a garage or in a parking lot.

Michael noted that the application was showing some of the garage spaces as a resident amenity.

Michael stated that the redlined UDC of one space per employee at maximum shift was meant to say maximum staffing.

Janet said that the way other communities word it is one space per employee on largest shift.

Michael said that makes it very clear.

Mary Harris, **345 Colorado Avenue** asked if peak staff included the changeover or overlap of staff.

Janet said that the communities that they researched just planned for the largest shift.

Kris Jeukes, **155 Rio Grande Lane** said that she has seen parking problems at Heritage Park with the overlap of shifts. She requested that the parking be reviewed again and to increase the required spaces for the overlap time.

Terry Classen, **650 Lariat Lane, Glenwood Springs** said that a skilled nursing home has a much higher count of employees compared to assisted living. He said that Heritage Park has terrible parking in general and that Valley View Hospital has grown out of their parking capacity. Terry said that they have 8-10 spaces extra which can be used for the overlap time. He said that their partner makes a point of providing mass transit options for their staff which would be very easy in Carbondale if bus passes were provided. He said that they have twelve bike spaces too and shuttle options will be provided for employees as well as the residents, which will mitigate it.

Michael clarified that this parking amendment is not application specific and that this is town-wide.

Eric Fisher, **3 Pine Ridge Road, Basalt** said that he has been involved with several of these developments and that the residents use about ten percent of the parking spaces. He said that during shift turnover that there is other available parking.

Motion to close the Public Hearing

A motion was made by Ken to close the Public Hearing. Marina seconded the motion and it was approved unanimously.

Marina was concerned that if this amendment does not get passed that the next application on the agenda would not get passed.

Further discussion ensued about the process.

Jeff asked Janet what the requirements for parking were for group living now.

Janet answered that the requirement was 267 spaces for a 78 unit project.

Jeff and Marina thanked Staff for their research.

Ken said that there are other factors to consider, visitors typically are not coming during a shift change and not having a full facility so parking standards are ample. He also commented that adult daycare is not a living facility so he questioned whether it belonged in the table where it is.

Jay said that he agrees with Staff's numbers. He asked if labeling the parking spots for visitors and employees might be an option.

Ken said that when spaces are assigned then you lose flexibility.

Michael suggested that the labeling could be reviewed for each application.

Jeff thought that it was up to the applicant how their parking would be best used and that the Town would decide how many spaces were needed. He said that he agrees that more flexibility and less regulation would be best.

Marina agrees with the other commissioners.

Motion

Ken moved to recommend to the Board to approve a zoning text amendment shown in Exhibit A with the three findings of fact and the redline corrections. Jeff seconded the motion and it was recommended unanimously.

No: none

Yes: Jeff, Michael, Ken, Jay, Marina

PUBLIC HEARING – Comprehensive Plan Amendment, Rezoning, Major Site Plan Review, and Special Use Permit

Applicant: Pacifica Senior Living RE Fund, LLC

Location: 295 Rio Grande Avenue & Parcel to the west

Janet stated that this is an application for rezoning, a major site plan review and a special use permit. She said that it is a 78 unit assisted living and memory care facility. She noted that there is also a Comprehensive Plan Amendment. Janet stated that the Commission is required to hold a public hearing and make a recommendation on the rezoning and the major site plan review as well as on the Comprehensive Plan Amendment, and either deny or approve the special use permit. She said that a condition could be added that the special use permit was contingent upon the approval of the UDC amendment, rezoning and the major site plan review.

Janet said that the current zone district for these properties is residential medium density (R/HD) and the PUD mini storage. She said that the proposed zone district is R/MD.

She said that the commission looked at this application last November and that they were supportive of a Comprehensive Plan amendment and the rezoning but that there were issues with the application. Janet said that there were issues with the parking because the parking was not in compliance with the UDC and there were other items that needed correction or clarification i.e.; pervious/impervious surface, private outdoor open space and bulk storage to name a few.

Janet continued by saying that at the November meeting, the Commission denied the application and you asked the applicant and Staff to go back and work together, amend the UDC, add the Comprehensive Plan amendment into the mix as well as clean up the application. She said that this is what is in front of you tonight.

Janet explained that the Comprehensive Plan amendment is to designate these two properties as the Downtown North, which is what the Foulkrod property is behind these properties. She said that it would bring the same designation to the east and make it Downtown North, rezone the property to R/HD zone district all of which was cleaned up and noticed. She said that all of the zoning items were brought into compliance including 78 parking spaces, the landscaping area, including more detail of the building design and site plan.

Janet said that there were changes to the engineering plans and that the applicant met with the public works director and they straightened out the mains as they crossed the RFTA corridor as requested by public works.

Janet said that after Staff reviewed the application it is in compliance with the UDC as amended and that they are supportive of the proposal, the Comprehensive Plan amendment and the rezoning.

Janet said that Staff's findings are that the project could provide valuable housing and services for seniors and it meets the goals and strategies in the Comprehensive Plan to prepare for an aging population with the housing supply serving age cohorts ranging from recent retirees to the elderly. She said that the Comprehensive Plan also says encourage a range of public and private options including assisted living, continuing care community and professional care givers.

Janet stated that Staff included conditions and findings with the application.

Jeff asked if Comprehensive Plan amendments were normally part of applications.

Janet explained that we have done this with previous applications such as with KDNK and the old Gordon Cooper library.

Ken asked for clarification of the zones surrounding the property.

The Commission discussed the zoning map and conferred that the zones surrounding the property were HCC and R/MD

Michael asked if there was a proper order for the application, amending the Comprehensive Plan, then rezoning and continue with the major site plan review followed by the Special Use Permit.

Further discussion ensued about the process.

The applicant, Terry, said that he is excited to be here and he thanked Staff for following up with everything that they were going to do. He said that they have been working on this project since 2014. He said that they have spent a long time working with RFTA and that they have reached an agreement with access to the site. He said that they have also purchased an additional parcel on the northwest side and that it goes all the way over to the entrance to the dog park. Terry said that there is a total of 3.88 acres, which will provide open space.

Terry gave a PowerPoint presentation.

Terry said that his company has created a platform to develop senior housing projects throughout the Rocky Mountain region. He said that their goal is to develop high quality, community based, environmentally friendly, senior living communities in the Rocky Mountain region. He touched on some of the other current projects in the state.

Terry said that his team is all locally based, he outlined the various entities involved.

He said that they work with a third party company, the Highland Group, which is a Colorado based company that is involved with the designs of the projects. He said that they do ninety percent of the feasibility studies in the state. He said that everyone is facing this issue and that some are calling it the senior tsunami, which will be happening for the next thirty to forty years. He said virtually every community is undersupplied for accommodating the senior but that it is twice as bad here. He said that the demand for the Carbondale project will draw from up valley, over McClure Pass, down I-70 to Rifle and Eagle as well as the whole Roaring Fork Valley.

Terry said that the expected growth of seniors is predicted to be over forty percent over the next twenty years. He gave other national statistics and the predicted count of seniors in the four county area, which will be where this development will pull from. Terry said that our area has one of the lowest caregiver ratios at .15% versus 23.23% for the entire country.

Terry said that people want to be here because of the quality of life. He explained that assisted living applies to people with mild to moderate health problems. He said that it provides residents the comforts of home in a social setting and community that they may not have in their own home as well as opportunities to stay active. He continued to explain assisted living guidelines and definitions. He also noted that not all residents are necessarily seniors. Terry said that the average age of a resident is typically an 87 year

old female. He said that 54% are over the age of 84 and 75% female. He said that this is a business rather than group housing in order to provide staffing and nursing support. Terry said that it is not skilled nursing.

Terry said that there would be two buildings offering the continuum of care and that one building will have forty-eight units with twenty-four memory care units on the ground floor with twenty-four assisted living units on the second floor. He said that the other building would be a combination of independent living and assisted living units with thirty total units. He said that both buildings will be licensed by the State of Colorado and will provide care and services to older adults.

Terry said that this is a unique four acre site in the heart of Carbondale and that we are trying to do it right. He said that it is rare that this facility can tie so closely into a community and that the residents will be able to walk across the bike bath to True Nature as well as all of the restaurants downtown.

Terry said that the overall building is approximately 56,000 square feet, which doesn't include a partial basement under the independent living building. He said that they will have one garage for each for the units in the assisted living/independent living building. He said that it will have a community greenhouse for the residents to use with walkways that will tie into the Rio Grande trail as well as the dog park. He said that they have plans for a path to Third Street as well as Second Street. He said that both buildings will have wonderful common areas and amenities. Terry said that most units will have their own patio areas and balconies with a large common patio area overlooking the pasture on the east side.

Terry outlined the existing properties and their current buildings. He said that they have been working with Kevin from public works with the improvements would be needed on Second Street. He said that based on the minimal impact of traffic that this development will have on Second Street as well as Rio Grande Avenue we have come to the conclusion that maybe a full scale improvement of Second Street is not needed right now. He said that what we propose is tying in a pedestrian path instead and waiting to see what impacts if any our project will have.

Michael asked Terry if the slide he was showing was in the packet.

Terry said that the slide was done by SGM a few years ago of what the improvements on Second Street might look like. He said that the pedestrian path would be on the east side of Second Street.

Terry said that there would be a greenhouse for the residents to use. He continued to outline the proposed site of the facility and he said that the open space analysis shows that they are now in compliance.

Terry said that the majority of the residents moving into the facility will be coming directly from the community and he said that it will free up approximately fifty-six percent of existing housing.

Terry said that this was a community enhancing project for the senior community as well as other members of the community such as from CMC for internship opportunities. He said that they have been working with CARE to see if there is an opportunity to provide a senior housing dog facility in the basement of one of our buildings. He said that they can bring dogs that are close to the end of their lives that are typically not wanted by their owners and put them with people who are also in the same stage of their life. He said that it is an amazing opportunity for both the animals and the people.

Terry said that there is an easement agreement with the Nieslanik's for their cattle drives so they can continue to use this area even after this facility is constructed. He said that we will create a community event and BBQ around the cattle every year.

Terry said that they are not asking for any variances and the buildings are in compliance with all building codes. He said that there would be garages alongside the Whalen property on the east side in order to minimize impact for them. He said that there is a varied roofline articulation throughout. He said the materials were of metal, wood and stone with cement fiber panels too. Terry said that the interior materials were mostly natural materials with lots of windows, light and open space.

Terry asked if there were any questions.

Marina said that it was a great presentation.

Jeff asked for clarification on the difference between the previous Second Street improvements plan and what is proposed now with this application.

Terry said that a couple of years ago they had tried to find an alternate access. He said that after meeting with the Town and RFTA that the most logical point of access was down Second Street. He said that at that time it was determined that in order for the project to be feasible that Second Street would need to be improved. He said that they had not had their traffic counts done or public input back then. Terry said that it was decided that the best plan was to not have a big impact on other businesses with regards to parking on Second Street. He said that just since the meeting in November and working with Staff that we came to the conclusion that a full-fledged improvement might not be needed for Second Street.

Jeff asked Terry if there had been discussion of you contributing to the improvements on Second Street.

Terry said that it never went that far.

Janet said that after speaking to the Public Works Director that he thought that if the street were widened that people were going to go fast up and down Second Street. She said that they would be hitting the Rio Grande Trail with bikes and pedestrians. She said that he came to the conclusion that it would be safer to keep the street narrowed down and maintain it as it is. She said that they agreed that there needs to be a pedestrian

connection on the east side of Second Street and she said that they are still working on how that would be configured. Janet said that it would not be a curb and gutter but more of a casual trail for bikes and pedestrians. She said that the applicants agreed to pay for the cost of the trail and that the Town would work with them on the alignment.

Jay said that his concern with Second Street is emergency access and he asked if the fire department was in agreement with keeping it as is. He said that he would also worry that the Town could be sued if there wasn't sufficient emergency access as this facility will need it.

Terry said that Second Street was designed to get to the residents on Rio Grande Avenue and that he didn't think emergency access would be an issue. He said that they can run it by the Fire Department.

Janet said that the Fire District did comment on this application and that they stated that the proposed access for the development via Rio Grande Avenue is adequate for emergency apparatus. She continued by saying that the Fire District has previously met with project designers and the western portion of the island at the round-about, of the development, was identified as needing to allow for rollover, which has been revised in their new application.

Michael referenced pages 128 and 129 of the packet and asked about the alignment of the sidewalk that comes from the development to the Rio Grande Trail near True Nature.

Terry said that it is pretty closely aligned with the Third Street pedestrian easement that runs between True Nature and Colorado Place. He said that there is a grade change due to where RFTA wanted the access to be.

Michael said that the switchback is for wheelchair maneuverability. He said that it is pretty steep.

Ken said that it looks like there is a ninety degree turn off of the Rio Grande Trail. He asked if this was the bike way?

Terry said that bikes would come down the Rio Grande Trail or on the trail in question.

Ken stated that bikes do not do well with ninety degree turns.

Terry said that we can have signs to dismount from your bikes.

Michael said that he has a friend that lives at Colorado Place who wants sidewalks on Third Street and Colorado Avenue on the northern and eastern sides of the streets. He said that he doubts that pedestrians know that there is an easement or connection to the Rio Grande Trail from Third Street.

Mary Harris, **345 Colorado Avenue** said that she is a neighbor and that she is representing the residents of Colorado Place. She said that they have some concerns and that everyone is excited about this project. She said that they have construction worries and that the town lot next to Colorado Place turns into a big equipment area now. She said that there are huge trucks starting up at five in the morning and idling. Mary said that they disturb a lot of the residents. She said that there are thirty residents and that they want to be assured that this project will be done with respect and in a courteous manner. She wanted to know where all the equipment for this project is going to be parked in the morning and throughout the day. Mary said that many times the lot next to Colorado Place is used overnight and then in the early morning they start their trucks. She asked what the timeframe is for construction noise. Mary said that trash pickup is not until seven out of respect for residents. Mary said that her job is to report back to everyone. She asked the name of the person doing the landscaping for the development? She said that they have a request that the landscape person look at True Nature and what has been planted there. She said that True Nature uses a lot of native plants and that Carbondale is trying to be environmentally friendly so it would be good to take this opportunity because you have a blank canvas. Mary said that the birds would be rewarded.

Mary Sikes told Mary Harris the construction hours for Carbondale.

Marina asked if there will be a construction management plan that John Plano will review.

Janet answered yes. She said that the Town leases the parking lot and that they cannot use the lot without authorization. She reviewed Mary's concerns.

Janet suggested adding a condition of approval for a construction management plan.

Michael explained that noise in Town is complaint based. He said that he sees campers in this lot often and that they leave behind things. He told Mary to call the Carbondale Police Department directly. Michael said that he knows that there are problems today without the construction.

Janet told Mary Harris that she can call her to get more information about the construction management plan when it becomes available. She said that the construction management plan can be added as a condition of approval for a major development permit. She said prior to issuance of a building permit that the applicant will submit a construction management plan subject to review and approval by the Town.

Michael said that the application is all part of the public record and that Mary Harris can come into John Plano's office anytime to look at it. He said that Carbondale is pretty strict in terms of landscaping that is allowed and that True Nature is complying with the Town's regulations. He said that we have a very active tree board.

Ken suggested that the developer have a sit down with this group.

Terry said that if Shaw is the contractor that they have very clean job sites and screening fences and that this project will be done right.

Mary Harris said that the residents at Colorado Place are excited and that it is an awesome project.

Kris Jeukes, **155 Rio Grande Lane** said that regarding the Second Street access and the RFTA memo dated 1-15-18 on page 2 that they indicate that there would be a ninety percent increase in vehicle traffic. She asked if the Town could require the applicant to make their primary access from Fourth Street. She said that there is a lot of traffic on the Rio Grande Trail and that kids split off from there to access the schools. Kris noted that there is a new trail being proposed on Snowmass Drive, which might help get the kids off of Second Street but that they would still be going across Second Street on the Rio Grande Trail. She said that this could bring more pedestrians and bikes to the Rio Grande Trail. She said that she would like to see some consideration factored in based on the new connection at Snowmass Drive.

Janet explained that the leg of property from this development to Fourth Street is on a steep hillside.

Michael said that it would be very expensive.

Kris Jeukes asked if this entity doing this development was a non-profit or for profit?

Michael answered that their status was structural.

Janet said that the hillside is sensitive and that it would scar the hillside. She stated that it would be financially difficult because it requires building big retaining walls.

Michael said not only would you have to build retaining walls but that you would have to cut into the right-of-way to the dog park.

Kris said that there are a lot of things about Second Street that are not ideal. She said that another resident from Rio Grande Lane had a memo in the packet.

Kelley Amdur, **66 N. Second Street** said that she and her husband own the Dandelion Inn. She said that first that we fully support the Sopris Lodge's project and that we think it is a great project for the site. She said that we support the density and use as well as amending the parking requirements. She said that we agree that the northern part of Second Street needs help. Kelley said that we have operated the Inn for over a year and have seen the congestion on the street and for competition of parking as well as the constant flow of pedestrians and bikes. She said that there are many unaccompanied children going to and from school. She said that they are in support of some improvements to the street. Kelley said that they purchased the property in the summer of 2016. She said that they had discussed the SGM drawings with the Board and that they had some concerns at that time. She said that the SGM drawings are deceiving

and that on the right side of the street it shows open landscaping to the edge of the right-of-way. She said that the Dandelion Inn building extends four to seven feet over that property line as it was built that way in 1970. She said that they have a thirty year lease with the Town for the area under the building. Kelley said that the area between the building and the drive area is a lease area as well. She said that they use it for a front yard pedestrian path and a couple of parking spaces. She said that they have always had some concerns about the SGM drawings if they were to be implemented because we would lose the parking spaces and that there is a code requirement for the property that we need parking for our guests. She said that they have put down gravel over some of the grass to get cars further out of the drive lanes and on to the property within the right-of-way, which has worked quite well. She said that the SGM drawings would eliminate all of the parking on the east side of the street and that we don't think that is desirable or necessary. She said that she spoke with Kevin the Public Works Director and Janet today. She said that the width of Second Street varies from seventeen to twenty-five feet wide and that the SGM drawings show a twenty-two foot wide street, which is probably not necessary. Kelley said that there is a memo in the packet from River City that states a less wide street would meet standards for a twenty-five MPH speed zone. She said that they support a pedestrian and bike path on the east side of the street. She said that the driveway for the Dandelion Inn would cut through the new path and that the driveway holds two cars. She said that we want to work with the town so we can still maintain the parking in the right-of-way and have a new trail.

Kelley stated that we know that you are here today to consider the Special Use Permit and the rezoning and not the specifics of the improvements to Second Street. She said that all we are asking is to be included in the discussions with the Town Staff and the applicants as the project moves forward. She said thank you for your time and I'm happy to answer any questions.

Michael asked Kelley about the three parking spaces to the north of her property and if she used those spaces?

Kelley said that there are two parallel spaces to the north and explained that the previous owners of the Inn in the mid-nineties had asked that some street parking be designated to the Inn. She said that there are three spaces in the street in front of the Inn.

Michael referenced page 101 in the packet, which shows the parking on Second Street.

Further discussion ensued regarding current parking in the street.

Janet said that they would like to preserve the trees when making the trail on the east side of the street and not necessarily make it a straight shot and that it can bend and curve in the leased area. She said that the trail near Harmony Scott's would be between the cars and the property line or the fence.

Motion to close the Public Hearing

A motion was made by Ken to close the Public Hearing. Jeff seconded the motion and it was approved unanimously.

Comprehensive Plan Amendment and Rezoning

Jeff said that the Comprehensive Plan amendment makes sense.

Jay agreed.

Ken said that he doesn't have an issue with the Comprehensive Plan Amendment or the rezoning as it is a transition going from R/MD to R/HD and then the Industrial Zone.

Marina said that she too doesn't have an issue with the Comprehensive Plan Amendment or the rezoning.

Major Site Plan Review

Ken asked for clarification that it is fifty-one cars per day based on the traffic data?

Michael stated that the traffic would increase tenfold for the residents.

Marina added that there are children using it every day.

Further discussion ensued regarding other cross walk signage and conditions throughout Carbondale.

Jeff said that Second Street is an entrance to this development and that he is in favor of expanding the conversation. He said that the Rio Grande crossing isn't a huge issue for him and that Eighth Street has more than fifty cars per day. He said that the opportunity to improve Second Street as a part of this development is important to discuss.

Jay said that the discussion about the Rio Grande Trail and the pedestrians going down Second Street to the schools was referenced earlier as the Snowmass Trail will be an alternate route to the schools. He said that pedestrians walking down Second Street will be greatly reduced.

Further discussion ensued regarding the development agreements.

Jay said that he is feeling confident moving forward.

The Commission concurs with the findings for the Major Site Plan Review.

Special Use Permit

Discussion ensued about the process.

Motion

Ken moved to recommend approval of the Comprehensive Plan Amendment, Rezoning and Major Site Plan Review with the findings in the Staff report and conditions 1-10. Jay seconded the motion and it was recommended unanimously.

No: none

Yes: Jeff, Michael, Ken, Jay, Marina

Motion

Ken moved to approve the Special Use Permit with the findings in the Staff report and the condition that it is contingent upon the Board approving the Comprehensive Plan Amendment, Rezoning and Major Site Plan Review. Jeff seconded the motion and it was approved unanimously.

No: none

Yes: Jeff, Michael, Ken, Jay, Marina

Staff Update

Janet said that the quarterly report for the planning department was in the packet, which was comprehensive.

Janet stated that she was getting all of the legal documents in order for City Market and it is still moving forward. She said that the infrastructure would begin this year and the building next year.

Janet said that Thompson Park has resubmitted and it will be coming back before you and it has increased density.

Janet said that there is a work session with the P&Z/Board on March 20, 2018.

Commissioner Comments

Michael said he went to a Board work session with the Child Care Coalition.

Motion

A motion was made by Ken to adjourn. Marina seconded the motion and the meeting was adjourned at 9:40 p.m.



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

Planning Commission Agenda Memorandum

Meeting Date: 2-8-18

TITLE: Rezoning – 689 Main Street

SUBMITTING DEPARTMENT: Planning Department

ATTACHMENTS: Referral Agency Comments
Application Materials
Seventh Street PUD

BACKGROUND:

Applicants/Property Owners: Ann and Mark Gianinetti, AMG Properties, LLC

Property Location: 689 Main Street

Current Zone District: Seventh Street P.U.D.

Proposed Zone District: Historic Commercial Core (HCC)

Surrounding Zoning/ Land Use: North – CMC – Colorado Mountain College PUD
South – Pool – Open Space
East – Post Office - HCC
West – Office/Residential – Main Street PUD

PROCESS:

Before you tonight is an application for the rezoning of a parcel from the Seventh Street PUD zone district to the Historic Commercial Core (HCC) zone district. The Planning Commission is required to hold a public hearing and recommend approval of the application, recommend denial or continue the public hearing.

DISCUSSION:

The parcel is 19,350 sq. ft. There is an existing historic building on the lot which was constructed in 1913. The property was originally zoned the Historic Commercial Core equivalent when the Town adopted the first zoning ordinance in 1973. The property

was rezoned to the Seventh Street PUD in 1986. The goals of the PUD were as follows:

- Ø Preserve the existing brick house
- Ø Maintain the open front yard and large spruce trees
- Ø Add residential and bed and breakfast uses
- Ø Maintain more open space than was required in the HCC zone district
- Ø Allow the use of the Seventh Street and Colorado rights-of-way as parking

The building was used as a restaurant until several years ago. Since then, it has been vacant.

Staff has fielded a number of inquiries regarding the use of that property over the years. While the PUD was well-intended, trying to interpret the standards in the PUD presented challenges to Staff. Because of that, in 2015, Staff worked with the property owner to prepare an interpretation of the PUD. This document was then used when Staff answered questions about the use of property. This interpretation was included in the application.

No changes to the property are planned as part of the rezoning application. The applicants have short-term and long-term goals for the property. The short-term goal is to have the restaurant reestablished and to find an appropriate use for the upstairs such as short-term rentals, a traditional bed and breakfast or offices. The long-term plan is to develop the northerly portion of the property.

DITCH

The Weaver Leonardy Ditch run along the east side of 7th Street adjacent to this property. A portion of the ditch has already been piped. The applicant would like to pipe the remainder of the ditch in order to accommodate on-street parking.

The applicant has been working with the Public Works Director on this proposal. The Public Works Director has indicated that it would be acceptable. However, if the rezoning is approved, the applicant would be required to submit engineering plans for the ditch and street improvements for review and approval by Town Staff. The Public Works Director submitted comments which include several conditions related to the ditch. In addition, a Development Improvements Agreement would need to be approved by the Board of Trustees. These have been conditions of approval.

Planning Staff expressed concern to the applicant about making sure that the spruce trees are irrigated if the ditch is piped. The applicant has indicated there is a method that can be used to ensure that the trees still receive irrigation from the ditch water.

PARKING

Section 5.7.7.H. of the UDC requires that off-street parking be provided for all residential dwelling units and for all lodging uses in the HCC zone district. Off-street parking is not required for other nonresidential uses in the zone district.

UDC Section 5.7.7.H.3. states that the Board of Trustees may grant a parking credit for reclaiming public right-of-way or providing parking spaces within the public street right-of-way in the HCC zoning district. The applicant is requesting that, in conjunction with the piping of the ditch and street improvements along 7th Street, they receive some credit toward required off-street parking. Staff would support this request as it will help facilitate the preservation of the historic building. This is a Board decision which would be done as part of the Development Improvements Agreement process. However, the Planning Commission can make a recommendation to the Board.

HISTORIC BUILDING

Architectural Inventory Form done by the Town in 2006 as part of a Historic Preservation Grant from the State includes information about the architecture and history of the property. The report states that the house is significant for its position in the early development of Carbondale. The house is one of a small group of large brick homes which are located adjacent to the original townsite. It is indicative of a substantial investment in the community and a desire for permanence. The elegant brick work, window layout and design are typical of the styles popular at that time.

The original house size is approximately 1,872 sq. ft. The second floor is approximately 840 sq. ft. with four bedrooms and one bathroom. The one-story addition to the rear of the building is about 2,015 sq. ft. and includes the kitchen, bar area, and some restaurant seating. This is not part of the original historic structure.

The applicants propose to preserve the existing brick portion of the house, the spruce trees and the landscaping to the south of the structure with a 20 year deed restriction or covenant. In return, the Gianinetti's would request some fee waivers for building permit and related fees in the future.

This was done previously with the building at 711 Main Street as part of the Main Street PUD. Staff feels that economic incentives are an important tool when working with property owners of historic buildings. In the spirit of the historic preservation efforts, Staff would recommend that some consideration be made in waiving the building permit and plan check fees. The Board is the ultimate decision maker, but the Planning Commission may make a recommendation.

It should be noted that the Town cannot "waive" water and sewer tap fees because of legal consideration. The Town would be required to pay for the cost of the tap fees from the general fund into the water and sewer tap fee fund.

When the Town waived fees for the 711 Main Street project, a development proposal was on the table so the Town knew what fees would be waived. However, with this development, no immediate improvements are proposed. The applicant should submit a letter with an estimate of the fees which would be applicable. Staff would suggest that there be a time limit on fee waiver, i.e., 24 months.

Staff's one hesitation with the rezoning is the timing of the deed restriction preserving the historic house and the rezoning. If the property is rezoned without the deed restriction in place, there would be nothing to protect the historic structure. Currently, the PUD includes front and side yard setbacks which match up the footprint of the brick structure. The HCC zone district would allow 0 ft. setbacks.

Staff would recommend that there be a condition that the rezoning be contingent upon approval of a deed restriction and that the restriction be recorded prior to establishment of the HCC zone district for this property.

COMPREHENSIVE PLAN:

The Future Land Use Plan shows this property in the "Downtown" area. The "Downtown" designation provides that this area is the historic center of commerce, culture, civic life, and celebrations - the heart of the community. The designation suggests mixed use including shopping, restaurants, entertainment, lodging, offices, and employment generating facilities essential to the daily life of residents and housing. It encourages the preservation of historic buildings.

One strategy (2.3.D. page 88) is to promote restaurants, taverns and lodging as economic drivers and tax revenue generators.

HCC ZONING

The purpose of the HCC district is to preserve the original commercial center of Carbondale as a unique commercial area with an historic character. The intent is to accommodate a variety of complimentary commercial, service, entertainment, and residential uses and to create a market atmosphere compatible with the downtown. The district is intended for primarily customer-oriented commercial uses on the street level, with office and residential on the upper stories. The HCC district is designed to accommodate intense development of individually owned businesses in an attractive, pedestrian-oriented setting, following the design character and patterns of the historic downtown area.

REZONING CRITERIA:

Under Section 2.4.2.C.3.b., amendments to the zoning map may be approved if the Town finds that all of the following approval criteria have been met:

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;
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, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
5. The amendment is not likely to 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) will be available to serve the subject property while maintaining adequate levels of service to existing development.

STAFF RECOMMENDATION:

Staff recommends approval of the following motion: **Move to recommend approval of the rezoning from PUD to HCC zone district with the following recommended conditions and findings:**

Conditions:

1. All representations of the Applicant in written submittals to the Town or in public hearings concerning this project shall be binding as conditions of approval.
2. The Applicant shall submit engineering plans for the ditch and street improvements for Town review and approval. The engineering shall include a plan showing the proposed pipe size, pipe material, bedding, material, etc. The engineering shall also include repair to the existing ditch piping under the north entrance to the property off of 7th Street. The Applicant shall be required to enter into a Development Improvements Agreement prior to commencement of any work in the 7th Street right-of-way.
3. The Applicant shall submit a parking plan for the 7th Street right-of-way in conjunction with the engineering plans. This submittal shall include a proposal for Board consideration of parking credits for required off-street parking spaces.
4. The Applicant shall submit a proposal for fee waivers for the Board's consideration.

5. The Applicant shall submit a Deed Restriction preserving the historic brick structure for the Town's review and approval prior to recordation of the rezoning ordinance.
6. The plumbing to the grease interceptor for the restaurant shall be inspected for proper installation prior to the reestablishment of a restaurant use. The line to the interceptor shall only be from the kitchen.
7. The Applicant shall pay and reimburse the town for all other applicable professional and staff fees pursuant to the Carbondale Municipal Code.

Findings - Rezoning

1. The rezoning will promote the public health, safety, and general welfare.
2. The amendment is consistent with the Comprehensive Plan as the Future Land Use Plan shows this property in the "Downtown" area. The "Downtown" designation provides that this area is the historic center of commerce, culture, civic life, and celebrations - the heart of the community. The designation suggests mixed use including shopping, restaurants, entertainment, lodging, offices, and employment generating facilities essential to the daily life of residents and housing. It encourages the preservation of historic buildings. The rezoning meets the strategy in the Comprehensive Plan to promote restaurants, taverns and lodging as economic drivers and tax revenue generators. The purposes stated in this Unified Development Code have been met.
3. The amendment is consistent with the stated purpose of the proposed zoning district, specifically, the purpose of the HCC district is to preserve the original commercial center of Carbondale as a unique commercial area with an historic character;
4. The rezoning will not result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, and in fact will enhance the natural environment due to the preservation of the historic lawn area and significant spruce trees.
5. The rezoning will not result in material adverse impacts to other property adjacent to or in the vicinity of the subject property.
6. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are available to serve the subject property while maintaining adequate levels of service to existing development.

Prepared By: Janet Buck, Planning Director

TOWN OF CARBONDALE

PLANNING DEPARTMENT
REVIEWING AGENCY FORM

PLANNING ITEM #: LU17-41

DATE SENT: 1-12-18

COMMENTS DUE: 1-30-18

TO: Public Works

To assist the Town in its review of this project, your review and written comments are requested. Please notify the Planning Department if you will not be able to respond by the date listed above. Questions regarding this project should be directed to the Planning Department, 963-2733.

APPLICANT: Ann & Mark Gianinetti of AMG Properties, LLC

OWNERS: Same

LOCATION: 689 Main Street

ZONE: Seventh Street PUD

PROJECT DESCRIPTION: Rezone property from PUD to HCC zone district. Includes a request to pipe a portion of the ditch along 7th Street to expand parking in the public right-of-way. No development is proposed with the rezoning.

PLANNING STAFF CONTACT: Janet Buck

The following are conditions or comments I would offer regarding this item: (Attach separate sheet if necessary)

1. Prior to commencement of the ditch piping, the applicant shall submit a plan showing the proposed piping which should include pipe size, pipe material, bedding material, etc.
2. The existing ditch piping in the under of the north entrance to the property off of 7th Street has partially collapsed. The applicant should repair this in conjunction with the new ditch piping and parking.
3. The plumbing to the grease interceptor for the restaurant needs to be inspected for proper installation. The line to the interceptor should be only from the kitchen.

Please return comments to both: jbuck@carbondaleco.net
msikes@carbondaleco.net

Planning Department

TOWN OF CARBONDALE

PLANNING DEPARTMENT
REVIEWING AGENCY FORM

PLANNING ITEM #: LU17-41

DATE SENT: 1-12-18

COMMENTS DUE: 1-30-18

TO: _____

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LOCATION: 689 Main Street

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PLANNING STAFF CONTACT: Janet Buck

The following are conditions or comments I would offer regarding this item: (Attach separate sheet if necessary)

COMMENTS:

1. The Town of Carbondale's water is system is capable of providing adequate fire flows.
2. The existing fire hydrants are adequate for the building.

Bill Gavette, Deputy Chief, Carbondale & Rural FPD
Signature

01-18-2018
Date

Please return comments to both:

jbuck@carbondalecto.net
msikes@carbondalecto.net

Planning Department
Town of Carbondale
511 Colorado Avenue
Carbondale, CO 81623

TOWN OF CARBONDALE

PLANNING DEPARTMENT
REVIEWING AGENCY FORM

PLANNING ITEM #: LU17-41

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COMMENTS DUE: 1-30-18

TO: _____

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PLANNING STAFF CONTACT: Janet Buck

The following are conditions or comments I would offer regarding this item: (Attach separate sheet if necessary)

After Review Xcel Energy has no objection

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Installation, relocation, upgrade of existing facilities due to increased load and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above.

All Current and future Xcel Energy facilities' must be granted easement.

Thank you for the chance to review.
Sam Wakefield

 Multiple Agencies/Individuals Signature
Print Name/Agency/Individual Name
Signature Date/Date
Date/Signature/Date/Signature/Date/Signature
Date/Signature/Date/Signature/Date/Signature

689 Main Land Use Application AMG Properties LLC



Rezoning
Parking Credits
Piping Ditch

**Carbondale, Colorado
December 2017**

Section 1

Ownership documents

**Land Use Application
Rezoning Checklist
Statement of Authority
Deed**



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: AMG Properties LLC Phone: 970 618-3863

Applicant Address: 611 CO

E-mail: _____

Owner Name: Ann & Mark Gianinetti Phone: _____

Address: _____

E-mail: ann@mglandscapinginc.com

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

689 Main St.

PART 2 – PROJECT DESCRIPTION

General project description:

REZONING TO HCC. REESTABLISH RESTAURANT & 2nd STORY
COMMERCIAL USE LONG TERM - ADDITIONAL COMM USE IN REAR OF SITE

Size of Parcel: 19,350 # Dwelling Units: UNKNOWN Sq Ftg Comm: 3,907 (PRESENT)

Type of Application(s): REZONING - PARKING CREDITS PER S.7.7.4.3 - UDC

Existing Zoning: PUD Proposed Zoning: HCC

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.

[Signature]
Applicant Signature

11/7/17
Date

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

[Signature] 11/17/17
Owner Signature Date

[Signature] 11/17/17
Owner Signature Date

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

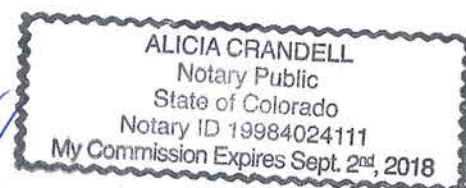
The above and foregoing document was acknowledged before me this 17 day of

November 20 17, by Ann Gianinetti and Mark Gianinetti

Witness my hand and official
My commission expires: Sept 2, 2018

[Signature]

Notary Public





Town of Carbondale Rezoning Checklist

(970) 963-2733

Project Name: 689 Rezoning
Applicant: A: m LLC / Mark Chain
Applicant Address:
Location: 689 Main Street
Date: 10-11-17
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)
- ☒ a. The application for a rezoning shall include:
 - i. A site plan showing the footprint of all buildings, parking configuration, location of all utilities and easements, and other details demonstrating conformance with all regulations and development standards applicable to the proposed zoning district;
 - ii. A written statement justifying why the proposed zoning fits in with the surrounding neighborhood and why the proposed zoning is more appropriate for the property than the existing zoning;
 - iii. A list of all property owners within 300 feet;
 - iv. A map showing adjoining zoning districts within 300 feet; and
 - v. Proof of ownership.
- b. The applicant shall submit to the Director any other information required in the appropriate application as provided by the Director along with any information identified in the pre-application meeting and all required information stated elsewhere in this Code for an amendment to the zoning map.
- c. If a proposal requires a permit or approval from any county, state, or federal agency, the applicant shall submit to the Director a duplicate of any required application at the same time that it is submitted to the other agency or a minimum of 14 days prior to any hearing related to such county, state, or federal permit, whichever occurs first.
- ☐ Additional information requested at the pre-application meeting:

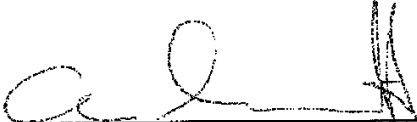



STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
AMG PROPERTIES, LLC
2. The type of entity is a:
- | | | | |
|-------------------------------------|---------------------------|--------------------------|--|
| <input type="checkbox"/> | Corporation | <input type="checkbox"/> | Registered Limited Liability Partnership |
| <input type="checkbox"/> | Nonprofit Corporation | <input type="checkbox"/> | Registered Limited Liability Limited Partnership |
| <input checked="" type="checkbox"/> | Limited Liability Company | <input type="checkbox"/> | Limited Partnership Association |
| <input type="checkbox"/> | General Partnership | <input type="checkbox"/> | Government or Governmental Subdivision or Agency |
| <input type="checkbox"/> | Limited Partnership | <input type="checkbox"/> | Trust |
3. The entity is formed under the laws of **COLORADO**
4. The mailing address for the entity is **611 COWEN DRIVE, CARBONDALE, CO 81623**
5. The **X** name **X** position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is **ANN GIANINETTI, MANAGER AND MARK GIANINETTI, MEMBER**
6. The authority of the foregoing person(s) to bind the entity: ☐ is² not limited ☐ is limited as follows:
AMG PROPERTIES, LLC
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

(Signature and Notary Acknowledgment on Second Page)

¹ This form should not be used unless the entity is capable of holding title to real property.
² The absence of any limitation shall be prima facie evidence that no such limitation exists.
³ The statement of authority must be recorded to obtain the benefits of the statute.


ANN GIANINETTI, MANAGER


MARK GIANINETTI, MEMBER

Notary Public

MARY S. WHITWORTH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074008403
My Commission Expires January 24, 2019

E-RECORDED



Special Warranty Deed
(Pursuant to 38-30-115 C.R.S.)

State Documentary Fee
Date: August 09, 2017
\$ 120.00

THIS DEED, made on August 09, 2017 by SHADOW HOLDINGS LIMITED LIABILITY COMPANY, A COLORADO LIMITED LIABILITY COMPANY WHICH ACQUIRED TITLE AS SHADOW HOLDINGS, LLC Grantor(s), of the County of GARFIELD and State of COLORADO for the consideration of (\$1,200,000.00) *** One Million Two Hundred Thousand and 00/100 *** dollars in hand paid, hereby sells and conveys to AMG PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY Grantee(s), whose street address is 611 COWEN DRIVE CARBONDALE, CO 81623, County of GARFIELD, and State of COLORADO, the following real property in the County of Garfield, and State of Colorado, to wit:

SEE ATTACHED "EXHIBIT A"
also known by street and number as: 689 MAIN ST CARBONDALE CO 81623

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s), subject to general taxes for the year 2017 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matter (Section 8.1) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.2) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the Property within any special tax district; and other NA.

** Grantee takes title to the improvements and fixtures on the property in their "As-Is, Where-Is" condition. **

SHADOW HOLDINGS LIMITED LIABILITY COMPANY, A COLORADO
LIMITED LIABILITY COMPANY


EMMA DANCIGER, MANAGER

MARY S. WHITWORTH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074003403
My Commission Expires January 24, 2019

State of COLORADO

County of GARFIELD

}
} ss.
}

The foregoing instrument was acknowledged before me on this day of August 09, 2017
by EMMA DANCIGER, MANAGER, SHADOW HOLDINGS LIMITED LIABILITY COMPANY, A COLORADO LIMITED
LIABILITY COMPANY COMPANY

Witness my hand and official seal. 1. 24 2019
My commission expires


Notary Public

When Recorded Return to: AMG PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY
611 COWEN DRIVE CARBONDALE, CO 81623





Special Warranty Deed
(Pursuant to 38-30-115 C.R.S.)

| |
|---|
| State Documentary Fee Date: August 09, 2017 \$ 120.00 |
|---|

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SEE ATTACHED "EXHIBIT A"

also known by street and number as: **689 MAIN ST CARBONDALE CO 81623**

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s), subject to *general taxes for the year 2017 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matter (Section 8.1) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.2) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the Property within any special tax district; and other NA.*

**** Grantee takes title to the improvements and fixtures on the property in their "As-Is, Where-Is" condition. ***

SHADOW HOLDINGS LIMITED LIABILITY COMPANY, A COLORADO LIMITED LIABILITY COMPANY


EMMA DANCIGER, MANAGER

State of **COLORADO**

County of **GARFIELD**

)
) ss.
)

**MARY S. WHITWORTH
NOTARY PUBLIC
STATE OF COLORADO**

NOTARY ID 20074003403

My Commission Expires January 24, 2019

The foregoing instrument was acknowledged before me on this day of **August 09, 2017**
by **EMMA DANCIGER, MANAGER, SHADOW HOLDINGS LIMITED LIABILITY COMPANY, A COLORADO LIMITED LIABILITY COMPANY COMPANY**

Witness my hand and official seal. 1. 24. 2019
My commission expires _____



Notary Public

When Recorded Return to: **AMG PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY
611 COWEN DRIVE CARBONDALE, CO 81623**

EXHIBIT A

PARCEL 1

SEVENTH STREET PLANNED UNIT DEVELOPMENT

TOWN OF CARBONDALE

**ACCORDING TO THE PLAT RECORDED AS RECEPTION NO. 373265 IN THE RECORDS OF THE CLERK AND RECORDER
OF GARFIELD COUNTY, COLORADO**

**AND THAT PORTION OF PARCEL 2 OF SAID SEVENTH STREET PLANNED UNIT DEVELOPMENT DESCRIBED AS
FOLLOWS**

**A TAPERING STRIP OF LAND SITUATED IN LOTS 9, 10, 11 AND 12, BLOCK 4, WEAVER'S ADDITION TO THE TOWN OF
CARBONDALE, GARFIELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS**

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 12;

THENCE N. 00 DEGREES 25' W. 1.66 FEET ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 12;

THENCE S. 89 DEGREES 57' E. 90.08 FEET;

THENCE S. 00 DEGREES 03' W. 0.93 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF SAID LOT 9;

**THENCE S. 89 DEGREES 35' W. 90.97 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOTS 9, 10, 11 AND 12
TO THE POINT OF BEGINNING.**

COUNTY OF GARFIELD

STATE OF COLORADO

LAND USE APPLICATION

AMG PROPERTIES LLC

Project Address: 689 Main Street, Town of Carbondale

Legal Description: Parcel 1 of the Seventh Street PUD according to the Plat recorded as Reception # 373265 plus a portion of Parcel 2 of the Seventh Street PUD (Precise metes and bounds information contained on Improvement Location Certificate dated June 20, 2017).

Land-use application components

- **Rezoning from PUD to Historic Commercial Core Zone District**
- **Request to pipe portion of Weaver Leonhardy Ditch along the eastern boundary of 7th Street approximately 85 feet in length**
- **Agreement/covenant to preserve integrity of historical portion of the 689 structure for 20 years.**

REQUEST

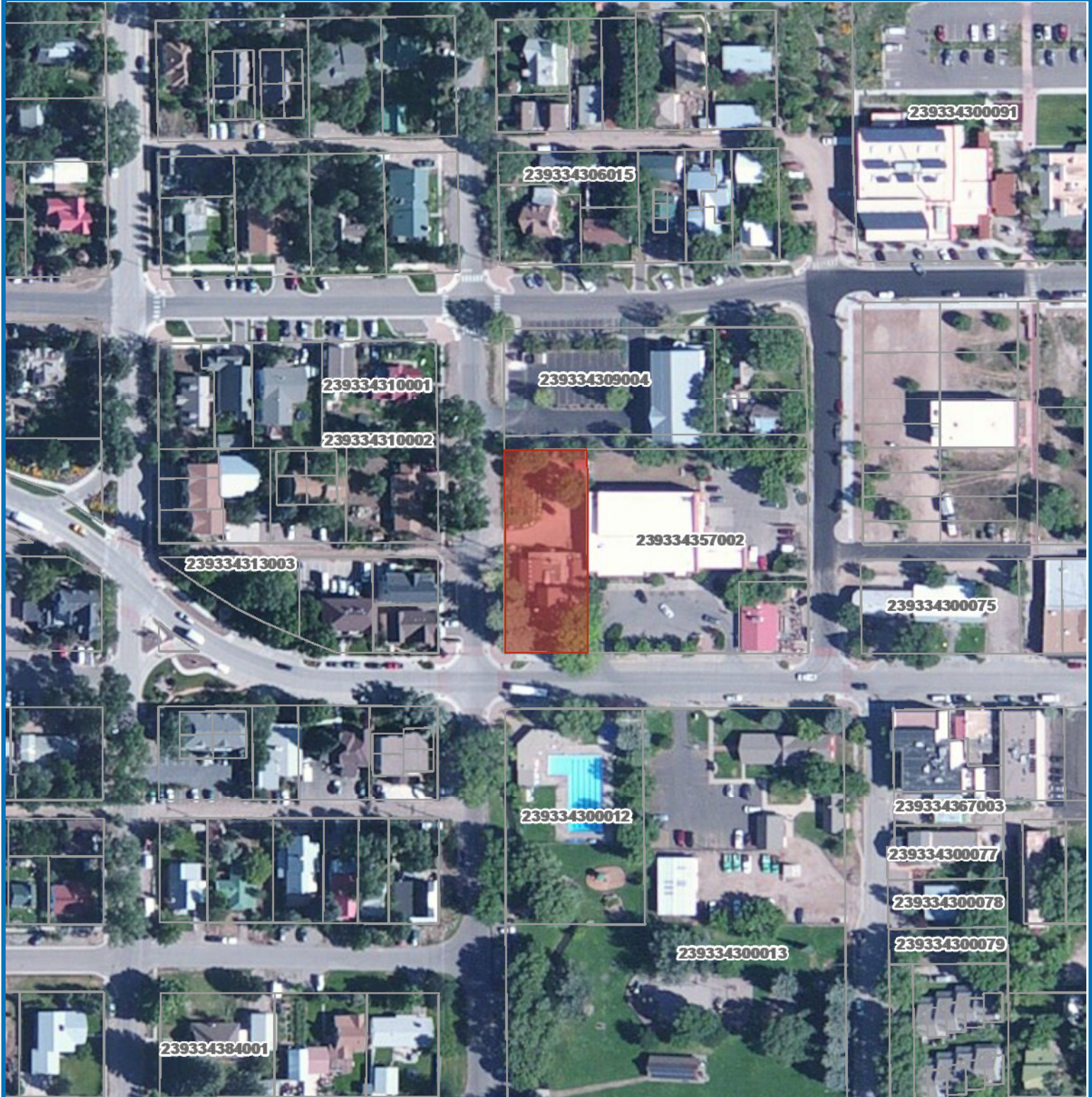
AMG Properties LLC purchased what is commonly known as the 689 Main Street Property in August 2017. After careful consideration and reviewing present and past zoning of the property including development issues and opportunities, the new owners respectfully request to rezone the property from PUD to its former zoning designation – Historic Commercial Core (HCC). This application also includes requesting permission to finish piping a portion of the ditch immediately adjacent to the property for purposes of expanding public parking in the right-of-way. In addition, they are also willing to preserve the integrity of the historic portion of the structure (brick house) for a 20-year period.

SITE DESCRIPTION

The property is approximately 19,350 ft.² in size and is located at the northeast corner of the 7th Street/Main Street intersection. It lies west of the US Post Office property and is directly across from the John Fleet Pool office and the downtown RFTA bus stop. The property is flat topographically and, as is typical of properties in Carbondale proper, is composed of various alluvial deposits. The property has been developed since 1913 when the house was constructed by its then owner, S.D. Weant. The original structure was essentially a square foot print and composed primarily of brick. Presently, there is a landscaped front yard with significant Spruce trees along the Western portion of entryway. A 2,015 SF addition to accommodate a commercial kitchen, bar area, restaurant seating and other commercial components was added in the late 1980s when the use was changed to commercial – specifically, the Landmark Restaurant and Bar. A vehicular access to the rear of the property has existed for a number of decades. Various minor additions were installed including a wrought iron fence along the front and west side boundary of the property, the wooden deck outside the bar area and a residential seating area along the west side of the building during the lifetime of the 689 Restaurant.

DESCRIPTION OF NEIGHBORHOOD

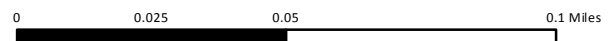
The immediate neighborhood is characterized by institutional/government uses, open space and commercial land uses. Adjacent to the site to the north and east is the CMC Carbondale Campus and the US Post Office. To the south are the local Forest Service office and the town pool/Sopris Park. Directly to the west is the 711 Main PUD which is characterized by commercial/residential uses. Caty corner to the southeast is a four-unit residential condominium as well as a Jaywalker Lodge facility. Finally, to the Northwest are residential land uses –



Garfield County Land Explorer

Printed by Web User

1 inch = 188 feet
1 inch = 0.04 miles



Garfield County

Garfield County Colorado
www.garfield-county.com

Colorado

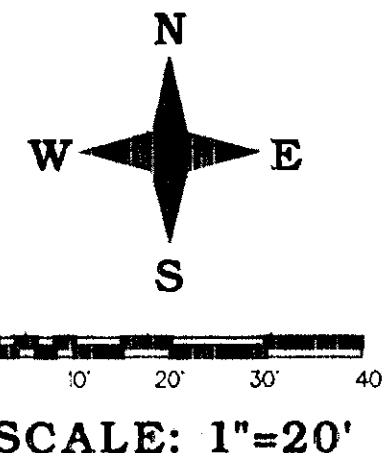
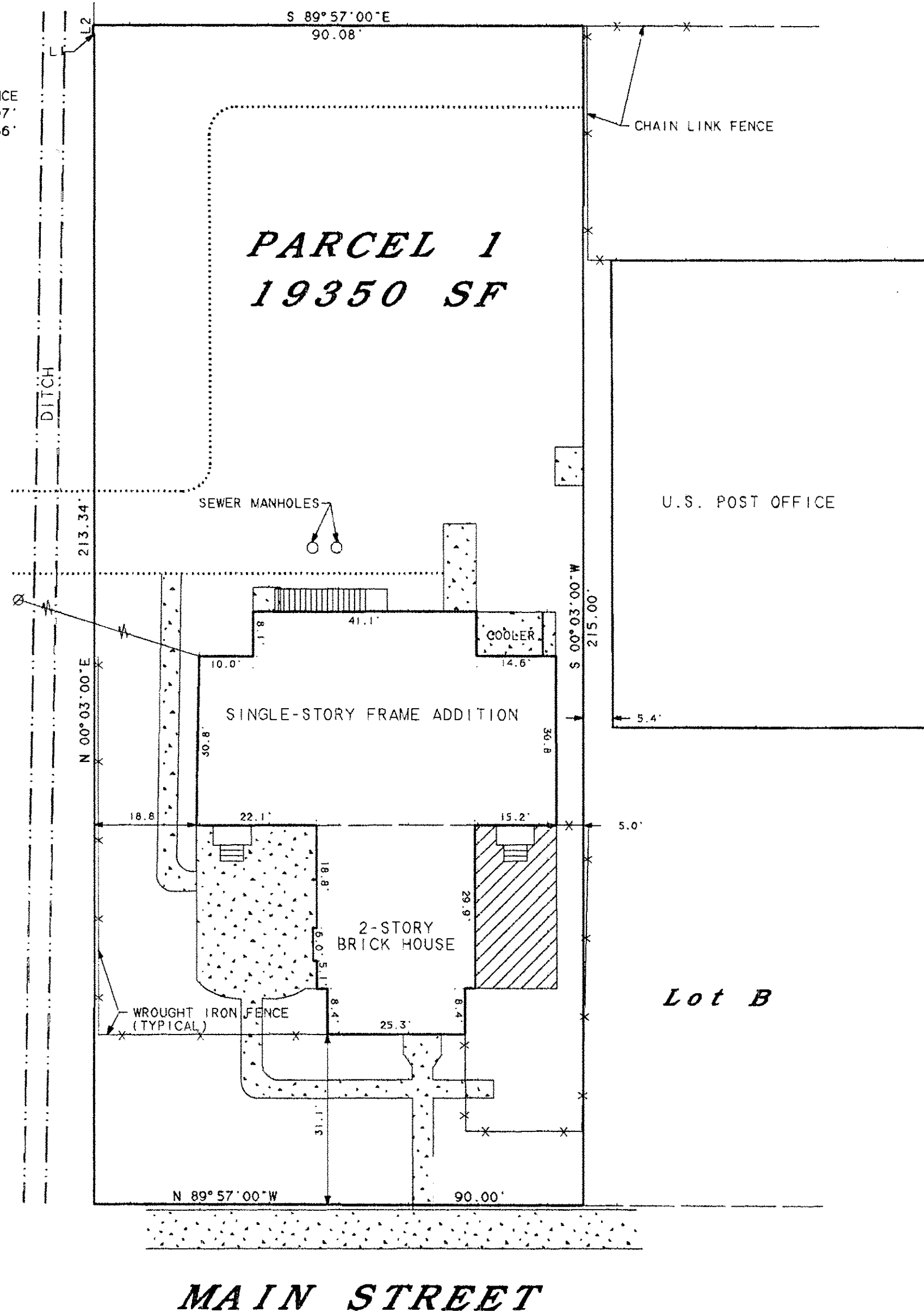
Disclaimer

This is a compilation of records as they appear in the Garfield County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.



| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| L 1 | S 89°35'00"W | 0.07' |
| L 2 | N 00°25'00"W | 1.66' |

SEVENTH STREET



LEGAL DESCRIPTION

PARCEL 1
SEVENTH STREET PLANNED UNIT DEVELOPMENT
TOWN OF CARBONDALE
ACCORDING TO THE PLAT RECORDED AS RECEPTION NO. 373265 IN THE RECORDS
OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO

AND THAT PORTION OF PARCEL 2 OF SAID SEVENTH STREET PLANNED UNIT
DEVELOPMENT DESCRIBED AS FOLLOWS
A TAPERING STRIP OF LAND SITUATED IN LOTS 9, 10, 11 AND 12, BLOCK 4,
WEAVER'S ADDITION TO THE TOWN OF CARBONDALE, GARFIELD COUNTY,
COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS


BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 12:
THENCE N. 00 DEGREES 25' W. 1.66 FEET ALONG THE WESTERLY BOUNDARY LINE
OF SAID LOT 12:
THENCE S. 89 DEGREES 57' E. 90.08 FEET:
THENCE S. 00 DEGREES 03' W. 0.93 FEET TO A POINT ON THE SOUTHERLY
BOUNDARY LINE OF SAID LOT 9:
THENCE S. 89 DEGREES 35' W. 90.97 FEET ALONG THE SOUTHERLY BOUNDARY
LINE OF SAID LOTS 9, 10, 11 AND 12 TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

IMPROVEMENT LOCATION CERTIFICATE

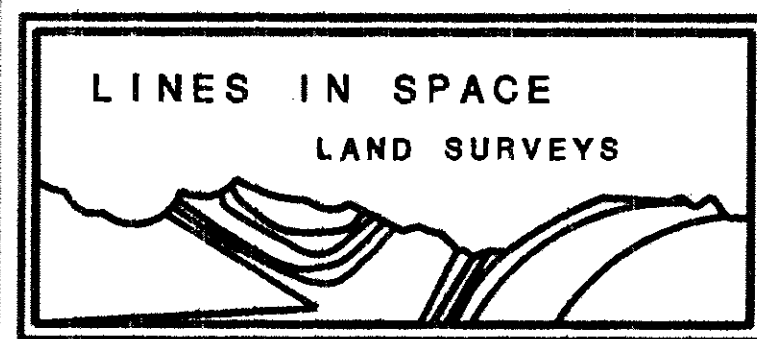
I HEREBY CERTIFY TO SHADOW HOLDINGS LIMITED LIABILITY COMPANY, MARK GIANINETTI AND LAND TITLE GUARANTEE COM-
PANY THAT THIS IS NOT A LAND OR A IMPROVEMENT SURVEY PLAT AND THAT IT IS NOT TO BE RELIED UPON FOR THE
ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.

I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE, JUNE 20, 2017,
EXCEPT THE UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE OF THE PARCEL, EXCEPT AS SHOWN,
THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES,
EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR
BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

BY: 
SYDNEY LINCICOME L.S. 14111
PROFESSIONAL LAND SURVEYOR

LEGEND AND NOTES

- Ø POWER POLE
- OVERHEAD UTILITY LINE
- EDGE OF DRIVEWAY & PARKING
- X— FENCE LINE



| |
|---|
| IMPROVEMENT LOCATION CERTIFICATE |
| 689 MAIN STREET |
| CARBONDALE, COLORADO |
| BY: LINES IN SPACE |
| SYDNEY LINCICOME (L.S. 14111) |
| 67 GLENWOOD AVE. CARBONDALE, CO. 970-963-3852 |
| DATE: 06/20/2017 SCALE: 1" = 20' JOB NO.: 17-14 |

though the property just to the north of the alley on the west side of 7th Street is Zoned Commercial/Transitional Zone District. Attached is a Location Map and a Zone District map showing the zoning of the subject as well as surrounding properties.

ZONING HISTORY AND REASON FOR REQUESTING REDESIGNATION AS HCC

The property was originally zoned Historic Commercial Core or its equivalent when the Town adopted its first Zoning Ordinance in 1973. At that time the property was owned by Paul and Ginny Lappala. The Lappalas not only owned the 689 property but also a large parcel to the north adjacent to the south side of Colorado Avenue which is currently the CMC Lappala Center. Paul submitted a PUD application in 1986 which was eventually approved and adopted. It was named the Seventh Street PUD and recorded on August 7, 1986. A copy of the PUD (with interpretations as noted by the current Planning Director) is included in the Miscellaneous Documents section of the application. Paul's goal was to acknowledge and preserve the existing brick house; maintain the open front yard and significant spruce trees on the south side of the property; add some residential uses and related options (such as bed-and-breakfast); maintain more open space than generally required in the HCC Zone district and to require a reasonable amount of parking (no parking was required for parking in the HCC at that time). This included suggesting increased parking in the public right-of-way by piping over the Weaver Leonhardy ditch and utilizing angle as opposed to parallel parking.

Paul was successful in getting the PUD approved, preserving the original structure and getting a commercial use established as well as finding a permanent home for CMC in the downtown area (a longtime goal of both Paul and his wife Ginny).



689 Main

ZONING ADJACENT TO 689 MAIN

0 150 300ft

-107.211 39.400 Degrees

The PUD that was adopted was not the easiest document to review and visualize in terms of potential future land uses. As development standards and concepts changed over time, both staff and people who were looking at leasing or buying the property had trouble easily analyzing the document as well as identifying potential future land uses.

Ann and Mark Gianinetti examined the property and its proposed uses beginning in early 2017. Their goals seem to be aligned with some of the Lappalas original intentions – preserving the historic part of the structure on site and maintaining a sense of openness along the Main Street area and significant spruce trees while having a reasonable amount of commercial development as opposed to the possible lot line to lot line development allowed downtown. Additionally, The Planning Commission has noted that small PUD's are not always necessary or desirable in Old Town and one should carefully evaluate with any land use application if retaining a small PUD is absolutely necessary. Therefore we all came to the conclusion that “now” is the time to rezone the property to the underlying HCC zone district was “now”.

CONCEPT FOR PROPERTY

One of the submittal criteria for a Rezoning Application is a site plan. We are submitting an Improvement Location Certificate (existing survey) with minor notations for the property as a site plan. The Gianinettis have a short term and long term concept for the property. The short-term goal is to get some kind of restaurant user back into the 689 property as a high priority. It is not known at this time if the existing kitchen and other recent additions to the property will stay as they presently exist or if will be modified to some degree. The kitchen layout is dated. The second part of that short-term goal is to find an appropriate use for the for the upstairs rooms. This space was originally 4 bedrooms and one bathroom. A modest priced Airbnb, or a more traditional Bed and Breakfast

concept is being examined. In this particular instance, meals could be provided for any of the overnight guests by the restaurant operator. The upstairs rooms could also be leased out as office space as was done for a number of years in the 1990s and early 2000's.

The Long-term concept is to determine an appropriate use for the rear portion of the property. This could be a small, stand-alone mini boutique guest operation or some other appropriately zoned use. As noted in the zoning district requirements for the HCC Zone District, all guest/lodging operations or residential use would be parked on site.

SITE DATA

A spreadsheet comparing existing development information on the site and comparing it with HCC zoning requirements and those of the present PUD is attached.

Zoning and Development Criteria/Data

| Item | HCC Standard | Existing | PUD | Comment |
|--------------------|--------------------|---------------|--------------|---|
| Front Setback | | | | |
| Main Structure | 0 Ft | 31.1 ft. | Face of Bldg | Face of building is southern edge of existing bldg. |
| Rear Setback | | | | |
| | 0 FT | 107 ft. | 0 ft | |
| Side Setback | | | | |
| East | 0 ft | 5.0 Ft | 5 Ft. | |
| West | 0 ft. | 18.8 ft | 12 | |
| Height | | | | |
| Main Building | 35 ft. - 3 stories | Approx 27 ft. | 27 ft. | |
| Open Space | | | | |
| Open Space | 0% | 69% | 25% | Does not include walks on existing property |
| Impervious surface | 100% | 21% | 75% | |

Notes

Parking - PUD: Requires 6 spaces on site and 16 diagonal spaces over ditch

Open Spacd- PUD: Requires Landsape Plan at time of Plat or Development Plan

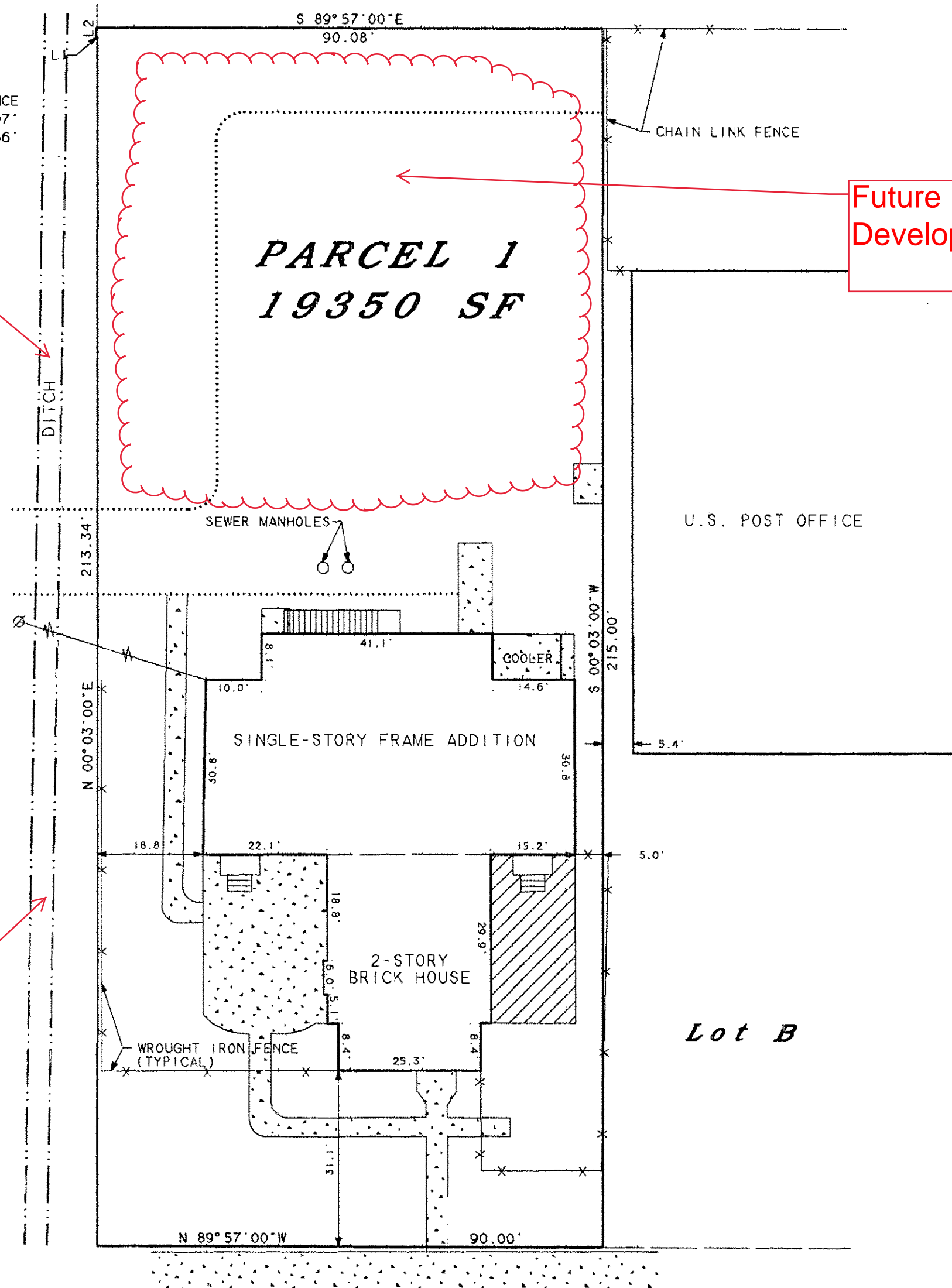
| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| L 1 | S 89°35'00"W | 0.07' |
| L 2 | N 00°25'00"W | 1.66' |

Piped Ditch

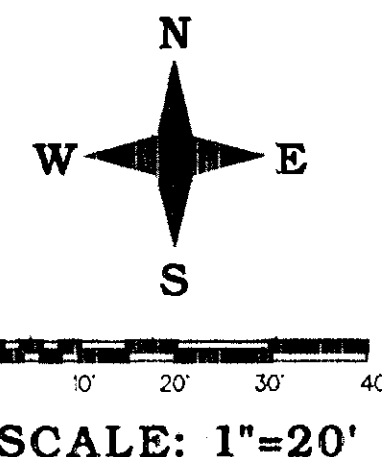
SEVENTH STREET

Open Ditch

Parcel 2



MAIN STREET



LEGAL DESCRIPTION

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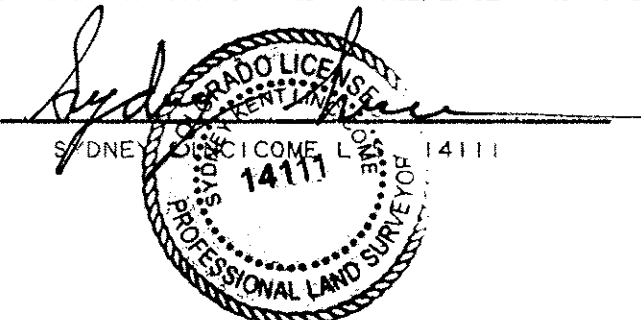
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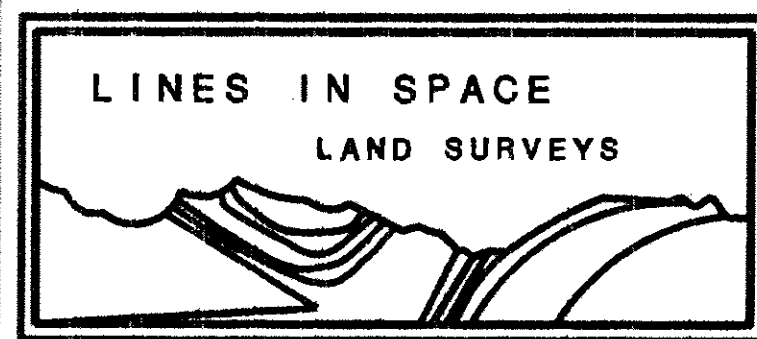
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BY:



LEGEND AND NOTES

- Ø POWER POLE
- OVERHEAD UTILITY LINE
- EDGE OF DRIVEWAY & PARKING
- X— FENCE LINE



| | | |
|----------------------------------|-----------------|----------------|
| IMPROVEMENT LOCATION CERTIFICATE | | |
| 689 MAIN STREET | | |
| CARBONDALE, COLORADO | | |
| BY: LINES IN SPACE | | |
| SYDNEY LINCICOME (L.S. 14111) | | |
| 67 GLENWOOD AVE. CARBONDALE, CO. | 970-963-3852 | |
| DATE: 06/20/2017 | SCALE: 1" = 20' | JOB NO.: 17-14 |

DITCH

The Weaver Leonhardy Ditch (a.k.a. the Gianinettinetti Ditch) is located in this section of town along the east side of the 7th Street right-of-way directly adjacent to the 689 property. As part of this application, we are making a request to pipe over this portion of the ditch in order to accommodate angle parking. This request was originally made in 1986 for the entire Seventh Street PUD. The original PUD map for this property is attached. At that time the ditch was open in this portion of the town. Two thirds of this portion of the ditch adjacent to the original PUD has already been allowed to be piped. This is the area adjacent to the northern half of the 689 property as well as adjacent to the CMC property.

The Weaver Leonhardy ditch is one of the major ditches of the town. Intake is from the Crystal River and the ditch travels through a portion of River Valley Ranch, then through Hendrick Ranch across 133 by the Roaring Fork Family Physicians property. It then cuts through the Western part of town until it reaches Sopris Park, traveling along it's Western perimeter. It then proceeds north along 7th street through various neighborhoods before becoming a major feature again in Roaring Fork Village eventually emptying into the Roaring Fork River. This ditch irrigates a number of subdivisions in town including Roaring Fork Village and the Lincoln Avenue PUD.

Piping over this portion of the ditch would allow the public parking to be increased from 3 to 4 parallel spaces to 7 to 8 angle parking spaces. Providing angle parking and increasing the number of parking spaces available to both private users of the property and the public in off-hours was a goal of the Seventh Street PUD as well as the current Comprehensive Plan. As noted earlier, two thirds of this portion of the ditch that was open in 1986 is now piped over, though it is not striped or utilized for angle parking. We are asking

permission to pipe over this portion of the ditch with the rezoning. In addition, as lodging may be provided on the property, we would request to enter into negotiations for allowed Parking Credits for lodging as per section 5.7.7.H.3 of the UDC.

We are including photos of the ditch along this run as well as other selected photos of the property in this section of the application

GENERAL INFORMATION ON HOUSE AT 689 MAIN

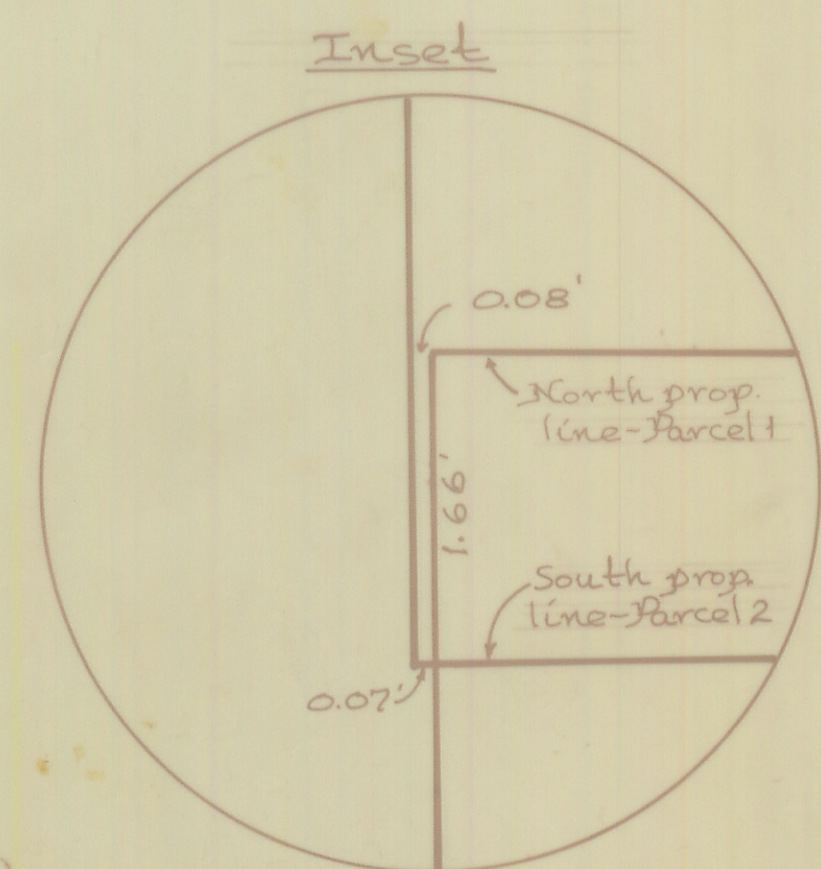
The original 689 house was constructed in 1913 by S.D. Weant. It is a two-story brick structure with a north/south running Ridge. The Architectural style/building category for the structure is Late 19th and Early 20th Century Revivals. The original house size is approximately 1,872 SF including the enclosed porch. The second floor is approximately 840 SF in size and has four bedrooms and one bathroom. The principal façade faces south with a symmetrical layout. The building was used residentially until 1989 when the Landmark Restaurant and Bar open for business.

The one-story portion in the back including the kitchen, bar area, service station and some restaurant seating is approximately 2015 ft.² in size. Other additions such as the outside deck on the east and an outside seating area on the Western portion of the house occurred over time. I am not sure when the wrought iron fences were constructed. The wooden fence along these property boundary was constructed during the Landmark Operation. The 689 Main Street property was included in the Town's original Historic Building Inventory. A copy of the Architectural Inventory Form is included in the Miscellaneous Documents Section.

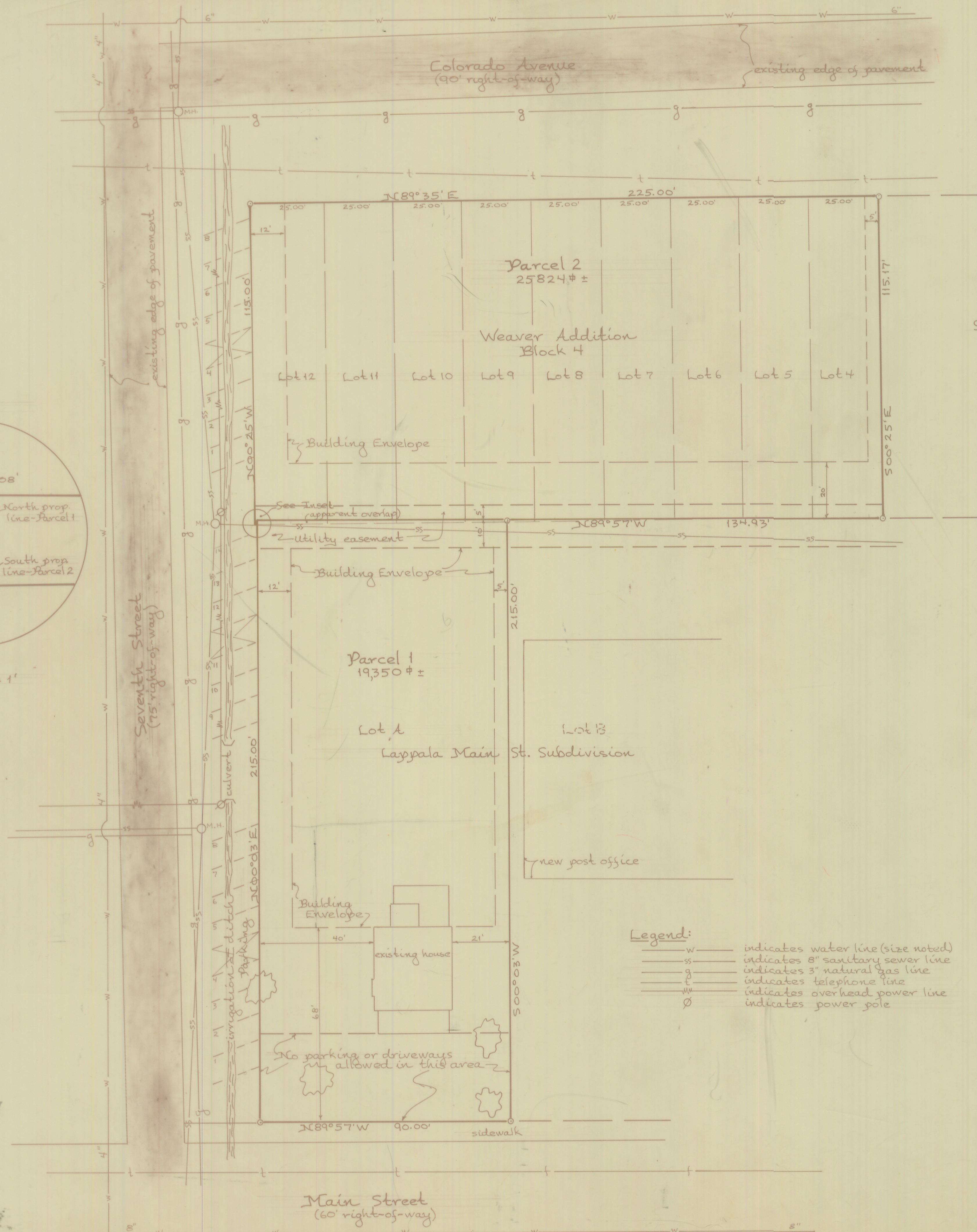
In keeping with the spirit of the original Seventh Street PUD, the Gianinettis propose to preserve the existing brick portion of the house (the historic

SEVENTH STREET P.U.D. CARBONDALE, COLORADO

Scale: 1" = 20'



Scale: 1" = 1'



Town Council Certificate

This plat approved by the Board of Trustees of the Town of Carbondale, County of Garfield, State of Colorado, this 24th day of JUNE, A.D. 1986 for filing with the Clerk and Recorder of Garfield County, Colorado.

[Signature]
Mayor

ATTEST:

[Signature]
Town Clerk

P.U.D. Ordinance No. _____

Planning and Zoning Commission Certificate

This plat approved by the Town of Carbondale Planning and Zoning Commission this 13th day of MARCH, A.D. 1986.

[Signature]
Chairman

Clerk and Recorder's Certificate

This plat was filed for record in the office of the Clerk and Recorder of Garfield County, Colorado at 10:02 o'clock A.M., August 7th, A.D. 1986.

Rec. #: 373265
\$10.00 fee

[Signature]
Clerk and Recorder

By: Deputy

Seventh Street P.U.D.

Lot A, Lappala Main Street Subdivision and
Lots 4 thru 12, Block 4 of the Weaver Addition
Town of Carbondale, Colorado

LINES IN SPACE

SYDNEY LINCICOME (L.S. 14111)

BOX 121 CARBONDALE, COLORADO 81623 303-963-3852

DATE: 1 August 1986 SCALE: 1" = 20'

rectangular portion), the spruce trees and the landscaping to the south of the structure with a 20 year deed restriction or covenant. The 20-year restriction would seem to be an appropriate length of time. It is long enough to convey a real benefit to the town and yet does not lock in the owner permanently. It could be renegotiated as necessary at the end of that time period. In return, the Gianinettis would request that some type of fee waiver for building permit and related fees be eligible in the future. This proposal has some precedent as exactly this type of model was used to help preserve the historic portion of the building at 711 Main Street and was incorporated into the 711 Main Street PUD. This agreement was recorded as Reception number 700696 in June 2006.

Comprehensive Plan

The Future Land Use Map in the adopted Comprehensive Plan designates this property as “Downtown”. Our review would indicate that “getting this key property operational once again” would comply with the intent of the Downtown vision statement as well as meet the primary “character elements” indicated for the Downtown Comp Plan Designation. An example of the Character Elements outlined in the plan and comments where necessary are included below:

- Uses: Downtown commercial and institutional uses with opportunities for residential and/or lodging upstairs.
- Building Mass and Scale and Architecture: Preserve existing buildings where appropriate. Allow variety in new buildings. Height limited to three stories.
- Parking: Reduce demand for parking spaces with shared parking (day versus evening/night). Comment: Finalizing the piping of this portion of the Weaver Leonhardy ditch would increase parking in the right-of-way that would be readily available for the public.

- Landscaping: Street trees, pedestrian facilities and landscaped gathering areas, etc. Comment: The existing spruce trees and other significant trees on the property are technically not street trees but have been crucial to the commercial and historic character of this property and the “edge” to the town’s Downtown Commercial District.
- Location/Context: This is noted as being the historic center of commerce, culture, civic life and celebrations. For many years the 7th Street and Main Street intersection was considered the “summer hub” of the community – especially given the proximity to the pool entrance and Sopris Park. While the downtown summer center seems have to shifted on Main Street to the east between Weant Blvd. and 4th Street, reenergizing this downtown intersection is good for the town.

Rezoning Criteria

Approval criteria for general rezonings (Amendments to the Zoning Map) are contained in Section 2.4.2 C. 3.b of the UDC. In this section we will comment on each individual criterion as appropriate:

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

Comment: The rezoning would add to the general welfare of the town and also promote public health and safety.

- II. The amendment is consistent with the Comprehensive Plan and the purposes stated in this Unified Development Code;

Comment: As indicated in the discussion on the Comprehensive Plan Designation and Character Elements above, we feel strongly that the rezoning is

consistent with the Comp plan. It would also appear to be consistent with the purpose statement of the HCC Zone District as contained in Section 3.3.5:

*“The purpose of the Historic Commercial Core District is to preserve the original commercial center of Carbondale as a unique commercial area with an historic character. The intent is to accommodate a variety of complementary commercial, service, entertainment, and residential uses and to create a **market atmosphere compatible with the downtown** (emphasis added). The District is intended for primarily customer oriented commercial uses on the street level, with office and residential on the upper stories. The HCC District is designed to accommodate intense development of individually owned businesses in an attractive, pedestrian oriented setting, following the design character and patterns of the historic downtown area.”*

- III. The amendment is consistent with the stated purpose of the proposed zoning district (s);

comment: see above

- IV. The amendment is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Comment: There should be no adverse impact upon the natural environment in any way. This property has been in use one way or another for approximately 100 years and its continued use as a component of the Downtown has sustainable aspects, i.e., it is more appropriate to develop at this location in the Heart of Downtown as opposed to developing an almost any other area.

- V. The amendment is not likely to result in material adverse impacts to other property adjacent to or in the vicinity of the subject property; and

comment: We are unaware of any adverse impacts to adjacent properties or others in the vicinity of 689 Main. In our discussions with neighbors, we've only heard positive things about future use of the property.

- VI. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.

Comment: Utilities and services are adjacent to or already serve the property. No enhancements are needed to be made to our knowledge.

Summary

We respectfully request that that the Planning Commission recommend in favor of the rezoning and that the Board of Trustees approve the rezoning of the 689 Main property from PUD to the HCC Zone District. It is our opinion that the rezoning is in the best interests of the town, conforms to the Downtown Designation in the Comprehensive Plan and meets the outlined criteria for approving a rezoning (Amendment to the Town Zoning Map). In addition, we also request that:

1. The Town approve the completion of the piping of that section of the Weaver Leonardy ditch as originally set out in the Seventh Street PUD approved in 1986 (two thirds has been completed).
2. That the Town and Applicant work on finalizing an agreement to preserve the historic portion of the historic 689 Main building for 20 years in return

for some portion of the fee waiver related to building permit fees and system improvement fees as finally agreed upon.



689 Main Street- from south side of Main



689 Main – View from southwest



View of open section of ditch



View of piped section of ditch – towards Colorado Ave.

Section 3

Miscellaneous Documents

- **List – Property Owners within the 300 feet**
- **Seventh Street PUD Zoning Document**
- **Architectural Inventory Form**
- **Lette**

| Parcel | Physical Address | Owner | Account Num |
|--------------|-----------------------------|---|-------------|
| 239334300012 | Not available CARBONDALE | CARBONDALE, TOWN OF | R340989 |
| 239334300013 | Not available CARBONDALE | UNITED STATES OF AMERICA | R340998 |
| 239334300075 | 579 MAIN ST CARBONDALE | EQUANIMOUS HOLDINGS LLC | R580117 |
| 239334305004 | 759 COLORADO AVE CARBONDALE | STALLION INVESTMENTS, LLC | R340151 |
| 239334305011 | 737 COLORADO AVE CARBONDALE | JACKSON, ROBERT | R580235 |
| 239334305012 | 113 N 7TH ST CARBONDALE | WRIGHT, DOROTHY E | R580236 |
| 239334306007 | 611 COLORADO AVE CARBONDALE | BROADHURST, CHRISTOPHER & TAMARA | R340437 |
| 239334306010 | 621 COLORADO AVE CARBONDALE | BIEHL, ANDREW & KATZENBERGER, REINA | R580263 |
| 239334306011 | 631 COLORADO AVE CARBONDALE | JUCY LLC | R580264 |
| 239334306012 | 641 COLORADO AVE CARBONDALE | ROWLAND, AMY | R580265 |
| 239334306014 | 689 COLORADO AVE CARBONDALE | JOHNSON HOMESTEAD LLC | R580512 |
| 239334306015 | 687 COLORADO AVE CARBONDALE | JOHNSON, PATRICK & LESLIE MCNAMEE | R083988 |
| 239334306016 | 665 COLORADO AVE CARBONDALE | JOHNSON, PATRICK R & LESLIE C MCNAMEE | R083989 |
| 239334309004 | 86 N 6TH ST CARBONDALE | COLORADO MOUNTAIN JUNIOR COLLEGE DISTRICT | R580130 |
| 239334309006 | 610 COLORADO AVE CARBONDALE | CAUSA-STEINDLER, MARIANGELA | R005379 |
| 239334309007 | 65 N 6TH ST CARBONDALE | STRANG, KATHLEEN S | R005380 |
| 23933430H001 | 48 8TH ST CARBONDALE | BRIKU LLC | R045464 |
| 23933430H002 | 52 8TH ST CARBONDALE | BRIKU LLC | R045465 |
| 23933430H003 | 50 8TH ST CARBONDALE | BRIKU LLC | R045466 |
| 23933430H004 | 54 8TH ST CARBONDALE | BRIKU LLC | R045467 |
| 23933430H005 | Not available CARBONDALE | BRIKU LLC | R045468 |
| 239334310001 | 726 COLORADO AVE CARBONDALE | LAEMMEL, WILLIAM R | R340112 |
| 239334310002 | Not available CARBONDALE | FARMER, MILLARD COURTNEY III | R340173 |
| 239334310003 | 758 COLORADO AVE CARBONDALE | JOCHUM, GARY P & LESLIE J | R340269 |
| 239334313001 | 55 N 7TH ST CARBONDALE | FARMER, MILLARD COURTNEY III | R340174 |
| 239334313003 | Not available CARBONDALE | CARBONDALE, TOWN OF | R340986 |
| 239334313005 | 725 MAIN ST CARBONDALE | JAYWALKER LODGE, LLC | R042779 |
| 239334320002 | 734 MAIN ST CARBONDALE | WILKE FAMILY PARTNERSHIP LLLP | R340577 |
| 239334320003 | 758 MAIN ST CARBONDALE | 758 MAIN STREET, LLC | R340050 |
| 239334320008 | 735 GARFIELD AVE CARBONDALE | 735 GARFIELD LLC | R340331 |
| 239334320009 | 727 GARFIELD AVE CARBONDALE | SWANTON, MOLLY B & TERRY L | R340610 |
| 239334320010 | 711 GARFIELD AVE CARBONDALE | MOSS, CHARLES B & JENNIFER K | R340375 |

| | | | |
|--------------|-----------------------------|---|---------|
| 239334320017 | 751 GARFIELD AVE CARBONDALE | SWANTON, TERRY L & MOLLY B | R580525 |
| 239334351002 | 46 N 8TH ST CARBONDALE | HENDERSON, BENTLEY G & SANDRA J | R340709 |
| 239334357001 | 689 MAIN ST CARBONDALE | AMG PROPERTIES LLC A COLORADO LIMITED LIABILITY (| R341196 |
| 239334357002 | MAIN ST CARBONDALE | UNITED STATES POSTAL SERVICE | R341197 |
| 239334357003 | 647 MAIN ST CARBONDALE | HOT SHOT LLC | R341198 |
| 239334388001 | 651 COLORADO AVE CARBONDALE | BIRNKRANT, DONNY | R041926 |
| 239334388002 | 655 COLORADO AVE CARBONDALE | BIRNKRANT, DONNY | R041927 |
| 239334388003 | 653 COLORADO AVE CARBONDALE | BIRNKRANT, DONNY | R041928 |
| 239334388004 | Not available CARBONDALE | WOLF FINCH LLC | R041929 |
| 239334390003 | Not available CARBONDALE | PICKWICK HOLDINGS LLC | R042039 |
| 239334390004 | Not available CARBONDALE | PICKWICK HOLDINGS LLC | R042040 |
| 239334390005 | Not available CARBONDALE | PICKWICK HOLDINGS LLC | R042041 |
| 239334390006 | Not available CARBONDALE | PICKWICK HOLDINGS LLC | R042042 |
| 239334390007 | Not available CARBONDALE | PICKWICK HOLDINGS LLC | R042043 |
| 239334390008 | Not available CARBONDALE | PICKWICK HOLDINGS LLC | R042044 |
| 239334392002 | 786 COLORADO AVE CARBONDALE | 320 SOPRIS CIRCLE LLC | R042298 |
| 239334397001 | 35 N 7TH ST CARBONDALE | WELKER, BRYAN W & JENNIFER W | R043296 |
| 239334397002 | 711 MAIN ST CARBONDALE | 711 MAIN STREET LLC | R043297 |
| 239334398002 | Not available CARBONDALE | 8TH STREET PROFESSIONAL BUILDING LLC | R043573 |
| 239334398004 | Not available CARBONDALE | EV ENTERPRISES LLC | R043575 |
| 239334398005 | Not available CARBONDALE | 8TH STREET PROFESSIONAL BUILDING LLC | R043571 |
| 239334399011 | 712 MAIN ST CARBONDALE | KORBER, RACHEL & THOMPSON, NICHOLAS | R340154 |
| 239334399012 | 714 MAIN ST CARBONDALE | HARRIS, LUKE W & PENA HARRIS, ANDREA MONIQUE | R340155 |
| 239334399013 | 716 MAIN ST CARBONDALE | LONGDEN, CHRISTOPHER & SHERRY LUSE- | R340157 |
| 239334399014 | 718 MAIN ST CARBONDALE | ROGAN, JOHN | R340156 |
| 239334399015 | 712 MAIN ST CARBONDALE | BEAUVOIR CONDOS | R341028 |
| ROW | Not available null | | |
| ROW | Not available null | | |

NOTE: This is an interpretation of the Seventh Street Planned Unit Development (PUD) recorded as Book 692, Page 827 and Reception No. 373264 on August 7, 1986.

It appears that Seventh Street Partnership was originally zoned Core Commercial (CC). The CC zone district most likely evolved in the Historic Commercial Core zone district after the creation of the Seventh Street PUD.

The Seventh Street PUD included Parcel 1 and 2. 689 Main Street is located on Parcel #1. CMC is located on Parcel #2.

In 1995, the Town approved the Colorado Mountain College (CMC) Planned Unit Development for Parcel #2 of the Seventh Street PUD. This document was recorded as Book 961, Page 312 and Reception No. 486530. The approval of the CMC Planned Unit Development extracted Parcel #2 from the Seventh Street PUD. However, the Seventh Street PUD was never amended to reflect removal of Parcel #2. As a result, certain zoning parameters in the Seventh Street PUD still reference Parcel #2.

Parcel #1 remains zoned as the Seventh Street PUD. These following comments are intended to provide guidance in the interpretation of several of the zoning parameters.

The site plan prepared by Baker Design Group dated 9/9/15 reflects the setbacks and open space requirements for Parcel #1. The notes in bold throughout the PUD zone text are intended to assist in the interpretation of the zone district.

The recorded Seventh Street PUD zone text and these interpretations supersede the table recorded as Book 692, Page 836 in the PUD.

Janet Buck, Planning Director

Town of Carbondale

June 16, 2015

SEVENTH STREET P.U.D.

ZONE REGULATIONS

Section I. GENERAL PROVISIONS

A. Effect of the Zoning Ordinance of the Town of Carbondale, Colorado

(revised September 18, 1978). The provisions of the Zoning Ordinance of the Town of Carbondale, Colorado and the successors thereof, as now in effect and as hereafter amended, are by this reference incorporated herein as if set forth in full, to the extent not divergent from the provisions of the Seventh Street Planned Unit Development Zone Regulations.

- B. Conflict. The provisions of the Seventh Street PUD Zone Regulations shall prevail and govern the development of Seventh Street PUD provided, however, where the provisions of the Seventh Street PUD Zone Regulations do not clearly address a specific subject, the provisions of the Zoning Ordinance of the Town of Carbondale, Colorado or any other ordinances, resolutions or regulations of the Town of Carbondale shall prevail.
- C. The boundaries of the Seventh Street Planned Unit Development Zone District shall be located as shown on the Seventh Street PUD Zone Map and shall be governed in conformity with the hereinafter contained regulations.

Section II. USE AND DENSITY SCHEDULE

A. Permitted Uses

1. Food Services: Delicatessens, ice cream shops or similar enterprises, provided further, that the maximum seating (total of indoor and/or outdoor) does not exceed 40;
2. Service: Professional or business office (e.g., medical, dental, legal), financial institutions, newspaper office, personal service establishments*, instructional studio, government offices, community service organizations;

*** "Personal Services Establishments" may include uses in Code Section 18.25.020.3. Allowed uses in commercial districts – Service Uses**

3. Crafts: Jewelry studio, arts and crafts studio, art gallery, picture framing studio, printing shop, retail outlet as a craft or art studio selling the products of the studio or shop as well as materials and supplies associated with the art or craft;

4. Combined uses: Single or multiple-family dwelling units may only be located in a building containing any of the above uses.
5. Special Residential: Parcel #1 only – “Bed and Breakfast” residential uses of a temporary boarding house nature (see Residential Density of this PUD Zone). Bed and Breakfast establishments shall not serve meals to the general public and shall limit stays to the principal use.
6. Accessory Uses: Carports, garage and storage buildings accessory to the principal use.

B: Permitted Density

1. The maximum number of dwelling units allowed in the PUD shall be 7. No more than two dwelling units shall be permitted in any building.
2. “Bed and Breakfast” residential uses shall have no maximum limitations as to the number of bedrooms provided as rentals except as restricted by other provisions of this zone district.
3. Principal uses: A lot may contain more than one principal use.
4. Multiple Buildings: A lot may contain more than one building provided each building houses one or more permitted use. The buildings may be attached or detached.
5. Site Coverage*: On parcel #2 the principle building shall in no case cover more than 50% of the lot area. In the event there is only one principal building on Parcel #2, it shall be limited to a maximum of 12,000 square feet of lot coverage

***Note: This section applies to the CMC property (Parcel #2) only. It is not applicable to Parcel #1.**

6. Combined Residential Uses: Single or multiple-family dwelling units may only be located in a building containing any of the other permitted uses.

C. Perimeter Setbacks*

***Note: This was written when Parcel #2 was part of the Seventh Street PUD. Parcel #2 has been removed so Paragraph 1 does not apply.**

The setbacks from the boundary property lines of the PUD shall be as follows and as indicated on the accompanying PUD Zone Map:

1. 0 feet from the Right-of-Way line of Colorado Avenue;
2. 12 feet from the Right-Of-Way line of Seventh Street;
3. To the existing structure* from the Rights-of-Way lines of Main Street on the South, Seventh Street on the West and from the PUD boundary opposite of and parallel to Seventh Street on the East ; parking or driveways in the area south of the south wall of the existing brick structure at 689 Main is specifically prohibited.

***Note: This setback references only the brick portion of the 689 Main Street building. The northerly section of the building was constructed after adoption of the PUD. The 12 ft. setback in paragraph C.2 of the PUD applies to this property as shown on the site plan done by Baker Design Group dated _____.**

4. 5 feet from the PUD East boundary opposite of and parallel to Seventh Street except as provided above.
5. 20 feet from the PUD boundary (south side of Parcel 2) opposite of and parallel to Colorado Avenue.

D. Lot Setbacks

Sideyard setback.

- a. If a structure is to be placed on the side yard property line, no setback is required.
- b. If a structure is not placed on the side yard property line, there shall be a minimum 5' internal side yard setback.

E. Minimum Lot Size

4,000 square feet.

F. Minimum Open Space

An area equal to 25 percent of the total area of the PUD shall be reserved as open space.

G. Maximum Building Height: 27 feet.

H. Minimum Off-Street Parking:*

1. A total of 26 off-street parking spaces, including 6 spaces on parcel #1, 20 spaces on parcel #2 which provides for two spaces for each residential dwelling unit (CMC Parcel #2) and one parking space for every 1 bedroom provided for rent.

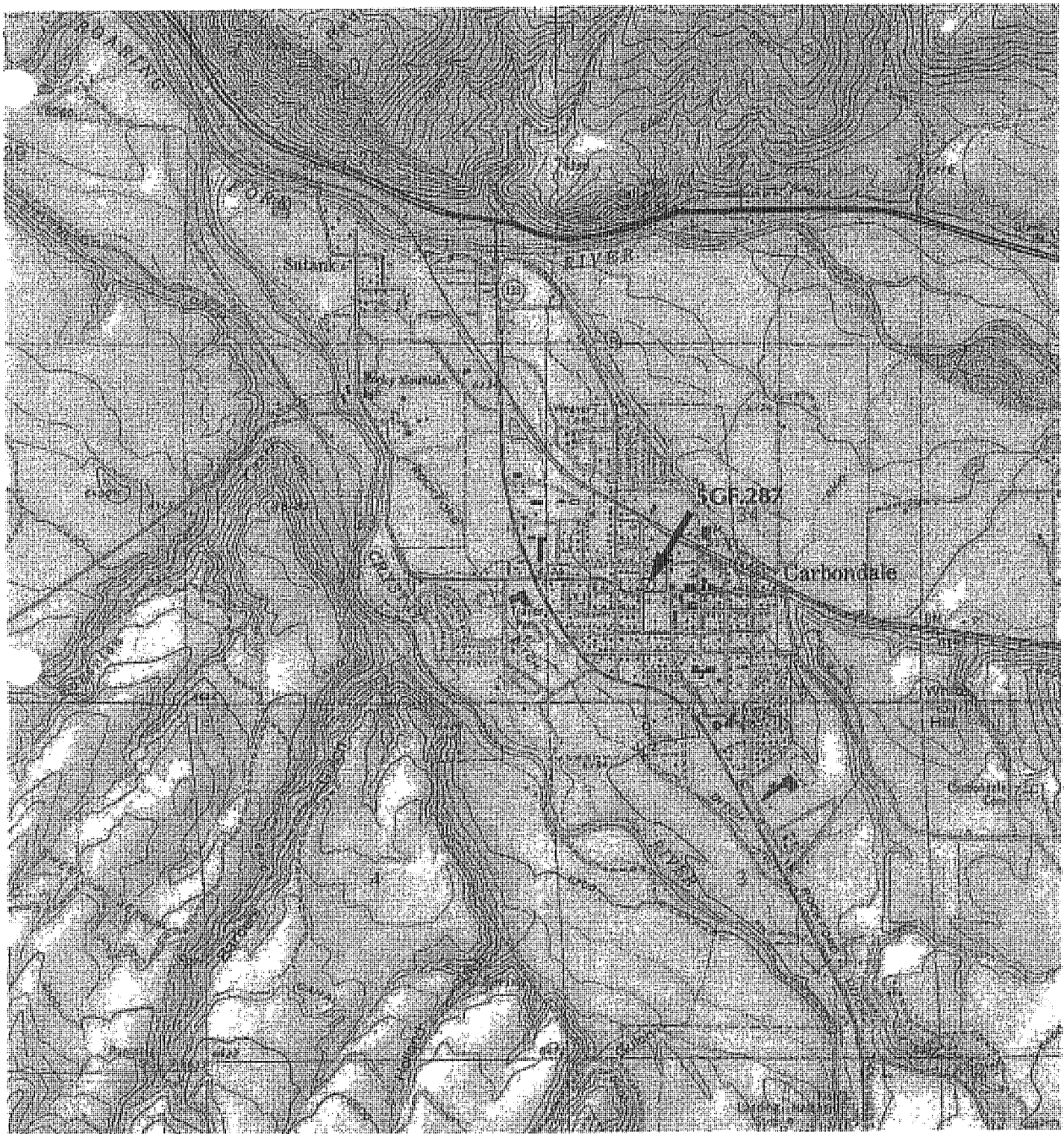
2. Parking will be provided along Seventh Street by installing culverts and an adequate covering of road base to city specifications. This provided for 22 additional spaces of 50 degree angle parking.

3. 24 public parking spaces are available on the North side of the PUD within the 90' right-of-way on Colorado Avenue.

***Note: Section 2G of the Colorado Mountain College PUD indicates that the parking requirements for the CMC development were met with 36 spaces on site and 14 spaces in the Colorado Avenue right-of-way for a total of 50 spaces. It appears that 6 spaces will be required (if needed) on Parcel #1 and the balance are allowed by improving Seventh Street for parking per Paragraph H.2 above. The Site Plan prepared by Baker Design Group dated _____ illustrates that 14 angle spaces may be constructed in the Seventh Street right-of-way if parking improvements are completed. If more parking is required, those spaces would need to be constructed on Parcel #1.**

D. Landscape Area

At the time of final plat a landscape design indicating planting and other landscaping features which will enhance the visual impact of the total PUD will be submitted.



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0 5 1 MILE
0 1000 FEET 0 500 1000 METERS

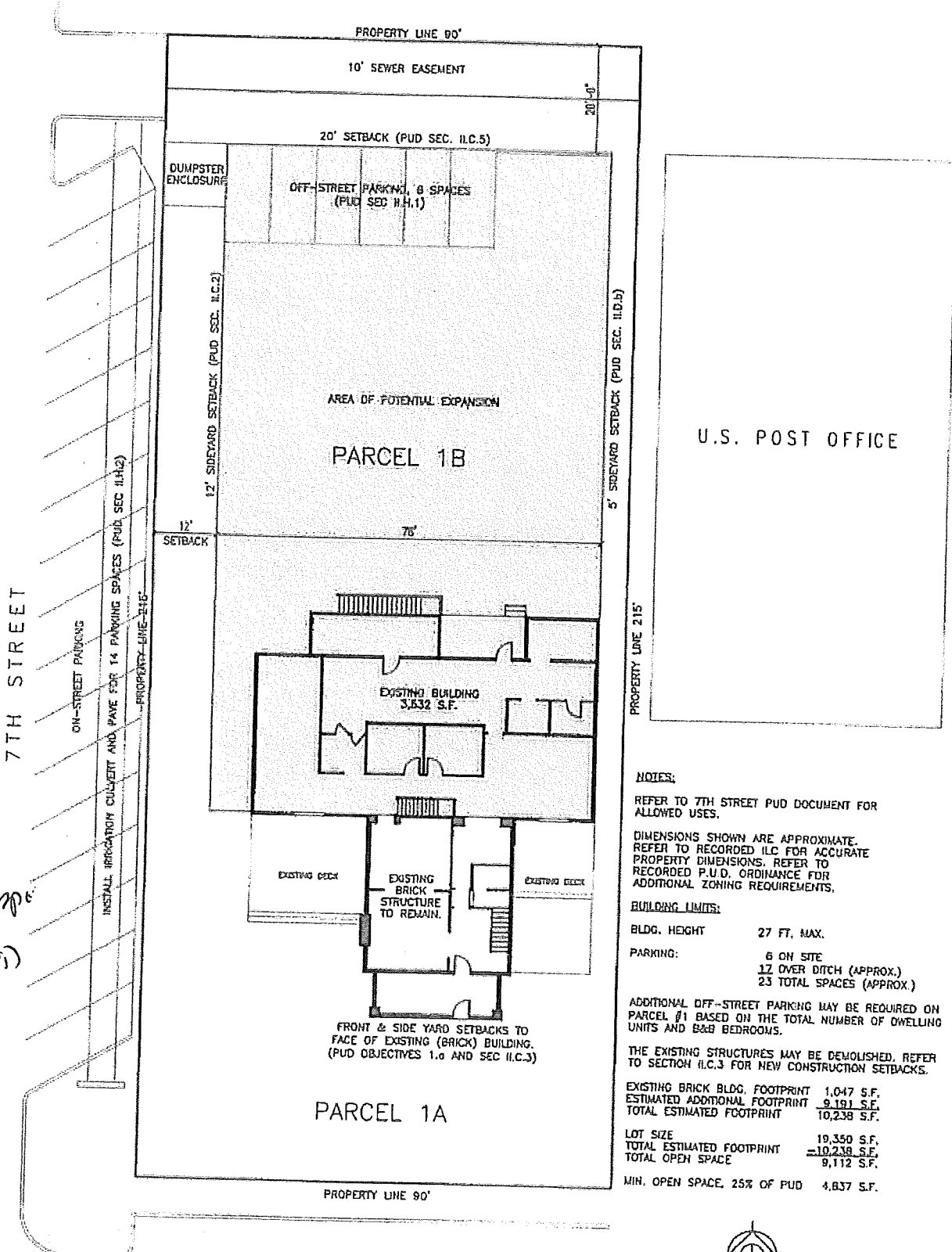
Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)

CARBONDALE, COLORADO

2005 Historic Survey

COLORADO MOUNTAIN COLLEGE
PARKING LOT

Reception# 869312
10/14/2015 04:15:12 PM Jean Alberico
7 of 7 Rec Fee \$41.00 Doc Fee 0.00 GARFIELD COUNTY CO



U.S. POST OFFICE

NOTES:

REFER TO 7TH STREET PUD DOCUMENT FOR ALLOWED USES.

DIMENSIONS SHOWN ARE APPROXIMATE. REFER TO RECORDED ILC FOR ACCURATE PROPERTY DIMENSIONS. REFER TO RECORDED P.U.D. ORDINANCE FOR ADDITIONAL ZONING REQUIREMENTS.

BUILDING LIMITS:

BLDG. HEIGHT 27 FT. MAX.

PARKING: 6 ON SITE
17 OVER DITCH (APPROX.)
23 TOTAL SPACES (APPROX.)

ADDITIONAL OFF-STREET PARKING MAY BE REQUIRED ON PARCEL #1 BASED ON THE TOTAL NUMBER OF DWELLING UNITS AND B&B BEDROOMS.

THE EXISTING STRUCTURES MAY BE DEVOLISHED. REFER TO SECTION 11.C.3 FOR NEW CONSTRUCTION SETBACKS.

EXISTING BRICK BLDG. FOOTPRINT 1,047 S.F.
ESTIMATED ADDITIONAL FOOTPRINT 9,191 S.F.
TOTAL ESTIMATED FOOTPRINT 10,238 S.F.

LOT SIZE 19,350 S.F.
TOTAL ESTIMATED FOOTPRINT 10,238 S.F.
TOTAL OPEN SPACE 9,112 S.F.

MIN. OPEN SPACE, 25% OF PUD 4,837 S.F.



NOT TO SCALE
DATE: 9-10-2015



Baker Design Group

MAIN STREET

7TH STREET P.U.D.
689 MAIN ST.
CARBONDALE, CO

Amend p.4, paragraph 2, Section A to read as follows.

- a. The permitted uses include professional and business offices, and arts and crafts studios. Full service restaurants and lounges are allowed on Parcel #1 only. Small scale food service establishments are allowed on Parcel #2.

Amend p.6, Section II, paragraph A to read:

1. Food Services:

Parcel #1 only - Full scale restaurants and lounges;

Parcel #2 only - Delicatessens, ice cream shops or similar enterprises, provided further, that the maximum seating (total of indoor and/or outdoor) does not exceed 40;

The original PUD document is recorded in Book 692 Page 827 in the Garfield County Clerk's & Recorder's Office.

Recorded at 3:02 o'clock P M SEP 01
Reception No. 394992 MILDRED ALSDORF, RECORDER
GARFIELD COUNTY, COLORADO

COLORADO CULTURAL RESOURCE SURVEY

**Architectural Inventory
Form**

1 of 6

Official eligibility determination
(OAHP use only)

Date _____ Initials _____

- ☐ Determined Eligible- NR
☐ Determined Not Eligible- NR
☐ Determined Eligible- SR
☐ Determined Not Eligible- SR
☐ Need Data
☐ Contributes to eligible NR District
☐ Noncontributing to eligible NR District

I. Identification

1. Resource number: 5GF.287
2. Temporary resource number: 689.MAI
3. County: Garfield
4. City: Carbondale
5. Historic building name: The Weant House (aka Dr. Tubb's House)
6. Current building name: 689 Resturant
7. Building address: 689 Main Street
8. Owner name and address: Shadow Holdings LLC
12221 Merit Dr Ste 1400 Dallas, TX 75251

II. Geographic Information

9. P.M. 6th Township 7 south Range 88 west
NW 1/4 of SW 1/4 of NE 1/4 of SW 1/4 of section 34
10. UTM reference
Zone 1 3 ; 3 0 9 3 6 9 mE 4 3 6 3 5 8 2 mN
11. USGS quad name: Carbondale
Year: 1961, rev 1987 Map scale: 7.5' **X** 15' *Attach photo copy of appropriate map section.*
12. Lot(s): A Block: n/a
Addition: Lappala Main Street Subdivision Year of Addition: 1995
13. Boundary Description and Justification: Site is comprised of Sect.twn,rng:34-7-88
tract:2393 sub:lappala main street sub. Lot:a desc: aka parcel 1 7th st. P.u.d. pre:r340315
and/thru:& to:r340842 pre:r340843 bk:0412 pg:0422 bk:1041 pg:0728 bk:0981 pg:0719
bk:0740 pg:0292 bk:0697 pg:0425 bk:0692 pg:0827
Assessors Office Parcel ID # 2393-343-57-001
This description was chosen as the most specific and customary description of the site.

III. Architectural Description

14. Building plan (footprint, shape): Irregular Plan
15. Dimensions in feet: Length 69' x Width 81'
16. Number of stories: 2
17. Primary external wall material(s) (enter no more than two): Brick

Resource Number: 5GF.287
Temporary Resource Number: 689.MAI

Architectural Inventory Form
Page 2 of 6 pages

18. Roof configuration: (enter no more than one): Front Gabled Roof
19. Primary external roof material (enter no more than one): Asphalt Roof
20. Special features (enter all that apply): Segmental Arch, Porch, Chimney, Fence
21. General architectural description: This is a large brick building with a north/south running ridge. The building has a main two story volume with one story additions on the east, west and north. The principal façade faces south and has a symmetrical layout. The main two story section is rectangular with two equally spaced double hung windows in segmentally arched openings with marble sills on the upper level. Between the windows is a circular decorative brick element, centered on the peak of the gable roof. The brick wall runs to the eave line of the roof and ends. The gable end is divided by vertical trim boards into four equal parts and a random pattern of small rocks in stucco infill the resulting panels. The overhang is supported by decorative brackets that fall on each of the vertical dividing boards. The bargeboard has a simple decorative cut on the tails and the rafter tails are exposed the full length of the eaves. A gable roofed, enclosed porch is applied to the main wall on the lower level. The roof is supported by two brick piers, one on either end that have marble caps and support a long lintel. Above the lintel are four panels of rock in stucco. A low brick wall with a marble cap runs across the face of the porch and is interrupted by a pair of doors that are offset to the right. The remainder of the porch façade is infilled by fixed glass with two horizontal muntin and three vertical muntins on the left side of the door and two horizontal muntins on the east side. The side walls of the porch are similarly infilled. The east side has two double hung windows on the upper level and a small horizontally proportioned window and a single door, each located directly below the upper openings. Another vertically proportioned opening is located near the center of the wall with a raised sill. A brick chimney steps out slightly from the wall plane and runs up through the eave line. The addition on the east side is a one story wood frame volume which attaches to the rear corner of the house. It has a pair of central doors with windows to either side. The volume has horizontal wood siding and a simplified bracket detail supporting the rake overhang. A wood trellis sits in front of the addition and attaches to the east brick wall. The trellis ends at the chimney line. The west side of the building has the same two openings on the upper level with a small horizontally proportioned opening below the front window and a larger opening at the rear window. The large opening has a three part window of fixed glass. Another chimney forms a shallow projection on the wall near the front of the building. The projection is wide at the base with a square of dog tooth brick centered on the width of the chimney. A horizontal break occurs just above the window heads and the chimney continues up the wall at a third of the base width. The brick to either side corbels back to the main wall. This chimney also runs up through the

Resource Number: 5GF.287
Temporary Resource Number: 689.MAI

Architectural Inventory Form
Page 3 of 6 pages

eave line and has a simple stone cap. The addition on this west side has horizontal wood siding and a central pair of doors. Windows are located to either side and the rake is supported by simplified brackets. The addition on the rear is one story with a flat roof and horizontal wood siding. Each of the window openings in the brick section has a three course segmental arch at the top of the opening, each course stepping out slightly from the one below. Each also has a white marble sill.

22. Architectural style/building type: Late 19th & Early 20th Century Revivals
23. Landscaping or special setting features: The house sits on a lot with some large spruce and cottonwood trees. A wood fence with vertical slats runs around the yard on the east side of the house. The fence has a deep wave pattern along the top.
24. Associated buildings, features, or objects: none

IV. Architectural History

25. Date of Construction: Estimate: _____ Actual: 1913
Source of information: Garfield County Records and National Register Nomination Form, completed by Paul and Virginia Lappala, 1986.
26. Architect: unknown
Source of information: _____
27. Builder/Contractor: unknown
Source of information: _____
28. Original owner: S. D. Weant
Source of information: Garfield County Records and National Register Nomination Form, completed by Paul and Virginia Lappala, 1986.
29. Construction history (include description and dates of major additions, alterations, or demolitions): Additions to both sides and rear, porch enclosure, some window units replaced, addition of stucco detail at gable ends, addition of brick decorative element, all between 1970 and 1984.
30. Original location ☒ Moved _____ Date of move(s): _____

V. Historical Associations

31. Original use(s): Domestic; Single Dwelling
32. Intermediate use(s): Domestic; Single Dwelling
33. Current use(s): Commerce & Trade
34. Site type(s): Commercial Core
35. Historical background: Samuel Dillon Weant purchased the property in August of 1911. The original property was a large parcel outside of the original townsite. S. D. Weant was born in Maryland in 1864. He and his brother Romus E. Weant (b. 1856 in

Resource Number: 5GF.287
Temporary Resource Number: 689.MAI

Architectural Inventory Form
Page 4 of 6 pages

Maryland) appeared in the 1900 census in Carbondale. R. E. and S. D. also owned the property directly behind this parcel at 687 Colorado Avenue. S. D. appeared as one of the owners of the Carbondale Creamery Company in 1907, which was associated with 202 Main Street (5GF.3774), also in this survey. He was listed as a cattle dealer in the 1900 census. The first reference to the brothers in the Carbondale area appeared in the Glenwood Post in June of 1899 as having received a butcher bond. They operated a butcher shop in Glenwood Springs and advertisements for that shop end in 1902. They also reportedly operated a shop in Carbondale, possibly at 343 Main (5GF.3782) or 351 Main (5GF.3784), two other properties they owned. S. D. married Miss Laura Barnhart of Denver in fall of 1900. S. D. Weant conveyed several sections of the large parcel to the Town of Carbondale for streets, which extended the townsite street grid. S. D. died in 1919 and conveyed the house property to David S. James. James was unable to pay off the note on the property and was foreclosed on in 1932. Joel W. Orvis gained ownership of the property in the same year. In 1934 Mr. and Mrs. Floyd Chappel purchased the property; they sold it to Mrs. Suzanne Claussen in 1938. In 1952 Mrs. Claussen sold to Harry F. Claussen and Bernice L. Claussen. Harry Claussen was an attorney in Glenwood Springs. Bert and Marie Evans purchased the property from the Claussens in 1956. The Evans sold the portion of the property where the house is located to Paul E. and Virginia D. Lappala. They continued to own the property until it is sold to the Cony Company in 1988, then to David K. Danciger in 1996. Danciger transferred the property to Shadow Holdings in 1997, which continues to own the property to the present day.

36. Sources of information: Garfield County Assessors Office; Garfield County Records
www.coloradohistoricnewspapers.org, The Glenwood Post archives;
www.heritagequestonline.com, 1900 Census; National Register Nomination Form,
completed by Paul and Virginia Lappala, 1986.

VI. Significance

37. Local landmark designation: Yes ☐ No ☒ Date of designation: _____
Designating authority: _____

38. Applicable National Register Criteria:

- ☐ A. Associated with events that have made a significant contribution to the broad pattern of our history;
- ☐ B. Associated with the lives of persons significant in our past;
- ☒ C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

Resource Number: 5GF.287
Temporary Resource Number: 689.MAI

Architectural Inventory Form
Page 5 of 6 pages

☐ D. Has yielded, or may be likely to yield, information important in history or prehistory.

☐ Qualifies under Criteria Considerations A through G (see Manual)

☐ Does not meet any of the above National Register criteria

39. Area(s) of significance: Architecture

40. Period of significance: 1913

41. Level of significance: National ☐ State ☐ Local ☒

42. Statement of significance: This house is significant for its position in the early development of Carbondale. The house is one of a small group of large brick homes which are located adjacent to the original townsite. It is indicative of a substantial investment in the community and a desire for permanence. The elegant brick work, window layout and design are typical of the styles popular at the time.

43. Assessment of historic physical integrity related to significance: While the additions are located to the rear of the original building, several other alterations have had a moderate impact on the integrity of the building. Incompatible decorative elements have been added, the porch enclosed and window units replaced. All combined to have a negative impact on the integrity of the house.

VII. National Register Eligibility Assessment

44. National Register eligibility field assessment:
Eligible ☐ Not Eligible ☒ Need Data ☐

45. Is there National Register district potential? Yes ☐ No ☒ Discuss: While a concentration of buildings from this period exist in the town center, considerable new construction is interwoven within the same area resulting in the isolation of a number of resources. In addition, a small number of the original structures have suffered a considerable loss of integrity.

If there is National Register district potential, is this building: Contributing ☐

Noncontributing ☐

46. If the building is in existing National Register district, is it: Contributing ☐

Noncontributing ☐

VIII. Recording Information

47. Photograph numbers: Disk: Carbondale 2005

Photo ID: 689.MAI Frame: 1, 2, 3, 4 & 5

Negatives filed at: Town of Carbondale Planning Dept.

48. Report title: Carbondale Downtown Survey Project 49. Date(s): October 2006

50. Recorder(s): Suzannah Reid and Patrick Duffield

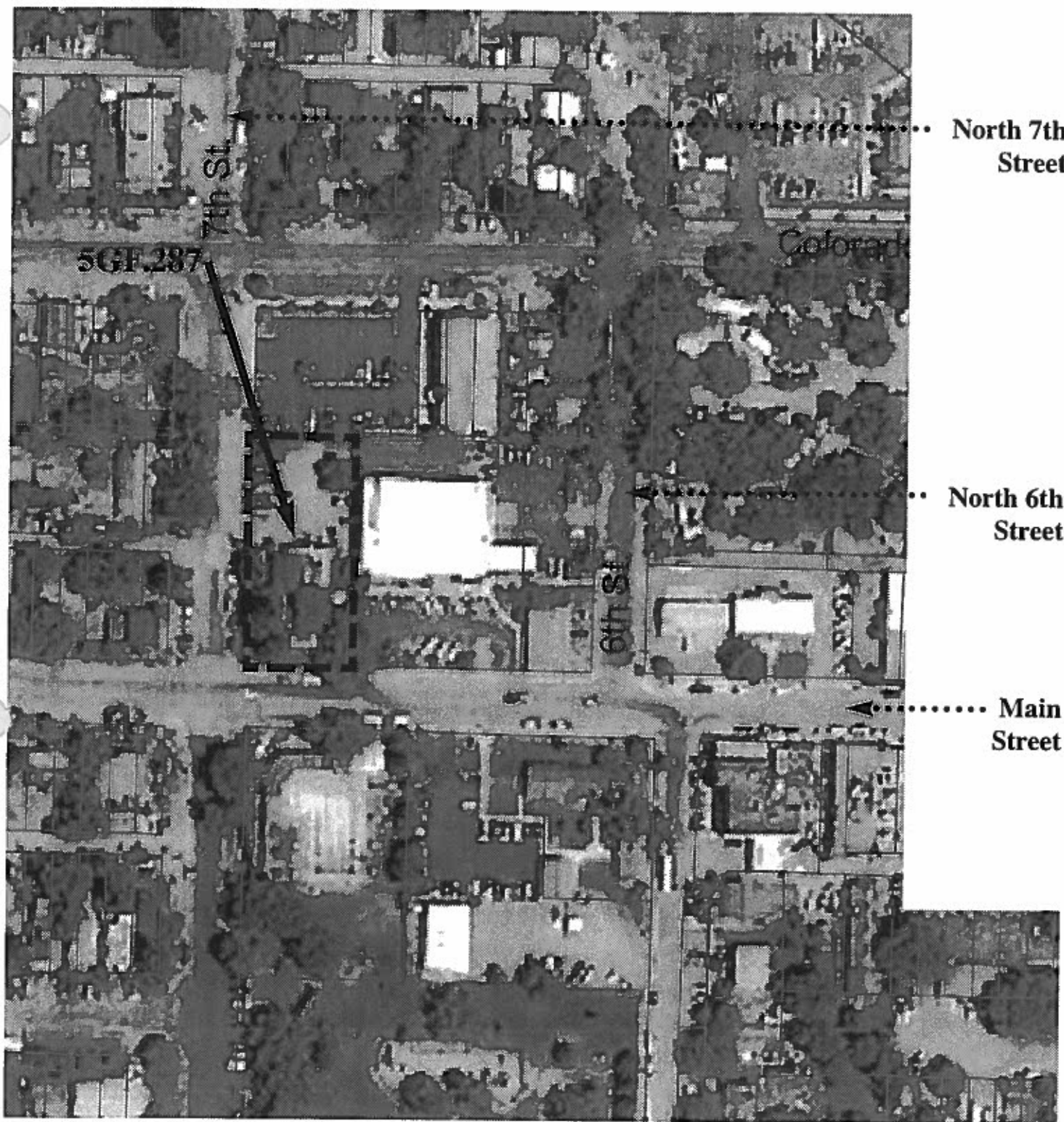
Resource Number: 5GF.287
Temporary Resource Number: 689,MAI

Architectural Inventory Form
Page 6 of 6 pages

51. Organization: Reid Architects, Inc.
52. Address: PO Box 1303 Aspen, Colorado 81612
53. Phone number(s): 970 920 9225

NOTE: Please attach a sketch map, a photocopy of the USGS quad. map indicating resource location, and photographs.

Colorado Historical Society - Office of Archaeology & Historic Preservation
1300 Broadway, Denver, CO 80203 (303) 866-3395



689 Main Street

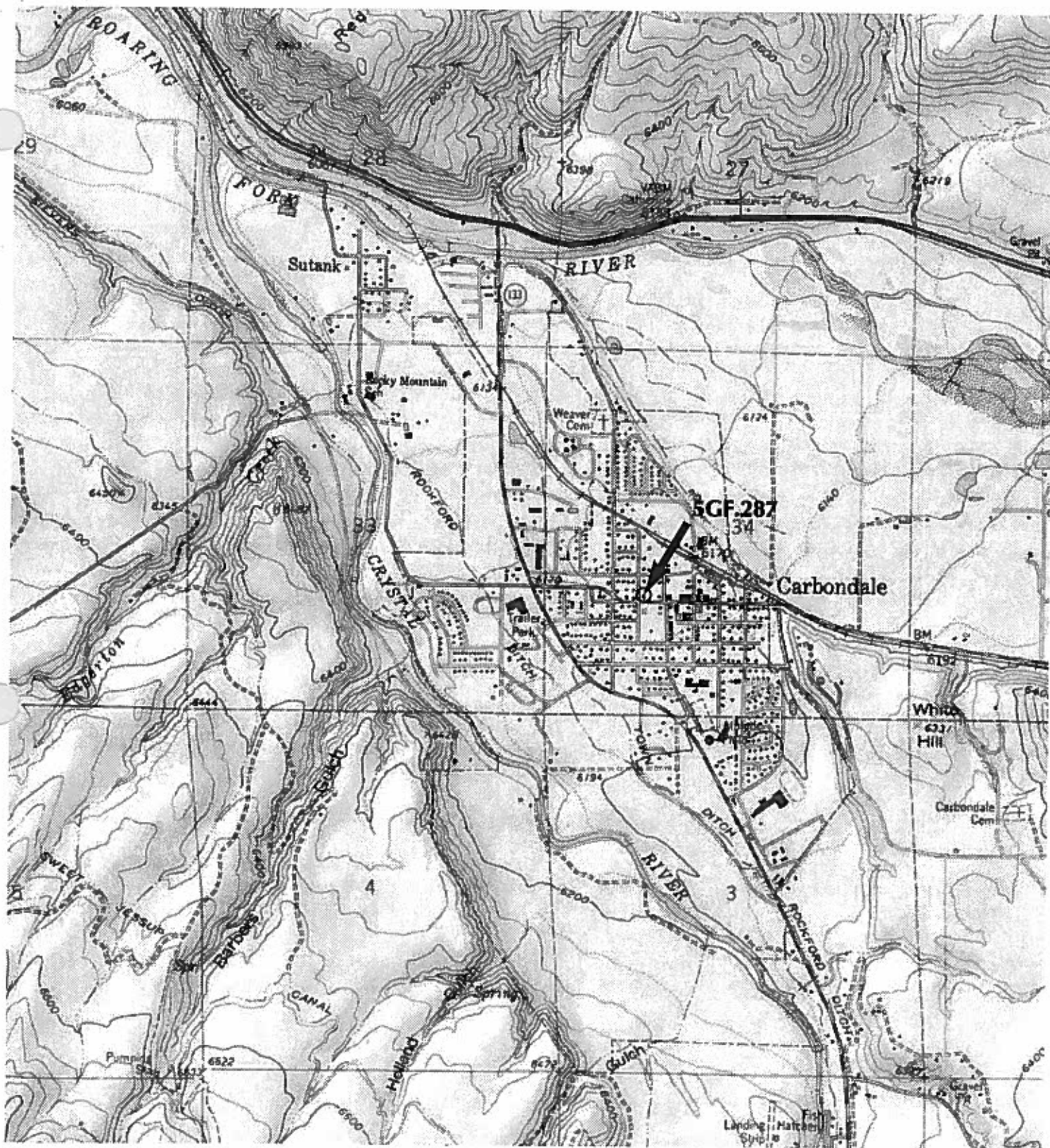
5GF.287



North

Carbondale, Colorado
image from 2002 aerial map

Town of Carbondale • Historic Survey
2005



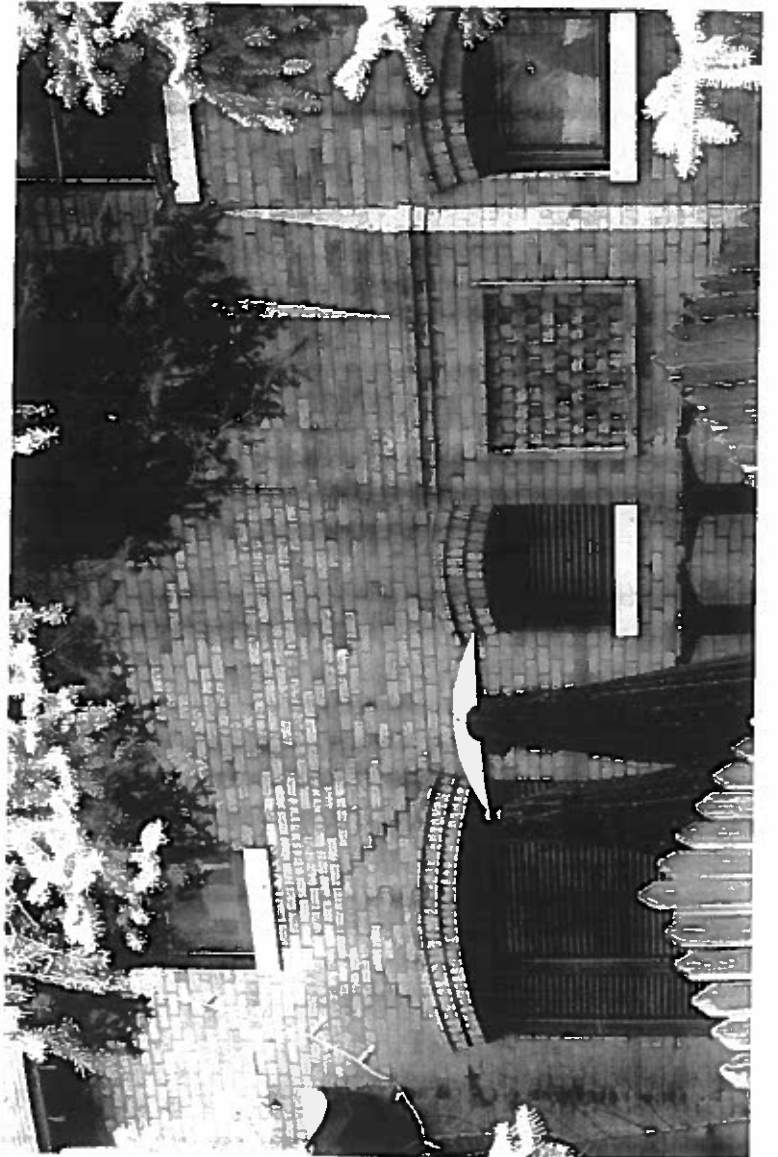
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Map created with TOPOID ©2003 National Geographic (www.nationalgeographic.com/topo)

CARBONDALE, COLORADO

2005 Historic Survey





ZONE REGULATIONS

Section I. GENERAL PROVISIONS

- A. Effect of the Zoning Ordinance of the Town of Carbondale, Colorado (revised September 18, 1978). The provisions of the Zoning Ordinance of the Town of Carbondale, Colorado and the successors thereof, as now in effect and as hereafter amended, are by this reference incorporated herein as if set forth in full, to the extent not divergent from the provisions of the Seventh Street Planned Unit Development Zone Regulations.
- B. Conflict. The provisions of the Seventh Street PUD Zone Regulations shall prevail and govern the development of Seventh Street PUD provided, however, where the provisions of the Seventh Street PUD Zone Regulations do not clearly address a specific subject, the provisions of the Zoning Ordinance of the Town of Carbondale, Colorado or any other ordinances, resolutions or regulations of the Town of Carbondale shall prevail.
- C. The boundaries of the Seventh Street Planned Unit Development Zone District shall be located as shown on the Seventh Street PUD Zone Map and shall be governed in conformity with the hereinafter contained regulations

Section II. - USE AND DENSITY SCHEDULE

A. Permitted Uses

- | | |
|-------------------|--|
| 1. Food Services: | Delicatessens, ice cream shops or similar enterprises, provided further, that the maximum seating (total of indoor and/or outdoor) does not exceed 40; |
| 2. Service: | Professional or business office (e.g., medical, dental, legal), financial institutions, newspaper office, personal service establishments, instructional studio, government offices, community service organizations; |
| 3. Crafts: | Jewelry studio, arts and crafts studio, art gallery, picture framing studio, printing shop, retail outlet located in the same building as a craft or art studio selling the products of the studio or shop as well as materials and supplies associated with the art or craft; |

4. Combined Uses: Single or multiple-family dwelling units may only be located in a building containing any of the above uses.
5. Special Residential: Parcel #1 only - "Bed and Breakfast" residential uses of a temporary boarding house nature (see Residential Density of this PUD Zone District). Bed and Breakfast establishments shall not serve meals to the general public and shall limit stays to a maximum of 30 days.
6. Accessory Uses: Carports, garage and storage buildings accessory to the principal use.

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3. Principal Uses: A lot may contain more than one principal use.
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5. Site Coverage: On parcel #2 the principal building shall in no case cover more than 50% of the lot area. In the event there is only one principal building on Parcel #2, it shall be limited to a maximum of 12,000 square feet of lot coverage.
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2. 12 feet from the Right-of-Way line of Seventh Street;
3. To the existing structure from the Rights-of-Way lines of Main Street on the South, Seventh Street on the West and from the PUD boundary opposite of and parallel to Seventh Street on the East; parking or driveways in the area south of the south wall of the existing brick structure at 689 Main is specifically prohibited.

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D. Lot Setbacks

Sideyard setback.

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4,000 square feet.

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An area equal to 25 percent of the total area of the PUD shall be reserved as open space.

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H. Minimum Off-Street Parking:

1. A total of 26 off-street parking spaces, including 6 spaces on parcel #1, 20 spaces on parcel #2 which provides for two spaces for each residential dwelling unit and one parking space for every 1 bedroom provided for rent.
2. Parking will be provided along Seventh Street by installing culverts and an adequate covering of road base to city specifications. This provided for 22 additional spaces of 50° angle parking.
3. 24 public parking spaces are available on the North side of the PUD within the 90' right-of-way on Colorado Avenue.

I. Landscape Area

At the time of final plat a landscape design indicating planting and other landscaping features which will enhance the visual impact of the total PUD will be submitted.

COMBINED PARCELS

| Item | PARCEL #1 | | PARCEL #2 | | COMBINED PARCELS | |
|---------------------|---------------------|--|--|---|-----------------------------|--|
| | Present | Proposed PUD | Present | Proposed PUD | Present | Proposed PUD Difference |
| Zoning | C.C. | PUD | R/H.D. | PUD | CC & R/H.D. | PUD -- |
| Land Size | 19,350 s.f. | 19,350 s.f. | 25,875 s.f. | 25,875 s.f. | 45,225 s.f. | 45,225 s.f. -- |
| Building Coverage | 19,350 s.f. | 7,870 s.f. | 7,767 s.f. | 12,000 s.f. | 27,112 s.f. | 19,870 s.f. - 7,242 s.f. <u>le</u> |
| Building Height | 35' | 27' | 35' | 27' | 35' | 27' - 8 feet <u>less</u> |
| Volume Above Ground | 677,725 c.f. | 212,490 c.f. | 271,687 c.f. | 324,000 c.f. | 948,937 c.f. | 536,490 c.f. - 412,447 c.f. <u>less</u> |
| Setbacks | None | 68' front 12' st. side 10' back 5' side | 20' front 10' st. side Back 10' Side 5' | Front 0' (Col. Ave.) St.-12' (7th St.) Back 20' (on side) Side 5' (on E. side) | | |
| Open Space | None | 6,772 s.f.=35% | 10,350=40% | 9,744=37.6% | 10,350=22.8% | 16,516=26% +6,166 s.f. <u>more</u> |
| Parking | None | 6 on site 14 over ditch <u>20</u> | 24 | 20 on site 8 over ditch <u>28</u> | 24 | 26 on site + 2 on site <u>more</u> 22 over ditch +22 on street <u>48</u> +24 |
| Easement | 10' sewer Back line | 10' sewer Back line | None | 5' back line | 10' parcel 1 0' parcel 2 | 10 #1 +1,125 s.f. <u>more</u> +5' #2 easement |

BOOK

PAGE

0036

Recorded at 3:02 o'clock P.M. SEP 01 88
Reception No. 394992 MILDRED ALSDORF, RECORDER
GARFIELD COUNTY, COLORADO

AMENDMENT TO THE 7TH STREET PUD, CARBONDALE, CO.

BOOK 740 PAGE 344

Amend p.4, paragraph 2, Section A to read as follows.

- a. The permitted uses include professional and business offices, and arts and crafts studios. Full service restaurants and lounges are allowed on Parcel #1 only. Small scale food service establishments are allowed on Parcel #2.

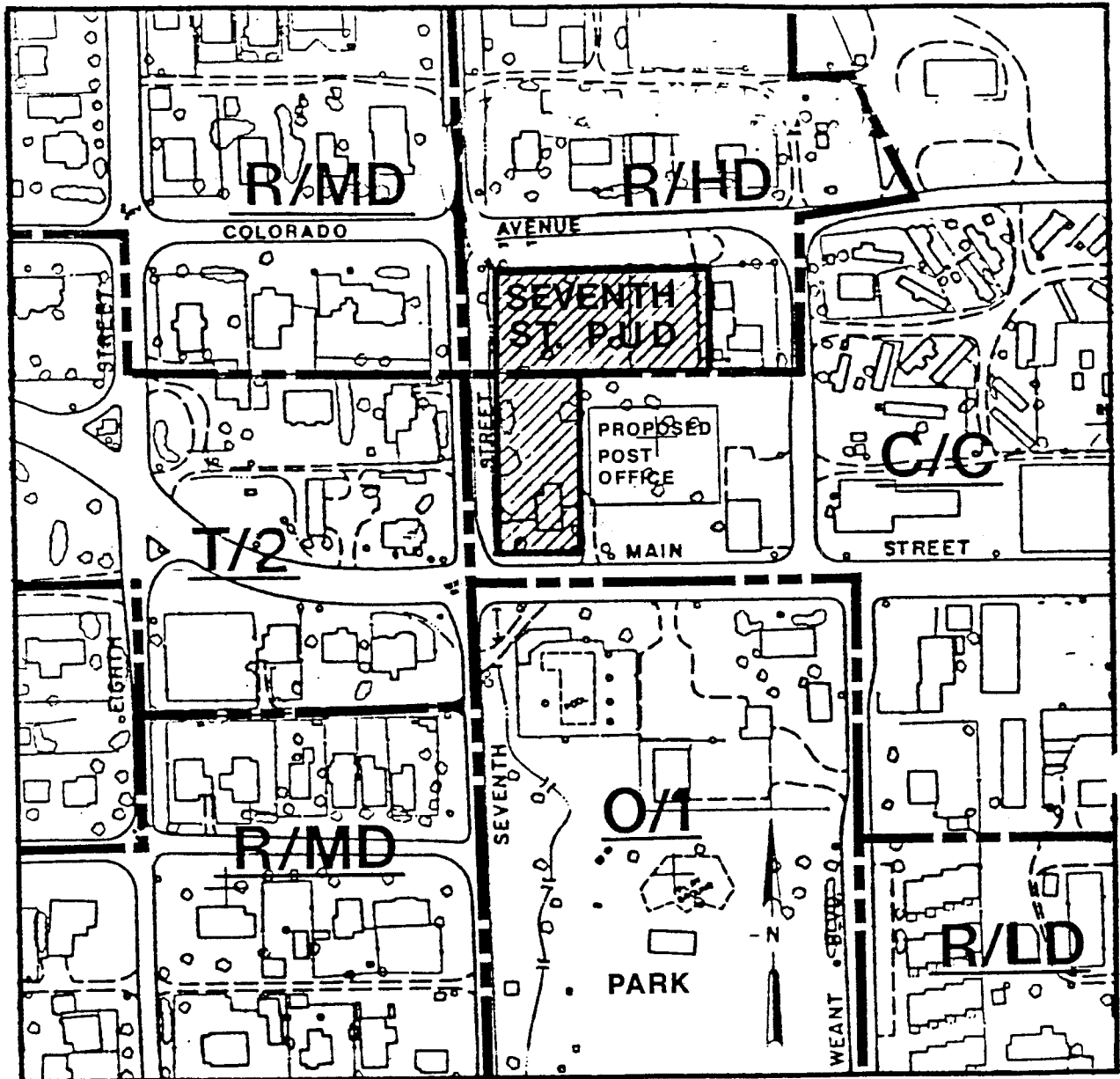
Amend p.6, Section II, paragraph A to read:

1. Food Services:

Parcel #1 only - Full scale restaurants and lounges;

Parcel #2 only - Delicatessens, ice cream shops or similar enterprises, provided further, that the maximum seating (total of indoor and/or outdoor) does not exceed 40;

The original PUD document is recorded in Book 692 Page 827 in the Garfield County Clerk's & Recorder's Office.



EXISTING ZONING MAP

SCALE: 1" = 200

LEGEND

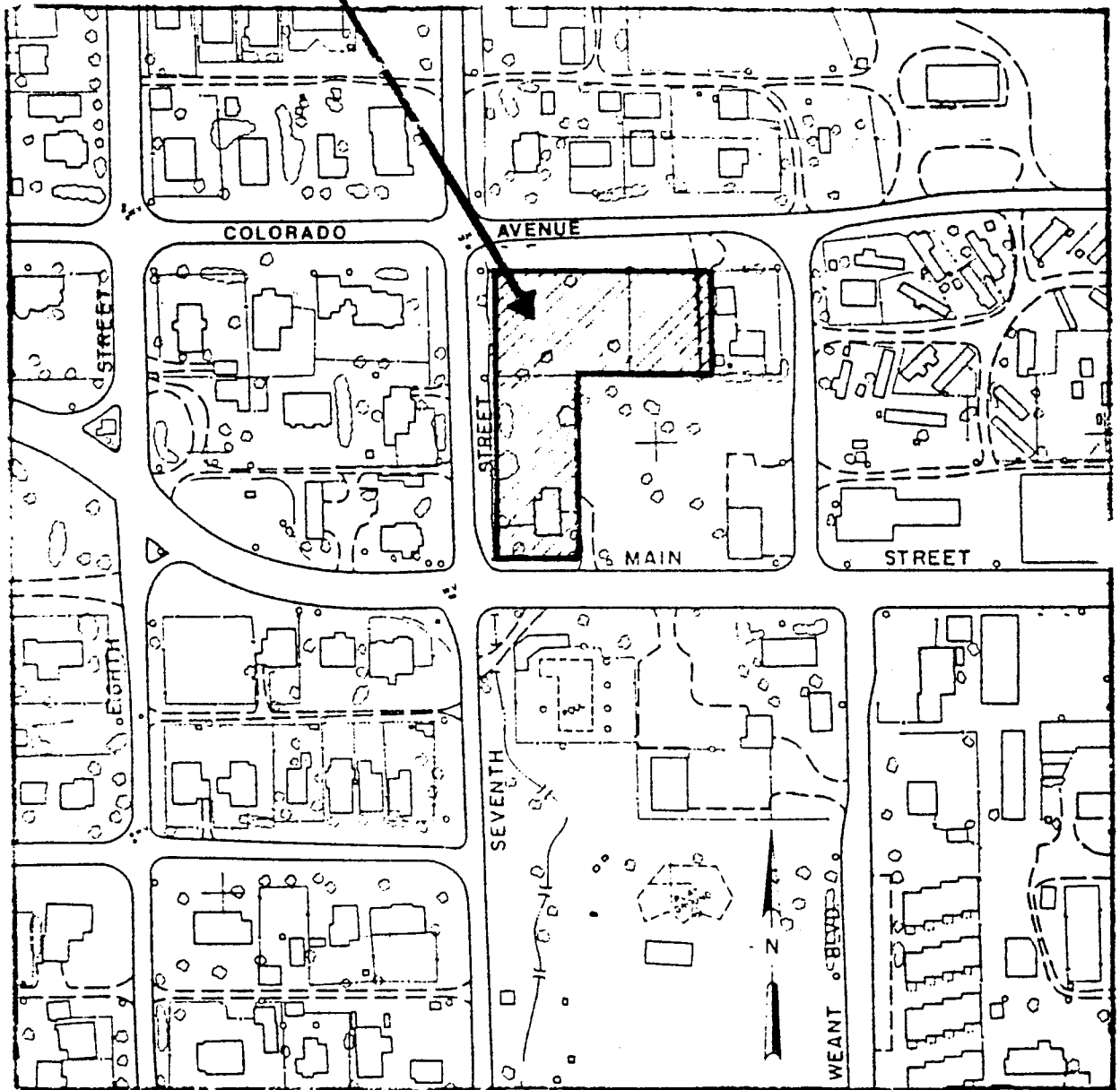
CODE

R/LD
R/MD
R/HD
C/C
T/2
O/1

DEFINITION

RESIDENTIAL/LOW DENSITY
RESIDENTIAL/MEDIUM DENSITY
RESIDENTIAL/HIGH DENSITY
COMMERCIAL CORE
TRANSITIONAL 2
OPEN SPACE

SEVENTH STREET P.U.D.



VICINITY MAP

SCALE: 1" = 200