

MINUTES

CARBONDALE PLANNING AND ZONING COMMISSION

Thursday October 14, 2021

Commissioners Present:

Jeff Davlyn
Nick Miscione
Marina Skiles
Kim Magee (1st Alternate)
Nicholas DiFrank, Vice-Chair
Jarrett Mork (2nd Alternate)

Staff Present:

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

Commissioners Absent:

Jay Engstrom, Chair

Other Persons Present Virtually & In Person

Keith Walzak/Cushing Terrell
Dave Dixon/Cushing Terrell
Ryan Lee, architect/Forum Phi
Damon Roth, 520 Mesa Verde Avenue
Anne Krimmer, 501 Mesa Verde Avenue
Kade Gianinetti, 282 N. Seventh Street

Nick Miscione stated that he would be signing off at 8:00 p.m.

The meeting was called to order at 7:01 p.m. by Nicholas DiFrank

September 30, 2021 Minutes:

Jarrett made a motion to approve the September 30, 2021 minutes. Marina seconded the motion, and they were approved unanimously, with Jeff abstaining.

Public Comment – Persons Present Not on the Agenda

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

Comprehensive Plan Update – Consultant Team Cushing Terrell (CT) Meeting #5

The consultant team discussed the Draft Implementation Strategies.

Dave said that this is a very exciting meeting for us, knowing that everyone has done their homework yesterday with the work session. He said that we received comments and this is the place that you need to be and that this is what we needed to steer us in the right direction. He said that he has just a couple of slides today because he wanted to leave the conversation open. He said that we want you to tell us what you learned

yesterday and then we'll go through what we are going to do next. He said one of the themes that he wanted to clarify is that we are in no way done with the update and this is our chance to get it right.

Community Engagement Update – Dave

- Virtual Spanish speaking public meeting (10/27/21)
- Virtual public meeting in English (10/28/2021)

Dave said that we want to get all the information ready to present to the public at the two community meetings with the direction that you provide us, through recommendations and how we implement them.

Dave said that we'll talk about what you worked on yesterday and that we'll touch on the draft implementation strategies. He said that we'll go through the process to mesh everything together. He said that we want to make sure all the terms are streamlined so that the public can understand it. He said that we need to think about how these things affect everyone's everyday lives and not just planners looking at a plan.

Dave said that the next steps with the key milestones and the late October meetings. He said that we are two-thirds of the way through and right on track. He said that input doesn't just come from an online survey and that it has come from so many places. He said that when you do a Comp Plan update that you meet with a lot of people and stakeholder groups, focus groups, which Carbondale has many resources for. He said we have met in person and virtually. He displayed and explained a spreadsheet table of the phases.

Dave said that Nora completed the summary notes, which points back to the recommendations. He said that we are translating to you for advice back. He said none of this is us making anything up. He said that we met with various focus and engagement groups like CLEER, the E-Board, Bike and Ped Commission, Historic Commission and CAFCI as well as the Board of Trustees. He said that we put it all in the database and identified the issues. He said that we had six focus areas, but folks really talked about what mattered to them. He said that translated to issues and then the issues are linked directly to the recommendations and ultimately how they are implemented.

Dave gave an example of how this works for one recommendation;

What we heard:

- Homeowners don't maintain the sidewalks in front of their homes, removal of snow and landscaping, and it makes walking difficult and at times dangerous.
- Carbondale has a lack of sidewalks, poorly designed sidewalks, lack of proper crosswalks.
- Not enough sidewalks.
- Lack of overall connectivity.

What we recommend;

- Implement sidewalks and upgrade deficient sidewalks.
- Evolve the 2019 High Priority Bicycle and Pedestrian Corridors Map.
- Plan/design enhanced bike/ped crossings.

Dave said that we have added graphics with Vision, Plan Recommendations and Implementation Tools.

Nicholas said that he would suggest weaving the community engagement in tighter, into this document. He said maybe add comments in the margins, pop-up bubbles and diagrams that help us as a community link those two elements together in a simple way, that is not based around this regurgitation of the exact moments. He said that there is a diversity of methods that can be used so that the document can speak that on its own.

Marina said that she agrees with Nicholas, not only public engagement in general but the disparate public engagement efforts and how they differed or contributed to the place that we are now.

Dave said that is the art and science of comprehensive planning or long-range planning. He said that this has to be understood by the public how that input resulted in things that will affect how growth and development happen in Carbondale.

Marina said that Dave just nailed it on the head, somebody is going to pick this up and know what they are looking at. She said that we as a Commission have some things to say specifically but that you got it with that verbiage.

Dave said that it is going to be critical when the draft supplement comes out that we massage it in a way and put ourselves in the publics' shoes. He said to give to someone who doesn't understand and see if they can get what we are trying to give.

Dave explained that the process started in May and will end in November/December and that it is a loop. He said that we started with a vision and then we went to recommendations and now we are getting into those implementation tools. He said that you will need to go back to the vision in a couple of years. He said that this will not be the last update that you'll do, this is an incremental update, which is why we had our focus areas. He said that we did a lot with what we had, he said that you are gearing up for one that will be a big one, at some point in the next five years. He said that it has to match the face and changes to Carbondale and that you might need a new vision at that time. He said that this has to be communicated, about the next big update, in a planned supplement. He said that we are supplementing the 2013 Comp Plan.

Dave said that what we are hearing about the land-use code and the conventional zoning approach. He said that we are hearing about some of the prescriptive standards regarding height, widths and setback requirements may or may not be working for the community, to get to our goals. He showed a bar graph with conventional zoning approach verses form-based zoning approach, explaining many jurisdictions are moving

to the form-based approach. He said that when you switch to form-based there is more flexibility, which makes it easier for your staff and the community to understand and it saves time and resources.

Keith said that we are not suggesting or making a recommendation that the Town of Carbondale should go to a form-based code. He said that we are hearing a lot about small-town character, compatibility between uses, downtown character, with some strong design guidelines. He said that there is a hybrid in between these two approaches, the conventional zoning approach versus form-based code. He said that it suggests that maybe you just enhance your design guidelines and standards to a higher level.

Dave said that is a good discussion point for the future, is it design guidelines or is it code or something in between. He said it will be up to you in the future to implement this plan.

Dave explained the Comp Plan update planning process;

- Engagement process and research analysis
- Community vision
- Guiding principles
- Goals
- Objectives
- Policy recommendations
- Implementation Strategies (Action Plan)

Dave explained the planning process showing an outline of their process starting with;

- Board of Trustees
- Open houses
- Focus groups
- Survey
- Previous Plans
- Physical analysis
- Design Charrettes
- Steering Committee
- Existing conditions

With six focus areas;

- Downtown District
- Downtown North
- Residential High Density
- Climate Action Plan
- Multi-Modal Access and circulation
- Aging in community

Followed by these steps;

- Policy

- Implementation Action Plan
- High, Medium and Low Priorities

Dave said that we took the goals from the 2013 Comp Plan and asked what was missing and what needed to be adjusted. He said after we studied the plan we were curious of how the goals were set up, dispersed throughout. He said that when you put them in the goal framework then it puts them all at the same level. He said that you can then use them when evaluating a project to see how it achieves your goal and your vision. He explained the two goals that were consolidated into a list of nine goals (In italics are the two newly introduced or revised goals or objectives);

1. Embrace Carbondale's small-town character.
2. Promote economic growth, diversification, and self-sufficiency.
3. Address housing affordability and diversity.
4. Ensure long-term, sustainable infrastructure systems to meet community growth projections.
5. *Promote universal access, active mobility, and multi-modal options in the community.*
6. Celebrate the natural resources and ecological values of the region.
7. *Prioritize social equity, health and well-being, creativity, and education in the community.*
8. Ensure the long-term fiscal health of the community.
9. Guarantee high quality, responsive governance.

Nick said that it's worth circling back on this "funkiness", that we landed on a better definition in the last few meetings. He said that he thinks what we mean by that is that we, the Town of Carbondale, see ourselves as a creative district. He said that is a more distilled definition of what we mean by "funky". He said that funky doesn't make it on the goals framework. He said that if it keeps getting talked about that we need to discuss it.

Further discussion ensued regarding funky and a creative district.

Janet said that what she would like to see more stressed is the sustainability, things that you have been hearing from the E-Board, striving for the net-zero. She said that she would like to see a stronger statement.

Dave said to Janet's point, maybe some of these could be worded better, not just about infrastructure. He said that striving for net-zero is more of a strategy and an implementation thing.

Janet said that she has heard this really strong from the Board and the E-Board and that the Town has adopted the Climate Action Plan and updated it. She said that she just wanted to make sure that there was a strong goal in there, because that really represents the community.

Keith said that there is a big step before this step, the vision statement and the community framework of climate, resiliency and equity. He said that those are things are

setting the framework so if the creativity aspect is a visionary thing that is so important, give it some consideration of putting that language in your vision statement. He said that net-zero is a measurable target.

Kim said that she noticed that there isn't anything about historic preservation and that we got some favorable responses to that. She asked if that would come under embrace small-town character.

Dave said that is where that fits in and that historic character is Carbondale's small town character.

Marina said that we talked about this yesterday, in the key recommendations, should we be talking about the objectives verses the recommendations. She said to Kim's point that historic preservation comes up a lot in the recommendation but that it is not showing up in the objectives.

Kim said that she wants to make sure that it comes through loud and clear as important so she wanted to understand.

Dave said that the goals need to make sure that everything falls into them. He said that he would suggest leaving them at a higher level because of the trade-offs, then it might be something to deal with in the objectives so that you can make action items out of them. He said that we can discuss this.

Jarrett referenced number four, is there ways that we can zone or write code that promotes sustainability. He said for example urban agriculture, could we put this into the goals.

Dave said that the goals are where do you want to go and that it is a statement that you are making about where you as a community want to be. He said how you get there is the next step.

Nick said that he would like to revisit something that Keith said about vision statements. He said that in his experience as a creative professional this whole experience that we have been going through has been eating a big slice of humble pie. He said that this is a different approach to an outcome that he is used to. He said that vision statement and who we want to be, we talk a lot behind the scenes about sustainable measures, amongst ourselves internally and how to achieve sustainable futures for products. He said that we don't talk to clients a lot about sustainability because we don't identify ourselves as people that are seeing it as the utmost of importance. He said that everything we do is an attempt at achieving sustainability, in every component we try to put forth. He said that we don't talk about it, we just do it. He said are we, the Town of Carbondale, interested in hanging our hats on sustainability or is it just something we want to put in action. He said do we want to have sustainable futures be part of our vision statement or do we want to just get this done. He said that there is framework in place that would get us to the goal post. He said we would just have to adopt the framework and enforce it; do we need to hang our hats on that and identify ourselves as

that. He said is there something better or more multi-optimized that we could identify ourselves as.

Dave said at this high level or philosophical, one goal doesn't have to trump another. He said that it depends on what you are looking at and evaluating.

Keith asked Nick for clarification, if he was making an argument not to move forward with the community framework of climate resiliency and equity because you are already doing those things?

Nick said that it seems more like an action item and not a philosophy, maybe because we should all be doing it naturally.

Dave said imagine this document to be used by the future leaders of Carbondale, as a record of what you wanted to do in 2021, that is the philosophy of the Town. He said that is a good point and an interesting one.

Dave asked if we could back track and are we comfortable where we are at with "funkiness" and the creative district. He said what level does it need to be elevated to. He said that it would probably fall into character.

Nicholas said that he hasn't really been a fan of the term funky but that he doesn't have the ten-year that many here do. He said that this community does hang their hat on uniqueness and these kinds of terms. He said that we are constantly challenged by this term and this idea.

Jeff said that what he thinks everyone is trying to do is define Carbondale's character and that the goal might be to preserve Carbondale's character and there would be a sub-phrase of this creativity, vitality, uniqueness, grittiness, and funkiness. He said that every time that someone says "funky" that he is drawn to a marketing phrase that he gave as an example in Austin. He said that Carbondale has a character that we identify with and that it's all the terminology he mentioned. He said for him the goal is more than embrace and that it is to preserve Carbondale's character and that the people define that character. He said that's the number one goal when you consider some of the pressures and issues that we are facing, that we have heard from the community, don't grow too fast, don't grow the wrong way, don't grow in a way that is counter to the values that the people in this community hold. He said that if he were to re-write the goals framework that he would try to distill and use the space in numbering with less than nine goals. He said that he sees growth and diversity in a couple of places, as well as ecological values and natural resources merging with the prioritization of health and well-being. He said it feels like there is overlap here.

Nicholas said that he loves that Jeff brought in the term preserve for goal number one. He said that many of the Commissioner's have a passion for preserving this town.

Jeff said that he would make the argument that it is even more than preserve and that it is to actively protect the character that Carbondale has developed naturally over all these years before most of us showed up.

Marina said that she loves the word protect and that she thinks it is dangerous to try to define that.

Jeff said that you all have hit on important themes in what Carbondale's character is. He said that if they aren't the marketing terms like "funky" or gritty, they are something more assemblable like creative, unique, historic....

Jarrett said that if we are leaning on the creativity and the artistic side of Carbondale to help define what it is that it would be a good exercise to bring the art community into this, as a community activity.

Further discussion ensued regarding actionable items, recommendations, and goals.

Keith said for the community framework we use three words: climate, resiliency, and equity. He said do you still value that approach for the framework discussion. He said does this then become an extension of the framework discussion because we just used small-town character.

Marina said that we are trying to get this into bite-size morsels.

Keith said does the community framework, with the bite-size morsels, is that still in play, is the question that he is asking. He said does the three-word framework still, in your minds, or should it be merged into this succinct set of goal words.

Janet told Keith that he might want to remind them of three goal words were.

Keith said climate, resiliency, and equity.

Jeff said that the old Comp Plan the three words were community, ecology, and economy.

Keith said several meetings ago we proposed this new approach. He asked if this new approach was still in play, and if so do we apply the same highlighted words for your goal statements.

Jeff said that the goals from the 2013 Comp Plan to the goals that we are looking at now on this framework, are a huge improvement. He said that with the framework that was built off of this small-town character and goals from 2013, he is not as excited about. He said that the framework from 2013, community, ecology, and economy was more inclusive to everything going on in Carbondale. He said to lead with climate, in the community framework, not to diminish its importance, and we are trying to walk the walk in Carbondale but that he's not sure that is the biggest, most important thing that people think about when we are trying to plan for Carbondale's future. He said that what took

up most of the conversation five minutes ago was the “character” piece and whatever that messy vitality is. He said he wonders if it doesn’t deserve revisiting.

Nick left the meeting.

Further discussion ensued regarding climate, resiliency, and equity.

Keith said that we gave you a document with goals and objectives, we think we should go from Community Vision, Guiding Principles, Goals and right into strategies. He said that he thinks we have a little too much layering going on with this model in front of us. He said everyone is asking what the difference is between an objective statement and a strategy. He said that we could spend a lot of time just debating what that is. He said one succinct way of doing this is to modify this flow chart by eliminating objectives and going from goals right to the implementation strategies. He said that is something we have been talking to Janet about for the last couple of days.

Marina asked what that looks like in terms of deliverables.

Keith said that your Implementation Strategies, on the far right, is then your Chapter Five now. He said that we are providing you with a new Chapter Five in a new revised format. He said that it doesn’t affect deliverables, we provided an Existing Conditions report and we are in the midst of this discussion about Policy Recommendations.

Marina said that she just got the Existing Conditions report today from Janet.

Dave said that this is a great segue for showing what those do look like, to understand what strategies are and how going from these to strategies would be useful.

Nicholas stated that there is a certain quality to Comp Plans, they are soft or do they have teeth. He said that he loves that you bring us an opportunity to tighten things down and clean it up and that the only critical comment would be, is by removing objectives, in his experience is where the teeth really live, in a document like this.

Keith said that we are not removing that, we are just calling what are objectives now, strategies, the teeth are still there. He said that you go from your goals to strategies and that is where the detail is found.

Dave said that he doesn’t want to leave these hanging but that we at least want to do and exercise of reducing these down, if that is a thing that you could steer us towards or get confirmation on that.

Nicholas said that we did have a really nice work session yesterday and that we did discuss the idea of a round two of that. He said with the interest of time and letting you gentleman continue to move forward with this, this could be one of those things that we put on ice for a second.

Marina said that she agrees with Nicholas.

Dave said that the recommendations are meshed together, which came from input, this is the framework to set you up for success with the recommendations. He said if you could do with what you could with those and that he does want to get into what you discussed. He said speaking of strategies, that he doesn't want to go through every one of these, he said that Janet did so with an Implementation Table at the bottom of the 2013 Plan. He said that a lot has happened since then and what has been marked completed, which is probably isn't even all of it. He said some have been completed and moved to another level and that they are inactive but not done. He said that you have accomplished a lot as a community, which means the plan was pretty good. He said we want to take these and acknowledge that they have been worked on and as a supplement to this plan put some new ones in place, which is the whole idea.

Implementation Strategies: Completed

- Build from Carbondale's economic strengths to cultivate a unique role in the regional economy.
 - Strategy – Enhance Carbondale as a destination for arts, performance, festivals, and performance events.
 - Strategy – Continue to cultivate a business climate that fosters a successful and growing professional services sector.
 - Strategy – Promote restaurants, taverns and lodging as economic drivers and tax revenue generators.
- Capture more local spending.
 - Strategy – Establish land use districts that encourage convenient community serving retail sales establishments that will improve the overall commercial base and augment town sales tax revenues.
 - Strategy – Encourage retail uses where the Town is underserved.
 - Strategy – Enhance the character of the downtown and Highway 133 commercial corridor to make them more attractive and functional for businesses and customers.
- Facilitate business development with growth and development processes, standards and decisions that are clear, predictable, fair, consistent, timely and cost-effective.
 - Strategy – Update the land use code to more accurately reflect the values of the community and the demand for new development.
- Support the enhancement of local food production systems (i.e. growing, processing, marketing, and consumption).
 - Strategy – Encourage small-scale urban farming in town including community gardens and types and quantities of livestock and fowl that do not harm neighborhood health and quality of life.
 - Strategy – Accept community garden space as legitimate public open space required by the town land use code.

- Promote the development of diversity of housing providing for residents with different economic and housing needs and giving employees the opportunity to live affordably and close to where they work.
 - Strategy – Create zoning districts that promote a variety of housing types and higher density to lower per-unit land and development costs.
 - Strategy – Encourage mixed-use development with and direct connections from housing to commercial and employment areas.
 - Strategy – Prepare for an aging population with a housing supply serving age cohorts ranging from recent retirees to the elderly.
 - Strategy – Work with local, regional, state and national housing entities to expand the inventory of affordable housing including senior housing, assisted living, co-housing, rental housing, and housing for 1-2 person households.
 - Strategy – Establish a simplified development review process for smaller, lower occupancy accessory dwelling units.
 - Strategy – Work with local and regional housing organizations to explore strategies to coordinate and consolidate the management of deed restrictions on affordable housing and resident occupied intis in Carbondale.

- Align fiscal policies and levels of service with future land use strategies.
 - Strategy – Establish zoning districts that encourage community-serving retail, restaurants/taverns and lodging in appropriate places to improve the commercial base and augment town sales tax revenues.
 - Strategy – Invest in improved infrastructure and maintenance in Downtown and along the Highway 133 commercial corridor to improve aesthetics and functionality for businesses and customers.

- Diversify town revenues.
 - Strategy – Comprehensively review the Town’s revenue structure and make adjustments accordingly to encourage a diversity of revenue sources.

- Support the development and maintenance of infrastructure necessary for a sustainable local economy.
 - Strategy – Invest in enhancement of the public realm, including parks, streets, trees/landscaping, trails, pathways, landscaping, streetscapes, and public buildings.
 - Strategy – Repair and replace existing streets and improve intersections and circulation to facilitate efficient and convenient travel throughout town.
 - Strategy – Update the parks, open space and trails master plan and continue to make improvements as funding allows.

- Make the Highway 133 roadway more visually attractive.
 - Strategy – Establish unique and artistic gateways into Carbondale on the edges of town along Highway 133 and Catherine’s Store Road with monumentation and landscaping, integrate wayfinding as necessary.

- Strategy – Add landscaping along the highway corridor where right-of-way width will accommodate it and require street landscaping buffers on developing or redeveloping properties where the right-of-way does not accommodate landscaping.
- Strategy – Ensure that the physical character of highway improvements is in keeping with Carbondale’s small-town character.
- Reduce the demand for energy and produce energy locally.
 - Strategy - Develop and implement a green building program for new commercial buildings.
 - Strategy – Establish Carbondale as a center of sustainable enterprises.
 - Strategy – Update and revise the 2005 Town of Carbondale Energy and Climate Protection Plan and continue to implement the policies contained in this plan.
- Embrace the river corridors by preserving them and making them a more accessible for recreation.
 - Strategy – Continue participating in the Roaring Fork Watershed Collaborative.
 - Strategy – Employ naturalized storm water treatment techniques such as naturalized detention, big swales, rain gardens, terracing and porous pavements.
- Develop multi-modal improvements tailored for Carbondale streets right-of way width, neighborhood character, focusing first on priority multi-modal corridors and priority connections.
 - Strategy – These are the priority connections (not in order):
 - ◆ Pathway completion along Snowmass Drive connecting to Main Street.
 - ◆ Pathway completion along Meadowood Drive connecting to Highway 133.
 - ◆ Pedestrian/bike connection from Third Street Center to Highway 133.
 - ◆ Connect Snowmass Drive and Meadowood Drive through Roaring Fork School District campus.
 - ◆ Pathway and/or sidewalk along Main Street connecting Highway 133 and CRMS.
 - ◆ Sidewalks along 8th Street between Village Road and the sidewalks on Cowen Drive.
 - ◆ Complete the gap in the sidewalk along Sopris Avenue between 3rd and 4th Streets.
 - ◆ Bus stop across from Subway on Main Street to Highway 133.
- Improve multi-modal connectivity throughout town.
 - Strategy – Improve and expand connections between neighborhoods and the Highway 133 Trail/Crystal Valley Trail.
 - Strategy – Capitalize on the Rio Grande Trail by connecting to it, prioritize connections near downtown and connections in future developments and redevelopments along the trail.

- Strategy – Improve general connectivity to the Third Street Center.
- Strategy – Improve connectivity from schools to the rest of the town, emphasizing safe routes from residential neighborhoods to school and routes from the campuses to downtown.
- Strategy – Continue to work with Roaring Fork Transit Authority and Colorado Department of Transportation to maintain safe and convenient transit facilities and services.
- Strategy – Establish road and bike facility design standards.
- Connect the east and west sides of town across the highway.
 - Strategy – Improve safety and convenience for pedestrians and cyclists crossing the highway.
- Improve the quality and continuity of pedestrian and bicycle mobility along the highway.
 - Strategy – Develop pathways and/or sidewalks along both sides of Highway 133 where right-of-way width can accommodate these facilities and minimize driveway curb cuts across them to limit conflicts.
 - Strategy – Manage highway access to minimize driveway cuts and street intersections along pathways and/or sidewalks while allowing adequate access to property and promoting the visibility of businesses to passersby.
- Improve the safety, convenience, and function of the highway for automobiles.
 - Strategy - Improve the safety and functionality of town street intersections with Highway 133.
 - Strategy – Balance safe and convenient automobile access to and from properties along the highway with safe pedestrian and bike mobility.

Key Recommendations Discussion

- UDC
- Future Land Use
- Focus Areas
 - Downtown/Downtown North
 - Housing
 - Mobility
 - Aging in Community
 - Climate Action
- Other Areas
 - Historic preservation
 - Design standards
 - What else?

Jeff said that his feeling from the work session last night was that the structure of the document could be called more predictable. He said that regarding the statement that Dave just made about building heights, we are able to answer the question why, what goals are we pursuing and then maybe go back further to the umbrella of the community

plan framework, which his categories are now community character, community resilience, and community equity and inclusion. He said then why do building heights in the HCC help us achieve the stated goals, which are currently nine in number, and why are building heights a relevant conversation to our framework goals of promoting character, community resiliency and inclusivity. He says that it flows through the whole document and connecting those dots for people who are going to pick this up and spend fifteen minutes with it and then maybe never look at it again, unless they become a Commissioner or Trustee.

Dave said that one of the things of having “call-outs” or “side-bars” could be one of the ways to address that, why are we doing this in the introduction of every section. He said that if people are having trouble making a project happen, people want building heights to be more about historic scale more than anything else, all those input things. He said to have a “side-bar” in every section would be the way to deal with that.

Jeff said that people will probably flip right to housing and what did P&Z decide is the plan for affordable housing. He said that if we can point to what we want to achieve, these goals, and embody our values in whatever the strategies or teeth that come out of this, it is a much more defensible document. He said that some of the Commissioners that aren't here will have some really valuable input and that we can give you more so that you are not grasping at straws.

Keith said that we are not grasping at straws and that this is great feedback. He said what do you want us to do tomorrow? He asked do you want us to take a shot at the goals or does the Commission want to wrestle that gorilla down? He said that he doesn't want to duplicate things.

Jeff said that he thinks it's mostly structure of the document that we reviewed yesterday and conciseness.

Marina said that we have a red-lined document that we would like to send to you.

Keith said that he knows that you just got the Existing Conditions Report, that is the background and context. He said that the recommendations are a discussion paper, it is not the report or the supplement. He said that we are starting to put together a document that is going to be the supplement and that we will develop it over the next month or so. He said that when you looked at the recommendations document, think of it as a discussion paper, it is not the plan or deliverable. He said that it was not intended to be this is what your plan is going to look like.

Jeff said that wasn't clear to him so thank you, he asked if it wasn't part of the final deliverable?

Keith said that it is going to look different, the content is going to be massaged by you and that will be the final deliverable but these meetings are public record so anyone can go on to the website to look at the document that you are editing. He said that it is a work in progress, he said that they labeled it as “draft” for discussion purposes. He said

that once we get to the ninety percent level, we will put that into a graphically rich, succinct, easy to maneuver through supplemental document. He said that we haven't started to put that together yet.

Janet said that she did send CT the redlines that Marina and Nicholas had put together last night, so they did receive that. She said that her opinion is that P&Z should ask CT to keep working on the document, based on the comments that you are providing them. She said that she thinks that they are hearing you loud and clear, reduce it and make it succinct. She said that she thinks they need to continue working on it, based on your feedback.

Nicholas agreed but said that the only risk would be that we are crossing in the night. He said that it appears between Marina's comment and what we all collected for that document, he asked Dave and Keith if there is an opportunity to move forward, without concerns of having to undo/redo as the Steering Committee is getting ready for a second session.

Dave said that he doesn't think there is any reason we couldn't take what we are hearing and move forward.

Nicholas asked the Commission if they agreed or do they think there should be a pause.

Marina said that she has three questions;

- What does the next deliverable look like and how involved can we be?
- Should we put a pause on this until the Commission gets through all of the draft recommendations to date, as we only completed review of one recommendation yesterday?
- Did CT have any comments based on our comments?

Dave said that if there are more specifics in the comments, we want to make sure what you think of is what we are trying to communicate and that there are no questions. He said regarding the UDC and the Comp Plan we need to know at what level you would like these things to be discussed. He told Marina if you bring back more redlines that we can adjust to that. He said that his question is will the recommendations adequately address these things based on issues that were provided in the Existing Conditions Report and other things.

Keith said that he doesn't want to get hung up on what we are contractually obligated to do in terms of deliverables. He said that in our minds the big deliverables were an Existing Conditions Report, a working document that is called Recommendations. He said that the Commission should continue to evaluate that and massage it, the version that you have in front of you. He said then we come back with you and then we get your feedback on that. He said that we had never intended to reissue a formal re-deliverable of the recommendations working paper. He said that we were simply going to take the information that you provided us and then fold it into the draft supplement, that it going to be coming out in a month or so. He said that while you are working on fine tuning the recommendations....he told Jeff that by the way that he thinks the community character,

resiliency and inclusivity as a framework is pretty brilliant. He said that it is right on target. He said that all of those things can keep moving along amongst ourselves, he said that we had not envisioned formally resubmitting the recommendations as a brand new draft, he said that we were then going to put it into the supplemental report that you all will all be able to review, many many times. He said that he's hoping that is ok with you all. He said that we are just trying to reduce the number of deliverables so that you can start to see how this supplement deliverable will start to look.

Jeff said that we did not have the advantage of the summary of the Existing Conditions and that context was really crucial. He said that a lot of our comments in our work session last night were we want to see where this is coming from, let's reference it, even if it's an addendum. He said that it was a little cart before the horse, which was a disadvantage. He said that he scanned the Existing Conditions Report before this meeting and it added a lot of the context that he was missing yesterday. He said that he appreciates everything that was put into that.

Keith said that he isn't sure why that didn't get to you.

Jeff said that the link wasn't working, and it never made it to the Chart Carbondale website, where it was supposed to be. He said that we will encourage our Commission to pour over that too because he wasn't sure that any of us have had a lot of time with it.

Marina asked if we should not have seen the recommendations before now, she said that she is not understanding the process.

Keith said that in a perfect world that you should have received the Existing Conditions Report about a month and a half ago. He said that you would have had that context of how the engagement process is working, what we are hearing, what the data is telling us, because it is informing these draft recommendations. He said that we concurrently then moved right into drafting the document, draft recommendations. He said that we have given that to you, you are starting to redline it and it sounds like you are going to continue to edit it because you only got so far. He said that you should continue to evaluate and edit that document, the recommendations that we gave you. He said that meanwhile we are going to start making some changes, behind the scenes, that we have heard from tonight to start thinking about the supplemental report document. He said that we aren't going to get it to you right away because we want you to get through the recommendations document first.

Dave said that there is still areas for conversation between what you are thinking and what we would deliver and that is absolutely valid.

Keith said for sure and that these are just independent little pieces, Existing Conditions, Recommendations Report and the Supplement. He said that you are right in the middle piece right now. He said that his advice is to keep doing what you are doing and help us understand throughout that entire document what the keys things that you need us to be aware of and where the edits are. He said that we will take those edits and put it into the supplement deliverable.

Dave said that the outline is being worked on and meshed as we speak but that it will be a month until this is all together.

Marina asked who was writing that and could she just talk to them.

Keith said we are and that you are talking to us, we are us, we are you. He said that the in design document is a 8.5 x 11 vertical format. He said that we have chosen that because your map of the Town works in that direction and that it fits nicely. He said that was some advice from Janet that 8.5 x 11 makes sense. He said that we have a table of contents formed and we have a template that we have put together. He said that we have not dropped any content in yet because the content is being worked on.

Kim said that she really enjoyed reading the Existing Conditions and that she wanted to thank Keith and Dave. She said that it was well laid out and fascinating information and that was the core of everything we were doing. She said on the key recommendations slide that we are looking at is so easy to read and see what's going on. She asked if historic preservation and design standards becomes other areas instead of focus areas? She said that she noticed in the recommendations was that historic preservation and Highway 133 were at the very end. She said that it seems that those two things have been important and that she was curious about that.

Dave said that is a good point and that is reflected of the process.

Keith said that in the supplement that we are not going to say other things, because it diminishes those things. He said that those first five or six things are in our contract of the things that we need to pay attention to as a part of this process. He said that this is not a complete rewrite and that it is a supplement. He said that is why we have tried to present all of our conversations around those six topical items but to your point, historic preservation came up, Highway 133 and those things will be in the supplement as well because they were part of the process. He said they were just not one of the top six focus areas that we were contracted to pay attention to as part of the process. He said that the Existing Conditions Report, once it has been fine-tuned and edited, will be an appendix item in the supplement. He said that it won't be in the body of the report, because we want to make sure that the body of the report is easy to thumb through and understand what the plan is. He said that there is going to be on the website, but it will also be an appendix item as a deliverable.

Janet said that the message that we are getting from CT is to keep working on what we are doing and have work sessions and hammer through what we have. She said that she has two questions for CT.

Janet said we would like some reassurance that you are hearing what we are saying. She said that last night we talked a lot about how the focus areas and that they are kind of siloed. She asked at some point can they be knit together? She said that last night we were talking about Downtown and mobility, as well as Downtown North and to the Highway and can it be knit together? She said that if you feel that you can't do it that

you let us know that you can't. She said that our expectations are that are you going to be able to do what we are asking you to do.

Keith said that we are working together as a team to do it and that he thinks that we should get the table of contents to you pretty quickly so you can edit that. He said the last thing we want to do is get ninety percent of the document done and find out that you want to rearrange the chapters. He said that we can't do that.

Janet asked the Commission if this addresses the comments from last night.

Janet said that her second question is, as we are moving forward with the community meetings scheduled on October 27 and 28. She said what you are saying is that you are going to take what you have now for the key recommendations and also get them out into the community and that is what we are going to provide to them.

Keith said yes and that the challenge for us to make that succinct and palatable so that we can get good feedback from the virtual meetings. He said that we have to be really selective about how we design the virtual Zoom call. He said that we want people to respond to the draft recommendations, without the future land use map because it is a bit too technical. He said that we only have a limited amount of time at the two meetings.

Janet suggested that the format of the meetings be; 1) did we hear you and 2) explanation of how the surveys, comments from CAFCI, and other data formed the recommendations.

Keith said that we have to acknowledge what we heard previously and connect where we are going with recommendations and show that. He said and then ask did we get it right or did we miss anything.

Dave said that we are going to pick up where we left off in the last round and explain what we heard. He said that we don't want to drift too far from what the last conversation was.

Janet thanked CT.

Further discussion ensued regarding the table of contents and the implementation matrix.

Jarrett commented on the future round-about and that it gives him joy.

Janet said to give you an example of what they built on, she said that she would send the Commission the list of what she compiled, the plans, the policies, the ordinances that applied to certain things from weeds to the Highway Access Control Plan, that the Town had done since the 2013 Comp Plan. She said that CT looked at this and part of what you are looking at with the round-about was part of the highway work that had

been done, which they took all the reports and synthesized it, bringing this up to date. She said that the round-about has been a long-planned thing for twenty plus years.

Dave said that synthesized is a great term and that they had help from Fehr & Peers, a great transportation planning firm. He said that they used their technical eye for the transportation portion of the map. He thanked Janet for her work to keep the parcel lines organized as well.

Keith said that it is worth noting that the two round-abouts shown on the Future Land Use Map, that if you look right above the lower one there is a red dashed line, that shows a connection. He said that came from a discussion with Janet, Dave and I using a Zoom call, on how do we connect these county islands that might be developed. He said that we talked about envisioning an underpass for pedestrians, which wasn't in any transportation plan, that this was a possible future project that should be talked about. He gave kudos to Janet and Dave for coming up with that brilliant idea.

Further discussion ensued regarding connections, goals, objectives, and a form-based code idea.

Dave said that we will look forward to continued comments and redlines. He said that we will start compiling that into the supplement. He showed an example of the Implementation Matrix, showing how the strategies are organized by goals. He said that there are all kinds of things hidden behind the scenes. He said that this is how you implement the plan, with the strategies, implementation measures, the team that does it, the priority of one, two, or three. He said that we are open to suggestions. He said that sometimes a matrix can be burdensome or of incredible value, depending on how they are laid out. He said that status is something that you would want to keep in there, which we took out the completed ones that were presented earlier tonight. He said that we are recommending that you got to a goal, strategy, direct framework rather than a goal, a middle piece objective, which would specify some topics, but we think based on the conversation tonight it should go from goal to strategy.

Keith said that he would underscore the importance of this particular chapter and that this is where you make a plan come to life. He said that it is commitments, it is getting people to be responsible for it. He said so if that idea of a bicycle/pedestrian underpass on Highway 133 ever comes to fruition, the first thing that needs to happen is a feasibility study, to look at parcel availability and acquisitions. He said so if that is a project then you will have to discuss if that is a high priority or a lower priority. He said that is where the trade-offs come in. He said that this chapter is very important in your Comp Plan.

Marina asked if skipping all these steps from goals to strategy is what you are suggesting based on the Implementation Map that we looked at earlier? She asked what we are missing by doing that?

Keith said that we are not missing anything. He said all we are really doing is taking the word strategy, in the document that you have it is called an objective, he said that we

are just striking the work objectives and those objective statements will be converted into strategies. He said that we are not eliminating anything and that we are just compressing that flow chart that you saw at the beginning of the slides. He said that we are trying to get from goals to strategies faster.

Dave said that in some cases there was an extra step.

Marina asked if we should press pause on redlining the draft document that we have.

Keith said no because we are going to take your redlines of the objective statements and insert them under this category called strategies.

Dave clarified that these came from the old plan, the recommendations come from the new input. He said based on our scope and process, those were the outcomes of that process. He said that these were already there. He said that we are trying to put the new stuff into this and eliminate redundancy. He said that we had a process and a scope that we had to execute and that the outcome were the recommendations.

Marina asked why we should redline the recommendations if we are just talking about them.

Dave said that he does understand.

Keith said that by the time you get to this table, with the inputs we get from you and we put it into this table, we will already have crafted the language that describes the strategy. He said that is the step that you are in right now. He said the importance of not confusing the editing of the strategy and this table, the difference is that once you get the strategies figured out the hard part is what is the number one priority, versus two, versus three. He said that we don't want to confuse those two conversations, we want to get the strategy figured out first, are we on target, is the goal statement complete and then we can focus on the right-hand side of this table, in our next discussion. He said what is the highest priorities, what are the trade-offs. He said that we are just trying to separate that conversation out into two parts.

Marina said let's distill this to deliverables, what's helpful for y'all and what's helpful for us. She asked if that is where we are now?

Keith said yes.

Marina asked when you would like redlines from us, in addition to the ones that were sent to you today?

Dave said sooner than later. He said that does not affect the next step, which is this piece that we are showing here. He said the framework, the goals one and two here, that is what we want to make sure that you have right so we can organize the strategies correctly. He said that part is important so sooner is definitely better than later. He said

that the recommendations that were presented, those are so strongly based on input, to get them correct, redlines is important but it doesn't affect the next step.

Keith said that if we could get the redlines by the first week of November, that would be fantastic. He said that he knows that it pushes you a bit because it is hard work but then we are going to take that information and put it into the draft supplemental report, that will include this new matrix table.

Further discussion ensued about the next work session.

Keith said in between we will send a draft table of contents so you can comment on how we think is the best way to organize this document. He said that it will be a one-page table of contents. He said that we clearly see that your zoning code overlaps between residential densities, Downtown and North Downtown. He said there will be some weird duplication but that there is some logic to using those focus areas as an organizing feature as well. He said let's figure that out, we will give it to you how we think it should be but if you think otherwise let us know.

Nicholas said as you format these that he assumes that there may be two competing structures, after you go back and look at it. He said that there may be an opportunity for an intermediary check-in, that we were looking at these two, do one of these make more sense than the other. He said at the end of the day that structure was a big piece for us.

Nicholas thanked Keith and Dave for continuing to hear us and to guide this process. He asked if Janet had any further comments.

Janet said that everyone got it pretty well covered. She said that tonight's discussion really helped and thank you for back tracking.

Dave clarified that we want to have enough to test and confirm with the public on October 27 and 28 too. He said that is a really important piece. He said that we have plenty to work with but if anything, big comes up it would be good to bring it to the public meetings.

Nicholas said that he appreciates everyone's work and that the community will in the end.

There was a five-minute break.

Marina recused herself for the next public hearing and she logged off.

Jarrett disclosed that in previous meetings for this application that he had to recuse himself due to his previous employment with Forum Phi. He said that he is no longer employed with Forum Phi and that he has no financial gain from this next application. He said for the record that Ryan Lee and Damon Roth are both his friends and that he will uphold his duty to not have any bias with this application.

The Commission gave Jarrett a thumbs up.

Continued Public Hearing – 520 Mesa Verde Plat Amendment

John stated that at the June 24th Planning and Zoning Commission Hearing, the Commission reviewed the application for a preliminary plat to subdivide an existing platted lot in Colorado Meadows Subdivision. He said that the Commission heard from Staff, the applicant and opened the public comments portion of the hearing, receiving public comments, then closed the public comments portion of the meeting.

John said that in the packet that there are numerous letters from the public, both in support and in opposition of this application.

John said that the Commission made a motion to direct Staff to draft conditions of approval and to continue the hearing to the July 15th meeting. John stated that the motion passed with three yes votes and one no vote.

John continued by saying that at the July 15th meeting Staff presented the conditions of approval requested by the P&Z as well as the original Staff recommendation for denial. He said that after a motion for denial failed in a tie, a second motion was made to continue the hearing to the September 30th meeting so that the applicant may address the conditions of approval, and the motion passed.

John stated that at the September 30th meeting Staff requested a continuance to the October 14th meeting so that the meeting could be focused on the Comprehensive Plan Update, the applicant agreed with the request and a motion was made to continue the hearing to October 14, 2021.

John said that you will find the Preliminary Plat approval criteria, findings for approval and conditions of approval as requested at the July 15th meeting in the packet. He stated that the applicant has also provided responses (attached) to the approval criteria below as requested and provided a draft plat, draft restrictive covenant on any future construction of accessory dwelling units and a draft easement agreement for access and utility uses. He said it should be noted that the Town Attorney has not reviewed these submittals, as they were submitted a few days before the packet. He stated that Staff has noted errors on the plat that will need to be corrected.

John stated that you will also find the Staff Recommendation for denial from the submittal from the June 24th meeting staff report. He read Staff's three findings for denial.

Kim asked what has changed since the last time the Commission convened.

John stated that the applicant has provided the plat, showing the easement language and the covenant that would be entered upon by the lot owners that would restrict the construction of ADU's on either lot. He said that they have responded to the conditions

of approval that were originally provided and requested by the P&Z at the July 15th meeting.

Jarrett asked if the plat was on page thirty-six of the packet?

John said that the first plat is the one that will need corrections, if approved. He said that the second is the exhibit for the access easement.

Jeff asked if there were any comments from the Public Work's Staff on what has changed between then and now?

John stated that the Public Works Director indicated that he did not want to see it until the final plat but that he liked that there was a easement indicated for utilities and that he would reserve his comments if it were to proceed forward.

Nicholas asked by completing this plat would the applicant be able to go in front of the Board, to be reviewed at that level.

John explained that it was a two-part process, the P&Z is the approving authority for the preliminary plat, which is in front of you right now. He said that you are not looking at construction of the buildings or anything else and that you are just looking at the plat that may or may not subdivide the two lots. He said that the final approving authority is the Board of Trustees, hence the condition in the code section saying that an easement across another lot for access to another lot, behind that lot, the final approving authority is the Board of Trustees.

Nicholas asked for clarification on if that is why we were having issues previously. He said that then we still have a responsibility at our level correct.

John said that was a concern, as you stated, and that is one of the reasons why the request was made to have the actual access easement indicated on a plat or an access agreement.

Jeff asked for clarification on process and said that we are the approving body for the preliminary plat, which means that if the preliminary plat is denied that this application would not go in front of the Board of Trustees but if the preliminary plat is approved that it would go in front of the Board of Trustees.

John stated that is correct.

Damon thanked the Commission for staying up late to focus on their application. He said that one of the things that they did that wasn't part of the conditions of approval was the covenants for no ADU's. He said that it seemed that was really important to people, and we were amendable to that. He said that we are not trying to do a lot split and then adding ADU's to that.

Ryan went through the presentation again to re-orient everyone. He spoke about the current Comprehensive Plan, which is what we based this application on. He referenced and highlighted some wording in the Comp Plan, *welcoming to new people and new ideas, maintaining the Town's small, compact form is paramount, it is clear that some growth and change is inevitable.* (All portions of sentences)

Ryan said that we are not changing the density and it is encouraging the *diversity in housing types*. He said that there is also a statement in the Comp Plan to *encourage multi-family and higher density housing*. He said that is the hot topic now, how are people going to live here and in the valley in the future.

Ryan said that part of the Comp Plan says to *encourage accessory dwelling units*.

Ryan highlighted in the Comp Plan; *future growth accommodated by infill*.

Ryan continued by showing a page about housing types;

- *Various housing types will accommodate a mix of household types.*
- *Diverse housing types.*
- *Various housing options.*
- *Infill and redevelopment in some key areas is an important component of managing change.*
- *Demolish and replace with new structures that result in an increase in dwelling units or non-residential square footage. This is also infill and redevelopment.*
- *Accessory dwelling units are also considered infill.*

Ryan outlined their application process beginning in August of 2020. He said their original plan was to create a two-bed, two-bath ADU on an existing garage structure on the property. He said that we went to the Town of Carbondale after multiple conversations with them and that we need to make sure that the ADU that you are proposing on this property at 520 Mesa Verde is an attached unit. He said that we went through the UDC to understand what those code requirements were. He said that an ADU could only have one bedroom and the maximum square footage based on the current home would be capped at five hundred square feet. He said that doing a two-bed, two-bath ADU would be impossible, without a variance. He said that brings us to variances that would be required, if we were to construct an ADU, it could only have one bedroom, it would be capped at five-hundred square feet based on a twelve hundred square foot home. He said it was really about evaluating what other options we have. He said that we could have partially demolished the existing single-family residence to convert it to an ADU and then build a new single-family residence, in the rear portion of the property. He said that we could increase the existing single-family floor area to get a larger ADU or we could just demolish the existing structure completely, build a brand-new home with an attached ADU. He said that it really seems like irresponsible development and has negative environmental impacts either way that you look at it.

Ryan said that after reviewing that and going back to the Comprehensive Plan and the creativity and diversity in housing we looked at doing a lot split. He said that we submitted the lot split back in May and we had our first P&Z hearing, as John pointed

out back in June. He said that July 15 Staff and P&Z pointed outlined conditions of approval. He said that the biggest one was to submit a final plat indicating a utility and access easement for the proposed lot, 10B in the rear. He said that everything else in here was making sure that we pay fees, which we will do upon approval. He said and now we are here tonight.

Ryan explained the site plan shown on the screen pointing out surrounding zone districts. He said that three properties touch 520 Mesa Verde, at 522 Mesa Verde we have a duplex, at 516 we have a single-family residence with an ADU, at 512 we have a single-family residence with an ADU. He said that to him that is high-density. He said that we are talking about a low-density district that all of these properties are located in.

Ryan stated that there was concern brought up in our previous hearings by Staff and P&Z and the public that this is going to create a trend in the neighborhood and that it is not consistent with the neighborhood. He said that it was said that everyone is going to do a lot split and build an ADU. He explained on the site map the lots that do not have the lot area, which is six thousand square feet minimum to do a lot split. He pointed out the lots that were not feasible to do a lot split because they all adjoin the dog park, they have steep slopes, access to the rear portion of the lots would be near impossible. He said that building in the rear of the lot is not a feasible a way of construction. He pointed out the three lots that have a potential to do a lot split, based on lot area, with two lots that don't have access to the rear portion of the yard. He continued by explaining the surrounding lots.

Ryan explained that we have met all of the dimensional requirements per the UDC, residential low-density lot area minimum of six thousand square feet. He said both lots 10A and 10B are over seven thousand, our lot depth is one hundred feet, our lot width is a sixty foot minimum, as well as all of the setbacks have been met.

Ryan stated that another concern was parking, and he explained the six parking spots shown on the site plan. He said that we have met the impervious lot coverage maximum, so both lots do not hit the fifty-two percent threshold.

Ryan said that the density is not changing, he said that we are taking an existing garage structure, building a new garage structure, and putting a single-family, two-bed, two-bath on top of that. He said that the access is going to remain the same and that the density has not changed.

Ryan said to reiterate the conditions of approval based on our last meeting, create a final plat indicating utility and access easement. He said that after further discussion with Staff and P&Z that we thought it would be good to provide the additional documents for this hearing. He said that they were not requested by P&Z but that were brought up as concerns. He said one was a draft of restricted covenants for an ADU for future development and a utility impact letter, stating next to no impact to the existing infrastructure.

Ryan explained the volume of water and sewer percentages, which was provided by an engineer in the valley.

Ryan stated that we have a draft of the restricted covenants stating that we will not be developing ADU's on either lot 10A or 10B.

Ryan said that the purpose of this application was to create a two-bed, two-bath ADU. He said it wasn't meant to create a single-family residence and then put an ADU on both lots and have four units. He said that we thought this would be something we could negotiate and discuss with P&Z and Staff on how we want to move forward with an approval of this restricted covenant.

Ryan said that we have also provided an easement agreement that has been written by a lawyer, which is between lots 10A and 10B on the proposed site plan, which was provided by Truth North, who did the final plat.

Ryan said that John noted that there were a couple of errors, with certificates that need to be updated. He said that we will have the surveyor do that if we are approved.

Ryan said that we are at our third P&Z meeting, and we have met all conditions of approval.

Damon said that he hopes that it shows that we are trying to address all of the concerns of the P&Z and that we have gone the extra mile and listened to public comments.

Jarrett asked John about the wording that wasn't satisfactory in the preliminary plat. He asked if he could explain.

John said that it has County Commissioner Certificates on it and a few other items that needed to be cleaned up. He said that the surveyor probably has never done a preliminary plat within a jurisdiction before but that it can easily be cleaned up.

Jarrett asked Ryan what the difference in square footage was of the existing garage and the new proposed residence?

Ryan said that it is approximately twelve hundred square feet.

Jarrett said that he was referring to the footprint.

Ryan said that the footprint change is probably a couple hundred square feet.

Damon said that we brought the new structure closer to the existing home, so the neighbors view wasn't impacted.

Kim gave the applicants kudos and said that the application was very thorough.

Jarrett said that he thinks this is a really creative idea.

Open Public Comment

Jarrett made a motion to open public comments, Jeff seconded the motion, and it was approved unanimously.

Anne Krimmer, 501 Mesa Verde Avenue said that she is directly across the street from 520 Mesa Verde. She said that she has several concerns that have not been addressed and that it is difficult since this is the third meeting and at the last meeting there was no public input. She said that there still is no official access to that lot and that it is not a flagpole lot and that it is an easement that doesn't jive with what the code is. She said that water/sewer impacts we don't know what it is to the Town because the Town did not weigh in. She said that Damon Roth volunteered in the previous meeting to restrict ADU's. She said that he has put in a covenant, which is a covenant with himself. She said that you could approve things and then he could cancel the covenants. She said that there is no one to enforce the covenants because the only parties to the covenants are the property owners. She said that there are already covenants on that property and that she doesn't know what happens to them. She said that there is also a large loophole in the covenant he has proposed, which says that ADU's for worker housing can be allowed by P&Z. She said that there is still a huge loophole to add ADU's to both properties. She said as for working with the neighborhood that she wasn't sure who he had talks with and that he has never spoken with her.

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

Nicholas said that regarding the comment about the covenant that was just brought up, can Staff speak to that.

John said that the covenant that was provided without having the Town Attorney weigh in on it, that Anne is correct that it actually does say that ADU's could be allowed but with the lot size and parking restrictions that he doesn't see how that could be possible. He said that normally the Town is not a party to covenants and that it is a private agreement between the property owners. He said that the way he sees this developing is an amendment to the existing covenants within Colorado Meadows or just the restricted covenant placed on these two lots. He said that it would be better if it were a deed restriction placed on these two lots but that it is something that needs to be worked out.

Jarrett asked if that was something we could work out as a CFO type of thing?

Nicholas stated that it could be a condition of approval.

Janet noted that a covenant is typically an agreement between private property owners but that you could put a condition that the plat have a note that each lot be restricted to one single-family and that is enforceable by the Town. She said that would be a condition of approval.

Further discussion ensued regarding the condition and the plat note.

Janet said that she agrees with the covenants and that it is a loophole with a worker ADU and that the ADU is built for a worker and that the worker is no longer a worker. She said that just opens up a can of worms and that it needs to be clean.

Damon said that the intent was to look to the future. He said that the intent of the covenant was to not allow ADU's but what happens in fifteen to twenty years when we are in a situation where we are desperate for employee housing and that the Town of Carbondale says they have changed the Comprehensive Plan to say that we really want employee housing. He said that it wasn't an intent to create a loophole and that it was more of an intent to create an opportunity. He said if that is something we need to reword we are happy to do that.

Janet said that you will always have the option of coming back and amending your plat if conditions change. She said that you can come back to the Town to amend the plat to get rid of that restriction, if conditions change.

John added and if codes changed because he did not see how adding an employee ADU to either of those lots would meet any parking standard based on the parking already being really tight. He said to Janet's point the plat could be amended down the road by whatever owner is there at that time.

Damon said that he could have his attorney change the verbiage.

Nicholas thanked Damon for his thoughtfulness on that item.

Jeff said that it sounds like another condition of approval to fix that language so that it is not in conflict with the other covenants.

Damon said that he is happy to do that.

Ryan said that it sounds like we need to have that on the plat, which is fine. He said that we were just trying to create a document for this discussion. He said that we are not trying to do a loophole and that we are trying to make things right.

Further discussion ensued regarding updating the plat notes, conditions, and a motion.

Motion

Jarrett made a motion to approve the lot split of lot 10, 520 Mesa Verde based on conditions 1-6 as noted in the Staff report with the addition of the following two conditions; approval is contingent upon Board approval of the access easement and that there be a plat note to restrict the two lots to single-family, with the findings that the proposed lot split meets the preliminary plat criteria in the Staff report and that it is consistent with the Comprehensive Plan because of the infill component. Kim seconded the motion and it was approved unanimously.

Yes: Nicholas, Jeff, Jarrett, Kim

No: none

Nicholas thanked the applicants, the Commission and Staff.

Marina logged in and rejoined the meeting.

P&Z Interview

The Commission interviewed Kade Gianinetti on Zoom.

Motions

Jeff made a motion to recommend Kim and Jarrett as regular voting members of the Planning and Zoning Commission, Marina seconded the motion, and they were recommended unanimously.

Jarrett made a motion to recommend Kade Gianinetti as the first alternate and Elizabeth Cammack as the second alternate to the Planning and Zoning Commission, Jeff seconded the motion, and they were recommended unanimously.

Staff Update

Mary said the plans/building permit application came in for Eastwood for the storage units on Highway 133.

John said that he got the summary from the economic development meeting at the County with the numbers from Glenwood and the rest of the valley. He said that he would email them tomorrow. He said it was interesting to see how many affordable units each community is doing and that we are the leaders in that.

Commissioner Comments

There were no further Commissioner comments.

Motion to Adjourn

A motion was made by Jeff to adjourn, Marina seconded the motion, and the meeting was adjourned at 10:58 p.m.