

MINUTES

CARBONDALE PLANNING AND ZONING COMMISSION

Thursday April 29, 2021

Commissioners Present:

Michael Durant, Chair
Nick Miscione
Jarrett Mork (2nd Alternate)
Kim Magee (1st Alternate)
Jeff Davlyn

Staff Present:

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

Commissioners Absent:

Marina Skiles
Jay Engstrom, Vice-Chair
Erica Stahl Golden
Nicholas DiFrank

Other Persons Present Virtually

Bobby Almazan, Owner/Developer
Scott Lupow, Owner/Developer
Kurt Carruth, Architect
John Chromy, Construction Manager
Mark Chain, Planning Consultant
Leslie Fischbeck, 1921 Dolores Way

The meeting was called to order at 7:00 p.m. by Michael Durant

April 15, 2021 Minutes:

Jeff made a motion to approve the April 15, 2021 minutes. Michael seconded the motion, and they were approved unanimously.

Public Comment – Persons Present Not on the Agenda

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

Resolution 3, Series of 2021 – 156/160 12th Street – Extension to Record Plat

Jeff made a motion to approve Resolution 3, Series of 2021, approving the extension to record the plat for 156/160 12th Street. Jarrett seconded the motion, and it was approved unanimously.

VIRTUAL HEARING – Major Site Plan Review

Location: 156/160 12th Street

Applicant: Almdin Holdings LLC

Janet said that this is an application for a Major Site Plan Review. She stated that the Planning Commission is required to hold a public hearing and make a recommendation

to approve the application or deny it. She said that the Commission may also continue the public hearing.

Janet stated that this 16,237 sq. ft. parcel that is zoned Commercial/Transitional (C/T). She said that it is just to the east of 12th Street so it will be across the street from the new self-storage facility.

Janet said that the proposal is to construct seven townhome units. She stated that all of the residential units would be almost 2,000 sq. ft. and they will be three bedroom units.

Janet stated that there would be two buildings with three units in the north building and four units in the south building. She continued by saying that the units are stacked with a garage and bedroom on the lower floor, living area on the second floor and more bedrooms on the third floor.

Janet said that once the development is under construction and party walls can be determined, the applicant will most likely submit a plat to divide the property into townhome lots.

Janet stated that Staff reviewed the development proposal for compliance with the Unified Development Code (UDC) and that overall, it meets the code with a few exceptions;

Janet said that the deck on the east side of the building is not in compliance as it extends 4.5 feet into the twenty foot rear setback and needs to be reconfigured to meet the twenty foot rear yard setback.

Janet stated that the UDC allows a thirty-five feet height in the C/T zone district and that the buildings are just over thirty-four feet to the top of the parapet.

Janet said that prior to submittal of the land use application, Staff and the applicant had discussed height because the applicant wanted to have rooftop decks. She stated that Table 3.8-2, of the UDC, allows rooftop mechanical equipment to extend five feet above the maximum height limit as long as it complied with Section 5.4.5. screening requirement, of the UDC. She said that she told the applicant if they could get creative and construct a stairway in concert with mechanical equipment, it may meet the intent of the code.

Janet stated that the building elevations show a stairway next to the mechanical equipment that extend five feet above the building height, rather than being incorporated into it. She said that the stairs are not required by the building code to access the mechanical equipment. She said that Staff's position is that this is not in compliance with the UDC. She stated that the plans should be revised to remove the rooftop stairs.

Janet said that the UDC requires 665 cubic feet of bulk storage for each unit. She stated that the floor plans show 675 cubic feet of storage areas and that they are proposed in the garage and in two closets on the third level.

Janet stated that bulk storage areas are intended for storing items other than food and clothing – things like tools, bicycles and ski equipment and all of the toys that people have. Janet said that Staff's position is that storage in the two third floor closets does not meet the criteria set out in the code.

Janet said that this code asks that character be created by architectural details and monotonous repetition should be avoided. She stated that balconies and overhangs should be used to provide relief and to break up wall surfaces. She said that there should be variation in setbacks and building heights.

Janet stated that the west side of the building does not present a front door appearance to the street. She said that there is large second level decks that wrap around the corners of the building, so they face 12th Street. She stated that in addition, there are large windows. She said that Staff thought that the decks and windows will bring interest and activity to the street side. She stated that the rooflines are varied on the east and west elevations.

Janet stated that twenty percent of the units are required to be deed restricted for affordable housing or in this case one unit. She said that one unit needs to be resident owner occupied.

Janet said that the applicant agrees to comply with these requirements. She stated that the only change is that the affordable unit will be required to be a three bedroom unit, instead of a two bedroom unit.

Janet stated that overall, Staff is in favor of the proposed development. She said that it appears that it can be brought into compliance with the UDC. She said that most of the significant issues are related to utilities and engineering and those items will not change the site plan or building design.

Commission Questions and Discussion

- Clarification of the bulk storage as well as locations.

Bobby Almazan said that this parcel was very challenging being land locked on three sides and in the C/T district, covering sixty percent of the lot. He said that they looked at various layouts, street facing facades and that we just kept coming back to this design and layout of seven units. He said that we were able to make them all three bedrooms and that there may be one two-bedroom unit, depending on parking. He said that they will not be rentals and that they will be for sale. He said that they all get some private green yards, with the corner units getting the best yards.

Bobby said that seeing the landscape of what is being built that we think it provides a unique opportunity for young families to own a three bedroom unit that they can grow into. He said that they will be walking distance to transit, restaurants and shopping.

Bobby said that with Janet's direction we ended up with a plan that we feel good about. He said that the deck on the east side is an easy fix. He said that we are going to use a rooftop mechanical RTU for the heating and cooling. He said that we were being creative with a façade of a stone mass as screening. He said that we would like to utilize the rooftop space as a roof deck because these units will have incredible Mt. Sopris views.

Bobby explained the design in detail with the elevations shown on the screen. He said that we can lower the stone mass to bring it into compliance. He said that we would like to keep the rooftop decks if we can get a spiral staircase.

Bobby said that are trash/recycling area will be clad with the same materials as the building. He said that he will have the drawings revised to show the calculations of the bulk storage.

Bobby said that they will have one three-bedroom unit as the deed-restricted unit.

Commissioner Comments and Questions

- Clarification of the R/O deed restriction and community housing guidelines.
- If there are fireplaces in the units, not determined yet.
- Can roof penetrations be consolidated into the mass.
- Screening exceptions in the UDC.
- The size of the RTU on the roof.
- Trash enclosure location.
- Architect is from Boulder, but not disclosed.
- Exterior materials.
- Plans for the spiral staircases for the rooftop deck and concerns of their safety and head height requirement.
- Ceiling heights are nine feet in the units and the garages.
- Screening parapet walls may extend above the maximum height limit thirty inches.
- Hatch verses stairs for the rooftop.
- The exterior design and the RTU's were complimented.
- Garage storage racks not determined yet.
- The office would need to be converted to a bedroom in the affordable unit.
- Differences between affordable unit and free market units.

There were no members of the public to comment.

Motion to close the comment portion of the public hearing

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

Jarrett disclosed that he is within the three hundred feet of this property, as a renter, and that he can be impartial.

Further discussion ensued regarding the conditions and a motion for continuance.

Motion to Continue the Public Hearing

Nick made a motion to continue the public hearing to May 13, 2021. Jeff seconded the motion, and it was approved unanimously.

VIRTUAL HEARING – Request for Special Review, Kay PUD

Location: 1629 East Dolores Way

Applicant: Cooper Duplex LLC

John stated that Cooper Duplex LLC. is requesting a Special Review for Site Plan and Architectural Review as allowed under Section F of the amended and restated zone text for the Kay Planned Unit Development.

John said that the special review is to allow property owners/developers the opportunity to propose projects that require certain flexibility from the specific regulations and standards of this Planned Unit Development to further the goals of the community with respect to transit oriented development,

John stated that the request is to allow one residential unit on the ground floor (ADA compliant) and eight residential units on the proposed second floor for nine units in total. He said that the owner is allowed to build one unit per 7,500 sq feet of lot area or four units on a second floor. He stated that as the owner is proposing more units than allowed, the special review is required.

John said that the maximum building height in the Kay PUD is thirty-two feet. He stated that the applicant is proposing a height of 31' 7 1/2" and that this height is in conformance.

John stated that the mass of the building is broken up with changes in plane and materials but could be more broken up by varying those materials on the west and east facades.

John said that the private outdoor space is provided directly adjacent to each of the units. He stated that the minimum size for private outdoor space is sixty square feet.

He said that north side units have decks that are eighty-two square feet in size. He said that three of the southern units have decks that are one hundred thirty seven square feet in size and the south western unit has a deck that is approximately sixty-two square feet in size. He said that the private outdoor space is compliant.

John stated that bulk storage is provided in separate locker areas on the second floor and on the ground floor for the ADA compliant unit. He said that the bulk storage provided is compliant.

John said that the Kay PUD would require that eighteen parking spaces be provided at a ratio of two spaces per residential unit, the applicant has provided the required eighteen spaces.

John stated that in total the applicant is required to provide thirty parking spaces by PUD standards and has indicated that they will provide thirty-two parking spaces as shown on the submitted site plan (including ADA spaces).

John said that the applicant has also indicated that there will be fifteen bicycle parking spaces.

John stated that the Kay PUD requires two trees per dwelling unit, the applicant is proposing seventeen trees be planted. He said that the Town Arborist and Staff would like to see one more tree added to the front of the building to be in conformance with the PUD and the applicant has agreed to this.

John said that the owner is proposing to deed restrict five units or three more then are required or 56% of the units with the following mix;

- 2 Category 2 units with a maximum monthly rental rate of \$1,585.
- 2 Category 1 units with a maximum monthly rental rate of \$1,268.
- 1 Category 3 unit with a maximum monthly rental rate of \$ 1,902.

Commission Questions and Discussion

- ADA parking location.

Mark Chain said that he is the planner for this project, and he introduced three team members. He said that 1629 Dolores Way is Wagner Rentals, and that this property is 1629 East Dolores Way. He said that the Kay PUD is always difficult, which began in the late 1970's. He said that there have been challenges with allowing more residential use with industrial uses. He said that the Kay PUD was amended to allow a certain number of residential units above the base zoning, which is what we are asking for.

Mark said Scott Lupow, one of the owners, was committed to a number of things;

- Fit into the neighborhood.
- Keep the height under control, staying at thirty-two feet.
- As many affordable units as possible, near the park and ride.
- One ADA compliant unit.
- Smaller units for occupancy control.
- Use alternative transportation as much as possible.
- Control parking with leases and assigned parking.
- Onsite representative for the property as well as a property management company.

Mark said that we agree with the Staff report and complying with all of the conditions, including the eighteenth tree. He said that we have made some changes after talking with neighbors. He shared his screen and outlined the following;

- Updated site plan showing new locations for the bike rack, utility boxes to allow for larger solid waste container and recycling.
- Location of the eighteenth tree.
- Parking related to affordable housing and the UDC.
- Elevations with design materials.
- Rooftop deck on the east side, to give a wind break.
- Gathering area and decks.
- View from neighboring building.
- Bulk storage.

Scott Lupow said that we would like to put in electric chargers for anyone that has electric cars on site.

Kurt Carruth said that we used the butterfly roofs to keep the fascia as low as possible. He said that overall, he thinks the building is pretty handsome looking.

Commissioner Comments and Questions

- ADA parking and why it is not adjacent to the ADA unit.
- One bedroom verses two bedrooms and parking.
- The railing was complimented.
- Uses for the commercial spaces on the first floor.

Leslie Fischbeck, 1921 Dolores Way said that she appreciates everything that the applicant has done for affordable housing needs. She said that her biggest concern is with the view and that she appreciates the sketch that was provided. She asked what the current height was of the bottom floor and the second floor. She asked what the height was of the Double Diamond building and how the two compare to see how accurate the quick sketch was.

Michael said that normally we wouldn't allow questions from the public to be addressed to the applicant. He said that he would allow it this once if the applicant is comfortable answering these questions. He said as far as heights they are all defined by the code.

John Chromy said that the ceiling height on the lower floor at 1629 East Dolores Way is thirteen feet, with the roof trusses being sloped two feet for a total of fifteen feet. He said that the current parapet gives the illusion that it is taller.

John Leybourne said that Double Diamond is thirty-two feet high.

Leslie said that her concern is that the sketch is too short for what it will actually be. She said that she hoped that the patio could be moved.

Michael thanked Leslie for her comments and her two letters.

Motion to close the comment portion of the public hearing

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

Commissioner Comments

- The project is appropriate for the site.
- Hope that the applicant's rendering is accurate because it is a legal document.
- The application is consistent with the Kay PUD, which is the zoning document.
- The application meets our criteria.

Further discussion ensued regarding a revised rendering and ratios.

Motion

Nick made a motion to approve the Special Review for 1629 East Dolores Way with the ten conditions and findings in the Staff report. Jarrett seconded the motion, and it was approved unanimously.

Yes: Michael, Nick, Jeff, Kim, Jarrett

No: none

Staff Update

Janet said that she met with the consultants for the Comp Plan update to refine the scope of work. She said that the P&Z is going to be working as the steering committee and that you will be meeting with them on June 10, 2021, via Zoom. She is trying to get the contract ready for the May 11th Board meeting.

Janet said that the Board reviewed Thompson Park and that it was approved. She said that they were more concerned with the affordable housing units as well as making sure things were completed as promised.

Janet said that Carbondale Center Place documents were recorded, and that the property did close. She said that they are moving forward and that we should get a demo permit soon.

Janet said that the Commission can initiate a zone text amendment for rooftop decks to ask Staff to bring back some ideas on amending the building height to add the stair enclosure that would meet the building code. She said that we would have to look at certain criteria.

John said that the ADU located on Mancos has been appealed to the Board of Trustees for the June 8, 2021 meeting. He said that it will be a brand-new public hearing.

Janet said that included in the packet were comparisons of what was approved for Thompson Park Parcel 2 in 2018 compared to what was actually built, done by the applicant.

Further discussion ensued regarding Thompson Park.

Janet stated that she is requiring large applications to provide material boards.

Commissioner Comments

There were no further Commissioner comments.

Motion to Adjourn

A motion was made by Michael to adjourn, Jeff seconded the motion, and the meeting was adjourned at 9:23 p.m.