



Minutes
Planning & Zoning Commission
Carbondale Town Hall and Via Zoom
Thursday, August 10, 2023

Commissioners Present:

Jay Engstrom	Chair
Jarret Mork	Member
Kim Magee	Member
Nick Miscione	Member
Jess Robison	Alternate
Cindy Suplizio	Alternate

Commissioners Absent:

Kade Gianinetti	Member
Nicholas DiFrank	Member
Jeff Davlyn	Member

Town Staff Present:

Jared Barnes	Planning Director
Kelley Amdur	Planner
Kae McDonald	Planning Technician

Guest and Attendees:

John Toley	259 Sopris Avenue, Carbondale
Dan Bullock	682 Euclid Avenue

Call to Order

Jay Engstrom called the August 10, 2023, Planning and Zoning Commission to order at 7:02 pm.

Roll Call

Consent Agenda

Motion to approve the meeting minutes of the July 13, 2023, Planning and Zoning Commission.

Moved by: Kim Magee

Seconded by: Cindy Suplizio

Aye Jay Engstrom, Kim Magee, Nick Miscione, and Cindy Suplizio

Abstain Jarrett Mork and Jess Robison

Carried 4-0

Public Comment for Persons Not on the Agenda

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

Artspace Update: Ramsey Fulton and Jv DeSousa

Ramsey thanked the commission members for making time for the update. He noted that they met with the Board of Trustees a few weeks ago and appreciate the opportunity to open a dialogue with the Planning and Zoning Commission. Ramsey explained that the public outreach for the project was kicked off last week at Carbondale's Wednesday Farmers Market and they also hosted a table at last Friday's First Friday event. Ramsey shared his screen to show the planned public outreach working document, noting that Artspace updates can also be found under the Carbondale Connect link on the Town of Carbondale's landing page. He also shared the Artspace website: artspace.org, where additional information on the project can be found.

Jv explained that they would like to identify the stakeholders over the next few months to provide input on the design process. He expressed his desire to attract a broad spectrum of people and organizations to participate in the design process.

Ramsey noted that they will be attending the upcoming Summer Concert Series and the Our Town, One Table, along with two community charrettes to round out the public outreach. He added that October, November, and December will be set aside for the planning the design and 2024 will be devoted to fundraising. Ramsey highlighted the project goals:

- Develop a mix of Workforce Housing for the Carbondale Community
- Develop a vibrant central Promenade Supporting Creative Non-profits and Industries
- Engage with the Carbondale Community to develop a shared vision for the program, built environment, and community spirit
- Keep Carbondale, Carbondale
- Through public outreach and events, we plan to build upon the planning and market studies of the Town of Carbondale and Artspace that are currently informing this vision.

Jay commented that he is excited to work with the team and that this will be a big deal for Carbondale. Jay asked how they will dialogue with the LatinX community.

Ramsey explained that they are working to find the best way to have events and they are speaking with local leaders in the LatinX community to do that. He noted that they are currently getting all their documentation translated and that it will be available soon.

Jv noted that they will need to limit the number of participants to ensure the stakeholder group's effectiveness. He added that they will reach out to those volunteers that best represent Carbondale's spectrum.

Ramsey assured the group that information from the charrette will be posted so everyone can see what was done.

PUBLIC HEARING: 326 S. 3rd Street ADU (Conditional Use Permit/Minor Site Plan)

Jay introduced the Public Hearing for 326 S. 3rd Street ADU.

Staff Presentation:

Kelley noted that the property owners of 326 S. 3RD Street were at the meeting. She proceeded to summarize her Staff memo, noting that the application is for a Minor Ste Plan Review to construct a two-story addition that will house an accessory dwelling unit situated over a new two-car garage that will be attached to the existing single-family residence; no new curb cut is required due to an existing drive-over curb and the new driveway does not remove any existing street parking spaces. She noted that Section 2.5.3 of the Unified Development Code requires a Minor Site Plan review for ADUs in the Residential/Low Density zone district, and Section 4.2.5 states that a Conditional Use permit is also required for ADUs in the R/LD zone district. She added that the Planning and Zoning Commission (P&Z) is required to hold a public hearing on the Minor Site Plan Review and if the Minor Site Plan application is approved by the P&Z Commission, the Planning Director will approve the Conditional Use Permit. Kelley pointed out that the public hearing was noticed in the Sopris Sun on July 20, 2023, and the applicant completed a mailed notice and posting on July 25, 2023.

Kelley explained that Staff received three public comments – one letter in support of the project and one phone call and one letter expressing concern over the potential for increased competition for on-street parking. Kelley noted that the project complies with the goals of the Comprehensive Plan and code requirements as stipulated in the UDC. She highlighted how the design will mitigate the presence of the street-facing garage using color, materials and design elements and detailed how the project provides Code-complying off-street parking for the single-family dwelling as well as the ADU and removes a parking nonconformity.

Applicant Presentation:

J. Ray explained that he and his family have lived at 326 S. 3rd Street since 2004, noting that one son is in college, one is a rising senior at Roaring Fork High School and his wife is the Athletic Director at RFHS. He added that he knew the former owners of the property very well as well as the history of the property. He proceeded to share his screen and highlight aspects of the site plan. J. Ray acknowledged his neighbors' concerns regarding the on-street parking but explained that he doesn't have sufficient impervious lot coverage to add a fifth parking space. He related that that he has offered to create space for parking in the public right-of-way and that he has encouraged his neighbors to have an open dialogue if there were any problems.

Questions for Staff and Applicant:

Nick pointed out that the right-of-way along that portion of Sopris Avenue is very wide and asked if anyone knew what the intended width was for.

Kelley explained that she spoke with the Public Works Director, and he acknowledged that there are several streets with very wide rights-of-way, but there is no planned use for that space. Kelley noted that J. Ray is required to provide code-compliant parking -- pointing out that they have satisfied the parking requirement – and they can continue to use existing parking along 3rd Street as needed. She emphasized that the Town discourages property owners from presuming that r-o-w parking in front of their home “belongs” to them.

Jay noted the improvements along 3rd Street that entailed diagonal parking and ends just before Sopris Avenue.

Kelley replied that on the library side, the improved curb rounds the corner, while along the property in question the curb transitions from a raised to a “rollover” curb.

J.Ray pointed out that the curbs were the product of a r-o-w realignment, explaining that they previously had established parking along 3rd Street that was replaced with the ribbon curb that holds asphalt about 2/3 of the way along the property frontage before ending. He noted there have been no additional improvements to the remaining eastern side of 3rd Street.

Kim asked about for confirmation that there can be no parking along the curb demarcated with yellow paint.

J.Ray answered in the affirmative.

Jarret asked for clarification regarding the impervious lot coverage requirement.

J.Ray explained that his maximum impervious lot coverage is 3900 square feet and when the proposed project elements are scaled out, he is left with 53 square feet remaining.

Public Comment:

John Toley, 259 Sopris Avenue, explained that he was concerned about the on-street parking because it is in demand already. He wasn't sure whether the stacked parking would be used effectively and explained that after a conversation with J.Ray in which J.Ray committed to creating additional parking adjacent to his property in the right-of-way, he was more comfortable with the project moving forward.

Dan Bullock, 682 Euclid Avenue and a member of Carbondale's Tree Board, suggested adding a street tree to the right-of-way, as well.

Motion to close the Public Hearing.

Moved by: Jarrett Mork

Seconded by: Nick Miscione

Aye Jay Engstrom, Kim Magee, Nick Miscione, Cindy Suplizio, Jarrett Mork and Jess Robison

Nay None

Carried 6-0

Commissioner Comments:

Jess asked if the Commission could require additional parking in the public right-of-way.

Jay replied that the Commission can't make it a condition of approval but might support it for the sake of the neighbor.

Nick pointed out that creating parking in the public right-of-way shouldn't be discussed at all.

Jay wondered if the jog along the west side of the driveway would prevent a vehicle from pulling into the garage if a car was parked on the eastern side.

J.Ray explained that he was trying to minimize the use of gravel and he envisioned a “hammerhead” configuration for backing out. He pointed out that the parking spaces are

oversized and expressed confidence that there was adequate room for cars to maneuver in and out of the driveway.

J.Ray asked for guidance on the process for using the right-of-way.

Jared advised that it was a right-of-way permit through Public Works.

Motion to approve a Minor Site Plan Review for an Accessory Dwelling Unit to be located at 326 S. 3rd Street, with the following conditions and findings:

Conditions

1. The Accessory Dwelling Unit's ownership shall not be legally severed from ownership of the associated lot and any other structures on such lot.
2. The Accessory Dwelling Unit shall not have separate water or sewer service.
3. All other representations of the Applicant in written submittals to the Town or in public hearings concerning this project shall also be binding as conditions of approval.
4. The Applicant shall pay and reimburse the town for all applicable professional and Staff fees pursuant to the Carbondale Municipal Code.
5. The applicant shall apply for and receive a building permit as required.

Findings for Approval - Site Plan Review Criteria

1. The site plan meets the purposes of the R/LD zone district and is consistent with the 2022 Comprehensive Plan.
2. The site plan is consistent with any previously approved subdivision plat, planned unit development, or any other precedent plan or land use approval as applicable.
3. The site plan complies with all applicable development and design standards set forth in the Unified Development Code.
4. Traffic generated by the proposed development will be adequately served by existing streets within Carbondale.

Moved by: Jess Robison

Seconded by: Nick Miscione

Aye Jay Engstrom, Kim Magee, Nick Miscione, Cindy Suplizio, Jarrett Mork and Jess Robison

Nay None

Carried 6-0

PUBLIC HEARING: "Clean-up" Code Text Amendments

Jay reminded the commission members that this topic was discussed during a work session at the July 13th meeting.

Kelley explained that this was a public hearing for the purpose of "Clean-Up" code text amendments that include typographical errors, reordering of numbers and changing "Title 19" to "Title 16." She pointed out that none of these corrections impact the purpose of the Unified Development Code, but they are necessary for the proper use of document by Staff and the public. She added that there are no known fiscal impacts related to these proposed text amendments.

Questions for Staff:

Jarrett asked for clarification on the difference between references to Table and Section.

Kelley replied that that was a confusing aspect of the document and "Section" refers to a specific header leading up to the table and "Table" refers to the specific table.

Jay asked if anything had been added since the July 13th Work Session.

Kelley replied that there had been no further additions.

Public Comment:

Dan Bullock, 682 Euclid Avenue and a member of Carbondale's Tree Board, asked for consideration of new verbiage related to homeowners' association's treating trees – especially with the recent outbreak of Emerald Ash Borer – without getting permission from the Public Works Director. He also asked that the Tree Board be added to Section 5.3.2.D.1 and that the Tree Ordinance should be included by reference.

Jarrett asked how closely the Tree Board worked with the Parks and Recreation Commission.

Dan replied that they are currently discussing trees as they relate to the new aquatic facility. He noted that the Public Works Director and the Town Arborist bring plans for review by the Tree Board as needed.

Jay asked how these proposed changes might be brought forward.

Jared explained that he has had preliminary discussions with the Town Arborist to better reference landscape requirements and while he appreciates Dan's suggestions, he would like to bring forward those code text amendments that relate to landscaping and the Tree Board later to ensure all the information is accurate.

Motion to recommend to the Board of Trustees approval of the UDC text amendments for the purpose of cleaning up numerous sections of the UDC as they relate to cross references and other citations as presented in Exhibit B with the following findings:

Findings for Approval:

1. The proposed amendments do not impact the public health, safety, and general welfare;
2. The proposed amendments are consistent with the Comprehensive Plan and the stated purposes of this Unified Development Code; and
3. The proposed amendments are necessary for the proper use and accuracy of the UDC.

Moved by: Jarrett Mork

Seconded by: Kim Magee

Aye Jay Engstrom, Kim Magee, Nick Miscione, Cindy Suplizio, Jarrett Mork and Jess Robison

Nay None

Carried 6-0

Staff Update

Jared pointed out that the “Clean-Up” Text Amendments was the first in a series that will get progressively more challenging. He reminded the commission members that the Public Hearing on Impervious Lot Coverage will take place at the August 24th meeting. Jared noted that there will be an initial Board of Trustee Work Session on ADU regulations on August 15th with separate work sessions for the Planning and Zoning and Historic Preservation Commissions. He encouraged each commission member to consider their experience with the various ADU applications they have reviewed.

Jared reminded the Commission of the upcoming Boards and Commissions Open House taking place immediately following the August 15th BOT Work Session. He invited Jay and Nick to be present to represent their respective Commissions and encouraged at least one or two other commission members to attend. He noted that this is an opportunity to educate the public and solicit new members, pointing out that the BOT envisioned this to be an annual event.

Jared added that MAP Carbondale is moving forward and, to date, have developed branding and engaged in public outreach. He reported that Town Staff and members of the Bike, Pedestrian and Trails Commission have hosted tables at both the July and August First Fridays and are hosting a table at the Farmers Market through the end of August. He announced that they now have over 700 individual interactions and while most of the comments focus on the Highway 133 corridor, there are good comments regarding other areas of town except for River Valley Ranch.

Kelley noted that Jarrett and Nick DiFrank volunteered for the stakeholder group and that aspect of the project will be organized by the end of August or early September.

Kelley announced that the Little Blue Preschool draft resolutions will not be considered at the August 24th meeting. She explained that the engineering has not yet been completed and they would like the various components to move forward in a similar time frame.

Commissioner Comments

Jarrett asked for an update on Short-term Rental regulations.

Jared replied that the BOT provided direction to Staff to continue with STR regulations as they are currently written. He noted that Staff is working with Gov/OS to undertake STR licensure and enforcement along with receipt of required taxes.

Adjournment

Jarrett moved to adjourn the August 10, 2023, Carbondale Planning and Zoning Commission meeting at 8:27 pm.