



Town of Carbondale  
511 Colorado Avenue  
Carbondale, CO 81623

**AGENDA**  
**PLANNING & ZONING COMMISSION**  
**THURSDAY, December 16, 2021**  
**7:00 P.M. Virtual Meeting \***

1. CALL TO ORDER
2. ROLL CALL
3. 7:00 p.m. – 7:05 p.m.  
Minutes of the November 18, 2021 meeting.....Attachment A
4. 7:05 p.m. – 7:10 p.m.  
Public Comment for Persons not on the agenda (See instructions below)
5. 7:10 p.m. – 7:30 p.m.  
VIRTUAL HEARING -Subdivision Exemption.....Attachment B  
Applicant: Roaring Fork Valley Coop  
Location: 761 Industry Place
6. 7:30 p.m. – 7:50 p.m.  
VIRTUAL HEARING -Subdivision Exemption.....Attachment C  
Applicant: Roaring Fork Valley Coop/Town of Carbondale  
Location: 761 Industry Place and 765 Highway 133
7. 7:50 p.m. – 7:55 p.m.  
Staff Update
8. 7:55 p.m. – 8:00 p.m.  
Commissioner Comments
9. 8:00 p.m. – ADJOURN

Upcoming P & Z Meetings:

1-13-22 - Review of Draft Comprehensive Plan Update

1-27-22 - Review of Draft Comprehensive Plan Update

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

**ATTENTION:** Due to the continuing threat of the spread of the COVID-19 Virus, all regular Carbondale P & Z Meetings will be conducted virtually. If you have a comment concerning one or more of the Agenda items please email [msikes@carbondaleco.net](mailto:msikes@carbondaleco.net) by 4:00 pm on December 16, 2021.

If you would like to comment during the meeting please email [msikes@carbondaleco.net](mailto:msikes@carbondaleco.net) with your full name and address by 4:00 pm on December 16, 2021. You will receive instructions on joining the meeting online prior to 7:00 p.m. Also, you may contact [msikes@carbondaleco.net](mailto:msikes@carbondaleco.net) to get a phone number to listen to the meeting, however, you will be unable to make comments.

**Hi there,**

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

**When: Dec 16, 2021 07:00 PM Mountain Time (US and Canada)**

**Topic: Planning and Zoning Commission 12-16-2021**

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

**<https://us06web.zoom.us/j/87871550997>**

**Or One tap mobile :**

**US: +12532158782,,87871550997# or +13462487799,,87871550997#**

**Or Telephone:**

**Dial(for higher quality, dial a number based on your current location):**

**US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866**

**Webinar ID: 878 7155 0997**

**International numbers available: <https://us06web.zoom.us/j/87871550997>**

## **MINUTES**

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

Thursday November 18, 2021

#### **Commissioners Present:**

Jay Engstrom, Chair  
Jeff Davlyn  
Nick Miscione  
Marina Skiles  
Kim Magee  
Kade Gianinetti (1<sup>st</sup> Alternate)  
Elizabeth Cammack (2<sup>nd</sup> Alternate)

#### **Staff Present:**

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

#### **Commissioners Absent:**

Nicholas DiFrank, Vice-Chair  
Jarrett Mork

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

Keith Walzak/Cushing Terrell  
Dave Dixon/Cushing Terrell  
Nora Bland/Cushing Terrell  
Patrick Hunter  
Frosty Marriott

The meeting was called to order at 7:01 p.m. by Jay Engstrom.

#### **October 14, 2021 Minutes:**

Jeff made a motion to approve the October 14, 2021 minutes. Marina seconded the motion, and they were approved unanimously, with Jay abstaining.

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

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

Janet explained the scope and process of the Comprehensive Plan Update. She said that after the Comp Plan is adopted that there is still more work to be done with the Unified Development Code (UDC). She said that she won't go back into the history as she has been covering that in emails.

#### **Comprehensive Plan Update – Consultant Team Cushing Terrell (CT) Meeting #6**

The consultant team discussed the Draft Plan Implementation Strategies.

Keith said that he just gave a planning 101 presentation to the Glenwood Springs City Council tonight. He said that it was unbelievable timing as there are two new

Commissioners in Carbondale tonight. He shared his screen and stated that it will help with the context for everyone. He said that behind the scenes as we have been giving you pieces of the plan and deliverables along the way, we have jumped ahead to develop a plan template. He said that the template is laying the document out and that when we get the revised content from everyone that we can drop that content in, with maps and graphics. He said that we will turn that around and get this preliminary draft to Janet. He said that it is true as a collective group you have not seen a draft plan yet, but you have seen many pieces. He said that we have been asking you to focus on the content. He said that we are going to take your input in the next couple of weeks and put it into the preliminary draft plan. He said that is when you will see it all coming together and that we realize that you haven't seen that but there has been a reason because it is so important to focus on the content.

Keith said that he would like to point out what we were just talking to Glenwood Springs about this evening. He said that Colorado State Statutes has a long tradition of planning, which goes back many decades. He said that the way the statutes are written it really lends credence to the Planning Commissions. He said that for the jurisdictions that have established Planning Commissions like yourself, according to the Colorado State Statutes you as a Planning Commission are technically the authors of your Comprehensive Plan. He said that is why it is important to embrace this plan and take a hold of it and say what you believe it needs to say because you are endorsing and approving it and then you are sending it on to the Board of Trustees. He said that not every town or municipality in the State of Colorado does Comprehensive Plans. He said that if they do not have a Planning Commission, they are not required to do a Comp Plan. He said that the phrase on the bottom, the purpose of the Comprehensive Plan is to "guide development, within the municipality and its environs, in accordance with present and future needs, that best promotes the health, safety or it could be the prosperity and general welfare of the citizenry." He said that is a big task that you have in front of you. He said that when you go a little deeper, master plans are advisory, they are policy. He said that they are not law per say, it is an advisory document, it sets the guidance going forward. He said the question is, is it a binding document and that the answer is yes. He said that if the Town of Carbondale refers to the Comprehensive Plan in your development regulations, it is a legally binding document. He said that you as a Commission refer back to it when you are making judgements about development projects, which is why the Comprehensive Plan is really important. He said that Comprehensive Plans are updated every ten years or so, depending on a lot of different variables, as needed. He said that we typically look ahead ten to twenty years, depending on the data.

Keith said that planning is different than zoning, which is what Janet was just explaining. He said that you are developing a policy plan, you are not updating the UDC or modifying zoning. He said that we have talked a lot about zoning over the course of the last few months because there is an interrelationship between the plan and zoning, but we are not updating the zoning. He said that the zoning provides the detail needed for the legal effect of the plan's policies.

Dave outlined in the presentation on the screen the six steering committee meetings.

Nora gave an update on the community engagement;

Virtual Public Meeting in Spanish on October 27, 2021. She said that there was a low turnout, so the lessons learned are;

- The most effective form of outreach in the Spanish-speaking community is personal invitation.
- Organizations like Valley Settlement/Manaus need to be identified/contracted early on, as they were not available to help us out this time.
- In-person meetings will generate better engagement and response from the Spanish-speaking community than virtual meetings.

Virtual Public Meeting in English on October 28, 2021. She said that we had a great turnout for this meeting. She said that the recording from this meeting is available on the website for those that couldn't tune in.

#### Key Takeaways

- Continue to push climate and housing efforts.
- Investments in the environment are worth the cost.
- Keeping Carbondale's character is paramount.
- Look to other tools besides inclusionary zoning for affordable housing.
- Target redevelopment sites for affordable housing that compliments Town character.

Nora said that in the virtual meetings we did a series of polls, which is available online through the end of next week as well as in paper format at Town Hall.

#### Future Engagement Opportunities

- Tonight
- Draft Recommendations Poll: Nov 3 – Nov 28  
Same as polls from Virtual Meetings
- Draft Plan Poll: mid Dec – early Jan
  - Future Land Use Map
  - Implementation Plan
- Adoption Hearings (dates TBD)

Nora reviewed results from the draft recommendations poll to date, sixty-eight in number. Some of the comments were in favor of infill developments and regulating short-term rentals.

Elizabeth asked if the presentation just shown was also in Spanish.

Nora said that the poll is in English and Spanish, both on the website and the paper copy.

Elizabeth asked if the reports that were going to come out would be in Spanish.

Janet said that she would love to see the Comprehensive Plan update translated into Spanish. She said that at the Chart Carbondale website that you can look at it in either Spanish or English. She said that the presentations that have been done are in both as well.

Elizabeth said that with her experience in the schools that having the translations makes it more inviting for the Hispanic members to attend.

Marina asked why there were so few respondents.

Nora explained that there were fortyish in the meeting that came out as a Zoom poll and that not everyone that attended the meeting took the poll. She said that the other twenty something is from the website.

Marina said that she is curious why we only got sixty-eight for this one and hundreds for the first one.

Nora explained that with the first survey that it was open longer and that now towards the end of the process that timelines are getting shortened. She explained that we did a lot more printed surveys with the outreach at the beginning, including many postcards handed out at a First Friday event. She said at the end of the project that there is not as much available resource to do as big of an outreach as we did before. She said that PR Studio has been on top of it trying to get the word out about this survey. She said that in addition, it required reading through the presentation slides or watch the recording of the presentation. She said sometimes that could be a barrier if people feel that it is more homework.

Jay asked if a poll had to be totally complete for it to be counted if they only made it halfway through and would it just disappear.

Nora said that she thought it would need to be finished but that she would check on that and that she would link up with PR Studio and get back to you.

Marina said that was a great question and that sixty-eight doesn't feel represented.

Nora added that the poll is open until November 28 so there is more time.

Keith asked if the analytics measures the people that log-on to the survey verses people that finish verses people that make it halfway through. He said that when there are technical aspects in a survey and that it gets too long that you will lose people.

Nora said that this survey is shorter than the first survey that we did.

Keith explained a graphic displayed showing two things;

- The progression of the study so far with the Comp Plan Update.
- Deliverables that we were contractually responsible for.

Dave explained the current future Land Use Map (2013, with updates);

Minimal Change

- Developed neighborhoods, largely single-family built-out neighborhoods
- Employment/Light Industrial
- Public Facilities
- New Urban
- Auto Urban
- Downtown (has a few additions)

Dave outlined the areas of proposed changes;

- Areas of FLUM change
- Mobility
  - Future pedestrian connections
  - Future Vehicle Connections
  - Future Round-about
- Municipal Boundary

Elizabeth asked for clarification of what was changing, land use etc.

Dave explained that it is both where the land is designated and what is behind it the designation, pointing to proposed areas of change on the map.

- Old Town Residential extended, capture historic residential character areas.
- Residential future land use categories, to reflect future outcomes in certain areas and to support housing demand.
- Transition areas, where design guidance can be enhanced to ensure neighborhood compatibility.
- Mobility, enhancements located in anticipation of a transportation master planning effort.
- Areas outside of municipal boundaries that Town owns and County islands in town.

Dave explained the proposed future land use map and categories.

Future discussion ensued regarding Residential/High Density (R/HD) and transition areas.

Janet asked if changes could still be made to the proposed Future Land Use Map.

Dave answered yes.

Marina suggested that Second Street be a safety corridor because of the kids getting to school.

Dave agreed with Marina and stated that the identifying these mobility corridors on this map would be a great idea if the Steering Committee agrees. He said that they could be used in the future for the Master Transportation Plan.

Elizabeth said that in recent years sidewalks were widened and added in the school areas and that it would be helpful to add them to the map.

Further discussion ensued regarding routes of travel for kids going to school.

#### Proposed “White Paper” recommendations and Implementation Matrix

Dave explained that these are not the draft plan update, and he explained the implantation table process, in a table on the screen.

Dave reviewed the Implementation Matrix changes and template;

- Strategies
- Action items to accomplish that strategy.
- Strategy Cross-References
- Responsible Department/Agency
- Priority, High, Medium and Low

Dave explained the Implementation Strategies showing a goal and went over examples, following the table across.

Marina asked what the difference was between the Mother Earth and Sustainability goals.

Dave said that the sustainability goal is as a legacy from the previous plan to where we are today with the emphasis on climate action. He said that sustainability (Infrastructure, health and wellness) is about building your community from an infrastructure standpoint to sustain the health, wellness and long-term sustainability of the infrastructure of the Town. He said that when something comes through it can be referred to for parks, streets, trees and landscaping, these things that we know make a healthy community, in a green way.

Dave said that Mother Earth will have all the climate action and the green house gas reduction pieces.

Discussed ensued regarding the term Mother Earth.

Jeff asked about the process for prioritizing the strategies.



Dave said that there was carryover from the 2013 Comp Plan and that they did have priorities assigned to them. He said that he would recommend starting from scratch, he said that we could keep the number from the previous plan if that is what you would like to do.

Keith said that there are several factors that could help decide the priority level, resource availability, funding, staffing, community priorities. He said that there is qualitatively and quantitative criteria that could be applied. He said that it is a collaboration between Janet and Town Staff, depending on resources.

Jeff asked for clarification about the numbering within the level of each priority.

Dave said it would be a typo of columns that got condensed in formatting.

Dave said that maybe something that was part of the UDC update would be a high priority. He said it will make your job a lot easier as you assign priorities to each strategy.

Keith said that from the survey that one of the highest-ranking elements was the mobility, well over sixty-six percent of the respondents said that this is important. He said one of the very first logical steps to us is should the Town develop a stand-alone Transportation Master Plan that digs into the details that Marina and others are talking about today. He said that Kevin will need to decide how he can put some money aside in his capital program to actually do a Transportation Plan. He said that it may not happen this year but perhaps the following year. He said that often it is staffing and resources that drive the priorities, he said that we shouldn't let those be the only drivers.

Marina asked what the next steps were for the P&Z.

Keith said that it's a homework assignment. He said that this is not the end of the process, but a way for Cushing Terrell to deliver a product to you so that you can deliberate to create the plan going forward. He said how you want us to assist going forward is up to you. He said that we want to help participate and we can talk through it to see what the options are.

Keith said three questions we need answered are;

- Do we have the goal topics one through nine correct?
- Are the strategies correct, did we miss anything?
- What are highest priorities versus lower priorities.

He said that this is the homework assignment for the next two to three weeks.

Jay said that he wasn't sure how we were to be delivering information back to you. He said that he was sure that his priorities could be different from other Commissioners and Staff.

Keith said that you'll have to do a work session to figure it out and debate it. He said that you need to put it into a single document to us, saying what you want to do from the Planning Commission to help us get to the preliminary draft level.

Kade suggested a survey.

Further discussion ensued regarding the timeline and the process for the preliminary draft Comp Plan Update document coming in December.

Jay said that we have a lot of stuff titled "draft", which can be confusing. He said that we see the draft white paper or is this the draft of the draft.

Keith said that he appreciates that input and that everything is a draft. He said that it is never final until it goes to you and the Board of Trustees to finalize it.

Jeff said that what he finds confusing is the formatting of the Implementation Strategies and possibly some duplication. He said that it isn't the easiest document to scan and that he wondered way to offer umbrella categories in the overall goals. He gave an example referring to "everything about water" as being in one goal.

Further discussion ensued about formatting and Cushing Terrell completing the updates prior to the Commission doing their homework.

Keith said that it is back in our court and that it has been volleyed back to us. He said that we need to take a close look at the nine goal statements or is it eight, the strategies and getting it down to a singular topic. He said that we need to organize it in such a way so that it is legible and making some edits and then turning that around to you. He said that it is in our court before you spend your time on it.

Jeff said that he really liked how Kade described the difference between sustainability resilience and ecology. He said that he doesn't want that to be lost if we combine.

Nora suggested a Google spreadsheet so that everyone can do it in their own time and to also see what others were thinking adding notes. She said that if you choose to have a work session and talk through what everyone has put in as their priority.

Jeff agreed with Nora and stated that would be more efficient.

Janet said that she would like to emphasize not making decisions where the public can't watch or have final feedback as well as the public to comment on the prioritization. She said that we might need to notice a work session and that she likes the way that you are thinking to be more efficient. She said that everyone needs to be doing this independently and not gathering.

Jay said that he thinks that it would be good to do this so that then we could have a work session that is effective.

Further discussion ensued regarding the Steering Committee versus P&Z clarification.

Keith said that Cushing Terrell will be working on the Implementation Strategies next week and resolve the input given tonight. He said that we will be sticking to our schedule and getting Janet a preliminary draft plan by the second week of December.

He said that we are going to be working in parallel and we will be getting this revised strategy document that is updated so that you all can be working on your own schedule. He said that we will start putting the document together and get that to Janet and have internal conversations with her to make sure that it is done right. He said that we don't need to have this project completed by January 1 and that it needs to be well thought out and that everyone needs to be very comfortable with the document.

Marina agreed and said that this next step might be the most critical.

Jay also agreed and said that he wants to make sure that we can work through this and that we are comfortable with this. He said as the Steering Committee that this is our responsibility and that we all feel good about it.

Jay opened the discussion to the public.

Patrick Hunter said that Marina has been outstanding this evening and he thanked her for digging into this process. He asked everyone if they knew how big Carbondale was in square miles? He said that there is an awful lot of work going on over two square miles. He said that he has been here almost thirty years and fifty years in the valley. He said that we wouldn't be having this discussion if wasn't for the climate change, which is driving a lot of people into this valley, climate refugees. He said that they are bidding up the price of real estate and providing an environment that is developer rich, so that we are getting a lot of growth all of a sudden. He said that it is spurring a lot of the conversation and a lot of the issues that we are dealing with right now. He said whether or not this approach that we are looking at this redo of the Comp Plan will get where we want to go is a good question. He said that he has been taking classes at Colorado Mountain College and that one of them is on including Indigenous people and that their practice was to use a council of elders. He said that you guys are sort of that right now. He said that his feeling is that the issues that are brought up, housing, water or some other thing, are all so interrelated and that it's hard to take one and say let's just do this. He said that it is an overall process and that we have to look at the whole. He said that he thinks that it is good to take some time and to look this stuff over because it is important and complicated. He said that he thinks that there could be more input and that the guys on the E-board were hoping to get involved at some point and maybe a joint meeting with you folks and us by be useful. He said that we could invite a few other people who have been around town for awhile to come in and kick the can and see what we can come up with.

Frosty Marriott said that he is quite impressed with the amount of work that you all have done from the start of this to where you are tonight. He said he has a few thoughts that

he will send to Janet over the weekend. He said that he would combine climate action and sustainability. He said our solvency and our growth is in pretty good shape. He said that it is important to consider a no growth or slow growth option at this point in time. He said that he thinks that for various reasons but that you can't have uncontrolled growth when you have finite resources like water and that it is unwise and impossible. He said that our VCAP studies show that we are at risk of water shortages and that we have millions of dollars allocated to be spent to expand water to growth that is not here yet. He said that we need to be aware of that. He said that he doesn't like the Downtown North misnomer and that he never saw it in the Comprehensive Plan in 2013 when he was on the Board. He said that it was called the Overlook project when it came forward and almost got approved. He said that he thinks it would be more appropriate to call it the Overlook Property, overlooking the dog park, than Downtown North because it's really not downtown. He said the developer mantra is if you are not really growing you are dying, which is like cancer. He said that when you look around maybe the whole world is dying right now. He said that you have to rethink that mantra. He said that it is important to pay attention to the affordable housing to the regional occurrences in the valley and what are in the local papers. He said that it is not just our problem, it is a whole valley problem. He said that it is important that we pay close attention to what is going on, Glenwood is saying that they are going to do a moratorium on residential development. He said that he brought that up on Highway 133 a year ago and that he got no traction. He said that Basalt passed a bond issue for eighteen million dollars to solve their affordable housing problem and to bring green systems. He said that if we did ten million dollars in Carbondale on a bond issue and we could build a hundred units at five hundred square feet at two hundred dollars a foot, without the land, it would give us a hundred units of workforce housing. He said that it is possible to do that and that we need to change the paradigm around housing. He said that the twenty-eighty thing ain't going to do it. He said that he thinks that it should flip to eighty-twenty the other way and let the developer tell us where they can make a reasonable return on their money and not fifty thousand dollars a pop on a unit. He said that they make a public service company, if you invest a million dollars you can make twelve percent, whatever the number is. He said that is what he would like to see happening. He said that he really appreciates everyone's time and hard work. He said that it's great to see some old friends on the screen.

Jeff said that John Leybourne shared with us the number of units that were in the pipeline and that it is referenced in the current conditions report.

Keith said that it is in the existing conditions report and that he thinks that three hundred seventy-five units were in the pipeline, whether approved or in construction.

Jeff said that Frosty's point is taken and that there are more units in the last eighteen months than the last ten years. He said that John also referenced that Carbondale is the only community in the valley that is adding affordable housing and that it is completely driven by our requirements of developers.

Marina asked John if the Town of Carbondale is governed by the Garfield County housing authority?

John explained that we are not governed by them and that they administer our housing program. He said that they are not part of Garfield County itself and that they are a separate entity that manages our affordable housing program.

Jeff said that the requirements on developers are ours.

John said that they are governed by the community housing guidelines and the requirements that we have in the UDC. He said that the Roadmap Group, Aspen, Pitkin County, Eagle County, Glenwood Springs, Basalt, Carbondale, Garfield County met and that several years ago the Regional Housing Task Force came out with a Regional Housing Study and Initiative. He said that the whole group for the Roaring Fork Valley Roadmap and Recovery from COVID group actually voted to start a subcommittee to rebuild the regional housing program to have a regional plan to provide affordable housing versus each community doing their own. He said that we are currently the leaders in providing affordable housing with our requirements in the Code and the Guidelines.

Jay said that is cool that we are the leaders and that we should keep it that way.

Marina said that she would like clarification of next steps in a follow-up from CT.

Nora said that the next step would be for us to get you the Google document as a spreadsheet for you all to fill out on your own. She said then maybe Janet can send a Doodle poll for a work session to everyone to talk through the spreadsheet.

Janet said ideally the week after Thanksgiving to try to pull together a work session. She said that you do need time to go through and prioritize everything. She said that first CT is going to go through and fix the spreadsheet.

Nora said that a reasonable goal is to get that to you by Monday so that everyone can have a week with it.

Further discussion ensued on the timeline.

Jay thanked CT for everything that they have done as well as being open with our conversations. He said that we have a lot of ideas and that we are bouncing stuff off left and right and that he appreciates them working with us on that. He said that he appreciates all of the P&Z members because the last several months have been a lot of work. He said Staff as well and that they are crushing it right now.

Elizabeth said as a new member that she is a little overwhelmed and that she is so impressed with what the Commission has already done and accomplished. She said that she'll do her best to catch up but that everyone has really done an amazing job.

Dave said that it has been a pleasure working with you as well and that you are a really creative group and it's always more fun that way.

**Staff Update**

Janet said that next Tuesday that she was asked to go to the Board meeting to give the Trustees an update on the Comp Plan process, which consumed a couple of her days this week unexpectedly. She said in her memo that she took a lot of the background information that she compiled for the Commission, which needed to be done. She said that she needed to document how focus groups and design charrettes got together and in tandem she had PR Studio put together a summary of their outreach efforts. She said that once we put it all together that she was pretty happy with it. She said that when you here people say that we didn't involve the community that it gives us the data. She said that the Commission is welcome to come to the meeting or Zoom in. She said that she is not inviting CT and that she is just giving them an update and try to answer questions. She said that we will notice it and send an invite.

John said that some background on the Roadmap Group, he said that they were originally established because DOLA has provided some funding to allow the region to do some planning for resiliency. He said that includes workforce resiliency, housing and everything we went through with the whole COVID pandemic. He said that housing was a topic brought up and that the meeting today was rather fruitful knowing that everyone wanted to pickup the Regional Housing Authority again to get that toolbox back in place to allow for more cooperation between all of the entities. He said that the end goal is to get the group back together so everyone can work together. He said that the housing issue is more pronounced now. He said that we are still busy and that he is sending out the Zoom invite right now.

Mary stated that we received four more building permit submittals for four more buildings in Main Street Marketplace.

Janet said that these are the stilt houses in the center area. She said that there are eleven buildings all together on Lot 1.

Janet said that we have the Planning Story Map on the Town's website when there are any questions. She said that she meets with our map maker once a month to keep it updated. She said that you can see all of the developments going through the land use process with conceptual drawings with the site plans. She said that there is a page for buildings under construction. She said that this is for the larger more significant developments. She said that it is easier to point people to the website when they have questions.

John said that Janet was hard at work today for the Town Manager interviews.

Janet said that the Board will interview the candidates tomorrow and then we will see what happens for Town Manager selection.

Marina said that we had a meeting that was about Thompson Park a while ago that we were concerned about what was being built was not what we had approved. She said

that at some point we had asked to review the fences being built before they were constructed. She said that now there are fences all over there. She said where is the Town with that and the regulations. She asked if anyone had been over there and that there were a lot of fences, some really high.

Janet said that she remembers talking about the building materials and that she doesn't recall a conversation about the fences. She said that they did get a building permit for the fences and that all of the fences comply with the code. She said that our code allows eight-foot-high fences.

Marina said that it seems that Thompson Park is still doing whatever they want to do.

Further discussion ensued regarding the fences at Thompson Park.

### **Commissioner Comments**

Jeff thanked Janet for her persistent emails catching everyone up on this Comp Plan process.

Marina welcomed Kade and Elizabeth.

Jeff said that our high school is the first public high school in twenty years to win the soccer State championship.

Kade said that when he and Jay were in school that we lost two in a row.

### **Motion to Adjourn**

A motion was made by Jay to adjourn, Jeff seconded the motion, and the meeting was adjourned at 9:30 p.m.



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

## **Planning and Zoning Commission Agenda Memorandum**

Meeting Date: 12-14-2021

**TITLE:** Roaring Fork Coop Subdivision Exemption.

**SUBMITTING DEPARTMENT:** Planning Department

**ATTACHMENTS:** Land Use Application

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### **BACKGROUND**

Before you tonight is an application for a Subdivision Exemption. You are required to hold a public hearing and render a final decision. That decision may be to approve the application, deny the project, or continue the public hearing.

Owner/Applicant: Roaring Fork Cooperative Association and Town of Carbondale (Owners)  
Town of Carbondale (Applicant)

Property Location: 761 Industry Way, Carbondale

Zone District: General Industrial (I)

Lot Size(proposed): Lot 1 = 35,426 sq ft  
Lot 2 = 26,310 sq ft

Present Land Use: Storage yard and metal building/shop.

Roaring Fork Cooperative Association (Roaring Fork Coop) owns two parcels east of Highway 133. One parcel is adjacent to the highway where their store is located (Store Parcel). The second parcel is directly behind (or east) of the store (Argento Parcel). Roaring Fork Coop currently leases the parcel to Argento Marble. Argento is constructing a new facility on Dolores Way and will be relocating their business in early 2022.



The Town's Public Works facility is located north of the Store Parcel and the Argento Parcel. It is accessed via the public right-of-way in front of La Fontana Plaza. The Town has been looking at expanding the Public Works facility for a number of years and the availability of the Argento Parcel prompted discussions between the Town and Coop for the acquisition of land for that expansion (Lot 2).

## **DISCUSSION**

The applicant is requesting a Subdivision Exemption to divide an existing 61,736 sq ft lot into Lot 1 and Lot 2. The newly created lots measure as below,

Lot 1 = 35,426 sq ft

Lot 2 = 26,310 sq ft

There is a building which is approximately 1,800 sq. ft. on the south side of Lot 1. A metal building that has been used as a shop for Argento Marble is located on Lot 2 with no changes proposed at this time. Lot 2 would be combined after purchase with the Town Public Works facility through a subdivision exemption.

## **ZONING**

### **Compliance with the UDC**

The proposed lots are in compliance with the General Industrial zone district parameters such as setbacks, lot depth and lot width.

### **Utilities**

Water and sewer services are located in the Industry Place right of way and can serve Lot 1.

Lot 2 is served by the sewer main that runs west from the Public Works yard through a utility easement between Grand Junction Pipe and the Roaring Fork Valley Coop, out to Highway 133. Water for Lot 2 is currently supplied by a well on the lot. This well will be abandoned and water service to Lot 2 will be provided off of the water main that runs west from the Public Works yard through the utility easement to Highway 133.

### **Subdivision Exemption Approval Criteria (UDC Section 2.6.6):**

The Planning Commission may approve a Subdivision Exemption if it finds the following criteria are met (*staff response in italics*):

1. The subject property is suitable for subdivision within the meaning of Chapter 17.06;

*The lots could be developed as they meet all of the applicable development standards for the General Industrial Zone District.*

2. All public utilities are in place on, or immediately adjacent to, the subject property;

*Utilities are in place or adjacent to each proposed lot.*

3. Each lot has the necessary dedicated public access required by this code at the time of the subdivision exemption application;

*Lot 1 is adjacent to Industry Place. Lot 2 would be served by a 20 ft. wide access easement located on Lot 1. If Lot 2 is merged into the Public Works facility lot (second application for consideration), it will also have access from the street right-of-way that runs in front of La Fontana Plaza.*

4. The subdivision plat shall comprise and describe not more than three lots and, unless the property to be subdivided is wholly owned by the Town or another federal, state or local government entity, the entire parcel to be subdivided shall be no more than five acres in size;

*Only two lots are proposed.*

5. The preparation of engineered design data and specifications is not needed to enable the commission to determine that the subject property meets the design specifications Chapter 17.06.

*Design data is not required as no new development is proposed and utilities are adjacent to the proposed lots.*

Staff is supportive of the proposed subdivision exemption. The creation of Lot 2 will provide the Town with a much-needed expansion of the Public Works Facility.

The UDC requires that a subdivision plat be recorded within three months of approval.

## **RECOMMENDATION**

Staff recommends that the following motion be approved: **Move to approve the Subdivision Exemption for 761 Industry Place with the recommended findings and conditions below.**

**Recommended Conditions:**

1. All representations of the Applicant and Applicant's representatives at the Public Hearing shall be considered conditions of approval of this subdivision exemption.
2. The Subdivision Exemption Plat shall be in a form acceptable to and approved by Town Staff and the Town Attorney prior to recording. Applicant shall execute and record the plat with the Garfield County Clerk and Recorder within three (3) months of approval by the Planning Commission.
3. Water rights for development may be due for the newly created Lot at the time of building permit.
4. The applicant shall be responsible for the costs of recordation of the approval documents.

**Recommended Findings:****Subdivision Exemption:**

1. The subject property is suitable for subdivision and is in compliance with Chapter 17.06 Subdivision;
2. All public utilities are in place on, or immediately adjacent to, the property;
3. Each lot has the necessary dedicated public access from a Town Right of Way;
4. The subdivision plat includes no more than three lots and is no more than five acres in size; and
5. The preparation of engineered design data and specifications is not needed to enable the commission to determine that the property meets the design specifications in Chapter 17.06 Subdivision.

Prepared by: John Leybourne, Planner



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

November 8, 2021

To: Planning and Zoning Commission  
Town of Carbondale  
511 Colorado Avenue  
Carbondale CO 81623

From: Janet M. Buck  
Planning Director  
Town of Carbondale

RE: Roaring Fork Coop - Argento Parcel – 761 Industry Place  
Land Use Application - Subdivision Exemption

Dear Commissioners:

Roaring Fork Cooperative Association (Roaring Fork Coop) owns two parcels east of Highway 133. One parcel is adjacent to the highway where their store is located (Store Parcel). The second parcel is directly behind (or east) of the store (Argento Parcel). Roaring Fork Coop currently leases the parcel to Argento Marble. Argento is constructing a new facility on Dolores Way and will be relocating their business in early 2022.

The Town's Public Works facility is located north of the Store Parcel and the Argento Parcel. It is accessed via the public right-of-way in front of La Fontana Plaza. The Town has been looking at expanding the Public Works facility for a number of years. The availability of the Argento Parcel opened the door for discussions between the Town and Roaring Fork Coop for the acquisition of land for that expansion.

As a result, the Town of Carbondale and Roaring Fork Coop are jointly filing two land use applications. The Town took the lead on preparing the land use applications and is acting as the Applicant on both applications.

This first application is a Subdivision Exemption to subdivide the Argento Parcel into the following two lots:

Lot 1 0.813 acres

Lot 2 0.604 acres

Lot 1 would be the southerly lot, and it would be accessed off of Industry Place. Roaring Fork Coop would retain ownership of that lot.

Lot 2 would be the northerly lot which abuts the Public Works facility. The Town is under contract with Roaring Fork Coop to purchase Lot 2.

The second land use application would be for a Subdivision Exemption to combine Lot 2 and the Public Works facility lot into one parcel. Consideration of this land use application is scheduled immediately after the Commission's consideration of the Subdivision Exemption to divide the Argento lot into two parcels.

### **Subdivision Exemption Plat**

Attached please find the Subdivision Exemption Plat for the proposed Roaring Fork Valley Cooperative Subdivision Exemption which subdivides the Argento Parcel into the following two lots:

Lot 1 0.813 acres or 35,426 sq. ft  
Lot 2 0.604 acres or 26,310 sq. ft.

Both lots are currently zoned General Industrial.

There is a building which is approximately 1,800 sq. ft. on the south side of Lot 1. The balance of the lot is vacant. No improvements are proposed as part of this application.

A 7,360 sq. ft. metal building and an 1,860 sq. ft. warehouse storage building are located on Lot 2. These structures would be utilized by the Public Works Department. No other improvements are proposed for that lot at this time.

Lot 2 would be served by a 20 ft. wide access easement which would extend across Lot 1 from Industry Place to the southern boundary of Lot 2.

Section 6.2.4.C. of the UDC states that the use of an easement for principal access to a lot shall not be allowed, unless approved by the approving authority during the subdivision process. The Planning Commission is the approving authority for this Subdivision Exemption. If the second land use application to combine Lot 2 with the Public Works facility lot is approved, the property would also have access via the street right-of-way in front of La Fontana Plaza.

### **Compliance with the UDC**

The lots are in compliance with the General Industrial zoning parameters as follows:

### Lot Standards

Lot 1	Proposed	Required
Minimum Lot Depth (East)	234.84 ft.	100 ft.
Minimum Lot Depth (West)	235.50 ft.	100 ft.
Minimum Lot Width (North)	142.202 ft.	50 ft.
Minimum Lot Width (South)	159.50 ft.	50 ft.
Lot 2	Proposed	Required
Minimum Lot Depth (West)	257.92 ft.	100 ft.
Minimum Lot Depth (East)	255 ft.	100 ft.
Minimum Lot Width (South)	142 ft.	50 ft.
Minimum Lot Width (North)	57 ft.	50 ft.

### Building Setbacks

Lot 1 – Storage Building	Proposed	Required
Front	25.88 ft.	15 ft.
Side (West)	65.5 ft.	7.5 ft.
Side (East)	26.78 ft.	7.5 ft.
Rear	177 ft.	7.5 ft.
Lot 2 – Metal Building	Proposed	Required
Front	25 ft. to 43 ft.	15 ft.
Side (West)	7.52 ft.	7.5 ft.
Side (East)	8 ft.	7.5 ft.

Rear

81 ft.

7.5 ft.

### **Utilities**

The water and sewer mains in the Industry Place right-of-way have adequate capacity to serve Lot 1.

The building on Lot 2 is currently, and will continue to be, served by the sewer main that runs west from the Public Works yard through a utility easement between Grand Junction Pipe and the Roaring Fork Valley Coop, out to Highway 133. Water for Lot 2 is currently supplied by a well on the lot. This well will be abandoned and water service to Lot 2 will be provided off of the water main that runs west from the Public Works yard through the utility easement to Highway 133.

### **Subdivision Exemption Criteria of Approval**

Section 2.6.6. of the UDC lays out the process for a Subdivision Exemption application. Six criteria must be met in order to approve a Subdivision Exemption. The criteria are listed below. The proposed findings for approval are in italics after each criteria.

1. The subject property is suitable for subdivision within of Chapter 17.06

*Section 6.1.1., the Purpose Section of Chapter 17.06 Subdivision, states each building site should be capable of accommodating a structure that would be in compliance with the development code, is not impacted by natural hazards that can't be mitigated, is adequately served by a street network and has accessible utility installations.*

*Each lot is adequate in size and shape to be developed in the future with structures that comply with the development code. No natural hazards exist on the lot. Both lots can be adequately served with utilities and streets.*

2. All public utilities are in place on, or immediately adjacent to, the subject property;

*The water and sewer mains in the Industry Place right-of-way have adequate capacity to serve Lot 1.*

*The building on Lot 2 is served by the sewer main that runs west from the Public Works yard through a utility easement between Grand Junction Pipe and the Roaring Fork Valley Coop, out to Highway 133. Water for Lot 2 will be provided off of the water main that runs west from the Public Works yard through the utility easement to Highway 133.*

3. Each lot has the necessary dedicated public access required by this code at the time of the subdivision exemption application;

*Lot 1 is directly adjacent to Industry Place. Lot 2 would be served by a 20 ft. wide access easement located on Lot 1. If Lot 2 is merged into the Public Works facility lot, it will also have access off of the street right-of-way that runs in front of La Fontana Plaza.*

4. The subdivision plat shall comprise and describe not more than three lots and, unless the property to be subdivided is wholly owned by the Town or another federal, state or local government entity, the entire parcel to be subdivided shall be no more than five acres in size; and

*Only two lots will be created from this 1.417 acre parcel.*

5. The preparation of engineered design data and specifications is not needed to enable the commission to determine that the subject property meets the design Specifications in Chapter 17.06 *Subdivision*.

*Engineering is not required to determine whether the two properties meet the design specification in Chapter 17.06 as utilities and access is available.*

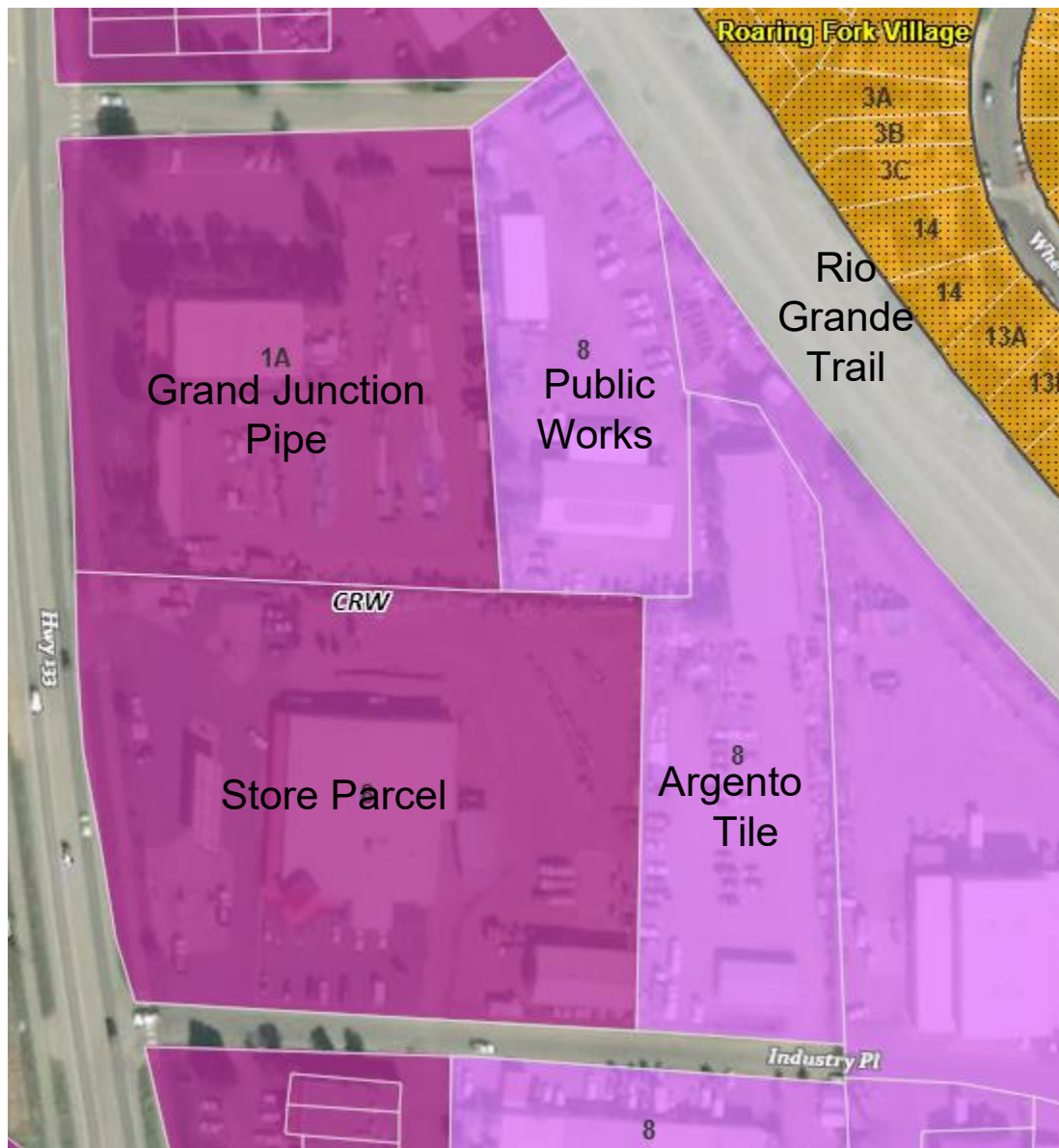
Thank you for your consideration of this application for a Subdivision Exemption.



**Public Works Yard**

**COOP Store**

**Subject Parcels**





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

Pre-Application Meeting Date\_\_\_\_\_

Fees\_\_\_\_\_Date Pd\_\_\_\_\_

### Land Use Application

#### PART 1 – APPLICANT INFORMATION

Applicant Name: Janet Buck for Town of Carbondale Phone: 970-510-1208

Applicant Address: 511 Colorado Avenue, Carbondale, CO 81623

E-mail: jbuck@carbondalecto.net

Owner Name: Roaring Fork Cooperative Association, Tom Harrington, President of the Board

Phone: 970/963-2220

Address: 0761 Hwy 133, Carbondale, CO 81623

E-mail: c/o mikekennedy1940@gmail.com

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

761 Industry Place – 2393-331-00-020 (parcel east of Roaring Fork Coop and north of Industry Place)

#### PART 2 – PROJECT DESCRIPTION

General project description:

Subdivide a 1.417 acre (61,724.52 sq ft) parcel into two lots – Lot 1 - 0.813 acres and Lot 2 - 0.604 acres

Size of Parcel: 1.417 acres # Dwelling Units: N/A Sq Ftg Comm: 7057 sq. ft.

Type of Application(s): Subdivision Exemption

Existing Zoning: I-General Industrial Proposed Zoning: I-General Industrial

#### PART 3 – SIGNATURES

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

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

[Signature]  
Applicant Signature

11 - 22 - 21  
Date

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

[Signature] 11 - 22 - 21  
Owner Signature Date

\_\_\_\_\_  
Owner Signature Date

STATE OF COLORADO )  
 ) ss.  
COUNTY OF GARFIELD )

The above and foregoing document was acknowledged before me this 22nd day of November 2021, by Janet Buck

Witness my hand and official  
My commission expires: Aug 11, 2021



[Signature]  
Notary Public

[Signature] 11-23-2021  
Owner Signature Date

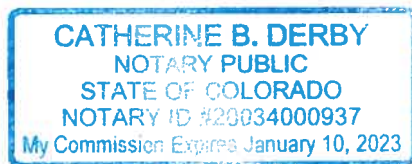
Owner Signature Date

STATE OF COLORADO )  
COUNTY OF GARFIELD ) ss.

The above and foregoing document was acknowledged before me this 23<sup>rd</sup> day of November 2023, by Thomas Harrington.

Witness my hand and official  
My commission expires:

[Signature]  
Notary Public





ROARING FORK VALLEY COOPERATIVE SUBDIVISION EXEMPTION  
BEING SITUATED IN LOT 8 OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 88 WEST OF THE SIXTH PRINCIPAL MERIDIAN  
TOWN OF CARBONDALE, COUNTY OF GARFIELD, STATE OF COLORADO.

SHEET 1 OF 1

CERTIFICATE OF DEDICATION AND OWNERSHIP

The undersigned, Roaring Fork Valley Cooperative Association, a Colorado Corporation, being sole owner(s) in fee simple of all that real property situated in Garfield County, Colorado, described as follows

A tract of land situated in Lot 8 of Section 33, Township 7 South, Range 88 West of the 6th Principal Meridian,

Town of Carbondale,  
Garfield County,  
Colorado,

Said tract of land being more particularly described as follows  
Beginning at a point, being the same Point of Beginning as that parcel of land described in said Book 711 at Page 876 of the Garfield County, Colorado records,

whence the intersection of the centerline of 8th Street and Main Street in said Town of Carbondale bears S 32° 06'34" E 1925.96 feet;  
thence N 86° 24'00" W 159.50 feet;  
thence N 03° 32'29" E 329.83 feet to a point in a fence as built and in place;  
thence S 86° 24'00" E 46.22 feet along a fence as built and in place to a fence corner;  
thence N 05° 40'29" W 169.23 feet along a fence as built and in place to a fence corner;  
thence along the Westerly boundary of the property described in Book 711 at Page 876 of the Records of Garfield County, Colorado, S 81° 22'38" E 58.69 feet;  
thence along said Westerly boundary S 23° 12'41" E 104.73 feet;  
thence along said Westerly boundary S 05° 07'18" E 70.00 feet;  
thence along said Westerly boundary S 00° 40'16" E 329.92 feet to the Point of Beginning.

County of Garfield, State of Colorado

Containing 1.417 acres, more or less, has by these presents laid out and platted the same as shown on this plat under the Roaring Fork Valley Cooperative Subdivision Exemption, a subdivision of lands in County of Garfield.

Said owner does hereby make the following dedications:

A ten (10) foot wide drainage easement located on Lot 1 for the benefit of Lot 2, as shown hereon, for the purpose of routing surface water from Lot 2 to the existing drywell located in said easement;

A twenty (20) foot wide access easement located on Lot 1 for the benefit of Lot 2 owner, employees, guests and invitees, as shown hereon, for the purpose of ingress and egress to and from Lot 2 to Industrial Place Right-of-way.

Executed this \_\_\_ day of \_\_\_\_\_, A.D., 2021.

Owner: Roaring Fork Valley Cooperative Association, a Colorado Corporation  
0761 Highway 133  
Carbondale, CO 81623

By: Tom Harrington  
As: President of the Board

State of Colorado )  
                                  ) ss  
County of Garfield)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this \_\_\_ day of \_\_\_\_\_, A.D., 2021, by Tom Harrington as President of the Board of Roaring Fork Valley Cooperative Association.

My Commission Expires \_\_\_\_\_  
Witness my Hand and Official Seal

Notary Public

PLAT NOTE

1) Title exception schedule b

Title exception No. 14 recorded in Book 337 at page 250 recorded October 19, 1961 as Reception 215453 does not contain a specific enough written description for accurate placement of the gas pipeline right of way and easement.

The Rocky Mountain Natural Gas Company, Inc Transmission Line Map #0282 recorded May 4, 1962 as Reception No. 217442 shows an alignment along State Highway No. 133 turning east on Main Street and continuing approximately 800' east.

This map was used in the approximate placement of the gas pipeline right of way and easement.

EXISTING LEGEND

- EXISTING BOLLARD
- EXISTING STORM MANHOLE
- EXISTING DRAINAGE DRY-WELL
- EXISTING SEWER MANHOLE
- EXISTING GUY WIRE
- EXISTING UTILITY POLE
- EXISTING FIRE HYDRANT
- EXISTING GAS METER
- EXISTING ELECTRIC SWITCH BOX
- EXISTING ELECTRIC METER
- EXISTING TELEPHONE PEDESTAL
- ou — EXISTING OVERHEAD UTILITIES
- o — EXISTING CHAIN LINK FENCE

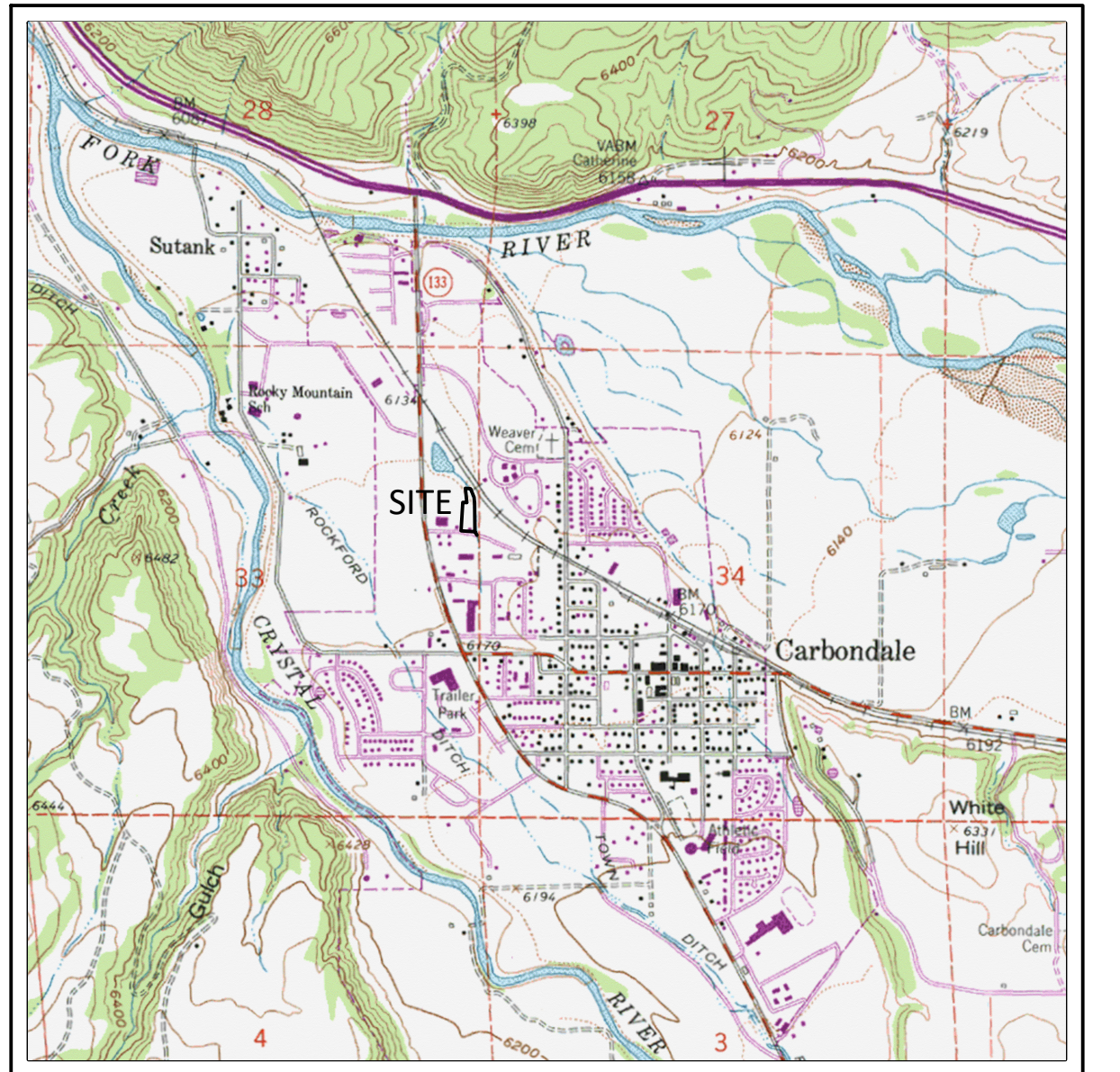
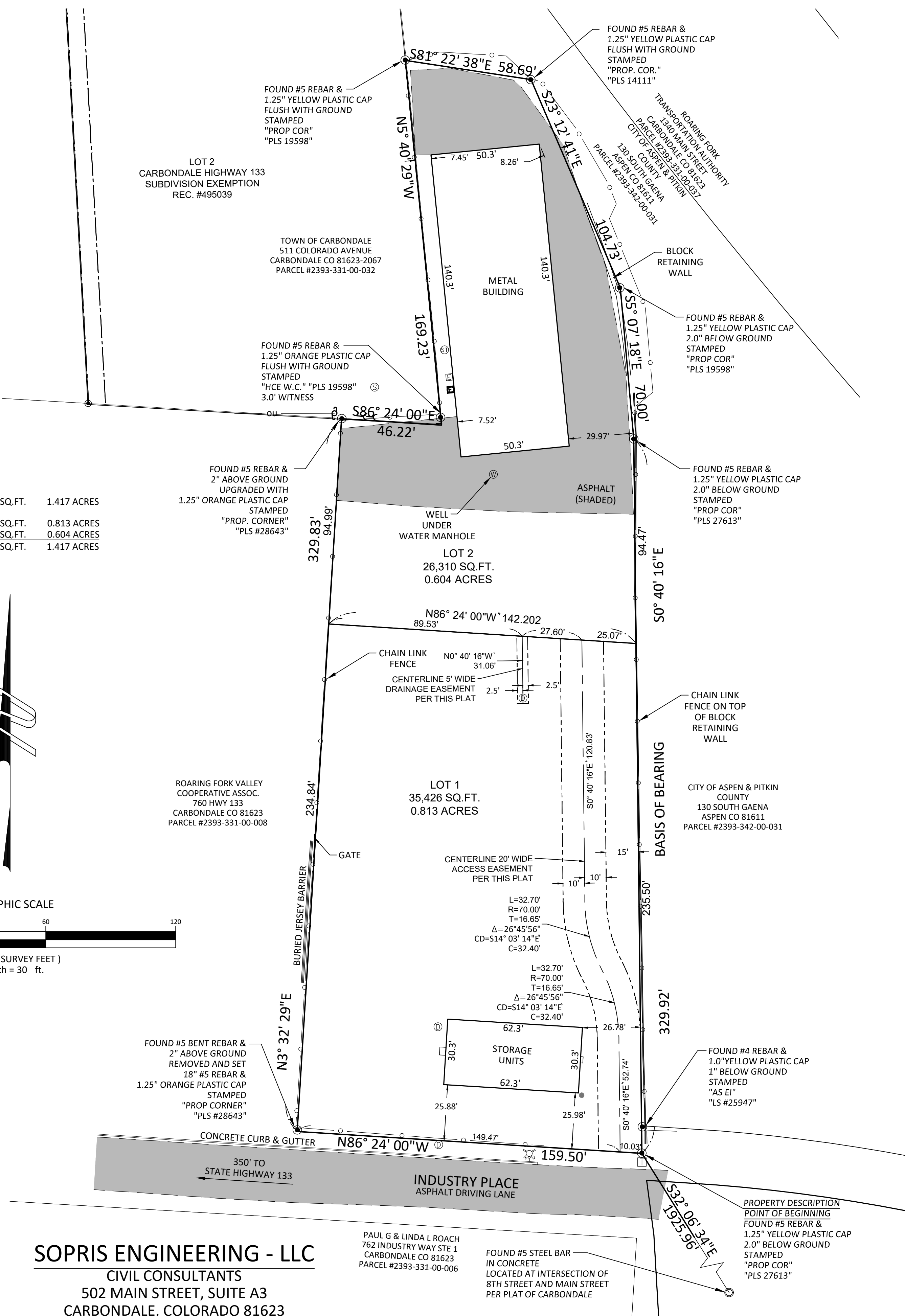
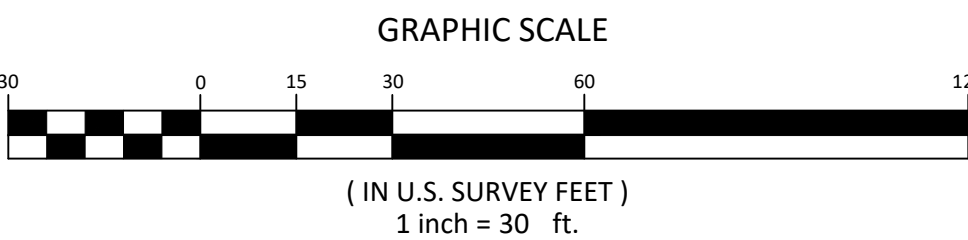
GENERAL UTILITY NOTES:

The locations of underground utilities have been plotted based on utility maps, construction/design plans, other information provided by utility companies and actual field locations in some instances. These utilities, as shown, may not represent actual field conditions. It is the responsibility of the contractor to contact all utility companies for field location of utilities prior to construction.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

AREA TABLE

SUBJECT PROPERTY	61,736 SQ.FT.	1.417 ACRES
LOT 1	35,426 SQ.FT.	0.813 ACRES
LOT 2	26,310 SQ.FT.	0.604 ACRES
SUBTOTAL	61,736 SQ.FT.	1.417 ACRES



NOTES

- 1) Date of Survey: October 12, and October 21, 2021.
- 2) Date of Preparation: November, 2021.
- 3) Linear Units: The linear unit used in the preparation of this plat is the U.S. Survey Foot as defined by the United States Department of Commerce, National Institute of Standards and Technology.
- 4) Basis of Bearing: A bearing of S 00°40'16" E from a #5 rebar & 1.25" yellow plastic cap found 2" below ground stamped "PLS 27613" to a #5 rebar & 1.25" yellow plastic cap found 2" below ground stamped "PLS 27613" both caps monumenting the easterly boundary line of the subject property, as shown.
- 5) Basis of Survey: The plat of the Town of Carbondale recorded December 17, 1887 in Plat Book 3 at Page 13 as Reception No. 5889, Colorado Department of Transportation Right-of-way mapping, Bureau of Land Management plats, various recorded documents and the found survey monuments, as mentioned or shown.
- 6) This survey does not constitute a title search by Sopris Engineering, LLC (SE) to determine ownership or easements of record. For all information regarding easements, rights of way and/or title of record, SE relied upon the Title Commitment prepared by Land Title Guarantee Company Order No. AB563017881-3 with an effective date of September 20, 2021.
- 7) Address: 761 Industry Place, Carbondale, Colorado 81623.
- 8) Garfield County Parcel No. 2393-331-00-020.
- 9) No evidence of Ditches or Waterways found upon subject parcel.
- 10) No underground utility locates where performed as part of this survey.

PLANNING COMMISSION CERTIFICATE

This Subdivision Exemption Plat is approved by the Town of Carbondale Planning and Zoning Commission this \_\_\_ day of \_\_\_\_\_ A.D. 2021.

CHAIRPERSON

SURVEYOR'S CERTIFICATE

I Mark S. Beckler, do hereby certify that I am a professional land surveyor licensed under the laws of the State of Colorado, that this plat is a true, correct and complete Roaring Fork Valley Cooperative Subdivision Exemption, as laid out, platted, dedicated and shown hereon, that such plat accurately represents a survey, performed by me or under my supervision and correctly show the location and dimensions of the lots, easements and streets of the Roaring Fork Valley Cooperative Subdivision Exemption as the same are staked upon the ground and is based on my knowledge, information and belief and that it conforms with the current "Standards for Land Surveys" of the Colorado AES Board of Licensure, with related survey requirements of current versions of the Colorado Revised Statutes 38-50-101 and with the Town of Carbondale's Unified Development Code Section 2.6.5.C.1a. This certificate is not intended to be an express or implied warranty or guarantee of any matters except those stated in the preceding sentence.

In witness whereof I have set my hand and seal

Mark S. Beckler L.S. #28643 Date

CLERK AND RECORDER'S ACCEPTANCE

This Roaring Fork Valley Cooperative Subdivision Exemption was filed for record in the Office of the Clerk and Recorder of Garfield County, Colorado at \_\_\_ o'clock \_\_\_ this \_\_\_ day of \_\_\_\_\_ A.D., 2021, and is duly recorded as Reception No. \_\_\_\_\_.

Attest:  
Clerk and Recorder

By: \_\_\_\_\_





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

## **Planning and Zoning Commission Agenda Memorandum**

Meeting Date: 12-14-2021

**TITLE:** Town of Carbondale, Subdivision Exemption, Lot 2, Roaring Fork  
Cooperative Subdivision Exemption, 761 Industry Place.

**SUBMITTING DEPARTMENT:** Planning Department

**ATTACHMENTS:** Land Use Application

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### **BACKGROUND**

Before you tonight is an application for a Subdivision Exemption. You are required to hold a public hearing and render a final decision. That decision may be to approve the application, deny the project, or continue the public hearing. Note that this is the second of two actions concerning the subject property before the Commission.

<u>Owner/Applicant:</u>	Roaring Fork Cooperative Association and Town of Carbondale (Owners) Town of Carbondale (Applicant)
<u>Property Location:</u>	765 Highway 133, Carbondale
<u>Zone District:</u>	General Industrial (I)
<u>Lot Size(existing):</u>	Town Lot - 57,854 sq. ft. New Lot 2 - 26,310 sq. ft.
<u>Lot Size(proposed):</u>	84,169 sq. ft.
<u>Present Land Use:</u>	Storage yard and metal building/shop and associated structures.

The Town's Public Works facility is located north of the Store Parcel and the Argento Parcel. It is accessed via the public right-of-way in front of La Fontana Plaza. The Town has been looking at expanding the Public Works facility for a number of years and the availability of the Argento Parcel prompted discussions between the Town and Coop for the acquisition of land for that expansion (Lot 2).

## **DISCUSSION**

This second land use application is for a Subdivision Exemption to combine Lot 2 and the Public Works facility lot into one parcel. Assuming that the Subdivision Exemption to divide the Argento Parcel into two lots was approved, this is the next step in the process.

The Public Works facility is located at 765 Highway 133, Lot 2 of the Carbondale Highway 133 Subdivision Exemption. The lot is currently 1.328 acres or 57,854 sq. ft.

Attached please find the 1<sup>st</sup> Amended Carbondale Highway 133 Subdivision Exemption Plat which combines this parcel with the newly created Lot 2 per the Roaring Fork Cooperative Subdivision Exemption, 761 Industry Place.

The combined Public Works Facility Lot and Lot 2 would measure 84,169 sq. ft.

There are no changes proposed to the existing Public Works facilities and the existing former Argento Marble building located on Lot 2 of the Coop Subdivision Exemption.

## **ZONING**

### **Compliance with the UDC**

The proposed combined lot is in compliance with the General Industrial zone district parameters such as setbacks, lot depth and lot width.

### **Utilities**

The Public Works facility is served by the sewer main that runs west from the Public Works yard through a utility easement between Grand Junction Pipe and the Roaring Fork Valley Coop, out to Highway 133. Water for Lot 2 is currently supplied by a well on the lot. This well will be abandoned and water service to Lot 2 will be provided off of the water main that runs west from the Public Works yard through the utility easement to Highway 133.

### **Subdivision Exemption Approval Criteria (UDC Section 2.6.6):**

The Planning Commission may approve a Subdivision Exemption if it finds the following criteria are met (*staff response in italics*):

1. The subject property is suitable for subdivision within the meaning of Chapter 17.06;

*The lots could be developed as they meet all of the applicable development standards for the General Industrial Zone District.*

2. All public utilities are in place on, or immediately adjacent to, the subject property;

*Utilities are in place or adjacent to each proposed lot.*

3. Each lot has the necessary dedicated public access required by this code at the time of the subdivision exemption application;

*Access is provided from the street right-of-way that runs in front of La Fontana Plaza.*

4. The subdivision plat shall comprise and describe not more than three lots and, unless the property to be subdivided is wholly owned by the Town or another federal, state or local government entity, the entire parcel to be subdivided shall be no more than five acres in size; and

*Only one lots is proposed.*

5. The preparation of engineered design data and specifications is not needed to enable the commission to determine that the subject property meets the design specifications Chapter 17.06.

*Design data is not required as no new development is proposed and utilities are adjacent to the proposed lots.*

Staff is supportive of the proposed subdivision exemption. The creation of Lot 2 will provide the Town with a much-needed expansion of the Public Works Facility.

The UDC requires that a subdivision plat be recorded within three months of approval.

## **RECOMMENDATION**

Staff recommends that the following motion be approved: **Move to approve the 1<sup>st</sup> Amended Carbondale Highway 133 Subdivision Exemption with the recommended findings and conditions below.**

**Recommended Conditions:**

1. All representations of the Applicant and Applicant's representatives at the Public Hearing shall be considered conditions of approval of this subdivision exemption.
2. The Subdivision Exemption Plat shall be in a form acceptable to and approved by Town Staff and the Town Attorney prior to recording. Applicant shall execute and record the plat with the Garfield County Clerk and Recorder within three (3) months of approval by the Planning Commission.
3. Water rights for development may be due for the newly created Lot at the time of building permit.
4. The applicant shall be responsible for the costs of recordation of the approval documents.

**Recommended Findings:****Subdivision Exemption:**

1. The subject property is suitable for subdivision and is in compliance with Chapter 17.06 Subdivision;
2. All public utilities are in place on, or immediately adjacent to, the property;
3. Each lot has the necessary dedicated public access from a Town Right of Way;
4. The subdivision plat includes no more than three lots and is no more than five acres in size; and
5. The preparation of engineered design data and specifications is not needed to enable the commission to determine that the property meets the design specifications in Chapter 17.06 Subdivision.

Prepared by: John Leybourne, Planner





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

November 8, 2021

To: Planning and Zoning Commission  
Town of Carbondale  
511 Colorado Avenue  
Carbondale CO 81623

From: Janet M. Buck  
Planning Director  
Town of Carbondale

RE: Town of Carbondale and Roaring Fork Coop  
Land Use Application - Subdivision Exemption  
Public Works Parcel – 765 Highway 133 and  
Lot 2, Roaring Fork Valley Cooperative Subdivision Exemption – 761 Industry Pl.

Dear Commissioners:

Roaring Fork Cooperative Association (Roaring Fork Coop) owns two parcels east of Highway 133. One parcel is adjacent to the highway where their store is located (Store Parcel). The second parcel is directly behind (or east) of the store (Argento Parcel). Roaring Fork Coop currently leases the parcel to Argento Marble. Argento is constructing a new facility on Dolores Way and will be relocating their business in early 2022.

The Town's Public Works facility is located north of the Store Parcel and the Argento Parcel. It is accessed via the public right-of-way in front of La Fontana Plaza. The Town has been looking at expanding the Public Works facility for a number of years. The availability of the Argento Parcel opened the door for discussions between the Town and Roaring Fork Coop for the acquisition of land for that expansion.

As a result, the Town of Carbondale and Roaring Fork Coop are jointly filing two land use applications. The Town took the lead on preparing the land use applications and is acting as the Applicant on both applications.

This first application was a Subdivision Exemption to subdivide the Argento Parcel into two lots:

Lot 1 0.813 acres  
Lot 2 0.604 acres

Lot 1 would be the southerly lot, and it would be accessed off of Industry Place. Roaring Fork Coop would retain ownership of that lot.

Lot 2 would be the northerly lot which abuts the Public Works facility. The Town is under contract with Roaring Fork Coop to purchase Lot 2.

The second land use application is for a Subdivision Exemption to combine Lot 2 and the Public Works facility lot into one parcel. Assuming that the Subdivision Exemption to divide the Argento Parcel into two lots was approved, this is the next step in the process.

### **Subdivision Exemption Plat**

The Public Works facility is located at 765 Highway 133. It is also known as Lot 2 of the Carbondale Highway 133 Subdivision Exemption. The lot is currently 1.328 acres or 57,854 sq. ft. Grand Junction Pipe and La Fontana are also located in the Carbondale Highway 133 Subdivision Exemption. This application will not change or affect their status.

Attached please find the 1<sup>st</sup> Amended Carbondale Highway 133 Subdivision Exemption Plat which combines this parcel with the newly created Lot 2. The new parcel would be 1.932 acres or 84,169 sq. ft.

The newly created lot complies with the lot standards. The building on Lot 2 remains in compliance with the setback requirements.

### **Utilities**

The Public Works facility lot is served by the sewer main that runs west from the Public Works yard through a utility easement between Grand Junction Pipe and the Roaring Fork Valley Coop, out to Highway 133. Water for the lot is provided off of the water main that runs west from the Public Works yard through the utility easement to Highway 133.

### **Subdivision Exemption Criteria of Approval**

Section 2.6.6. of the UDC lays out the process for a Subdivision Exemption application. Six criteria must be met in order to approve a Subdivision Exemption. The criteria are listed below. The proposed findings for approval are in italics after each criterion.

1. The subject property is suitable for subdivision within of Chapter 17.06

*Section 6.1.1., the Purpose Section of Chapter 17.06 Subdivision, states each building site should be capable of accommodating a structure that would be in compliance with the development code, is not impacted by natural hazards that can't be mitigated, is adequately served by a street network and has accessible utility installations.*

*The lot is adequate in size and shape to be developed in the future with structures that comply with the development code. No natural hazards exist on the lot. The lot can be adequately served with utilities and streets.*

2. All public utilities are in place on, or immediately adjacent to, the subject property;

*The Public Works facility parcel is served by the sewer main that runs west from the Public Works yard through a utility easement between Grand Junction Pipe and the Roaring Fork Valley Coop, out to Highway 133. Water is provided off of the water main that runs west from the Public Works yard through the utility easement to Highway 133.*

3. Each lot has the necessary dedicated public access required by this code at the time of the subdivision exemption application;

*The Public Works facility lot has access off of the street right-of-way that runs in front of La Fontana Plaza. In addition, the 20 ft. wide access easement on Lot 1 of the Roaring Fork Cooperative Subdivision will remain in place.*

4. The subdivision plat shall comprise and describe not more than three lots and, unless the property to be subdivided is wholly owned by the Town or another federal, state or local government entity, the entire parcel to be subdivided shall be no more than five acres in size; and

*One lot is being created out of two lots.*

5. The preparation of engineered design data and specifications is not needed to enable the commission to determine that the subject property meets the design Specifications in Chapter 17.06 Subdivision.

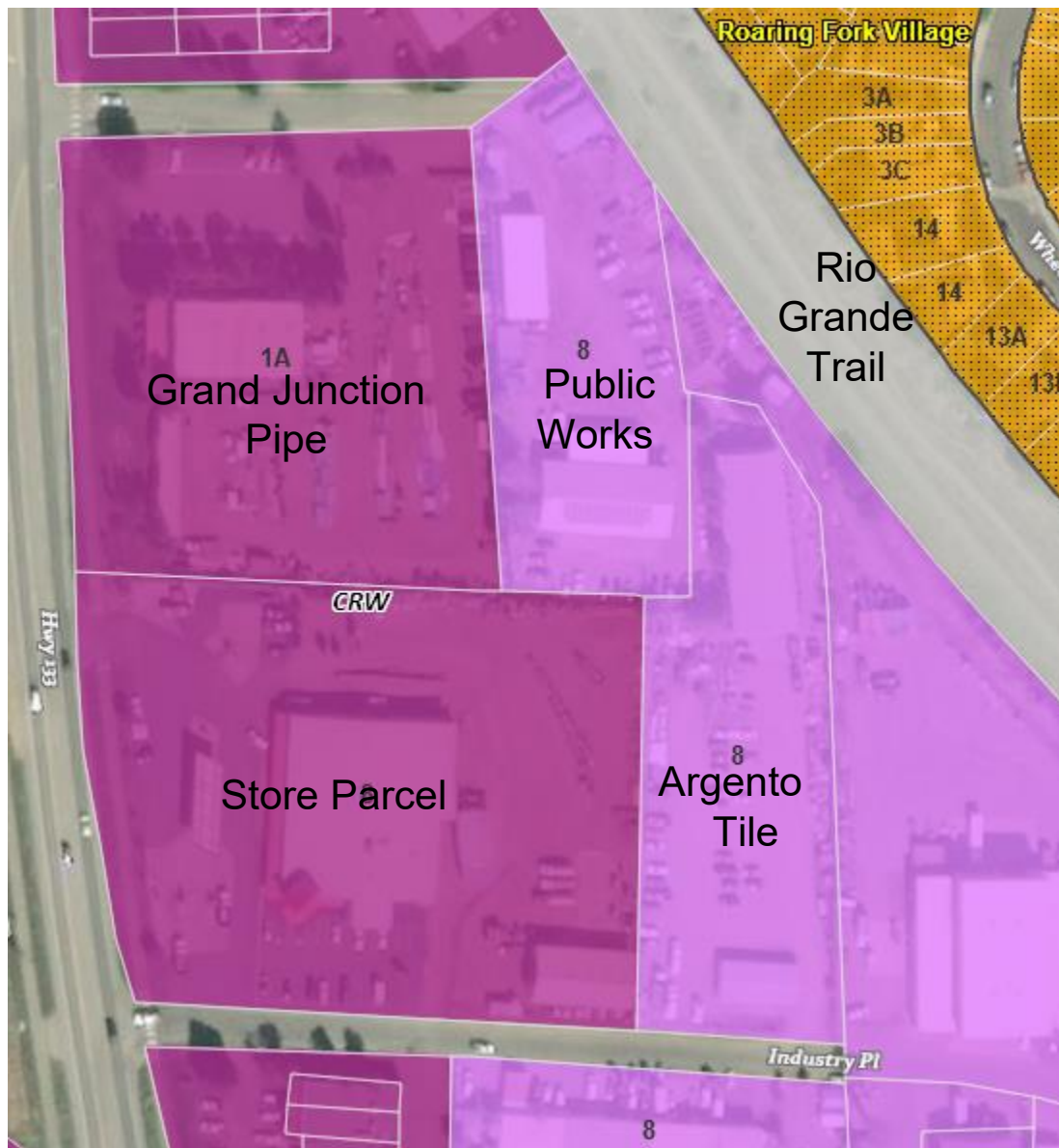
*Engineering is not required to determine whether the property meets the design specification in Chapter 17.06 as utilities and access are available.*

Thank you for your consideration of this application for a Subdivision Exemption.

**Public Works Yard**

**COOP Store**

**Subject Parcels**





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

Pre-Application Meeting Date \_\_\_\_\_

Fees \_\_\_\_\_ Date Pd \_\_\_\_\_

### Land Use Application

#### PART 1 – APPLICANT INFORMATION

Applicant Name: Janet Buck for the Town of Carbondale Phone: 970-510-1208

Applicant Address: 511 Colorado Avenue, Carbondale, CO 81623

E-mail: jbuck@carbondaleco.net

Owner Name: Roaring Fork Cooperative Association and the Town of Carbondale

Phone: 970-963-2733

Address: 511 Colorado Avenue, Carbondale, CO 81623

E-mail: jbuck@carbondaleco.net

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

1) Lot 2, Roaring Fork Valley Cooperative Subdivision Exemption - 761 Industry Place (parcel east of Roaring Fork Coop and north of Industry Place)

2) Lot 2, Carbondale Highway 133 Subdivision Exemption - 0756 Hwy 133. (Public Works Yard located east of Grand Junction Pipe)

#### PART 2 – PROJECT DESCRIPTION

General project description:

Combine two parcels into one 1.932 acre lot

Size of Parcel: 1.932 # Dwelling Units: N/A Sq Ftg Comm: N/A

Type of Application(s): Subdivision Exemption

Existing Zoning: I-General Industrial Proposed Zoning: I-General Industrial

#### PART 3 – SIGNATURES

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

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

[Signature]  
Applicant Signature

11-22-21  
Date

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

[Signature]  
Owner Signature

11-22-21  
Date

Owner Signature Date

STATE OF COLORADO )

COUNTY OF GARFIELD )

) ss.  
)

The above and foregoing document was acknowledged before me this 22<sup>nd</sup> day of November 2021, by Janet Buck

Witness my hand and official

My commission expires: Aug 11, 2022

ANNA KAREN RAMIREZ-PAVON  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20144031397  
My Commission Expires August 11, 2022

[Signature]  
Notary Public



Owner Signature

11-23-2021

Date

Owner Signature

Date

STATE OF COLORADO

)

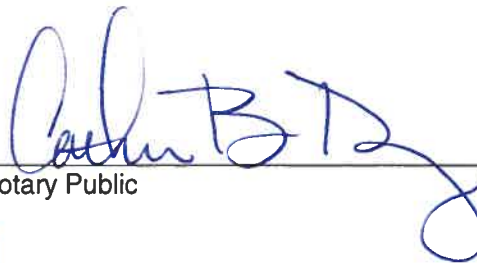
) ss.

COUNTY OF GARFIELD

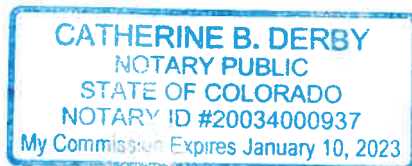
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The above and foregoing document was acknowledged before me this 23rd day of November 2021, by Thomas Harrington.

Witness my hand and official  
My commission expires:



Notary Public





BEING SITUATED IN LOT 8 OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 88 WEST OF THE SIXTH PRINCIPAL MERIDIAN  
TOWN OF CARBONDALE, COUNTY OF GARFIELD, STATE OF COLORADO.