MINUTES
CARBONDALE PLANNING AND ZONING COMMISSION
Thursday, April 26, 2012

Commissioners Present:
Ben Bohmfalk
Charlie Kees, Vice Chair
Jennifer Gee Di Cuollo, 1st Alternate
Michael Durant, 2nd Alternate
Rich Camp

Staff Present:
John Leybourne
Jamie Eaton
Janet Buck

Commissioners Absent:
Gavin Brooke
Yuani Ruiz
Jeff Dickinson, Chair
Bill Spence

Others Present:
Kyle Stewart; 277 Garfield Avenue
Kathleen Haley; 246 Garfield Avenue
Mary Mike Haley; P.O. Box 2024 Crested Butte, CO
Blake Armstrong; P.O. Box 1267 Edwards, CO
Shannon Anderson; P.O. Box 1267 Edwards, CO
Toddger Anderson; P.O. Box 1267 Edwards, CO
Jack Wilke; 626 W. Frances St Aspen, CO
Jeff Bier; P.O. Box 100 Carbondale, CO
Julietta Miranda; 291 Garfield Avenue
Ricardo Miranda; 291 Garfield Avenue
Joseph Lang; 278 Garfield Avenue
Matt Gifford; 275 Garfield Avenue
Angelique Gifford; 275 Garfield Avenue
Hunter Gifford; 275 Garfield Avenue
Monica Manning; 64 Navajo Carbondale, CO
Marty Adolph; P.O. Box 840 Carbondale, CO
Linda Bishop; 263 County Road 119 Glenwood Springs, CO
Amyange Ross; 1900 Willits Lane #67 Basalt, CO
Karin Vannerow; 45 Sopris Mesa Place
Ami Ajuraz; UNKNOWN

Call to Order:
The meeting was called to order at 7:00 p.m. by Charlie Kees.

Approval of Minutes: March 15, 2012

Motion was made to approve the 3-15-2012 meeting minutes with no corrections by Ben Bohmfalk. The motion was seconded by Rich Camp and unanimously approved.
Aspire Recovery for Women Program, Group Home – 246 Garfield Avenue – Public Hearing:

Rich recused himself due to a conflict of interest based on the location of his home and that of the proposed site.

John gave a brief description of the proposed project. John stated the Applicant is proposing to operate a Group Home for Women who are recovering from substance abuse. The proposal states the group home will be a 7 bed facility. In addition there will be one on-site manager. The facility will be for women over the age of 18 who have been through primary rehabilitation treatment and are moving to a structured environment to practice the skills learned in primary rehabilitation treatment. The women will be supervised 24 hours a day by an on-site manager. The manager will reside in the bedroom in the finished basement of the home. Three residents will be assigned to one bedroom and two residents per each of the remaining rooms. There will be one non-residential manager as well. All participants will be required to strictly follow the Participation Guidelines set forth by the program.

Per Town Code the minimum parking requirements are met, however; as stated in the Participation Guidelines residents are not allowed to have a personal vehicle. John recommended a fence be installed at the rear of the lot.

Applicant; Kathleen Haley and Addiction Counselor; Mary Mike Haley:

The applicant Kathleen Haley addressed the Commission. Kathleen gave a brief explanation of the program and proposal. Kathleen stated this is a highly structured program to teach recovering addicts new coping skills and behaviors. Kathleen briefly discussed the recovery homes she managed in Arizona and the impact that they had on the community. The participants in this program will be participating in individual and group counseling as well as community service. Kathleen addressed the need for recovery homes in this area. This program is designed to teach participants commitment, responsibility, and respect. Kathleen stated that Carbondale is a perfect community for a recovery center as it is a healthy community. Kathleen stated that the participants cannot possess animals or vehicles, therefore; parking should not be an issue.

Ben wanted to know what made this particular location the right place. Mary Mike stated there is a strong established AA program in this area and the access to outdoor activities is tremendous. Kathleen stated that this location is good because it allows the participants to be in walking distance of all the amenities they should need. Kathleen identified several key locations. Mary Mike addressed the concerns of neighbors. Mary Mike stated that there is a stigma attached to the terms “halfway house” or “group home.”
Public Hearing:
Public Hearing was opened at 7:03 p.m.

Marty Adolph:
Marty has been a participant in a program such as the Aspire Recovery for Women Program. Marty stated how difficult it was for her to come out of traditional rehab and not know how to maintain the newfound sobriety. Marty stated that this program teaches participants about the disease and provides them a safe place to learn how to live sober. Marty addressed the need for a women’s recovery facility in the valley.

Kyle Stewart:
Kyle lives across the street from the proposed location. Kyle expressed her concerns regarding the type of people that would be participating as well as the potential parking issue and noise. Kyle addressed previous history with the house. Kyle expressed concerns of the benefit the applicant Kathleen Haley and Todger Anderson receives from this facility such as compensation or tax deduction. Kyle expressed her concerns on the effects this facility would have on the community.

Joseph Lang:
Joseph agreed with Kyle’s comments. Joseph expressed his concerns for his children and addressed the historic past of that property. Joseph agrees there is a need, however; he expressed his concerns about the impact of the additional 8 residents will have on the community.

Angelique Gifford:
Angelique also agrees there is a need, however; she isn’t sure if her neighborhood is the right place for a recovery home. Angelique also expressed concerns and past history of the property. Angelique does not believe that the recovery home is right for Garfield Avenue.

Ami Ajuarza:
Ami is a graduate from Kathleen’s Arizona program. She is an active member of the community and heavily involved in AA. Due to the lack of resources in this valley she was forced to seek assistance in Arizona. Ami stressed how important this type of program has been for her and her sobriety.

Karin Vannerow:
Karin is a recovering addict. She can understand that people are afraid of having a facility such as this in their neighborhood because there is such a stigma attached to recovering alcoholics, however; she believes there is a significant need for such a facility. She has become a productive member of society. In fact she is a nurse at Valley View Hospital. Women active in recovery programs such as this have a significantly higher recovery rate than those with no resources such as this. Karin stated that she works closely with the Jaywalker Lodge (a men’s recovery program) and to her knowledge there have been no incidents.
The Planning Commission asked if there had been any complaints about the men’s sober house on Catherine Court. John stated to the best of his knowledge there have been no incidents.

Julia Daminada: Julia believes that no one can oppose the proposal, however; she expressed her concern about the children in the community. Julia stated she felt that it would be better to have a facility such as this in a more private area away from Town and neighborhoods.

Jeff Bier: Jeff had a couple of questions for the Applicant. Jeff wanted to know 1) how the program is funded 2) is there a trial period for the permit 3) is the program voluntary 4) and how long is the program? Jeff stated this is a needed program.

Kathleen stated it was a volunteer program that is 4 months long. Kathleen stated the program is a private pay program.

John stated that there is no trial period on the special use permit. Once it is approved then it is valid for as long as it is being used as a recovery home.

Todger Anderson: Todger said he is the owner of the property proposed to be used as a recovery home. He purchased the house and helped fund the Aspire program. He provided background information on himself. Todger is extremely confident in the Aspire program and he is committed to running the program correctly. Todger expressed his desire to be a productive, active part of the community.

Kathy Ezra: Kathy expressed her concern with setting a precedent to allow this use in this neighborhood. However, she spoke with Kathleen and does feel better about the proposal. She does like the recommendation of having a fence put in place. She expressed her concern for lack of required licensing and oversight. She stated the facility would be self-policed.

John stated that is not the case as a permit could be revoked should the applicant violate the conditions of approval.

Ben made a motion to close the public hearing at 8:02 p.m. Jen seconded the motion. The motion was unanimously approved.

Ben asked staff if there were any complaints regarding the Jaywalker Lodge on Catherine Court. John again stated that to the best of his knowledge there were not.

Ben stated that if the facility were to be located outside of the Town, the participants would need a vehicle which is against the Participation Guidelines. Ben stated that the children of this neighborhood have already been exposed to the past occurrences in this
house which appear to have been a disaster according to public comment and it sounds that the Aspire program would be a calm safe place with sober people. Ben stated there is no disagreement that this is a need in our community. The current zoning allows for this use.

Charlie asked the applicant why they decided on seven beds. The applicant stated that was what was allowable per Town regulations.

**Motion:**
Ben made a motion to approve with recommended conditions. Jennifer seconded the motion. It was unanimously approved with Ben, Jennifer, Charlie, and Michael voting.

**Conditions:**

1-The Special Use Permit shall be limited to a group home.

2-All parking shall be limited to the garage and the two spaces to the rear of the home for the one employee and one manager. The two parking spaces outside of the garage shall be cleared and verified by Staff that they are useable.

3-Solid fencing shall be installed at the rear of the lot between the garage and existing west side fence and shall match the existing fencing.

4-The owner/manager shall work with Town Staff and neighbors to resolve any future complaints from neighbors if any occur.

5-The Applicant shall comply at all times with the operating plan proposed by the Applicant to the Town in their application for the special use permit.

6-The property owner shall demonstrate to the Town that the property complies with all water and sewer tap requirements set forth in Title 13 of the Municipal Code.

7-Services provided within the group home will be restricted to the residents of the facility.

8-There may be up to 7 qualified residents of the facility.

9-The name(s) and address(es) of the owner, operator, and manager/attendant of the facility, if there is one, shall be provided to the Town for informational purposes.

10-The owner/operator of the group home shall notify the Town within 15 days of any change(s) to the operating program, facility ownership, and management, parking plan, contact information for the facility manager or any changes to the site, structure, or use. Any proposed changes are subject to approval by the Town.

11-The special review use will comply with all zoning standards of zone district in which it is located, including but not limited to height, setbacks, and lot coverage.
12-There will be a minimum of one parking space per three residents and one parking space for an attendant and manager maintained on the property according to the proposed parking plan.

13-The Applicant shall comply with all applicable residential fire and building code provisions for single family dwellings for the protection of the health and safety of residents and the general public.

14-The facility will comply with any occupancy standard adopted by the Town that is applied on a community-wide basis to similar residential living environments.

15-All representation of the Applicant made before the Town during public hearings shall be considered a condition of approval.

**Comprehensive Plan Update:**
Janet gave the Commission a brief update on the Comprehensive Plan. Janet stated that RPI held 3 community series meetings. Approximately 90 people from the community attended the meetings. Tuesday night’s meeting was more interactive than Monday night’s meeting. Janet stated there is an online survey available for those that were unable to attend one of the three community series meetings. Ben expressed his concern with the length of the online survey. Next step for RPI is to get a complete draft to the Working Group sometime in May, however; that could change. Then RPI will bring the draft to the Planning Commission. Janet stated there is a concern with the three mile plan so she will be assisting in this by coordinating with Garfield County.

Ben briefly discussed the community series meeting that he attended. Ben discussed the consensus regarding Infill vs. Sprawl. Janet stated that the questions designed by RPI were very specific as if they were geared toward the code re-write. The Commission expressed its displeasure with the key pad polling.

Charlie discussed the Tuesday night community series meeting experience. There appeared to be confusion with some of the questions and some felt they did not make sense. Charlie discussed that the definition provided for complete streets was incorrect. Therefore the response is not going to necessarily accurately represent the public’s opinions.

Charlie expressed his concern about the demographics represented. For example, RPI specifically stated that during the community series when they start to put the maps down and looking at the future land use portion they would be reaching out to the Ranchers and the Latino population in our community. Charlie stated that after reviewing the schedule it does not appear there is any time for that outreach. It is very important that RPI follows through with this and reaches out to the Ranchers and the Latino population. Ben also expressed his concern with the outreach to the Ranching and Latino communities. Janet expressed the importance of the three-mile plan and the need to contact with those it will affect.
Janet expressed concern in the confidence the Commission and Staff have in RPI and the Comprehensive Plan. Janet addressed the style of writing and the mechanics. Janet indicated it was important to include the visual aspect of the plan.

**Public Comments:**

There was no additional Public Comment.

**Commissioners Comments:**

There was no additional Commissioner Comments.

Meeting adjourned at 8:34 p.m.