

MINUTES
CARBONDALE PLANNING AND ZONING COMMISSION
Thursday October 24, 2019

Commissioners Present:

Marina Skiles
Jade Wimberley
Jeff Davlyn
Jay Engstrom

Staff Present:

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

Commissioners Absent:

Michael Durant, Chair
Ken Harrington, Vice-Chair
Nick Miscione
Nicholas DiFrank (1st Alternate)

Other Persons Present

Mark Chain
Joe Scofield
Haley Carmer
Jeff Speidel

The meeting was called to order at 7:04 p.m. by Marina Skiles.

Motion to Elect Chair

Jeff made a motion to elect Marina as the Chair for tonight's meeting. Jay seconded the motion and she was elected unanimously.

Oct 10, 2019 Minutes:

The approval of the minutes was tabled to the next meeting as there were no members present that were at the October 10, 2019 meeting.

Public Comment – Persons Present Not on the Agenda

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

PUBLIC HEARING – Condominiumization
Location: 311 Main Street
Applicant – Joe Scofield

John said that this is an application to divide a 6-unit building, encompassing 5 commercial units and 1 residential unit into a 6-unit condominium complex. He said that the Planning Commission is required to hold a public hearing and approve the application or deny it. He said that the Commission may also continue the public hearing.

John stated that the building was built in 2008 and currently houses the offices of DHM Design and Poss Architecture. He said that the building and site plan have been confirmed to have been constructed per the submitted condo plat. He said that each unit in the building is serviced by separate meters and shutoffs as required. He stated that the units vary in size for a total of 9220 square feet with the residential unit being 3572 square feet in size. He said that the residential unit is located on the third floor of the building.

John stated that the parking for the residential unit is located on the main level accessed from the alley through an access easement on the adjacent lot to the west. He said that this easement is recorded with the County. John explained that the building and associated improvements are in compliance with the UDC.

John stated that approval of the condominiumization will allow the units to be individually transferred and owned.

Jay asked if the uses stay the same.

John said that there are five commercial units and that the one residential unit will stay as it is.

Jay asked if the parking meets the Code.

John said that it stays the same so it meets the code.

Marina asked what is changing.

John said that all of the units would be platted so that they can be sold individually and that nothing is changing.

Marina asked if Poss with three units and DHM with two units are renting from Joe Scofield.

Joe stated that Poss is currently under contract to buy all five commercial units.

Jay asked about the residential unit.

Joe said that he no longer lives in the residential unit and that it is under contract as well.

Mark Chain said that the building was built in 2008 and that Joe lived in it for a number of years. He said that there is an easement on the adjacent property to enter the garage and that there are two entrances. He said that there is nothing changing and that there would be five commercial units and one residential unit.

Marina asked if the commercial units could be residential.

John said that they would need more parking and that they would have to apply for that.

Mark said that they would have to be remodeled in order to be residential.

There were no members of the public present.

Motion to Close Public Hearing

A motion was made by Jeff to close the public hearing. Jay seconded the motion and it was approved unanimously.

Jade said that the application was straight forward and that she didn't have any questions.

Jay echoed Jade.

Jeff asked if it was always the intent to sell.

Joe said that he had always wanted to own everything while he lived there.

Marina said that there are long term commercial tenants and that she agrees with her fellow Commissioners.

Motion

Jeff made a motion to approve the 311 Main Street Condominium Exemption Plat with the suggested findings and conditions in the Staff report. Jade seconded the motion and it was approved unanimously.

PUBLIC HEARING – Thompson Park – Subdivision/Parcel 2
Applicant: Thompson Park, LLC
Location: Parcel 2, Thompson Park

Janet stated that this is an application for a combined Preliminary and Final Plat for Parcel 2 of the Thompson Park Subdivision. She said that the Commission is required to hold a public hearing and recommend approval of the application or recommend denial. She said that the Commission may also continue the public hearing.

Janet said that in April of 2018, the Planning Commission reviewed a Major Site Plan application for this parcel. She said that the Board then approved the application as well as a Development Improvements Agreement to allow construction to proceed on Parcel 2.

Janet stated that this approval allowed the construction of 27 dwelling units. She noted that there would be two duplexes, two triplexes, three fourplexes and one five plex. She said that five of the units would be affordable housing units.

Janet said since that time, the majority of the public improvements have been constructed. She said that in addition, building permits have been issued for the two duplexes and the two triplexes.

Janet explained that the heavy lifting was done in 2018 as far as making sure the development complied with the UDC and the Thompson Park approval documents.

Janet said that this application is simply subdividing the units into 24 individual lots. She said that there are no changes to the site plan or building elevations approved through the Major Site Plan Review process.

Janet stated that the Town Attorney and Town Staff reviewed the subdivision plat and covenants. She said that they are generally acceptable but some revisions will need to be made. She stated that we included a condition that the final plat and covenants be reviewed and approved by Town Staff prior to recordation.

Janet said that the subdivision plat is in compliance with the UDC. She continued by saying that the one item which needs to be acknowledged is the use of easements to access lots. She said that the UDC states that use of easements shall not be allowed unless allowed by the approving authority during a subdivision process. She stated that this should be documented in the final approval documents.

Janet stated that the Fire District and School District Fees are due at the time of subdivision. She said that she included conditions that require payment prior to recordation.

Janet said that a housing mitigation plan was approved by the Board in 2018. She stated that the Town Attorney is reviewing the deed restrictions for the five units before recordation but overall they look fine.

Janet said that the application included Design Guidelines. She stated that the guidelines appear to be thorough and thoughtful. She said that her only comment is that when the Major Site Plan Review was done, it was noted that no more impervious surfaces would be allowed on Parcel 2. She said that she would like to see notification to future property owners on the limitations for additions to buildings on Parcel 2.

Jeff asked if there were similar restrictions on all the Lots.

Janet explained that this application tonight is only for Parcel 2.

Jay commented that all of the affordable housing is near the highway. He said that he thought that the Commission had a previous conversation that the affordable housing should be dispersed throughout the development.

Janet said that there are affordable units on all three parcels.

Jay said that he was just pointing it out and that the UDC should be changed to state disbursement of affordable housing throughout.

Jade asked if it were standard procedure waiting until the end to divide the lots.

Janet said that it was decided to subdivide the whole lot at the same time instead of each lot as they were built.

Haley Carmer introduced herself and Jeff Speidel the project manager. She said that the first three buildings are under construction. She said that the Lots will be renumbered as the addressing has been done already.

Haley explained Parcels 1, where Ross Montessori was built, and Parcels 2, 3 and 4. She said that there would be an open space easement and limited common elements. She said that they would be open to everyone's use but that the HOA would be responsible for maintaining, including the plowing.

Marina asked about the site plan in regards to the location of snow storage.

Janet said that she said it was between Lots 1 and 2.

Haley explained the site plan and that with two entrances that it allowed for more green space.

Jade asked if there would be a crosswalk across the highway.

Haley said that CDOT wouldn't allow a crosswalk.

Jeff said that it is part of CDOT's access plan but that they are not in favor of crosswalks.

There were no members of the public present.

Motion to Close Public Hearing

A motion was made by Jeff to close the public hearing. Jay seconded the motion and it was approved unanimously.

Jay said that in reviewing the survey docs and the water easement and water profile plan, that the sewer main is not going through the easement. He said that this is an issue.

Jeff Speidel said that the sewer had to be relocated and that he will check to see if an easement is needed.

Jeff Davlyn asked what the timeline for building the remainder of the development would be.

Jeff Speidel said that it would depend on sales and what the partners wanted to do.

Motion

Jade made a motion to recommend approval of the combined Preliminary/Final Subdivision Plat for Parcel 2 of the Thompson Park Subdivision, including the use of an easement to access the lots along Lewie's Circle and Jewel's Court and to check on sewer easement and snow storage. Jay seconded the motion and it was approved unanimously.

Staff Update

Janet said that it has been absolutely crazy and that she has had many meetings with developers. She said that Staff has been running into problems with the Code in the Historical Commercial Core (HCC) district. She explained that the developers are tangling with the limit of 33% of the surface of the Lot for residential parking, hindering residential on the upper floors. She said that this section of the UDC is not working and that future amendments could be needed. She said that she would add it to a future agenda for discussion. She stated that this section was a holdover from the old code.

Marina said that it was worth a discussion with developers and architects.

Janet said that she had a meeting with the 1201 Colorado Avenue applicants and that they are looking at additional development possibilities.

Janet said that she had a meeting regarding the Overlook lot. She said that looking at the Comp Plan, we need to decide what we want to see.

Janet said that the two acre parcel next to the substation on Highway 133 is being explored for annexation.

Commissioner Comments

Jay said that he wasn't at the last meeting for 1201 Colorado Avenue but that the sidewalk between the round-about and downtown needs addressing. He said that with future re-developments and City Market that Main Street needs more separation for a friendly walking area.

Motion to Adjourn

A motion was made by Jeff to adjourn. Jay seconded the motion and the meeting was adjourned at 8:15.