

MINUTES

CARBONDALE PLANNING AND ZONING COMMISSION

Thursday May 21, 2020

Commissioners Present:

Michael Durant, Chair
Ken Harrington, Vice-Chair
Jay Engstrom
Nick Miscione
Nicholas DiFrank (1st Alternate)
Erica Stahl Golden (2nd Alternate)

Staff Present:

Janet Buck, Planning Director
John Leybourne, Planner
Kevin Schorzman, Public Works Director
Mary Sikes, Planning Assistant

Commissioners Absent:

Jeff Davlyn
Jade Wimberley
Marina Skiles

Other Persons Present Virtually

Mark Chain, 811 Garfield Avenue
Angela Loughry, Architect
Michelle Oger, Director, Blue Lake Preschool
Melissa Williams, On-Site Director, Little Blue Preschool
Cindy Sadlowski, 203 N. Eighth Street
Mike Chmura, Board Member, Blue Lake Preschool
Pete Stine, Board Member, Blue Lake Preschool
Ashley Hejtmanek, 41 Pinon Mesa Drive
Kathy Eberhardt, 2093 County Road 106
Bentley Henderson, 46 Linden Lane, Breckenridge
Patty Lecht, 1021/2 Main Street
Paul Menter, 232 Holland Thompson Drive
Lynn Kirchner, 711 Main Street
Jennifer DiCuollo, 774 Seven Oaks Road
Colin Szewczyk, 25 D. Sopris Court
Lindsey Hillebrand, 744 Holland Hills Road, Basalt
Drew Worenson, 444 Euclid Avenue
Bryan Welker, 35 N. Seventh Street

The meeting was called to order at 7:01 p.m. by Michael Durant.

Public Comment – Persons Present Not on the Agenda

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

Special Use Permit/Plum Manufacturing/Marijuana Retail & Medical MIP – 500 Buggy Circle

Jay made a motion to approve the Special Use Permit at 500 Buggy Circle for a retail and medical marijuana infused product manufacturing facility with one typo correction. Ken seconded the motion and it was approved unanimously.

VIRTUAL HEARING –Special Use Permit for Large Daycare/Fence Variance
Location: 55 N. Seventh Street
Applicant: Blue Lake Preschool

Janet stated that this is a public hearing to consider an application for a Special Use Permit for a Large Day Care. She said that the application includes a fence variance and Alternative Compliance.

Janet said that the Planning Commission is required to hold a public hearing and approve the application, deny it or continue the public hearing.

Janet stated that Blue Lake Preschool Inc. is proposing to relocate their existing facility at 8th and Merrill (Little Blue) to this location. She said that Little Blue is currently licensed to care for 29 children at its present location. She stated that they hope to expand to 36 children at the Seventh Street location in the future.

Janet said that the property is zoned Commercial/Transitional. She said that the parcel is 11,875 sq. ft. She said that an existing single-family home, which was constructed in 1951, is located on the lot. She stated that the residence is 1,760 sq. ft.

Janet said that the plan complies with the zoning and development standards with the exception of parking issues and the fence variance.

Janet stated that the UDC requires one parking space per employee at peak time and that Little Blue has seven employees so seven parking spaces are required.

Janet said that the applicants propose eight angled parking spaces along the alley and one head-in space along Seventh Street for a total of nine on-site parking spaces.

Janet stated that the Site Plan shows two additional parking spaces off the alley, but they won't be constructed at this time because of the guy wire located in this area.

Janet said three of the angled parking spaces do not comply with the dimensional requirements for parking spaces because of the location of the building.

Janet stated that the application indicates that the angled parking off the alley would be used for Staff parking only, not parents so that would limit vehicle trips in the alley.

Janet said that there are four parallel parking spaces on Seventh Street in the right-of-way, which would most likely be used for drop-off and pick-up, but they would remain open for public parking.

Janet stated that CMC has agreed to allow Little Blue to lease three or four parking spaces in their parking lot across Seventh Street. She said that the UDC allows for shared parking if it can be demonstrated there are different operating hours. She said that Little Blue would be open from 7:30 a.m. to 5:30 p.m. She said that it is closed on the weekends. She stated that the CMC parking lot is generally empty during the day with the peak use in the evening after Little Blue is closed.

Janet stated that the angled parking spaces located off the alley raises the most concern for Town Staff. She said that this concern was clearly expressed to the applicant prior to the submittal of the day care application.

Janet said that the alley is 15 feet wide and extends between 7th Street and 8th Street. She said that the 8th Street and Main Street intersection is a five-way intersection, rather than a four-way intersection. She stated that both the Police Department and Public Works Department have indicated the access into the alley from 8th Street may be closed in the future due to safety reasons. She said that if this happens, vehicles will have to use 7th Street to access the alley. She explained that this will not work with the angled parking as proposed.

Janet said that the UDC requires 5 ft. wide sidewalks and that there is an existing 4 ft. wide sidewalk in front of the house. She stated that if the Planning Commission is inclined to approve the application, the Commission may want to consider making a condition requiring a wider public sidewalk.

Janet said that a variance from the allowed fence height of 42" in the front yard to allow a 48" high fence is included in the application. She said that this is an increase of 6" in height which seems reasonable.

Janet stated that Staff agrees that Little Blue provides a much-needed service to the community with their day care program. She said that Staff also agrees the property is a good location for Little Blue with easy access to Sopris Park, the pool, the RFTA bus stop and downtown.

Janet said that the primary concern is the configuration of the angled parking off the alley. She said that this parking would be unfeasible if vehicles can only access the parking off Seventh Street. She said that because of that, Staff must recommend denial of the application.

Janet said that there are two letters to enter into the record, which came after the packet had been sent out, one is from Shawn, Hayley & Morgan Tolle voicing their support of Little Blue Daycare. She said that another was from Lynn Kirchner expressing concerns and supporting that the application be denied.

Janet said that Kevin Schorzman, the Public Works Director, is available for questions.

Ken asked for clarification of the parking requirements in the UDC.

Janet said that the requirement is for seven parking spaces total and that the building code covers the ADA. She said that the head-in space off of Seventh Street would be an ADA parking space.

Janet said that when Staff was working with the applicants that she told them to try to get it as close to the UDC as you can.

Jay asked if the parking at CMC would be an alternative to the angled parking in the alley.

Janet said that they would be replacing the ones that don't comply with the size dimensions, the three that don't meet it. She said that they can have them for smaller vehicles in addition to the CMC spaces, but they wouldn't be counted towards the required seven.

Nicholas asked which spaces on the site plan were the sub-sized spaces.

Janet said that they were the ones in the middle.

Nicholas asked if the spaces to the west only work if the utilities were relocated.

Janet said yes, that's right.

Jay asked if the Town has ever accepted small vehicle parking as parking spaces.

Janet explained that we used to in our old code and that we had compact parking spaces where a certain percentage could be compact parking spaces. She said that when we created the UDC that it didn't carry over.

Erica asked if there was discussion about the future expansion plans and the utilities being dealt with at that time. She asked what the timeline was to have the additional spots.

Janet said that the applicants are going to go over the site plan. She said that the Special Use Permit that they are requesting now could be a maximum of thirty-six children. She said that in the event that they would proceed with adding rooms and more children that they would have to come back with a new Special Use Permit.

Janet said that when they try to get the additions constructed is when they would have to look at removing the guy wire.

Jay asked if there was a State standard for parking.

Janet said that this isn't a school and that it's a daycare as defined in the UDC. She said that schools don't have to comply with our code because it is a school and that this is a large daycare, so it doesn't fall under that exemption.

Michael said the State doesn't technically define it as a school.

Jay said that he thought that there were standards of how high the fence has to be and if there was also a standard related to parking.

Janet said that's a good question, you might want to ask the applicants.

Michael said that he heard Janet say that the rented spaces from CMC would not mitigate their parking requirement.

Janet said that it would mitigate as long as there is a recorded agreement. She said that if the CMC spaces went away in the future that they would have to find a way to replace them.

Michael asked if they had seven spaces at CMC would there be no parking issues with this application.

Janet said yes, that's right.

Janet said that if they lost those spaces down the road that is the danger, then they would be forced to find them elsewhere.

Michael said that a lease defines consideration, but it also defines a property right for a time so if they signed a ninety-nine-year lease then they have that right for ninety-nine years.

Mark Chain said that he is here helping Little Blue and that he is also with Michelle Oger, Executive Director and Angela Loughry who is on the board and is an architect and site designer. He said that he is going to start out because we have a denial here and that we have some access issues and some neighborhood concerns. He said that denials are never pleasant for anyone.

Mark said for background that he's been involved with a lot of daycares and preschools. He said that in this town that he's been involved with Mountain Sage, processed in the eighties, where Crystal Springs Builders is currently. He said that the Montessori School on Euclid was here in the seventies and that there wasn't any permitting done until later when they expanded. He said it was basically how do we make the parking work in the right-of-way, which the Town built the parking stops for the Montessori School. He said that he has assisted Faith Lutheran twice, most recently at the location where Roaring Fork Family Physicians used to be. He continued recalling other preschool locations and the challenges that they had. He said that the CRMS preschool on the east end of Main Street is similar to this application. He said that there were concerns about the use, traffic, drop-off, the one-way alley, and the tax potential from that end of Main

Street. He said that it has worked out and we don't have the access problems. He said that they are a very welcome member in that community, which there might be some folks commenting later.

Mark stated that Basalt has very aggressive favorable policies for daycare and preschools. He said that it is such a high priority for Basalt that they are requiring the developer to build a four thousand square foot building shell and dedicate it to the town so it could be used for a daycare provider.

Mark said that he suspected when he heard about the alley that we may be on the way to a denial so he really wanted to do some due diligence to see if he wanted to be involved and the answer was yes.

Mark said that it is in a good area for a daycare. He said that the access in the big picture and the alley is a bit goofy and that he'll admit that. He said you can get to various parts of town and that there are alternatives everywhere. He showed his screen with a map and explained various routes around town. He said that if the access is done properly and all the parents and caregivers are instructed to come in on the west side of Seventh Street and that the alley parking is just for staff.

Mark said that he talked to the Fire Marshall and that he thought the access was acceptable. He said the Police Chief stated that Eighth and Main did not have a higher incidence of accidents as compared to other parts of town.

Mark said that the Comprehensive Plan designation is Downtown, and this lot is not designated residential. He said that the vision statement for Downtown is that Downtown is the thriving, historic, identifiable center of commerce, town culture, civic life and celebrations and is the heart of the community. He said in the land uses it states, encourage mixed use including shopping, restaurants, entertainment, lodging, offices, employment generating activities and facilities essential to the daily life of the residents and housing. He said that he looks at a facility like this as essential to the daily life of the community.

Mark said that it is Commercial/Transitional (CT) zoning and that it has been CT since 1993 and that it had a commercial designation before that. He said that the Staff report had a finding that it was compatible with the neighborhood. He stated that the purpose statement of the CT district is to accommodate the transition of neighborhoods from residential to mixed-use, commercial, and other non-residential uses.

Mark said that this is a transition from straight residential but when one thinks about it, it has limited hours of activity. He said that it is done at 5:30 Monday through Friday and that it is not open on the weekends. He said that in regards to massing this stays as a single-family house for the duration of the preschool. He said that it is a relatively benign transition.

Mark said that he has been going to the salon, down the alley, for many, many years. He said that it is not perfect but what is perfect. He said that the plan that Angela and

their board put together is limited to staff only, into that portion of the alley. He said that if there was another use going in such as multi-family residential the Town would be encouraging access off the alley. He said that there could easily be five or six dwelling units there. He said that if you have seven staff members that come in and leave, that it is a trip equivalent of two multi-family units, which this site could accommodate a lot more than that. He said that this will require proper routing for the caregivers and parents, but I think they achieved that at CRMS.

Mark said that one thing that concerns him with the denial is that the Town may want to shut the alley off in the future and that he understands it. He said that he did not see this designated in any road plans or any other plans that this should be shut off. He said that there are ways to deal with it whatever the situation is if that alley really had to be closed off. He said that if it did, you could have a small turn-around at Sundial Park, which is Town property and that the visibility would be good there. He said that he suggested to the Little Blue Board that if the Commission would be good enough to approve this that they strongly consider paying for the turn-around if necessary, in the future.

Mark said that this situation was not taken lightly by the design team here or by the board. He said that yes, it is probably what is best for the school and that they looked at many options as well as the costs. He said once modifications are made to the access not only is it tricky, but it is very expensive. He said that if they were to have to remove a corner of the building near the alley that they would probably lose an infant or two in their enrollment, which services families and is money. He said that this organization has to pay the bills.

Mark said that he would like to repeat the same comment he had with CRMS preschool and that the Town could not designate parking for that use. He gave examples of the ten-minute parking for the liquor store and said that the Town lets various restaurants build outside seating in the summer in parking spaces in the busy time of year. He said that he doesn't know why you couldn't have designated parking with designated hours, for the daycare only. He said that it is something inconsistent that the Town does.

Mark said that we will be prepared to talk about any conditions of approval that you may have. He said that some things are straight forward, such as hard surfaces for the parking spaces in the alley, which they would like to do. He said that he would like to have a conversation about doing a turn-around if that is something you think is very important.

Michelle Ogar said to add on to some of the letters of support, Blue Lake Preschool is not new in the Roaring Fork Valley to childcare. She said that we have been in operation for almost twenty-seven years now and that we are newer to downtown Carbondale. She said that we opened Little Blue in December of 2015, when Faith Lutheran moved to their new site. She said what makes Blue Lake stand out from other programs is that we are trying to support and help working families. She said that we are open Monday through Friday 7:30 – 5:30 and that we care for infants and toddlers, which we don't make money doing. She said that we lose money on all our infant and

toddler programs but that there is a real need for that in the Roaring Fork Valley from Aspen to Parachute. She said that we are dedicated to helping families so that they can stay in this valley and stay in Carbondale to raise their kids here. She said that this is a concern we hear all the time, that they can't find childcare. She said that we are a non-profit childcare center, so we rely a lot on fundraisers and grants to make the preschool work. She said that in El Jebel we get many families throughout the valley, whereas Little Blue has ninety-nine percent that live and work in Carbondale. She said families walk and bike to school and that they are a part of the community. She said at their current location, which is in a residential area near the bike path, it's great to see families out with their joggers and bikes coming to school. She said that they park their bikes outside and after school they ride home on the bike path. She said that it is nice to see Little Blue be part of Carbondale and go on to other schools in the same community. She said that it's nice that they don't have to commute up valley or commute anywhere to go to preschool. She said that because our hours are from 7:30 parents aren't in a big hurry because they can come early enough to drop off their kids and get them settled before leaving. She said that they are not speeding down the streets or pulling out of the parking lot making U-turns in the middle of the road. Michelle said that it is a different environment than what we have up in El Jebel where parents do have to be in Aspen by a certain time and they are rushing in the morning. She said that the other difference between Little Blue's current location and this new location is the size, space and larger playground as well as classroom quality. She said that our program focuses on our families being part of the community, so we get the kids out for field trips with the infants and toddlers walking down the bike path to Sopris Park. She said that the preschoolers are riding RFTA buses to the Arts Center and walking to the library, Third Street Center, Carbondale Clay Studio as well as doing yoga classes at True Nature. She said that this location provides great access to all the places that the kids visit in Carbondale as well as to RFTA, which is right across the street. She said that we want kids to grow up being part of the community that they live in and being part of the community that they will go to elementary school in as well as being part of all the great things that Carbondale has to offer. She said that we do it now from Eighth and Merrill but it's tough, it's tough to have three year old's walk all the way to Sopris Park and then walk all the way back, right before nap time. She said where are new location is on Seventh Street it's right down from the park and across from the bus stop, which will allow the kids to be part of the community. She said that we want them to grow up being good members of the community and we think this allows them to do that.

Angela Loughry shared that she is on the board and that she is also an architect working locally. She said that we have been working on this for almost five years. She said that she started helping Blue Lake and Little Blue with space analysis when her daughter was an infant and she is going into kindergarten in the fall.

Angela showed her screen and began explaining the dimensional design standards. She pointed out the existing building footprint and the proposed expansion, adding a hallway to access the classrooms better. She explained the parking and one van size head-in ADA parking to the north, which would be backing out on to Seventh Street.

She said that they are proposing seven angled parking spaces off the alley. She said that four of these spaces completely meet the UDC dimensional requirements, three are limited by the location of the existing building and are slightly shorter.

Angela continued by showing the playground areas and said that we tried very hard to give every classroom an on-grade access to a playground, which helps with building code issues as well as a good quality program. She said that we have minimum playground sizing required by licensing standards that we are required to meet. She said that for infants we need a dedicated playground, which is four hundred square feet and we are proposing that out front. She said this is where a request for a fence variance came in because State licensing is requiring a four-foot fence. She said we have one large playground in the back, which we would like to divide into two playgrounds to allow for different surfaces and different play items relative to the age. She said that keeping as much of the play area as possible drove us to the parking arrangement that we have now.

Angela explained a future expansion plan shown in dots that would be under another Special Use Permit amendment, which could be in the next five years. She said that we needed to bring this up so we could disclose that this is what the plans are for some time in the future. She said that the board was looking for a forever home and found a site that allows expansion. She said that the future expansion would include two additional classrooms.

Angela explained the existing floorplan and the new floorplan. She said that there would be a staff bathroom, which they will be happy to have because they don't have that currently and that they share with preschoolers. She said that the current building was close enough to what we needed so we wouldn't need to incur a ton of costs, which is important to our program as well as increase the number of students from what we have now. She said that it is a better-quality building than the one we are currently in.

Angela showed pictures of the building from all directions. She showed pictures of what they are proposing to do to the building in 3-D. She said that it is better for us to do a low building versus a two-story building because then commercial elevators and fire sprinklers are needed as well as no direct access to the playground. She said that we are trying to keep a homier residential style entrance off the street.

Angela explained the alley access, showing the angled parking, which could work in either direction. She said that we chose this angle because it seemed to be easier to enter off the difficult five-way intersection at 7:30 in the morning rather than to exit onto this difficult intersection. She explained the dimensions of the parking and layout standards. She showed pictures of the alley and the guy wires that are preventing the use of two parking spaces. She said that when we were studying all of the various ways to do this parking, we did look at other parking that is in the Town of Carbondale. She compared the parking for the Kiva Spa on Third Street, which was done just a few years ago and said that this proposal is dimensionally better.

Angela showed where the parent drop-off and pick-up with the four parallel parking spaces are in front. She continued explaining the parking numbers and vehicle trips, with some families having more than one child. She said that with their current enrollment there are six families that have multiple students making for less vehicle trips.

Angela said that looking at the sidewalk it is in ok shape but that there are sections that have been lifted from the roots. She said that she could answer any questions.

Nick asked if there had been conversation about moving the guy wires to free up additional parking.

Angela said yes that they had and that it is complicated, which we can't take on right now. She said that Mike from our board has been leading on this topic.

Mike Chmura said that he has spoken with Xcel Energy on several occasions about the guy wires, which are inhibiting the parking. He said that there was too much tension on the two power poles that have guy wires down into the parking areas and that they don't have the ability to guy back to another power pole or anywhere else. He said they did do a site visit to see what it would take to bury some of the various lines of phone and communications. He said that between the two poles adjacent to our property there are nine cables overall. He continued explaining the extensive changes needed to move power poles, which would incur great costs as well as interference for the town for a little while. He said that we deemed that this would not be the best option.

Ken asked how this would change in the future as this was parking for the future expansion. He said that it doesn't sound like it would be feasible even in the future.

Angela said that it took a long time to get this information out of Xcel. She said knowing that this is a handicap for future expansion, it would have to be figured out.

Jay said that he had the same thought as Nick but that when he went to the site he could see how messy all of the electrical work is and how much work it would be to move all of it. He said that one concern that he has is with the pole furthest to the east, which is between two parking spaces and that he wasn't sure how P-8 could be used without moving utilities.

Angela said that the guy wire goes up high enough and is far enough away, is the thinking we had with that spot.

Nicholas asked for clarification and asked if they planned on pulling cars underneath the guy wire.

Angela said yes, that is correct.

Jay said that it was mentioned that there is a potential to work with CMC on parking in their parking lot. He asked how feasible this is as an alternative.

Angela said that it is always an alternative and that there would always be a concern of entering into a third-party agreement for parking, which is necessary that we have. She said that CMC would be a great partner to have an agreement with. She said that we would have to see about the cost. She said that we have penciled it out and we would hate to have a reoccurring cost that we could prevent but if it is necessary to allow the whole thing to work then that is a cost to incur.

Ken asked how many parking spaces do you get on the south side with straight on parking.

Angela said without moving or tearing down part of the building, the number of spaces that you can get there are four, with a maximum of five, inserting a parallel space.

Ken said that you only get four legal spaces with the diagonal parking.

Angela stated that is correct and also three shorter spaces.

Erica asked if the head-on spaces go in further and take away from the playground area.

Angela said that the backout area for the angled spaces is seventeen feet and the backout for the head-in is twenty-two feet. She said that we do lose a portion of the playground and we had to cut out a little bit out of our addition, which made the infant room smaller, which was a real heartache for us.

Nick asked about parents driving down the alley in the morning.

Michael asked about drop-off from across the street.

Angela said that when we envision parent drop-off, it is easiest driving south on Seventh Street to parallel park in front of the building in that direction. She said that it is a public street, and anyone can go in any legal direction they want. She explained that if they were traveling north, they would park across the street and walk their child across. She said that similar debates were happening with CRMS and we too are happy to educate the parents on the best way to drop off. She said that basically the drop off is using the right-of-way parking spaces. She said that we would be directing parents not to enter the alley and make very clear the concerns about the alley and the difficulty of pulling off the alley. She said that any parking on the alley is reserved entirely for staff.

Mark Chain said that with CRMS they had an agreement with the parents, which was that you don't use the alley and no U-turns on Main Street. He said that they have trained parents that to drop off on that side of Main Street. He said that you might have to go a block further but that there is plenty of opportunity to head south, pull in to drop them off, march them in and get out, which is the safest way.

Michael said that he recalls with CRMS we insisted that as a condition of the approval they put in their handbook that a parent making a U-turn on Main Street would have their child expelled from the school.

Mark said that they had a penalty, and we have some people here that can talk about that later in the meeting.

Ken said that Main Street has a little more traffic than Seventh Street.

Michael said that you could potentially make a safe U-turn on Seventh Street.

Michael explained the public comment process.

Lynn Kirchner, 711 Main Street said that she is a business owner on the corner and that she developed that property back in 2006. She said that we had the opportunity to come into a run-down residential home and turn it into something that fit the neighborhood. She said that her concerns with a daycare on Seventh Street as she outlined in her letter concur with what Brian, her neighbor brings up. She said that his residence is the most directly affected property right now because it will increase traffic on Seventh and increase traffic on an alley that is no where near the quality of an alley or a design of an alley as you pointed out, behind the Kiva. She said that the concerns that she has is the amount of people coming and going. She said that you relate to the parents riding their bikes and bringing kids by bicycle but that on snowy cold winter days that's not happening. She said that on snowy days the alley is almost inaccessible. She said that she shovels her parking area and that it will be mayhem adding cars up and down the street. She said that it sounds so perfect, how you will manage parents and that she doesn't think that is going to happen. She said that we witnessed a little girl getting hit by a car on Seventh Street right in front of the Ferguson house. She said that someone mentioned earlier about how easy it was popping a U-y on Seventh Street, but it is not. She said that she backs into her parking area because backing out of my parking area is very dangerous on Seventh Street. She said people coming off Main Street and people coming up from Colorado Avenue really tests the limits on that area. She said that she sees it as a huge problem for traffic and a safety concern. She said that she had a daycare go in across the street from her residence and what a difference it makes to my residence during drop-off and pick-up hours. She said that it's not fun and it's not pleasant. She said that parents get a little overzealous, leave their cars running, while running kids in and out and its not the picture perfect ideal little daycare scenario that everyone likes to think it is. She said that the Town of Carbondale needs to look at some of the bigger issues. She said that the utilities are a huge one, the maintenance of the alley and the maintenance of Seventh Street. She said that she hopes that the Town of Carbondale is thinking about the other issues, septic and sewer issues on Seventh Street, a lot of those lines are old. She said that 689 Main Street just went through all of that and they had to redo all of their water lines. She said that from a professional standpoint and as a business owner that she has a vested interest in Main Street and Seventh Street and that she doesn't think that it is a good fit for daycare.

Bryan Welker said that we do not have a comment tonight other than the letter turned in that is in the packet and we will let that speak for us.

Patty Lecht said that she lives next door to CRMS and that they are amazing. She said that it gives a sense of a very educated society by having a preschool, Clay Center and True Nature close by. She said that before CRMS preschool moved to Main Street that we were concerned about all sorts of things, parking, traffic, and noise but that it has been nothing but good. She said that the children are delightful little...it sounds like birds singing for periods during the day and there are no parking issues whatsoever. She said that they really abide by all of the wishes. She said that it is incredible to have this kind of neighborhood and that she feels that it increases the value of her property. She said that philosophically it is really an important thing. She said that CRMS has five-star ratings from the State. She said that parents are amazing, and they really do turn their cars off and are very friendly. She said that she talks to many parents and that we are calling it Mr. Rodgers' neighborhood and that is how incredibly beneficial it is to have their kind of presence.

Paul Menter, 232 Holland Thompson Drive said that he would like to say thank you to the Planning Commission for persevering through this difficult time. He said that he is the Board Chair of the Early Childhood Network, which is a non-profit located in Glenwood Springs that provides education and referral services to providers and parents who are seeking daycare and early childhood education services. He said that we have submitted a letter for the record in support of this application. He said that he wears many hats as those of you that know me know, tonight he has his early childhood network hat on for this meeting. He said that he is speaking in support of this application and that it meets the requirements for the transitional zoning and that it is an excellent application for this location in the community. He said that it is important in this very uncertain time for all of us to be focused on and to be present in the now and the current needs of the community. He said that one of the needs is quality daycare services, Blue Lake and Little Blue are premier providers of daycare services to our community. He said to support this application would be a very pro-family decision on the part of the Town of Carbondale. He said that there are issues that need to be addressed to address the concerns of the neighbors with the respect to the alley and there may be some changes that need to be made in terms of the parking. He said that rather than looking at what the Town might do with the alley in ten years or what Little Blue might do in several years in terms of an expansion. He said that this is a critical need for the community and the opportunity for Little Blue to locate in a facility that is theirs in perpetuity is a value that cannot be underestimated for the community. He said that if there is a need to close the alley at one end that Mark Chain mentioned the possibility of a turnaround. He said that having been a Town Councilman previously and faced these kinds of decisions, there are public safety issues related to alley design. He said that if you close an alley you have to have a turnaround at the end of it. He said that this is an application that meets the zoning requirements and that there are some wrinkles that need to be worked out in terms of the parking.

Ashely Hejtmanek, 41 Pinyon Mesa Drive, Garfield County said that she recently resigned from the Town's Historic Preservation Commission and that she continues to

serve on Carbondale's Parks and Recreation Commission. She said that she is speaking tonight as a parent and that a year ago at three months pregnant she signed her child up for every licensed daycare facility from Aspen to Glenwood Springs. She said that she was told that on many of those lists that there were eighty to hundred plus people ahead of her. She said that she wasn't being selective about what kind of daycare that she was signing up for and that she wasn't touring facilities and that she was trying to eventually make it possible to return to her job. She said that her daughter was born in October and that she was going to return to work at the beginning of January. She said that by Christmas she still had no daycare lined up and she missed her intended start date. She said that she ended up splitting time between two daycares, which is not ideal. She said that the Aspen times quoted the state of infant care in Pitkin County as thirty infant spots for close to two hundred babies born at Aspen Valley Hospital. She said that she doesn't know the statistics for the rest of the valley but that she knows that its not faring any better. She said that this is a serious issue in our communities and that working parents like myself are unable to find licensed quality childcare and therefore return to work. She said that the expansion of Little Blue in Carbondale should be applauded and whole heartily supported. She said that they are the highest quality provider a family can hope for. She said that expanding this facility will allow more spaces for infants, which is desperately needed in the heart and the core of the community. She said that she believes that this is an appropriate use for the surrounding land uses and that it is far more in keeping with the character and the nature of the neighborhood than an alternative development plan on this site. She said that it would be sitting quiet at night and weekends. She said that this kind of a site is hard to secure for such a specialized use throughout the valley due to the regulations that are put on them. She said that for Little Blue that this is a rare opportunity and a community use that is desperately needed. She said that Carbondale is a community that welcomes the diversity of people, families, and creative solutions and that she thinks this project is no different. She read a mission statement; to maintain and enhance a culturally diverse, family oriented small town and to keep up the diversity of population in Carbondale that makes the town the quality progressive place that it is. She said that she would like to ask for your support on behalf of Little Blue but also on behalf of mothers like myself.

Cindy Sadlowski, 203 N. Eighth Street said that Seventh Street is a very busy street with Mountain Fair, Cinco De Mayo, July Fourth parade, Potato Days and that it's not going to change much having the preschool people coming and going. She said that she helped the CRMS preschool get set up and that she spent three years volunteering at the preschool. She said that the traffic was not a problem and that it was so fun to see all of the neighbors so happy. She said that the kids would wave at all of the neighbors when they were out walking or going out to the ski run. She said that it is another great opportunity to have children downtown.

Pete Stine said that the board and Mark have covered everything really well and that he didn't have anything to add.

Jennifer DiCuollo, 774 Seven Oaks Road said that she is an eighteen-year Carbondale resident. She said that she served on the Planning and Zoning Commission with a lot of

you for eight years. She said that she is a parent of a three-year-old at Little Blue and that he has been there since he was three months old. She said that they were one of the very fortunate families who had a full-time infant spot at three months old. She said that she could echo some of the comments that were said before. She said that it allowed her to return to work full-time, which was a huge value to her career and her ability to contribute to her family and the community. She said that this is really an essential service and that she was really disappointed to see the Staff report and to see the recommended flat out denial, which is really pretty rare based on her experience with applications at P&Z. She said that it raised some questions as to why there are a lot of applications that come before the board that are more problematic than this and are we thinking outside of the box. She said that with the one major issue being the parking is kind of short-sited and that there are solutions to that. She said that she is putting it to the board to think about the value of this and what we as a community can be doing to support this essential need. She said that she wanted to put a face to one of the families that this directly impacts.

Melissa Williams, 4 Red Wing Lane said that she is the on-site Director at Little Blue Preschool. She said that she has been a part of the Blue Lake Preschool program for five years. She said that by approving this you would be doing a service to our entire community. She said that our families live, work, and play in the Carbondale community and we work really hard to make sure that we are upstanding members of this community. She said we help these children become upstanding members of the community as well. She said that we ask all the families to do a certain amount of volunteer time every semester, which can look different for all our families. She said that our families have no problem volunteering for various duties ever. She said where we are now is a rental and it is not ideal, and we are doing the best we can with it because we have a high-quality program. She said to have a truly high-quality program you need to have a high-quality facility. She said that the expansion is actually bringing a benefit to everyone.

Bentley Henderson, 46 Linden Lane in Breckenridge said that he owns 46 N. Eighth Street, the property at the west end of the alley with his wife. He said that in the opening remarks that you didn't want any personal remarks and while he had been hoping to disparage Mark Chain a little he won't go there, he'll get to his comments. He said that we aren't necessarily opposed to the application, we have seen the impact to the alley. He said that we have watched it go from a lightly used to a more heavily used alley. He said the multi-stop signed access onto Eighth Street was an interesting change a few years ago. He said that we have seen a lot of changes go on down there. He said that the application and the way that the parking is designed is probably as good as it can get. He said that he would strongly hope and recommend that the applicant try to pursue the joint agreement with Colorado Mountain College. He said that would offer them a lot more flexibility in how they moved forward in the future, without trying to compromise the property and the site any further than it already is. He said that this is the first that he has heard of a hammerhead approach looked at for Sundial Park. He said that he is not keenly in favor of that and that one of the fundamentals of land use applications and land use development is that you try to the best of your ability to contain your impacts on your property. He said to shift a turn-around to the west end of

the alley is kind of a challenge. He said that to pre-emptively determine the fate of an application based on what may happen at some point in the future in terms of closing the alley is kind of struggle from his perspective because we can't make those determinations prior to when the demand might occur. He said that it is a challenge to predict the outcome of this application on what may happen in the future especially given that there has never really been any definitive study of the nature of what the use of the alley is, recognizing the west end is kind of a mess. He said that until there is a good understanding on how all of that works to predetermine the outcome is hanging too much on one application. He thanked everyone for their time.

Kathy Eberhardt, 2093 County Road 106, Carbondale said that her husband and her are contributing members to Carbondale. She said that we co-own Carbondale Creamery and our sons have gone to Little Blue Preschool for the last two years. She said that our kids feel like Little Blue is an extension to their family and as parents there is camaraderie with other parents. She said that we do abide with the regulations of no idling cars during drop-off and pick-up. She said that we are respectful of the community that our preschool is in, which is exactly what Paul Menter said and that there is a critical need for childcare in the valley, especially in Carbondale. She said that her husband Kyle was born and raised in Carbondale. She said that a lot of our friends and families are coming back to live in Carbondale and the number of children is growing. She said that we do need more infant and toddler preschool care. She said that the impact that the teachers have had on my kids personally in the two short years has been amazing. She said that they deserve a larger space to work with and expand the love that they have given to our kids as well as all of the kids in our community. She said that the extra-curricular activities that are offered throughout the school year and all seasons, swim lessons, ski programs and everyday field trips in the summer gets our kids involved in the community, which any parent in our town wants. She said that we are in full support in being able to let Little Blue move into this property and expand for future kids.

Colin Szewczyk, 25 E. Sopris Court in Glenwood Springs said that some of the issues with the traffic was a little bewildering to him because parents can drop-off between 7:30 and we drop off our son around 9:00. He said that there are twenty-nine kids and many from the same families and when you start to do the numbers spaced out over an hour and a half time there isn't a huge peak time of a pile up of cars coming through. He said that he has never had any problems with parking while dropping off his son and rarely there may be another family at that same time. He said that he gives his support and he thanked everyone for looking at this and he's throwing in his two cents.

Lindsey Hillebrand, 744 Holland Hills Road in Basalt said that she is a teacher at Blue Lake Preschool. She said that there is another aspect of why we need the room that we do and why we have come up with the plan that we did. She said that this will support our children and their families as well as the teachers. She said that it is important that the teachers can go somewhere to take a minute and take a break when they have something personal going on. She said that it would be nice if we had a teacher space that we could go to. She said that it can difficult at times and when your patience is running low or you just need a break. She said that is one of the important things with

this new space too is giving out teachers that opportunity to best serve the kids and support our families. She said that sharing a bathroom can get messy with that many kids so there is a need for a teacher bathroom. She said that we do our best as teachers to always be cleaning and wiping down as well as washing hands. She said that with potty training there are things that can get messy. She said that it is nice to not have kids walking in on you or banging on the door. She said that she works with a school age group and that is very important to be able to have your own bathroom. She said that it would be really great for Carbondale to have us there.

Drew Sorenson, 444 Euclid Avenue said that he is the staff development coordinator at Blue Lake Preschool. He said that he wants to piggyback from what Lindsey just spoke about that having as much space possible within this building is essential to our teachers to have a space to do extra work. He said that he spends his time at Blue Lake helping teachers with problems that they may be having with the children, classroom arrangement, with supplies as well as conducting yearly reviews with Michelle that are of the confidential nature. He said that having enough space for teachers to have those conversations as well as trainings is vital. He said that another part of his job is to make sure all the teachers meet all the requirements that are asked of teachers, which is quite a lot. He said that having a quiet space to do computer work or planning or betterments for the classrooms is truly ideal. He said that teacher retention in preschools is a serious problem and that having this extra space is going to help with that significantly and provide teachers a space to talk openly about sensitive topics that they are having trouble with. He said that having a space to take a break when needed is essential when working with little children for many hours of the day.

Motion to close the comment portion of the virtual hearing

Ken made the motion to close the comment portion of the public hearing. Jay seconded the motion and it was approved unanimously.

Commission Discussion

Jay said that he is concerned if the alley was shut down with emergency access as well as pushing these constraints on Little Blue.

Kevin Schorzman, Public Works Director stated that every other parking situation from Seventh to Eighth on that alley is head-in parking, which means you can come up the alley, pull in and back out and go the same way that you came in. He said that with angled parking it changes that dynamic, if allowed, to do one of two options, which have both been presented tonight. He said that one is creating a hammerhead toward the end of Eighth Street if it is closed, the other is not having the angled parking spaces accessible if it is closed. He said that is where he was coming from with his recommendation.

Jay said that if there wasn't a turn-around at the end of the alley that he sees a lot of issues if they would have to backout the entire alley. He said that this alley has a lot of traffic to be closing down an access.

Kevin said that if we were to close the intersection at Eighth Street we would typically put a “no outlet” sign, no different than we would on any dead-end street, over on Seventh Street to let folks know that if you turn down here that you won’t be able to go through.

Jay asked if it would be one-way.

Kevin said that it wouldn’t be one-way and that it would be one-way in and one-way out, which would be Seventh Street. He said that the no outlet means that you are going to have to turn around to get out of here.

Ken asked if you would have to turn around on private property.

Kevin said not necessarily because the Town does own property that is currently a park, which is a decision that would need to be made. He said that he isn’t sure how the Town got that park land but if it is permissible could you put a turn-around on it and if you do, are you cutting into the green space. He said not a reason not to do it but a consideration.

Ken said that without the hammerhead or the use of the city property for some type of turn-around the only way to turn around would be to turn around on someone else’s private driveways or private parking spaces.

Kevin said that is correct.

Ken said that is not a good public policy so without the turn-around it would be an issue going on private property.

Kevin said that he would agree with that.

Michael said that when he goes through that intersection at Eighth and Main that he sees people coming out of the alley into the intersection and that he rarely sees people going into the alley from the intersection. He said that the way he sees the parking set up they would have to enter on Eighth Street.

Kevin said that the most dangerous movement in his opinion that might lead to a community desire to close that intersection is the one coming off of Eighth and Main and into the alley because you hit the sidewalk first with that movement. He said that’s the one that would be dictated to stay open if the angled parking is allowed. He said that exiting on to Eighth and Main is probably not going to generate the community desire to close it because as you are approaching from an alley and you can see folks walking on that sidewalk but if you think about it coming from that skewed intersection you have a lot of things to think about. He said that if you are going to pull into that alley the first thing you are going across is a sidewalk, which a lot of people don’t realize is there from a pedestrian standpoint.

Michael said that he would concur and that his big concern is the fact that when someone is coming out of the alley into that intersection they are part of the four-way stop protocol and we don't need to know their intentions. He said that if someone is at one of the other four stops and wants to go into that alley, we have no idea what their intentions are even if they signal, which is begging for an accident.

Kevin said please don't think that his perspective or the Public Works perspective is that this is not a good thing for the community. He said that he thinks it is, but that there have been other options that have been shown to us for the head-in parking that would still allow this to happen but not with the restrictions that would be imposed on the Town by allowing the angled parking. He said that he thinks we can work through this and that he doesn't think that the angled parking is the answer.

Ken said that there seems to be three basic issues, one is the parking, the variance for the fence and whether this is the right location and use for this property. He said that he thinks that this is a very good location and a very good application. He complemented Mark Chain and his team on the application. He said that it is a vital service to the community and important to the community and it makes sense. He said that the variance for the fence is justified because it is a State requirement and he is supportive of that. He said that he is having a tough time with the parking and that he cannot support the denial of the application and that he can't support the application with the angled parking. He said that his preference would be to send it back and have the applicant work on other options for parking.

Nick said that he would like to reinforce what Ken is saying and that he is confused by what happens when you are able to get a parking space and walk your kid into the facility. He said that he is in full support of the project and that it is an essential facility and that his family has been there. He said the parking and getting to the facility itself was always an issue and a life and safety concern. He said that he is in support of the project and that he would love to see it happen. He said that he would love to see some design options or other solutions that address the parking and the path of travel.

Nicholas said that Ken said it eloquently and Nick followed it up well. He said that there were comments made about Carbondale's creativity. He said the fence was a non-issue to him as well as the location. He said that he echoes the many comments about the need in our community. He said that the parking itself needs to be flushed out and it doesn't work on a lot of levels. He said that is his only sticking point. He thanked Mark for the great package.

Erica said that Angela mentioned that the angled parking worked in the reverse direction as well coming from Seventh Street. She said that with tonight's discussion it seems that there was discussion of what direction is best. She said people are paying attention to what is better for pedestrians and what is less confusing at the Eighth Street intersection. She said that she was less concerned with the alley parking on an angle. She said that her office is downtown in the Dinkle building and that she takes the alleys when there are Main Street closures and that she sees a lot of parking situations happening. She said that this was not alarming at all and that she thinks there should be

discussion about the compact car parking because that it something that is reasonable and is utilized in a lot of locations. She said that knowing that teachers may have smaller cars, they could have certain people assigned to certain spaces. She said that the public parking out front could be reserved during certain times of the day to have safe drop-off on Seventh Street. She said that she would like to ask Staff what the possibility of that would be, given that there is a precedent for the restaurants in town blocking off parking as well as other examples that were given.

Michael said that keep in mind that restaurants that apply for dining on Main Street don't pay a fee right now, but they have to apply and get their applications approved by Staff.

John Leybourne said that is correct and that it has to go through a permitting process and an inspection by the Building Official. He said that it is a different animal but that he would rather defer to Kevin on that.

Kevin said that you can put all the signs in the world on a street you want, but that they only work with the people that were going to comply anyway so it's an enforcement issue. He said that our police department isn't ready to take on whether a car is parked there because you are dropping off your kid or are you just parked here. He said that he doesn't necessarily agree with the concept of limiting public parking to a specific business.

Michael said that he recalls a couple of Trustee meetings where they talked about reserved business parking in the Town's public parking spaces. He said that was frowned on and we also did not do any reserved parking for CRMS. He said on Main Street and at that time of day there wasn't a high demand for parking, it seems to have worked out well. He said what needs to be figured out is the required seven spaces. He said this is a distressed property and that nothing but good could come of this property by Little Blue moving into it. He said that the variance for the fence is a State requirement so it's not a hardship that they created on their own. He said that the parking going the wrong way in the alley, as it is configured now, needs to be figured out.

Michael said that tonight we have three choices; approve the application as it stands, deny it as recommended by Staff or we can continue the public hearing and give the applicant some specific direction in terms of what we would like to see if they come back.

Jay asked for clarification in that they would only need two parking spaces from CMC with five spaces on the alley at ninety degrees. He said that it's more challenging on Little Blue but that it makes the most sense in solving all these issues.

Nicholas said that he would like to see the ninety-degree layout for the parking and that it's hard without a visual. He said he agrees on all the other points.

Angela said that they do have the diagram and that she could share her screen.

Ken said that we really would not have time to digest it so it's kind of unfair for us to pronounce judgement on it. He asked Janet if it was Staff or the Commission that needs to see that agreement with CMC before we approve.

Janet said that we would make a condition that it was contingent upon receiving an agreement from CMC and have the Town Attorney review it, as well as it be recorded.

Erica said that she feels conflicted about imparting additional costs upon a preschool that is running on tight margins, which then affects the rates that they are able to offer to all of our community for childcare. She said that she feels that the compact parking is adequate but that she understands that it doesn't meet the requirements of the Town. She asked how do we discuss this further before inflicting additional costs on a necessary business for our community.

Janet said that the alternative compliance does allow you to look at parking and design of parking. She said that if they came in and the Commission approved the smaller spaces, even though there isn't a compact space in the code, it could be done under alternative compliance.

Michael suggested a variance but said that alternative compliance would be a little easier.

Janet stated that with a variance we would have to re-notice and have the criteria. She said that it could go under both. She said that alternative compliance would be the cleanest because we had already noticed alternative compliance for parking so it would still fall within that notice.

Mark Chain stated that if Angela did share her screen, we don't expect you to sign off on that tonight. He said that he thought where we are heading is to provide more information at a future meeting. He said that regarding kudos to him for the application, that it was Angela that did the heavy lifting and that he did the easy lifting. He said that he didn't think we should ever close off rights-of-way unless there are incredible circumstances. He said that you would have to provide some kind of turn-around otherwise you are on private property.

Michael said that it wasn't fair for the Commission to address hypotheticals and that we need to address the application that is in front of us. He said that addressing hypotheticals is time consuming and a pointless exercise. He said it looks like we are leaning towards continuing this hearing and that have the applicant come up with some parking solutions. He said that a proposed lease with CMC would be a good thing, turning the diagonal parking around would be a good thing. He said that he would be interested in listening to alternative compliance for the smaller spaces.

Further discussion ensued regarding parking possibilities.

Further discussion ensued regarding continuance of the virtual hearing to a date certain.

The applicants agreed to return their revised parking plan by May 27, 2020 at noon, so Staff had time to review it.

Motion to Continue the Virtual Hearing to June 11, 2020

Ken made a motion to continue the virtual hearing for Little Blue Preschool to June 11, 2020. Nicholas seconded the motion and it was approved unanimously.

Staff Update

John said that Red Hill Lofts would be submitting their building permit application tomorrow and that they are still working on their HUD vouchers for funding.

Janet said that Thompson Park has submitted their application for condo exemptions for the affordable Lots.

Janet said that there is an application coming for an Annexation, Rezoning and Major Site-Plan Review for a mini-storage on the two-acre parcel north of the sub-station on Highway 133.

Janet said that next week's meeting will be a big virtual hearing for the lumber yard.

Janet said that we have been working on City Market's signs and it's getting close.

Janet commended John for organizing all of the attendees to speak and moving them over and Michael for the hands being raised virtually.

Commissioner Comments

Michael said that the curb and gutter was in for City Market.

Motion to Adjourn

A motion was made by Nicholas to adjourn. Ken seconded the motion and the meeting was adjourned at 10:07 p.m.