

MINUTES

CARBONDALE PLANNING AND ZONING COMMISSION

Thursday June 11, 2020

Commissioners Present:

Michael Durant, Chair
Ken Harrington, Vice-Chair
Jay Engstrom
Marina Skiles
Nick Miscione
Erica Stahl Golden (2nd Alternate)

Staff Present:

Janet Buck, Planning Director
Mary Sikes, Planning Assistant
Kae McDonald

Commissioners Absent:

Jeff Davlyn
Jade Wimberley
Nicholas DiFrank (1st Alternate)

Other Persons Present Virtually

Angela Loughry, Architect
Mark Chain, 811 Garfield Avenue
Michelle Oger, Director, Blue Lake Preschool
Riley Soderquist, Carbondale Center Place
Jack Schragger, Carbondale Center Place
Yancy Nichol, Engineer
Michael Noda, Architect, 3560 Walnut Street, Denver, CO
Daniel Wilde, Architect, 3560 Walnut Street, Denver, CO
Andrea Korber, Architect
Dr. Ronald Stein, 1624 W. Olive Avenue, Burbank, CA

The meeting was called to order at 7:00 p.m. by Michael Durant.

March 21, 2020 Minutes:

Ken made a motion to approve the March 21, 2020 minutes. Jay seconded the motion and they were approved unanimously.

March 28, 2020 Minutes:

Jay made a motion to approve the March 28, 2020 minutes. Marina seconded the motion and they were approved unanimously with Nick abstaining.

Resolution 4, Series of 2020 – Minor Site Plan Review and Special Use Permit/ADU – 415 Sopris Avenue

Ken made a motion to approve Resolution 4, Series of 2020, approving the Minor Site Plan Review/Special Use Permit at 415 Sopris Avenue. Nick seconded the motion and it was approved unanimously.

Public Comment – Persons Present Not on the Agenda

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

VIRTUAL CONTINUED HEARING – Special Use Permit for Large Day Care and Fence Variance

Location: 55 N. Seventh Street

Applicant: Blue Lake Preschool

Janet stated that the P&Z considered this application at the May 28th meeting and after discussion the Commission continued the hearing for tonight. She said that the applicant did get the plans revised and submitted to the Town by the deadline and in fact they were early. She said that the comments reflected all the requests made by Staff, having all of the parking in the alley be head-in. She said that they meet the parking code with the parking on site without the parking from CMC. She said that they do have some compact spaces but that there is an extra strip of land behind those spaces so we could consider those in compliance.

Janet said that the Public Works Director reviewed the new plans and that he recommended approval, with the alley parking looking great.

Janet said that there was a fence variance that's related to this application, which was discussed at the last meeting and that the Commission seemed to agree in the increase of six inches in height was acceptable.

Marina said that after going through the minutes and the Staff report that it is very clear and that she appreciates all of the background information.

Mark Chain said that Janet covered things very well and that he had nothing of importance to say.

Angela Loughry said that we are mainly here to answer any questions about the re-arranged parking and new plan that we are proposing.

Jay said that he appreciated the applicants working with us on the P1 and P2 parking spaces. He asked if there was extra space behind the compact parking so that cutting out some of the playground and addition could be avoided.

Angela explained that making the spaces sixteen feet that we didn't lose one infant capacity. She said that it was more about turning radius and being able to turn into that space is how that came about.

Erica said that her question was similar to Jay's and that she wanted to know if there were any consequences for adjusting the parking to be head-in. She asked if the future plans for the playground area were impacted.

Angela said that they were able to keep all of their capacities in our future. She said everything got a little smaller, including playground spaces and that we were still able to maintain the teachers' areas.

Michael said that it is worth while saying that a daycare center is a use that the code considers to be a special use and provides special scrutiny and that Staff had some legitimate concerns with the parking in the original application. He said that he believes that they have been adequately addressed now. He said that we talked about the variance and that the variance meets all of the criteria that are required.

Motion

Ken made a motion to approve the Special Use Permit for a Large Day Care, including approval of the fence variance and approving five parking spaces to back directly into the alley right-of-way with the conditions and findings in the Staff report. Jay seconded the motion and it was approved unanimously.

Michael stated that this application could be appealed and that the Commission looks at whether an application complies with the code and as such we are compelled to grant your request.

Michael thanked Angela and Mark for getting the parking situation resolved.

VIRTUAL HEARING – Zone Text Amendment to Section 5.8, Off-Street Parking Unified Development Code (UDC) – Self-Storage Facilities

Location: Town Wide

Applicant: Town of Carbondale

Janet said that this is a public hearing and that the Planning Commission did discuss this at two other meetings. She said that at the first one in February that we all agreed once we started looking at the off-street parking requirements for self-storage facilities that they were very high. She said that in March that she brought back an idea for a recommendation for a change in the amendments based on the comparisons from other municipalities that had been put together by Jack and Riley. She said that at the March meeting the Commission discussed that there might be different parking requirements based on whether it is an external unit or an internal unit. She said that it was because the external units would have parking in front of the garage doors.

Janet said that the Commission asked her to bring back a hybrid and that she included three scenarios in the Staff report. She said that one is the existing UDC requirements where she took a 92,900 square foot building and divided it by our current parking requirements which required seventy-four parking spaces, which we all agreed was too high.

Janet said that scenario two which is one parking space for four thousand square feet for internal units, with one base space plus one parking space per one hundred external units. She said that she calls this her hybrid scenario.

Janet said that scenario three was no differentiation between the unit type where you start with five parking spaces and then you have one parking space for every sixty units, whether it's internal or external. She said that scenario two and three came out fairly close.

Janet said that she likes the simplicity of scenario three but that she is open to the Commission's discussion and that she knows that it is a big difference between internal and external.

Janet said that she has included red lines for both scenarios. She said that she has a motion in the Staff report but that she left the motion blank. She said that she recommends approval of the zone text amendment for the off-street parking requirements as shown in scenario two or three. She told the Commission to feel free to make adjustments to the two scenarios.

Jay asked with the internal units that is it only accounting for the square footage and not the number of units. He said that this is something to consider.

Janet said that looking at the parking comparison that she took that from what other communities do and that they all look at the square footage. She said that Prescott is one per four thousand, Kearney, Nebraska was one per five thousand, Ogden, Utah one per five thousand. She said that in a lot of communities that parking is really minimal.

Riley Soderquist stated that the scenarios that Janet has laid out are good and at this point we would like to hear what the Commission thinks about it. He said that Jay brings up a good point about counting the units instead of looking at square footage alone. He said that what we are looking for is a reduction based on what it is now.

Jack Schragger said that the only thing he would add is that we looked at a comparison to what other municipalities do as well as data from the existing Sopris Self Storage and the number of existing units as a benchmark for demand. He said that we propose a solution based on the number of units because we have more data on that, but we are open to whatever the Commission decides is a good solution.

Michael said that if we were to go to a unit base opposed to a square footage base how would the unit distribution work. He said where do we stand in terms of the number of small units that are easy and cheap to rent verses the number of super large units that still won't generate a lot of traffic but constitute a lot of square footage but are in less demand.

Jack said that they haven't had a lot of detailed discussions with Dr. Stein about the planned unit mix is. He said that from the discussions that they have had that the incremental units will have a somewhat similar unit mix as the existing ones. He said that we looked at the maximum number of cars that were in the facility each day over the course of several months, which were indicative of the demand for internal units because the number of visitors is independent of what the parking setup is. He said that

he thinks what we proposed should be sufficient based on the data that we have. He said that Janet's proposal is more conservative than what we proposed.

Ken said that he may be referring to both scenarios.

Dr. Ron Stein, **1624 W. Olive Avenue, Burbank, CA** said that each unit is usually around a hundred and fifty square feet.

Michael said that is 10 x 15 and that 10 x 10 is about the normal size out at Carbondale Storage out in the county on 100 Road.

Michael asked Jack and Riley if there would be any preference to units verses...you said that Janet's proposal was more conservative but that you think that the numbers could come down a little more.

Jack said that we are very happy with what Janet proposed and if that's approved, we have no issues. He said that Janet's recommendation would require more parking than we originally proposed.

Andrea Korber, **57 Village Lane** said that she supports the proposal.

Motion to close the comment portion of the public hearing

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

Ken said that he agrees with the applicant and that he likes the reduction but that we are asking for more parking than is needed. He said that it is an inconvenience to the community to have too few parking spaces and it is also an inconvenience to have too many parking spaces. He said that they still have a requirement for a loading zone because of the nature and size of the building.

Janet said yes.

Ken said so that is why we are getting up higher than we should. He said that he is leaning towards scenario two because this is for all varieties of self-storage and some might be mixed, and some might be external only. He said that external only do not generate a lot of parking requirements because there is a parking space in front of each of the garages. He said that if you go to scenario three you are going to have five spaces plus one based upon the units and then you will have quite a few parking spaces that you don't need for an external storage facility. He said that he would say go to one space to either five thousand or six thousand for the internal units. He said that for the external units three plus one per one hundred.

Jay said that he agrees with Ken and that he hates excess parking so if we could cut down on unnecessary parking that he is all for it. He said that he likes the idea of scenario three, scenario two makes sense to separate the internal from the external but how much of a difference it really makes. He said that having a minimum of six spaces

seems a little high, five spaces plus one for every sixty so if you had fifty units that's six parking spots. He said that he would propose scenario three, but we have four spaces plus one for every hundred.

Erica said that what Jay described makes some sense to her and that she's had plenty of storage units in town and that she was just trying to think of how often there are many cars. She said that there haven't ever been many cars. She said that she would be on board with reducing the number and that she understands there needs to be a basic number and accessible spaces as well. She said that she would be on board with what Jay just mentioned.

Nick said that he was in favor of scenario three over two simply because it's easier to follow. He said that he is in favor of simplifying the code wherever possible, the language of the code. He said that he does agree with Ken that five space base may be a little too high but that he thinks that scenario three is sufficient.

Marina said that she agrees and that scenario three is her favorite, in light of what we approved two weeks ago, which is a vast amount of parking over by City Market. She said that creating a space that's actually what people will use day to day in a realistic manner is more amenable to what we are trying to achieve in Carbondale. She said that she appreciates the efforts to minimize the parking. She said that she likes Jay's model of modified version three of what Janet put together.

Michael said that for a short time this year that he rented a space at Carbondale Mini Storage, which is out on 100 Road out of town in the county. He said that it is a pretty large facility with all external units, and he seemed to recall that near the office that they had four or five spaces for customers with three or four spaces for staff. He said that inside of the security zone where the storage units were there was no parking, everyone parked in front of their unit. He said that is the kind of direction that we would go in taking a bare bones approach to it.

Further discussion ensued on the number of parking spots required.

Motion

Ken made a motion to approve the zone text amendment to revise off-street parking requirements for the "Self-Storage Facility (mini-storage)" using category as shown in modified Scenario three, three spaces and one per one hundred. Jay seconded the motion and it was approved unanimously.

VIRTUAL HEARING – Rezoning

Location: 900-958 Highway 133 and 1201 Colorado Avenue (Sopris Shopping Center and Sopris Shopping Center and Sopris Self Storage

Applicant: Carbondale Center Place LLC by Mark Chain

Janet said that this is an application for a rezoning and that the Commission is required to hold a public hearing and make a recommendation to the Board to approve it with conditions or recommend denial. She said that this parcel is the Sopris Shopping Center

and also the Stein Mini-Storage just to the east of it. She said that it is a little over four acres. She said the proposal and long term plan is to demolish the Sopris Shopping Center and keep the mini-storage units as they stand and put a mixed-use building on the west side of the property with seventy-six residential units and ten thousand square feet of commercial. She said that they would build a new self-storage facility to the west of the existing self-storage facilities.

Janet said that right now the property is zoned PC on the west side and that is an obsolete zone district. She said that the mini-storage section is zoned Stein Mini-Storage PUD. She said that even though there are two zone districts on this property there is no boundary because it is one lot. She said that the rezoning is what is in front of you. She said that what she did as she was reviewing the application is that she ran through all of the development parameters to make sure there were no fatal flaws in the number of units, setbacks, common open space. She said that she did this to provide feedback as far as the development standards. She said that this is a rezoning and that they are required to submit a conceptual plan. She said that if they go to the Board and if the rezoning is approved, then they would come back with another submittal with the Subdivision to divide the west side of the property, which would be the mixed-use side from the east side or the self-storage side. She said that they would come back with Major Site Plan Review at that point. She said that an important part of the rezoning process is this is when you provide direction on the conceptual plan and provide them feedback so when they put together their Major Site Plan Review application they can take all of that in.

Janet stated that this zoning is considered New Urban in the Comp Plan. She said that we have rezoned 1201 Main Street and Lot 1 to the Mixed-Use recently. She said that other consideration of rezoning is that we are trying to get rid of Planned Unit Developments (PUD's).

Janet said that she won't go over all of the development standards because the applicants are going to show an extensive presentation on the design of the building. She said that she likes a lot of design of the building, the commercial along Colorado Avenue, south side of the mini-storage looks great and that it looks like the downtown mercantile. She said some of the larger hot spots that she picked up is the length of the mixed-use building. She said that she included a comparison of some of our larger buildings. She said that this proposal is at 385 feet in length and that the old City Market is 289 feet and Sopris Liquors is about 223 feet. She said that there needs to be some visual relief along the highway and that the building will be ten feet from the property line.

Janet said that the private common open space for the mixed-use building needs to be shifted so that it's closer to the mixed-use building. She said that, if the building were separated into two buildings, they could put the open space somewhere in between there.

Janet said that the building design itself, there is commercial on the north and south sides. She said that on the ground floor there are residential units and that a suggestion

for the development team would be making it look a little more like commercial, like live-work or that type of use.

Janet said that overall, she is supportive of the rezoning application and that we have been trying to go to Mixed-Use and get rid of the PC zone district as well as PUD's.

Janet said that she would like to see some changes in the building design and the private common open space.

Ken asked if we approve the recommendation how do we separate the rezoning from the Preliminary Site Plan Review.

Janet said that what is strictly before you is the rezoning and that there is no action on the Site Plan Review. She said that is more to think about what the code says as far as development standards to understand what the code is trying to achieve.

Janet said that she put the criteria in the Staff report and that she is going to point out what is important is if the Commission feels the design needs some changes it can be conditioned to make those changes.

Marina asked if there is a separate hearing for the private outdoor space and the architecture.

Janet answered yes.

Marina asked if we give those comments now so they can come back with...

Janet said yes.

Marina clarified that we could approve the rezoning if we decide to and that we can give suggestions on how this can be improved so that it will be approved in the future.

Janet said yes.

Ken asked if they would be suggestions or would they be conditions.

Janet said that they could be conditions especially with the bigger ones, mass and scale.

Ken said that it takes time to develop the language for a condition.

Jay suggested that if we just make recommendations that it gets the point across for what we would approve and what we wouldn't approve.

Erica asked if there would be a presentation and that she was just trying to catch up because she was new.

Jay asked if they are subdividing into one mixed-use and one commercial space or is it still one lot.

Janet said that it is still one lot, half would be mixed-use, and half would be CT. She said that what we would do is have the rezoning contingent upon approval of the Subdivision and Major Site Plan Review. She said that it is kind of a two-step process and that down the road that lot would be split into two.

Jay asked what the zoning of the storage units that are to the east and would it make more sense to do a lot line adjustment instead of subdividing.

Janet said that it couldn't be a lot line adjustment because it is one lot and that it would have to be a subdivision.

Jay asked if the existing storage units were on the same lot.

Janet said yes.

Marina asked if rezoning the whole lot to Mixed-Use allows all of the function on one single lot.

Janet explained that the west side of the lot would be Mixed-Use, and the east side would be CT and that they would come back with a subdivision to create a lot down the zoning boundary.

Michael asked if the east side of the site where the mini-storage is located is currently zoned CT and will remain CT.

Mark Chain said that the storage is zoned Stein PUD.

Ken said that by doing this we will get rid of a PUD.

Michael said that the whole lot is zoned PUD and if this is approved the mini-storage will be zoned CT and where the shopping center is now will be Mixed-Use.

Mark said that it will be Mixed-Use and right now the shopping center portion is zoned Planned Community Commercial, the obsolete zone district.

Marina asked if we were rezoning and subdividing.

Mark explained that it will become a Major Site Plan Review equivalent to Subdivision Exemption with a lot split. He said that that the lot line is shown in your documents with a red line just to the west of the proposed storage building.

Michael said keep in mind that when you talk about a subdivision you have one site and that within the subdivision you have more than one site and that is not what we are doing here. He said that we are designating a site to having two different zone districts.

Nick asked if we are adding an unnecessary step and could we just do this during the Major Site Plan Review as opposed to breaking it up into two separate steps.

Marina said unless we use this as a resource to give them feedback.

Janet said that they will have a higher level of detail when they come back for the Major Site Plan Review. She said that the reason that they want to do the rezoning first is to see if people are even open to these concepts before they go into the detail and expense of creating the engineering that is needed for the Subdivision and Major Site Plan Review.

Michael said that if you look in the Staff report the bar for rezoning is pretty low. He said that the new zoning has to conform with the Comp Plan, and it can't screw anything up as well as a perceived benefit to the community. He said that it is important to do the rezoning first.

Mark Chain said that he is representing Carbondale Center Place and that the entire team is here. He said that the owner of the property is Stein Properties and that Dr. Stein is present. He said that Tom Siliano works with him. He said that we have Jack Schragger and Riley Soderquist from Carbondale Center Place. He said for the architecture neo Studio, Michael Noda and Daniel Wilde. He said that we have the engineers on the phone.

Mark said that the discussion with where the lot line adjustment fits in was very well spoken and that Michael hit it right on the head. He said why go and invest everything in the engineering and design when it's a lot of money. He said that with the Overlook, the Carbondale industrial park near Town Hall was a PUD in 2008 and the Public Works Director at that time wanted to know exactly what the vertical elevation was of the curve. He said that would have taken hundreds of thousands of dollars to get there and they spent almost that much any way. He said that tonight is the rezoning and that the Commission is the recommending body and that the Board will be the decision maker. He said that assuming that the rezoning is approved then there will be a Major Site Plan Review with a Subdivision Exemption and a couple of other minor application like a Conditional Use Permit for storage or Alternative Compliance related to landscaping. He said that this is difficult to focus on the rezoning but not getting into the weeds of the Major Site Plan Review. He said that we do want to hear your ideas or fatal flaws and that we are pretty confident. He said that at the end of the night we want to come back and focus on the rezoning element itself.

Mark said that the Sopris Shopping Center itself was the main commercial driver back in the town in the sixties. He said that it started out as a lumber yard and in the early eighties it was where the grocery store was. He said that the shopping center has evolved over the years and that the supermarket moved to where it is now. He said that the shopping center is about thirty thousand square feet. He said that the storage came in, in the late eighties, and that it is about twenty-six thousand square feet. He said that the main building is about fifteen feet and the other buildings are about eleven feet.

Mark said that the New Urban is what the Planning Commission used to help formulate a lot of the zoning dimensional criteria for the Mixed-Use zone district. He said to be pedestrian bike oriented, with parking behind and buildings up close to the sidewalks and streets.

Mark said the concept itself for the mixed-use area where the shopping center is now is going to change to Mixed-Use zoning and we think that it complies with the Comp Plan and UDC. He said that the residential total is seventy-six units and two commercial pods. He said that Janet did have some concerns or brought up the fact that there are weighted towards efficiency apartments and one-bedroom apartments. He said that part of that is because some of the recent approvals out on west Main Street in Carbondale is almost fifty percent two- and three-bedroom mix. He said that some of the rental areas in Carbondale have a lot of your larger condominiums and houses. He said that smaller units seem to be in demand from what has been approved in Glenwood Springs, which seems to be filling up quite quickly.

Mark said that we think that this whole development will conform with the Highway 133 access plan. He said that it makes it safer for the entry from Colorado Avenue.

Mark said that the self-storage would be changed to CT zoning. He said that CT does allow a buffer from the industrial properties to the north and the multi-family to the east and south. He said that the good thing about the commercial transitional zoning is that that for some reason there is a need or desire to move that from storage or something else it could be commercial or residential. He said there would be one new building being constructed.

Mark said that there were details in the packet of comparisons to the Comp Plan. He said that we went through the points and that we meet the standards. He said that the connectivity talks about having a lot of connections out to the Highway 133 bike path. He said that one of the comments was that there are eleven sidewalks coming out to that path and is that what you really want.

Mark said that we think that we comply with the Comprehensive Plan, which is one of the largest criteria.

Mark said went over the rezoning approval criteria. He said that we have addressed this for both the Mixed-Use area and for the storage area.

Mark said that we may be a little short on what the common open space requirement is right now where the large area open space area is in the interior of the project is. He said for the total open space we are around twenty-two thousand square feet or about twenty-five percent landscaping for the entire Mixed-Use project.

Mark said that regarding Janet's concerns of the length of the building and being close to the highway that is one of the reasons for the design standards for a change in materials and texture. He said that he thinks that all of the standards will be met. He

said that he isn't sure about the live/work concept and that the Mixed-Use zoning does allow changes in the use as necessary to have flexibility.

Mark said that regarding suggestions verses conditions for some kind of approval, he said that he would like to keep those to suggestions so that if for some reason the design changes, what is a condition may be difficult to meet.

Michael Noda at neo Studio, 3560 Walnut Street, Denver CO thanked Janet for her comprehensive report. He said that she was very open to the development group to sit down and go over concepts as we designed them and that she gave us really good comments. He said that based on her comments and engineering requirements for the site is what we are going to present in concept today. His presentation included the following;

- Current zoning and proposed changes to the zoning.
- Site plan showing the division of the Mixed-Use and CT zone districts.
- Retail locations to the north and south of the Mixed-Use project.
- Entrances on Highway 133 and Colorado Avenue.
- CT zone's three existing buildings and the proposed new multi-level storage facility with the location of the elevators.
- Location of common open space in area with solar exposure.
- Architectural concepts with perspective from the highway.
- Connections to the bike path.
- The step back of the storage building to break up massing with stucco, brick, and metal paneling.

Daniel Wilde, Architect, 3560 Walnut Street, Denver, CO finished up their presentation showing the following;

- A 3D tour of the Mixed-Use building.
- The mercantile façade of the new storage building.
- An aerial view of the site showing the location of the buildings, parking, sidewalks, and the common open space.
- Elevations of the new storage building.
- Comparisons to surrounding properties and their sizing.

Mark Chain complemented naos for their sidewalks and pedestrian access.

Commission Discussion

- Egress/Ingress on Colorado Avenue with explanation from Yancy Nichol.
- Concern related to traffic flow to the north retail building.
- Types of business in commercial spaces.
- Need for loading and unloading to residential and commercial buildings.
- Noted the least amount of parking is near the retail buildings.

- Future plan of Industry Place with a round-about and the timeline of the Access Plan.
- Southern corner appears to almost touches the road.
- Length of building along Highway 133 and setbacks.
- Location of the retail buildings for pedestrian and bicycle access.
- Lumberyard design was so impressive, but we are not there yet with this.

There were no members of the public present virtually to comment.

Motion to close the comment portion of the public hearing

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

Commissioner Comments

- Residential activity and front yards along the highway out of place and noisy.
- Triangle of outdoor space could use enhancement.
- Shared outdoor space better suited to the southern end of the property.
- Reverse gym and club room on the east with the residential units on the west.
- Distribution of massing along the highway.
- Residential on the east side opening to common open space and outdoor retail seating possibilities near parking makes more sense.
- Storage building is restricting options for mixed-use building.
- Walking across the parking lot to get to common open space lends itself to dog walking but not to a gathering space.
- Shared outdoor space seems like an after-thought.
- Jamming way too much on this site.
- Play area near parking lot is dangerous.
- More units with efficiency layouts generate more traffic than one- and two-bedroom units.
- Length of the building and changing the façade on the west side is needed, drop third or second floor.
- Reduce storage building size to help with connectivity and parking.
- More storage will be needed with smaller units.
- Effective green space is needed.
- Vegetation screening preferred over sidewalk connections.
- Elevate first floor.
- No snow storage area indicated.

- Triangular lot and new urban code hems you into what you do and it could be 100% residential.

Rezoning Comments from Commission

Ken stated that the rezoning is appropriate.

Jay agreed.

Marina said that she approves the rezoning.

Erica said that she agrees on the rezoning. She said is there a reason that the lot line needs to be straight.

Nick said that he is in favor of rezoning.

Michael read through the criteria for the rezoning.

Janet read another condition to add; Final approval of the rezoning is contingent upon approval of the Subdivision and Major Site Plan Review. She said that she had not included that in the report.

Michael said that the rezoning has value so if we approve the rezoning but if they can't make this project work, they still have something that is more valuable tomorrow than it is today. He said that if we make the rezoning contingent on the success of this project then a future buyer will have to come back in and bear the cost of rezone all over again.

Further discussion ensued about the rezoning process.

Motion

Ken made a motion to recommend approval of the rezoning with the four conditions and findings in the Staff report. Marina seconded the motion and it was approved unanimously.

Yes: Ken, Marina, Nick, Erica, Jay

No: Michael

Michael said that the condition regarding contingency is too much of a burden to the developer and that is wrong to tie this to what we want to have happen.

Michael thanked the applicants for all their hard work.

Further discussion ensued about lot lines and conditions.

Staff Update

Janet said that City Market is paving this week.

Janet said that we will be getting three building permits in for Lot 1 along west Main Street.

Janet said that they are almost done with the public improvements for City Market except the tie-in for Hendrick and Shorty Pabst.

Janet said that City Market is still looking at getting their CO within the next month. She said that once that City Market gets the parking lot paved then Lot 1 will start getting cleaned up, which will be great.

Janet said that the next meeting will be a little subdivision and Thompson Park condominiumization. She said that there will be another coming for a self-storage north of the substation.

Commissioner Comments

Marina said that the last application for the lumber yard was stellar.

Michael thanked the Commission and said that they all brought a unique perspective and that it's all going to be better as a result. He said that he is sorry if he got a little short about the traffic discussion but that was out of our purview.

Motion to Adjourn

A motion was made by Marina to adjourn. Jay seconded the motion and the meeting was adjourned at 10:00 p.m.