

**MINUTES**  
**CARBONDALE PLANNING AND ZONING COMMISSION**  
Thursday June 25, 2020

**Commissioners Present:**

Michael Durant, Chair  
Ken Harrington, Vice-Chair  
Marina Skiles  
Nick Miscione

**Staff Present:**

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

**Commissioners Absent:**

Jay Engstrom  
Jeff Davlyn  
Jade Wimberley  
Nicholas DiFrank (1<sup>st</sup> Alternate)  
Erica Stahl Golden (2<sup>nd</sup> Alternate)

**Other Persons Present Virtually**

Hayley Carmer, Attorney  
Jeff Spanel, Thompson Park Project Manager  
Sandra Almazan "Bobby", 34 Harris Drive

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

**June 11, 2020 Minutes:**

Ken made a motion to approve the June 11, 2020 minutes. Nick seconded the motion and they were approved unanimously.

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

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

**Special Use Permit/Large Day Care – 55 N. 7<sup>th</sup> Street**

Ken made a motion to approve the Special Use Permit for a large daycare at 55 N. 7<sup>th</sup> Street. Marina seconded the motion and it was approved unanimously.

**VIRTUAL HEARING – Thompson Park Condominiumization Lots 1 & 2 of Parcel 2**

**Location: 108/110, 202 A,B,C Lewie's Circle**

**Applicant: Thompson Park LLC**

This is a Condominiumization application for Parcel 2 of the Thompson Park Subdivision. The Planning Commission is required to hold a public hearing and either approve the application or deny it. The Commission may also continue the public hearing.

Janet said that she went out to Thompson Park today. She said that they have been building on Parcel 2 and some of the units are nearing completion, one is a duplex on

the lot closest to the highway and the second one is a triplex. She said that is the one that backs up to Triangle Park. She said all of the five units in the two structures are deed-restricted units for affordable housing. She said that according to the agreements the affordable housing units have to get a Certificate of Occupancy before the free-market units do.

Janet said that the five affordable housing units are close enough to completion to put together a condo plat, which is what is before you tonight. She said that they submitted deed-restrictions for the affordable housing units that would be recorded with the condo plat. She said that she had asked both Mark Hamilton and the Garfield County Housing authority to look at the deed-restrictions. She said that we haven't had any deed restricted, for sale units for several years and that recently they have been all rentals.

Janet said that all of the issues with Thompson Park were worked out with previous approvals of the Major Site Plan Review and the fees were all paid. She said that it is pretty straight forward.

Janet said that she recommends approval of the application and that she included two resolutions in the packet, resolutions #5 and #6, which would memorialize this application if you are inclined to approve it.

Marina said that the Staff report was very thorough.

Michael clarified the numbering of the resolutions.

Haley Carmer said that she is an attorney with Garfield and Hecht and that she has been working on the Thompson Park project for the past few years. She said that we are condominiumizing the two affordable housing buildings on Parcel 2, the duplex and the triplex. She that they will all be deed-restricted affordable housing. She said that the two units in the duplex will be category 4 affordable units, which is the highest income category. She said that the three units in the triplex will be two category 2 and one category 3 unit. She said that we have different deed-restrictions for each of the three categories.

Haley said that the duplex has one unit on the top and one unit on the bottom. She said that the triplex has two over one. Haley said that Jeff Spanel is also on the line and he is the project manager and coordinator. She said that the declaration was recorded along with the Parcel 2 Plat, which was recommended for approval back in October that was recorded in November of 2019, which cut up Parcel 2 into the twenty-four individual lots with twenty-seven dwelling units total on Parcel 2, including these five units.

Marina said that we have approved the architectural design that was gone through in the review. She said that the drawings are from an engineer and are very basic. She asked if we need to be looking at the drawings now or is this typical at this stage.

Janet said that it is typical at this stage and that all of the design drawings were reviewed at the time of Major Site Plan Review. She said that condo plats are

intentionally made simple because they are just creating property lines or air space. She said that it defines the private outdoor space or storage spaces and that it's a functional plat. She said that surveyors are required to do these condo plats, which is in our code.

There were no members of the public present.

**Motion to close the comment portion of the public hearing**

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

Michael said that he recalls that when we approved this in the beginning that the process was we were going to come back and do this at a later time when the foundations were actually in place. He said that it all seems really straight forward.

Janet said that there will be more coming like this application.

Michael said that the only reason that this one is more complicated is because of the deed-restrictions, which is under the umbrella of the Garfield County Housing Authority.

Nick asked for clarification of the complexity of the different types of affordable housing.

Marina said that it is standard Garfield County Housing guidelines, which is explained on their website.

John Leybourne said that it is based on the area medium income, which is for our area. He said that in other areas further west that there are different types of AMI's. He said that for our area it is always based on the HUD annual income, which is released at the beginning of each year.

Michael said that if you want to understand the whole picture start at APCHA, the oldest of these with the most in-depth website, which is subsidized by transfer tax.

**Motion**

Marina made a motion to approve Resolution No.5, Series of 2020 and Resolution No.6, Series of 2020 approving the Condominium Application for Lot 1 and Lot 2 of the Thompson Park Subdivision Phase 2 with the conditions and findings in the Staff report. Nick seconded the motion and it was approved unanimously.

**VIRTUAL HEARING – Subdivision Exemption**

**Location: 156/160 Twelfth Street**

**Applicant: Almdin Holdings LLC**

John said that this is an application for a Subdivision Exemption. He said that you are required to hold a public hearing and render a final decision. He said that decision may be to approved, deny, or continued the public hearing.

John said that the owner, Bobby is proposing to combine two C/T zoned lots. He said Lot 1 is 6,098 square feet and Lot 2 is 10,149 square feet. He said that these lots were originally in the Cocoa Palms Subdivision. He said that the present use is a storage yard and metal building with a shop that has had many types of uses.

John said that Lot 1 is vacant at this time and Lot 2 has the metal building. He said that the zoning is C/T and that there are no proposed zoning changes.

John said that the minimum lot size in the CT zone district is 3,000 sq. ft. and both lots meet that size. He said that the maximum pervious ratio will be determined once the owner actually comes in with development proposals. He said depending on the proposal size it would either be Minor Site Plan or a Major Site Plan Review.

John said that all the utilities are existing on site or adjacent to and with the age of the lot some might be upgraded depending on the development proposal.

John said Staff is supportive of the proposed subdivision exemption. He said that the Comprehensive Plan states this neighborhood represents an opportunity for incremental multifamily residential infill, redevelopment and accessory dwelling units.

Bobby, the applicant said that their goal was to get the lot combination out of the way and then explore development opportunities. He said that they wouldn't do anything that it wasn't already zoned for.

Michael asked if there was a business in the metal shop.

Bobby stated no that there weren't any tenants and that they just wanted to have a clean space.

There were no members of the public present.

### **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.

### **Motion**

Ken made a motion to approve the Subdivision Exemption for 156 Twelfth Street and 160 Twelfth Street with the recommended findings and conditions in the Staff report. Nick seconded the motion and it was approved unanimously.

### **Staff Update**

Janet said that at the Board meeting on Tuesday night they approved the lumberyard as the Commission had approved it. She said that there were a couple of members of the public there and they talked about truck traffic and traffic in general as well as the trails.

Janet said that it is busy and that there is a lot going on.

John said that inquiries are off the charts. He said that daycare for small houses are the thing right now.

Mary said that her office has been buried in paper and that July 1<sup>st</sup> that it will be required that solar be on new houses over two thousand square feet so many are trying to get their plans in before that deadline.

Marina asked where that directive came from.

John stated from the Board.

Janet said that she went to Garfield County because she had gotten really behind on her recording. She said that she talked to Bev in that office and that a lot of people are buying in RVR and that they are paying cash etc.

Janet said that they have had a lot of inquiries from out of state developers.

Further discussion ensued about real estate around Colorado.

### **Commissioner Comments**

Marina said that brokers in Carbondale are going through the same thing and that rentals are sold out for the summer and that everyone wants to quarantine here.

Ken said that he really appreciates Staff's work.

Marina said that she agrees with Ken.

Michael clarified what was said at the Stein meeting. He said that he has never been a big fan of the New Urban in the Comp Plan. He said that pushing the building to the road and putting the parking off of the road with the longest stretch of highway frontage...and the building that they presented to us is what the Comp Plan prescribes. He continued explaining an example from Denver and that what you end up with is stucco and cinder block canyons and that's not Carbondale. He said that we are in a pickle here.

Michael said that if the Commission has suggestions to make this proposal better that it would be a good time to speak out, particularly when it is this big.

### **Motion to Adjourn**

A motion was made by Marina to adjourn and the meeting was adjourned at 7:50 p.m.