

MINUTES

CARBONDALE PLANNING AND ZONING COMMISSION

Thursday August 13, 2020

Commissioners Present:

Nick Miscione
Jeff Davlyn
Marina Skiles
Jade Wimberley

Staff Present:

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

Commissioners Absent:

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

Other Persons Present Virtually

Rob Cairncross
Jordan Sarick
Doug Pratte
Mavis Fitzgerald
Yancy Nichol, Engineer
Andrea Korber, Architect, 57 Village Lane
Colby Christoff
Ben Genshaft

The meeting was called to order at 7:10 p.m. by Nick Miscione.

July 16, 2020 Minutes:

The minutes were tabled, all the Commissioners present were not at the 7-16-2020 meeting.

Public Comment – Persons Present Not on the Agenda

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

VIRTUAL HEARING – Annexation, Rezoning, Major Site Plan Review, Conditional Use Permit and Vested Rights

Location: 0430 Highway 133

Applicant: Eastwood 133, LLC

Janet said that this is a public hearing to consider an application for Annexation, Rezoning, Major Site Plan Review, Conditional Use Permit, and Vested Rights. She said that the Commission is required to hold a public hearing and recommend approval

of the application or recommend denial or the Planning Commission may also continue the public hearing.

Janet said that since this is a complex project, she suggested that the Commission split the review into two hearings. She said that this is the first hearing tonight.

Janet said that she will touch on annexation and rezoning issues first. She said then the applicant can present the project and the P&Z can ask questions of the applicant.

Janet said then the public hearing should be opened for public comment. She said then the Commission would then continue the public hearing to August 27, 2020. She said that at that meeting she will go over the zoning and development standards in the UDC.

Janet said that tonight is the big picture overview to take a look at the development to see what it looks like. She said at the end if you have questions or need additional information it would be a good opportunity to let the applicants and Staff know. She said that the applicants are going to explain the details of the application.

Janet said that the property is the 2 acre parcel just north of the substation on Highway 133 across from Alpine Bank. She said that the property is currently zoned Commercial General in Garfield County.

Janet stated that the applicants would like to annex the property into the Town and rezone the parcel to the Commercial/Retail/Wholesale (CRW) zone district. She said that the applicant then proposes to develop a self-storage facility with one residential unit. She stated that the self-storage facility would include a small office for an on-site manager. She said that there would also be retail sales to include sale of packing materials.

Janet stated that the 2013 Comprehensive Plan shows that the parcel is located in the Phase 1 Potential Annexation Infill area. She said that the Town has two phases, she said that this is Phase 1. She said that Phase 1 are the areas immediately adjacent to the Town. She said that the intent of those areas is to promote infill and development of areas that already function as part of the Town. She said that it goes on to say that these are the most logical areas for annexation because infill would maintain the Town's compact footprint. She said if remember in the Comp Plan that the intent is not to sprawl but to develop inward.

Janet said that the Comp Plan talks about some of the opportunities in the Phase 1 areas and this location.

Janet said that this location is identified as being a gateway to the Town. She said that you will see in the application that landscape, artwork and trails are proposed as part of this application.

Janet stated that the Comp Plan also notes that this parcel is a logical infill location for annexation. She said that if you look on the Zoning Map that it is contiguous with the

Town. She said that the properties north of that like Red Rock Diner and the tire store it will look like they are part of Town, but they are not. She said that it provides a logical path for future annexations with the thought that those areas are ripe for redevelopment. She said that if they were to redevelop that we would rather have them develop under the Town's standards rather than the County's standards.

Janet stated that the Comp Plan includes the following Annexation Criteria.

1. Annexation should be reviewed concurrently with development proposals.

Janet said that this has been done with this application.

2. Annexation/development should promote multi-modal transportation systems.

Janet said that they are proposing a trail extending along Highway 133 from the RFTA park-and-ride to the Cowen Center crosswalk is proposed. She said what this will add to the length of continuous trail along the west side of Highway 133 from the north side of Town and extending south by RVR. In addition, a public trail is proposed along the north side of the property from Highway 133 to the mobile home park property.

3. Annexation should not adversely affect the Town's fiscal conditions.

Janet said that they submitted a Fiscal Impact Report that was submitted with the application, which is required by State statute. She said that the report finds that the proposed development will be "fiscal-positive" with a new annual surplus of \$23,180. She stated that in addition, a monthly rental fee for the storage units is proposed in order to generate additional revenue for the Town. She said that this percentage has not been figured out yet but that it will be worked through as we move to the Board because the Board is more the numbers group.

4. Annexation should not degrade public infrastructure or level of service.

Janet said that any required infrastructure to serve the development will be the responsibility of the developer. She said that in addition, either water rights or fees in lieu of water rights will be required.

5. Annexation/development should include at least one of these assets:

a. Public trails, priority public open space, or public parks, all exceeding the minimum requirements of the code.

b. Affordable housing exceeding the minimum requirements of the code.

c. Agricultural land conservation

Janet said that construction of two public trails is proposed as part of the application.

6. Development should avoid geologic hazards.

Janet said that there are no geologic hazards associated with the property.

She said that the Future Land Use map designates the property as Auto-Urban. The elements of Auto-Urban are:

- Auto oriented but pedestrian/bike friendly.
- That buildings set back, emphasizing landscaping and parking in the front.
- Buildings can be up to 3 stories tall.
- Interesting varied façade.
- Building facades and roofline should be broken up to avoid monotony and box-like structures. Facades should have three-dimensional architectural elements.
- Flexible mix of commercial uses that may include residential upstairs.

Janet said that during the development of the 2013 Comprehensive Plan, it had always been envisioned that the CRW zone district would be the most appropriate zoning for the Auto Urban area.

Janet said that she touched on some of the annexation issues in the Staff report including the need for a traffic impact study, potential need for improvements to the highway, Access Control Plan, Fiscal Impact Report and Water Rights. She said that these are a work in progress and that she will flesh those out as we proceed in this process.

Janet said that some of the points of discussion for this meeting may include the following:

- Is it appropriate to annex this property into the Town?
- Is the CRW zone district appropriate?
- What additional considerations need to be included to ensure the development meets the annexation criteria in the 2013 Comprehensive Plan?

Janet said that it is kind of over-arching and that she is not going into the nitty gritty of the setbacks, the building height, how many street trees there are. She said that she was thinking tonight of basically taking it out of the box and having the applicants present it to see what's on the table and then move into the details at the next meeting.

Marina thanked Janet for her Staff report and said that it was very helpful. She asked for clarification of the reason for annexation.

Janet said that they get utilities. She said that the County knows that this is in our annexation areas so when property owners that are within our Phase 1 areas go to the County to develop, the County encourages them to contact the Town. She said that the County zoning is Commercial General. She said it would be interesting to see what they could do under the County zoning verses the Town zoning of CRW. She said that she doubts that the County has the development standards that we do in our UDC.

Doug Pratte introduced himself and said that he is the Planner working on the application with Rob Cairncross and Jordan Sarick.

Doug began with his presentation showing the street view and he introduced the owners.

Rob Cairncross, one of the owners, gave his history in the valley. He said that we feel we have come up with a creative solution for this parcel. He introduced the team.

- Architect, Andi Korber/Land+Shelter
- Engineers, Yancy Nichol and Colby Christoff/Sopris Engineering, LLC
- Public Outreach, Mavis Fitzgerald/Project Resource Studio

Mavis gave an overview of the public outreach including the noticing in both English and Spanish.

Doug outlined the following in his presentation.

- Community meetings and outreach.
- Eastwood 133 Self-Storage Site on the Zoning Map.
- Annexation Plat.
- Zoning Map showing surrounding parcels with labeling.
- State Highway 133 Access Control Plan showing the shared access with the property to the north.
- Town of Carbondale Bike and Pedestrian Corridors, highlighting the connections.
- Site Plan showing paths along the highway and on the north side to the mobile home park and the shared access, explaining the right in and right out and a low traffic generator.

Andi outlined her architectural presentation.

- Drivers experience from the highway both north and south.
- Site plan showing three buildings and their heights.
- Highway view with art walk paths, art walk mural, one story building and two story building.
- Screening wall at east and south.
- Integrated Art with murals and sculptures with locations of bump outs.
- Overall public art in Carbondale and how it fits in.
- The view at night of the entrance to Carbondale, lighting the murals.

- Pedestrian experience east/west and north/south.
- Storefront entrance with parking.
- Northwest corner location of apartment.
- Storage areas with entrance and exit.
- Elevations with durable materials.
- Energy program and solar array.
- Elevations compliance showing articulation, glazing, scale and mass.

Doug gave an overview and next steps of the project.

Commissioner Comments

Marina commended the team for their time and efforts to the entrance to the Town with the focus on art. She asked what the free standing walls were made of.

Andi explained that it is a retaining wall to keep the storage yard flat made of block at the base of the art walls. She explained that the art would be facing the highway and that the wall would wrap around toward the substation.

Marina asked about the sculptures and if they would be part of all the Carbondale sculptures.

Andi explained that these sculptures might lend themselves to a permanent location on this site but that it hasn't been decided. She said that they do have a commitment that Carbondale Arts would like to manage it and that we have created a source for funding for both installation and maintenance.

Jeff agreed with Marina and said that it was a very impressive effort. He said that he appreciates all the outreach that has been done. He asked about the shared access and will it be modified in there is a redevelopment.

Dough explained that when the parcel to the north is redeveloped that it would trigger the shared access coordinating with CDOT with a legal easement provided on the plat.

Yancy Nichol explained that the site plan has been laid out so that the development could work with the access to the highway. He said that they will obtain the access permit as this project moves forward.

Jeff said that he is curious about the trail development on the Highway 133 easement and the timeline of its completion.

Yancy said that we will obtain a special use permit from CDOT for the trail and landscaping to be done in one phase. He said that they will give an extension of time for a project of this size. He said that the trail will probably be deeded over to the Town so the Town will actually be the one that obtains the permit, which will allow the Town to own and maintain the trail.

Nick asked for clarification of the standards for the trail.

Doug explained that we will be working through this with next steps forward and that we have designed the trail to meet the standards of the Town.

Jeff said that there have been transportation improvement fees required for other annexations in the past and how would that work with this project.

Janet said that she wanted to put this on the table and that typically we get a traffic impact study that lets us know if any highway improvements are required. She said it would include traffic counts, which could trigger improvements to the highway. She said that the future round-about will be discussed and if there will be costs required to help pay for it. She said that its not a set formula for every development. She said that it is an unknown right now. She said that with Thompson Park that highway improvements were required, which the developer paid for.

Janet asked who will be responsible for painting and maintaining the murals?

Doug explained that what has been discussed is some sort of rental fee as a funding source and a portion of that to be used for maintaining the murals as well as painting. He said that we have not identified how much that fee is that we anticipate that with the Town and the Arts District that there is an opportunity to work in that regard to have some funding for maintenance.

Marina asked if the fee would be added on to the monthly rental of each storage unit.

Doug said that it could be a portion of that fee. He said that we haven't established how much that fee is.

Marina asked if would be for the sculptures too.

Doug replied yes.

Janet asked Andi who maintains the De Rail Park.

Marina said that it is volunteer based because she weeds it regularly. She said that Carbondale Arts maintains it.

Marina said that she doesn't want a town full of self-storage units. She asked if this is going to take the place of units being demoed on Colorado Avenue.

Janet said the other application is still in the rezoning process at the Board level.

Marina said this could be in addition to the other storage units.

Janet replied yes.

Marina asked the Commission if this was worth discussing?

Janet said that at the last Board meeting on Tuesday night that they have been working through some of the design and some of the issues with the Mixed-Use zone district. She said that they directed Staff to create an Ordinance of approval to rezone the property to Mixed-Use and C/T. She said that if it gets approved the project would go back through a Major Site Plan Review.

Nick asked if the Board approved the zone split.

Janet said that they are not quite done with it and that there is an Ordinance going before them on August 25th. She said that they would then go back and work on the Major Stie Plan Review for the mixed-use building up in front and the storage building.

Nick asked about the path of travel on the north side of the lot and that it does pass through the mobile home park. He asked if that was for vehicular access, pedestrians, or bicycles.

Doug said that it would be gated emergency access so if for some reason vehicles needed to get out of this parcel that they have an alternative way out. He said that it won't become a thoroughfare. He said that the mobile home park would be granted use for an emergency as well. He said that it would not be used as traffic flow through by the public or the users of this facility.

Rob stated that the mobile home park did change owners recently and that they have been working to get in touch with the representative at this corporation in Irvine, California to explain what we are proposing.

Nick asked how the access would be controlled?

Doug said that it would have a gate with a Knox box or control mechanism.

Public Comments

There were no members of the public to comment.

The public comment portion of the meeting was left open for the next meeting.

Janet asked the Commission if there was anything else that they needed to make their decision. She said that it was a thorough application.

Marina said that Janet and the applicant went above and beyond with the packet.

Motion

Marina made a motion to continue the public hearing to August 27, 2020. Jeff seconded the motion and it was approved unanimously.

Marina applauded the applicants to contributing to the vision of Carbondale.

Re-appointments for Planning Commission

Marina made a motion to reappoint Michael Durant and Jay Engstrom as regular voting members of the Planning and Zoning Commission. Jeff seconded the motion and they were recommended unanimously.

Janet said that it was nice to have Jade back after her summer of study.

Staff Update

Janet said that she got to go in the new City Market and that it is beautiful inside. She said that it looks better than everything that was shown at the public hearings. She said that they are already stocking shelves. She said that this store will be the district headquarters for the valley. She said that hopefully people will shop here instead of going to El Jebel and therefore eliminated the sales tax leakage in town.

There was discussion about traffic flow around City Market and the fueling station exit.

Janet said that City Market is shooting for opening at the end of August.

Janet said that building plans are still coming in and it isn't slowing down.

Further discussion ensued about the real estate market in the valley.

John shared his screen showing the fire map and explained the location of the fires. He explained how to sign up for the reverse 911.

John commended Nick for his job chairing the CHPC hearing regarding the demoing of the telegraph building at 234 Main Street.

There was further discussion regarding the CHPC hearing and other historic properties throughout Carbondale and their success stories.

Commissioner Comments

Marina commended Nick for his volunteering on two commissions.

Jeff said that this was his daughter Mala's second P&Z meeting and the first one was four years ago when she was an infant in Town Hall.

Motion to Adjourn

A motion was made by Jeff to adjourn. Marina seconded the motion and the meeting was adjourned at 9:04 p.m.