

**MINUTES  
CARBONDALE BOARD OF TRUSTEES  
REGULAR MEETING  
FEBRUARY 9, 2021  
VIRTUAL MEETING VIA ZOOM**

Mayor Dan Richardson called the Board of Trustees virtual Regular Meeting to order on February 9, 2021, at 6:00 p.m.

**STUDENT OF THE MONTH**

Dylan Forbes, a student from Ross Montessori School, was in attendance (via Zoom) to receive the "Student of the Month" award. Montessori student Elsa Skagen, who was not present for the meeting, also received a Student of the Month Award.

**ROLL CALL:**

The following members were present for roll call:

Mayor	Dan Richardson
Trustees	Marty Silverstein
	Lani Kitching
	Heather Henry
	Luis Yllanes
	Erica Sparhawk
	Ben Bohmfalk

Staff Present:

Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Finance Director	Renae Gustine
Town Attorney	Mark Hamilton
Planning Director	Janet Buck

**CONSENT AGENDA**

- Accounts Payable totaling \$400,830.36
- BOT 1-19-2021 Work Session Minutes
- BOT 1-26-2021 Regular Meeting Minutes
- Red Hill Animal Hospital Contract
- Recommendation for Appointment and Reappointment – Tree Board
- Liquor License Renewal - WineTime
- Liquor License Renewal – Peppinos
- Dump Truck Purchase

- Roller Purchase

Trustee Bohmfalk made a motion to approve the Consent Agenda. Trustee Sparhawk seconded the motion and it passed with:

*7 yes votes: Richardson, Henry, Yllanes, Silverstein, Kitching, Sparhawk, Bohmfalk*

### **PERSONS PRESENT NOT ON THE AGENDA**

There was no one present who wished to address the Board.

### **TREE BOARD RECOGNITION OF SERVICE**

Mayor Richardson recognized Gabe Riley for 8 years of service, and Kim Bock for 7 years of service to the Carbondale Tree Board.

### **TRUSTEE COMMENTS**

Trustee Bohmfalk informed the Board that he and Trustee Kitching attended the Coventure Board meeting. Trustee Kitching is considering replacing Trustee Bohmfalk as the Trustee Liaison. Coventure continues to pivot as things change due to COVID-19. They are a valuable resource to entrepreneurs and start up companies. They also help create local jobs and prepare people for business pitches. Recently a local who was coached by Coventure appeared on Shark Tank and he secured \$300,000 in funding.

Trustee Bohmfalk stated that he did not attend the Bike/Pedestrian/Trails Commission meeting. At the March meeting they will be receiving a recommendation for the 8<sup>th</sup> Street project. The decision will be based on whether citizens find parking or narrowing the street more important.

Trustee Yllanes stated he is disappointed that two Garfield County elected officials spoke at the Freedom Rally. It's sad and dangerous to base opinions off of conspiracy theories rather than facts. He noted that COVID-19 is affecting minorities at a higher rate.

Mayor Richardson told the Board that he attended the COVID-19 Task Force meeting last week. The Task Force is pretty much dormant but one member is helping seniors navigate the vaccine system. In Garfield County 70% of people aged 70 and over have been vaccinated. People are concerned about the COVID variants coming to the valley.

Mayor Richardson stated that he had a meeting with Anna Cole and Rob Stein of the Roaring Fork School District (RFSD) where they prepared for the upcoming discussion on tobacco tax spending. Stepping Stones, Mountain Family Health, Youth Zone and the RFSD have agreed to attend the BOT February 16<sup>th</sup> Work Session.

Trustee Kitching stated that she is actively involved with COVID-19 testing and she has noticed a steady decline in testing now that the vaccine is available. She said testing can help prevent a serious episode (spread). She cautioned that COVID variants are coming into the valley and she urged people to be diligent and get tested.

Mayor Richardson stated that he attended the Freedom Rally. The organizers made a real effort to be respectful and made a dedicated effort to hear from both sides. However, he echoes Trustee Yllanes' sentiments on the elected officials attending the rally.

### **ATTORNEY'S COMMENTS**

The attorney did not have any comments.

### **PUBLIC HEARING – NEW LIQUOR LICENSE APPLICATION – MING'S CAFE**

Applicant: Skylar Zhang, LLC  
Address: 901 Highway 133 #F

Staff explained that Ming's Café would like to relocate to the Carbondale Marketplace. Currently they have a wine and beer license; they are applying for a new Hotel/Restaurant license.

Mayor Richardson opened the public hearing. There was no one present who wished to address the Board so Mayor Richardson closed the public hearing.

Jay stated that Dillon Companies has filed a lawsuit against the Town challenging the recent ordinance changing the distance to school requirements. However, the ordinance is still in effect and it is legal, so staff stated there is no reason not to proceed with the application process.

Trustee Sparhawk made a motion to approve Ming's Café's new Hotel/Restaurant Liquor License Application. Trustee Silverstein seconded the motion and it passed with:

*7 yes votes: Kitching, Bohmfalk, Henry, Silverstein, Sparhawk, Yllanes, Richardson*

### **PUBLIC HEARING – MAJOR SITE PLAN REVIEW, SUBDIVISION EXEMPTION, CONDITIONAL USE PERMIT**

Applicant: Carbondale Center Place, LLC  
Location: 900-958 Highway 133 and 1201 Colorado Avenue (Sopris Shopping Center & Sopris Self-Storage)

Janet gave an overview of the project. Key points included:

The Planning Commission considered this application and unanimously recommended approval.

The property is a 4.16 acre parcel. The Sopris Shopping Center and Sopris Self Storage facility are located on the property.

In July of 2020, the Town approved an application to rezone the west side of the parcel to Mixed-Use and to rezone the east side to C/T.

The proposal is to demolish the Shopping Center and replace it with a mixed-use building with 76 residential units and 10,370 sq. ft. of commercial space. The units would be rentals; 15 would be deed restricted as affordable housing units.

The three existing self-storage buildings would remain on the east side of the site and a new self-storage building would be constructed just to the west of those buildings.

The application includes a request to subdivide the parcel into two lots.

Lot 1 (westerly lot) – 1.998 acres

Lot 2 (easterly lot) – 2.153 acres

The size and dimensions of the lots are in compliance with the UDC.

While this is one application for Major Site Plan Review, there would be two separate lots with two very different developments on each lot. The Staff report first addressed the mixed-use development and then the self-storage development.

The applicants have presentations on each development proposal.

### **MIXED-USE BUILDINGS**

The mixed-use buildings meet the Residential and Commercial Design Standards. The roofline and buildings provide a lot of movement and interest as required by the Code. The use of windows opens up the building to the commercial and residential activity and creates pedestrian interest. Staff believes the two buildings work well with the design of 1201 Main.

A massing study was included in the application. It shows that the new proposal reduces the mass and scale, so it is more in line with buildings in that area. Each building along the highway has portions of the building within the 10 ft. setback but not the entire length of each building so that it is less imposing. This is an outcome of the discussions during the rezoning process.

The two common open space areas are located next to the buildings and are usable.

There are several requests for alternative compliance.

The UDC requires a 10 ft. wide landscape strip along Highway 133. There is a conflict between the setback and the required 10 ft. landscape strip.

The other is the 5 ft. wide landscape area required between the parking lot and the rear lot line. The proposal is for a landscape strip that ranges from 2.4 ft. and 4.3 ft.

### **SELF-STORAGE LOT**

The façade of the self-storage building facing Colorado Avenue includes the required entryway and large display windows. The portion of the east façade, which can be seen over the existing self-storage units, has a varied roofline and creates a pattern with the use of materials and building articulation. Living walls, a variety of materials and a mural have been incorporated into the west building façade.

There is a request for alternative compliance for this lot. The UDC requires 20% of landscape area or 18,754 sq. ft. 13,090 sq. ft. is being provided.

The application explains that landscaping inside the fence wouldn't be beneficial as customers don't spend a lot of time at the site.

Overall, staff agrees that focusing the landscape in the front area is more effective than including it in the interior of the storage facility. Also, the required front yard setback is 5 ft. This building is set back 18 ft. This provides space for a larger landscape area to be established along Colorado Avenue.

Staff sent the application out to referral agencies including Public Works, Utilities, and CDOT. There were no significant comments.

Overall, the proposed development is in compliance with the UDC. Staff recommends approval of the application with the conditions and findings in the staff report.

Four letters were submitted after the packet was put together. They were forwarded to the Board and the development team and entered into the record.

Discussion ensued.

Trustee Bohmfalk stated that he was surprised that the Planning & Zoning Commission (P&Z) didn't have more discussion on the details. Janet responded that P&Z agreed that it met the zoning and development standards. They discussed the open space, and the building design. The Major Site Plan discussion focused on the building's design. P&Z liked the southerly building facing Colorado Ave. and they asked the developer to wrap the façade around the building. The building is very visible and P&Z was concerned about a 3 story metal wall along Highway 133 so there was a large design change. P&Z also addressed vehicles driving quickly through the driveway –

they wanted some traffic calming features added. Trustee Bohmfalk asked if P&Z talked about the entrance to the buildings? He noted that the Comprehensive Plan talks about entrances not fronting alleys or parking areas. Janet answered the P&Z did not have a discussion on the entrances.

Planner Mark Chain, representing the developer made the following points:

- Twenty five percent of the property is open space
- They are trying to retain small retail (commercial) spaces
- The property timeline was addressed – they anticipate demolishing the buildings April-May; start construction of the storage facility in summer-fall; begin construction of the mixed used building in the fall or early 2022
- Colorado Avenue will be safer and will look better
- Public outreach consisted of approximately 70 discussions – mostly one-on-one with property owners, they also did a Chamber presentation
- The Applicant accepts the Conditions of Approval, however, they requested that they be allowed to complete the public infrastructure in 18 months rather than in 12 months

Architects Michael Noda and Daniel Wilde of Neo Studio presented 3-D renderings of the property. They noted that the affordable housing component is integrated within the mixed-use units. The property is designed for people to live, work and play on site.

Engineer Yancy Nichol stated that he did a traffic study and concluded that the project will reduce traffic trips.

They are trying to make the mixed use buildings as energy sensitive as possible. They are providing a renewable energy source for heating and cooling. They will also be installing electric vehicle charging stations.

Architect Joe Davidson described the self-storage building. It will be a three-story climate-controlled building. There will 342 units. The building is designed to soften the mass with a mercantile look. It is a long, narrow building so they are using a variety of different materials on the façade. The building will also have a mural facing the courtyard. They will also have green walls to extend the landscaping. The building will be electric, as energy efficient as possible, and will include PV panels, and LED lighting.

Mayor Richardson thanked the Applicant and design team for listening to P&Z and for being responsive to their comments. The building looks nice and he appreciates their efforts.

Trustee Sparhawk asked how do you leave the property to go south? Yancy answered that you head out to Colorado Ave., to 8<sup>th</sup> Street or you can go to Highway 133 and turn at City Market. Mayor Richardson stated that it is asking a lot of drivers and will put

more traffic on the roundabout. Yancy reiterated that the project will produce less traffic and the highway will be safer.

Trustee Sparhawk stated that the amount of commercial space has been reduced from 30,000 sq. ft. to 10,000 sq. ft. and she asked the applicant how they arrived at that number. The applicant stated that it's what works for the site design and what they feel they can fill.

Trustee Sparhawk asked is there a reason that the storage facility cannot have commercial in front so you bring retail space to Colorado avenue? Joe Davidson answered that it would bring another "twist" to figuring out parking and it's not desirable. Dr. Stein added that there is not a lot of square footage facing Colorado Ave. but they will have an office there.

Trustee Henry asked how the property will be serviced (deliveries, trash, etc.) The applicant stated that there are two screened trash enclosures and a loading zone.

Mayor Richardson stated that he believes the project expedites the need for a second roundabout given the right-in/right-out. Yancy responded that all of the new developments on Highway 133 are operating with limited access. He agreed that all of the buildings would function better with a second roundabout. Mayor Richardson stated that the project complicates traffic.

Mayor Richardson asked if it is critical to heat/cool the storage units. Dr. Stein answered that yes, climate control is an important factor. He added that the building will not use a lot of energy. Mayor Richardson asked the applicant if they would agree to a condition making the building net zero. Dr. Stein responded that he would like some leeway.

Trustee Yllanes asked what will the construction impact be on the bike path? Yancy responded that there will be very little impact.

Trustee Yllanes asked if the efficiencies will have an occupancy limit. Yes, they will be limited to two people.

Trustee Bohmfalk commented that it would be great to have a commitment to build net zero buildings – it is the environmental core value of the Town. The huge roof tops would be prime for solar panels. He asked what is the formal agreement about their energy commitment? Are they building anything above and beyond Code for energy sustainability? Janet answered that we can consolidate all of the energy specifications stated in the application in one area. Trustee Bohmfalk asked if they have electric vehicle chargers in their site plan?

Trustee Bohmfalk stated that the Board needs to have a discussion on a second roundabout. He asked what triggers a contribution to finance a new roundabout?

Trustee Bohmfalk stated that he wants to see front doors accessible from somewhere other than the parking area.

Mayor Richardson opened the public hearing.

Frosty Merriott stated that the project will result in a roundabout being needed sooner and they should make a contribution. He would like the development to build more affordable housing – 20% is not enough. He asked what is the rental pricing? He believes that commercial should trigger affordable housing as well. He stated that the Trustees should consider the project's water usage. Garfield County denied a climate controlled self-storage facility at Cattle Creek. He added that there is no reason that the storage facility shouldn't be net zero.

Patrick Hunter made the following comments about the project: it fails to be in line with the Carbondale Climate and Action Plan, it will add to the growing traffic congestion, three stories are too tall for a building right on the edge of Highway 133, the building is set too close to the edge of Highway 133, residential units on the edge of Highway 133 will be unhealthy due to auto pollution, big city-style buildings are inappropriate for the entrance to Carbondale, these kinds of big buildings are visually overbearing for highway travelers, Carbondale will lose sales tax revenue, residential buildings increase the tax expense for Carbondale, existing water supplies and waste water treatment facilities are already stretched, Carbondale's air quality is already worsening, more development of this kind means reduced quality of life for Carbondale people, this building flies in the face of the Carbondale Comprehensive Plan's main goal of preserving the "small town character" and finally this building offers no benefit to the Town of Carbondale.

Summer Scott stated that it is important to look at the big picture. The affordable housing units are table scraps. Approving this project says we don't recognize the issues facing the community (social inequality). We need to protect the environment – the Trustees should put the breaks on this development. The developer didn't meet with the Environmental Board.

Joseph King said he supports the project – there is a need for housing. Any delay will increase the demand for housing. Rental units are important, they put the working class in housing.

David Eisenson, stated that he is working to lease commercial space at 1201 Main Street. He has experience working with the developer. He supports the project. They are conscientious developers and they are not absentee landlords. He has looked for commercial space all over the valley. Carbondale's commercial is old and lacking. The proposed project spaces are designed for community engagement. We need housing for people who live and work here.



Will Hodges stated that he supports a carbon neutral project. He asked the Board to keep the Climate Action Plan in mind. Highway 133 is congested. He like the idea of having more density downtown.

Mayor Richardson closed the public comment portion of the public hearing.

Mayor Richardson stated that this is a great project – they have been very responsive the P&Z's and Trustee's comments. The project is well thought out. He believes that it will benefit Carbondale. The transit-oriented design is beneficial. He is however, concerned about the external impact (traffic and pollution). He wrestles with the idea that we may need a roundabout sooner. Mayor Richardson said net zero is important to Carbondale. He hasn't heard that net zero is a priority for the developers. He said in order to support the project he needs a commitment that they will be net zero.

Trustee Silverstein stated that the affordable housing is very important – it's a key component of the project. Currently studios cost \$1,100 - \$1,500 per month. This project's efficiencies are priced at \$900 - \$1,000 per month. Carbon neutrality is an excellent goal. There will be less vehicle usage due to the project's location. He would like to make electric vehicle charging stations a requirement for the project. He noted that people want climate controlled storage units. He agrees that the developers have been very accommodating with our requests.

Trustee Henry noted that the evolution of the design has changed as a result of the applicant listening to the community. She believes that the project will be a tremendous benefit to the community. The project is exactly what the Comprehensive Plan and Unified Development Code identify should go there – it's in the new urban area. Trustee Henry believes this type of housing is a community benefit. However, she stated that she struggles with the reduction in commercial space. She stated that she believes there is no reason the self-storage can't be net zero. She would like electric vehicle charging stations to be installed, but if not, she requested they install the infrastructure for the future.

Trustee Kitching stated she agrees with the net zero requirement but she would like it to focus on the entire complex. She believes it's beneficial to put in the conduit for car charging stations and broadband. She stated that the structures are appealing and the applicant did a good job amending the project; she likes the additional setback.

Trustee Bohmfalk stated that he agrees with everything that has been said. He commended the development team for the design. He stated that in the future he would like the Board to have a discussion on the roundabout, traffic patterns, sustainability, and ways to approach Town "asks" when dealing with Conditional Use Permits. He suggested that the application have a formal energy commitment.

Trustee Yllanes said the project is very close to a responsible development but he does have a concern with the sustainability. He would support the project with additional conditions.

Trustee Sparhawk agrees that it would be easy for the storage facility to achieve net zero, but it would be harder for the multi-use buildings to do so. This project is exactly what the Comprehensive Plan says where to build this type of housing, and we need this type of housing

Dr. Stein stated that he doesn't have the technical information for net zero but he doesn't think to will be a big cost, nor is it a big deal.

The multi-use applicant stated that he hired three consultants to try and figure out how to achieve net zero. They don't think they can achieve net zero and keep the housing affordable. They would be willing to commit to an efficient building, but not a net zero building. They believe they can install 2-4 car charging stations.

Trustee Bohmfalk made a motion to: approve the Major Site Plan Review, the Conditional Use Permit for ground floor residential and the self-storage facility, Alternative Compliance from Section 5.4 Landscaping and Screening and Subdivision Exemption with the recommended condition and findings in the staff report, and the following two additional conditions: the storage facility will be a net zero building and the mixed use property will provide four electric vehicle charging stations, and directed staff to bring back approval documents for the Board's Consideration. Trustee Silverstein seconded the motion and it passed with:

*6 yes votes: Sparhawk, Henry, Yllanes, Kitching, Silverstein, Bohmfalk  
1 no vote: Richardson*

### **COMMUNICATION SERVICES CONTRACT**

Jay explained that the Town issued a Request for Proposal for communication services. The Town received two responses and they both had different approaches. Interviews were conducted and staff is recommending PR Studio receive the contract. They are within budget and meet the scope of work requisites. The Town would like to strengthen its Spanish outreach and it is under discussion.

Discussion ensued.

Trustee Bohmfalk asked if PR will look at communication practices and look at practices to institutionalize? Jay responded yes, they will look at our needs, platforms (how we organize our YouTube channel), update the Communication Plan, etc.

PR Studio Principal Kathleen Wanatowicz stated that their goal is to provide a sustainable platform and plans and integrate with town staff. If a Spanish speaker is required they will need to hire an additional consultant.

Mayor Richardson asked if PR can implement some of the strategic plans that Manifest listed. Kathleen stated that strategic plan need to adapt – they will look at what's working and what isn't.

Trustee Sparhawk made a motion to approve the Professional Services Contract with PR Studio dated February 9, 2021. Trustee Yllanes seconded the motion and it passed with:

*7 yes votes: Silverstein, Richardson, Henry, Bohmfalk, Kitching, Yllanes, Sparhawk*

### **MISCELLANEOUS**

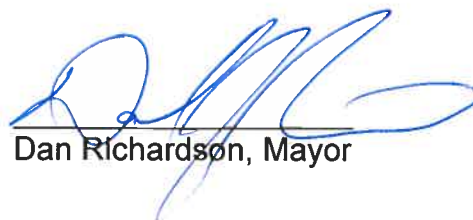
Mayor Richardson suggested that the Board make net zero a priority in the Comprehensive Plan update and in the Code revisions.

Also, he told the Board that a new roundabout will be needed sooner than we think and we should keep that in mind. Trustee Henry responded that the key factor to building a roundabout is data.

### **ADJOURNMENT**

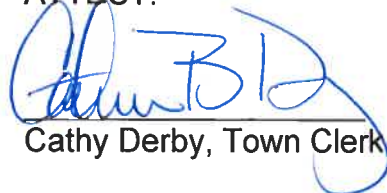
The February 9, 2021 regular meeting adjourned at 9:16 p.m. The next regularly scheduled meeting will be held virtually on February 23, 2021, at 6:00 p.m.

APPROVED AND ACCEPTED



Dan Richardson, Mayor

ATTEST:



Cathy Derby, Town Clerk

