

**MINUTES
CARBONDALE BOARD OF TRUSTEES
REGULAR MEETING
JULY 14, 2020
VIRTUAL MEETING VIA ZOOM**

Mayor Dan Richardson called the Board of Trustees virtual Regular Meeting to order on July 14, 2020, at 6:00 p.m.

ROLL CALL:

The following members were present for roll call:

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

Staff Present:

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

COMMUNITY HERO AWARD

Mayor Richardson presented the Community Hero Award to Patrice Fuller for her role in raising funds for student lunch debt.

CONSENT AGENDA

- Accounts Payable totaling \$358,667.67
- Board of Trustees 6-16-2020 Joint Work Session Minutes
- BOT 6-16-2020 Work Session Minutes
- BOT 6-23-2020 Regular Meeting Minutes
- Recommendation for Appointment – Environmental Board
- Liquor License Renewal – Mings
- Amendment No. 2 to the Professional Services Agreement for the Crystal River Restoration Project

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

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

PERSONS PRESENT NOT ON THE AGENDA

John Hoffmann, Niki Denton, Judith Blanchard and Laurie Loeb expressed their concern about the possibility of lack of social distancing and mask wearing during Mountain Fair. They asked the Board to consider amending the mask ordinance to require people to wear masks outside in downtown Carbondale during Mountain Fair Weekend.

The Board agreed that they did not want to amend the mask ordinance. However, they encouraged everyone to wear masks while attending Mountain Fair events.

TRUSTEE COMMENTS

Trustee Sparhawk stated that she attended the Chamber Board meeting. She said that members expressed their appreciation for the Town's efforts in helping Main Street restaurants and businesses reach a consensus on restaurants moving table on to Main Street during the pandemic. Andrea Stewart showed everyone the new button for sale. They also discussed how they are going to hold the Confluence business meeting this year.

Trustee Bohmfalk stated that he attended the Bike/Pedestrian/Trails (B/P/T) Commission meeting. They discussed the 8th Street project. The consultant is reviewing the 200 surveys they received and they will be moving forward. Trustee Henry noted that the survey has not closed so people can still offer their opinions. They also discussed the concern that many of the senior population don't feel safe on the Rio Grande Trail. Trustee Bohmfalk stated that three seats are open on the B/P/T - it's a very diverse group. Finally, they discussed the Wheel Circle easement.

Trustee Bohmfalk stated that he would like to have a future discussion on how we can enhance access to the rivers.

Trustee Bohmfalk stated that he attended the RFTA Board meeting. RFTA is approaching the limit of their capacity which they have never experienced before. They have a limit of 15 people per bus and soon they will be incapable of picking everyone up. Trustee Bohmfalk also attended the GCE Board meeting. GCE is working with a GIS company to provide information on the feasibility of solar development on property in Garfield County.

Trustee Yllanes stated that he attended the Parks and Recreation Commission meeting. They discussed the Crystal River Restoration project and the 2021 GOCO grant calendar. Trustee Yllanes thanked Gavin Dahl for his amazing leadership at KDNK, and wished him well at his new job in Montrose. Trustee Yllanes stated that if schools are to open in the fall it will be a necessity to wear masks. He would like Garfield County to pass an ordinance requiring masks be worn inside public buildings.

Mayor Richardson stated that he attended the Mayors meeting where he asked Commissioner Sampson to consider passing a mask ordinance.

Trustee Silverstein stated that he also wishes Gavin Dahl luck at his new job; he was a valuable member of the community. Trustee Silverstein stated he too supports a county-wide mask ordinance.

Mayor Richardson congratulated Megan Jensen of Dance Initiative for a very creative performance which complied with the mask ordinance. Mayor Richardson stated that he attended the COVID-19 Task Force meeting. They discussed adaptation on setting the new normal. They also discussed how do we help businesses adapt during the pandemic. He noted that Garfield County has seen a steady rise in cases. Garfield, Eagle and Pitkin County are collaborating on contact tracing.

Mayor Richardson expressed his condolences on the passing of Roz Turnbull.

ATTORNEY COMMENTS

Mark stated that the Ruedi Water and Power authority is updating their bylaws and he has been asked to review the changes.

PUBLIC HEARING – SELF STORAGE PARKING – AMENDMENT TO THE UNIFIED DEVELOPMENT CODE

Janet explained that in February, the Planning Commission received a letter from Loge Properties requesting that the Commission consider initiating a zone text amendment to off-street parking requirements for the "Self-Storage Facilities."

The Commission discussed this at several meetings, looked at a number of scenarios, and agreed that the current parking requirements are excessive.

On June 11th, the Planning Commission held a public hearing to consider the amendments to the UDC. The Commission went through three scenarios, one of which was based on whether the storage units were internal or external. The Commission also discussed whether to base the parking requirements on square footage of a building vs. number of units. The Planning Commission recommended that the Off-Street Parking Requirements be:

3 spaces plus 1 per every 100 units (regardless of internal or external)

Parking Required for Scenario under Proposed Parking Requirements

700 units divided by 100 = 7 spaces plus 3 = 10 spaces

Janet stated that staff would recommend that the Board accept the Planning Commission's recommendation and direct staff to bring back an ordinance for approval at a future meeting.

Trustee Henry asked about a scenario where a self-storage business is selling supplies. How would the parking for an auxiliary combined use business be calculated? Janet answered that none of the examples had parking spaces for retail.

Mayor Richardson opened the meeting to public comment. No one present (via Zoom) wished to address the Board so Mayor Richardson closed the public hearing.

Trustee Silverstein made a motion to direct staff to bring back an ordinance for approval at a future meeting. Trustee Yllanes seconded the motion and it passed with:

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

PUBLIC HEARING – GENERAL REZONING

Applicant: Carbondale Center Place, LLC

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

Daniel Wilde and Michael Noda of Neo Studio, and Planner Mark Chain, all representing the applicant, and applicant Riley Soderquist, were in attendance at the Zoom meeting.

Janet explained that the Planning Commission reviewed this application at its June 11, 2020 meeting. At the meeting, the Planning Commission recommended approval of the rezoning

Janet described the property which is a little over four acres on the corner of 133 and Colorado Ave.. The Sopris Shopping Center is on the west side of the lot and the Sopris Self Storage facility is on the east side of the lot.

This parcel is currently split by a zone district boundary. There is no property line associated with the zone district boundary. The property on the west side of the zone district boundary line is zoned Planned Community Commercial (PC). The portion of the property on the east of the zone district boundary line is zoned Stein Planned Unit Development (PUD).

The request is to rezone the west side of the lot to the Mixed-Use (MU) zone district and to rezone the east side of the lot to the Commercial/Transitional (C/T) zone district.

If the rezoning is approved, a subdivision plat would be submitted to the Town for review and approval to split the lot along the new zone district boundary into two lots.

The applicant would also submit a Major Site Plan Review application. At that time, the details of the site and building design would be reviewed by the Planning Commission and the Board.

A conceptual site plan has been included in the application. The proposal is to demolish the Sopris Shopping Center and replace it with a mixed-use building and

construct a new self-storage building on the east side of the lot. The existing mini-storage buildings would remain.

Janet suggested that the Board take this opportunity to offer feedback on the conceptual site plan so the applicant may take any comments into consideration when preparing the Major Site Plan Review submittal.

Janet stated that staff is supportive of the rezoning application. The 2013 Comprehensive Plan designates this property as New Urban.

The UDC encourages rezoning properties that are currently zoned Planned Community Commercial because it is an obsolete zone district. In addition, it is the Town's policy to eliminate PUDs. This rezoning achieves both those goals.

Staff and the Planning Commission expressed concerned about a few items in the conceptual design of the mixed use building as it relates to the future Major Site Plan Review including:

- The length of the building.
- The location and design of the common open space.
- The appearance of the residential units on the ground floor between the two commercial spaces. Janet asked if there would be a way to create a more commercial appearance even if the use remains residential.
- The number of sidewalks connecting to the Highway 133 trail.

Janet described the self-storage building. The façade facing Colorado Avenue presents a historic mercantile style building. With the landscaped area in front, it is a very attractive building. The portion of the east façade which can be seen over the existing self-storage units has a varied roofline and continues the window pattern.

Janet recommends approval of the rezoning. If the Board is inclined to approve the rezoning, the Board should direct staff to come back with an ordinance of approval.

The applicants have one concern about the Conditions of Approval, specifically #2. This has to do with the timing of when the zoning becomes effective.

Discussion ensued.

The Board made the following comments and/or asked the following questions:

- The reduction of parking is great
- It makes sense to change the zoning.
- Did the applicant do any outreach to the businesses located in the area. They responded that they met with most of the neighboring property owners and were given good feedback.

- How will the building's glass meet the Energy Code requirements?
- The Board would like more housing (unit) diversity.
- The general façade, length and repetition is a concern.
- This is the type of design you normally wouldn't see in Carbondale.
- The applicant needs a vision for the open space, it's not leftover space – it's important. The Town is losing 20,000 sq. ft. of commercial space on one property.
- This would be neighborhood commercial that we are losing.
- How do we prevent Sopris Shopping Center from being razed and only the storage facility is built?
- The Board appreciates getting rid of the PUD.
- The project design doesn't look like it fits in Carbondale.
- The Board doesn't like the residential units located on the main floor.
- The Board is not excited about the design of the storage building.
- The Major Site Plan Review must incorporate all of the changes.
- Janet's memo stated that the Planning and Zoning Commission was concerned that the affordable housing wasn't inclusive.

The applicant addressed some of the concerns stated above.

They placed the open space in its current location because they didn't want to shade the open space.

The applicant addressed the 5,000 retail spaces on the two opposite corners – they will experiment putting them next to each other, it makes sense for the parking.

They will look at the length of the building.

They will mix the affordable housing in among the other residential units.

Trustee Kitching asked what is the occupant profile you are targeting? Riley answered they perceive a wide range of people including people who are downsizing. Trustee Kitching inquired about storage. Riley stated there will be ample storage. She asked if there will be on-site management. Riley stated they will conduct full background checks, etc.

Mayor Richardson opened the public hearing.

Pat Hunter asked if the applicant is satisfying specific requirements or could the community kick around the idea of what type of building should go there.

John Hoffmann stated that he believes the zoning is an appropriate change of use.

Mayor Richardson closed the public hearing.

The Board addressed the applicant's concern regarding Condition #2 that the zoning would go away if the Major Site Plan is not approved. The Board agreed not to change Condition #2.

Trustee Kitching made a motion to approve the General Rezoning.

Trustee Henry asked Trustee Kitching to consider withdrawing her motion and continuing the hearing to a date certain. Trustee Henry doesn't want to deny the rezoning, but she is not comfortable with the building designs. Trustee Kitching withdrew her motion.

Trustee Silverstein made a motion to continue the public hearing for the General Rezoning Application of Carbondale Center Place to August 11, 2020. Trustee Yllanes seconded the motion and it passed with:

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

AVLT COFFMANN RANCH

Suzanne Fusaro, Executive Director of Aspen Valley Land Trust (AVLT), was in attendance at the Zoom meeting. Suzanne explained that AVLT is seeking the Town's partnership in applying for \$200,000 from Garfield County's 2021 Conservation Trust Fund, with the Town as the applicant, and asking the Town for a contribution in order to demonstrate public support for the project.

The property is 35 acres. It has $\frac{3}{4}$ mile of Roaring Fork river frontage, and incredible habitat. AVLT's vision is to protect ranching heritage, provide access to the river and use the property for outdoor education.

Trustee Silverstein asked if the property's caretaker will continue to live there; Suzanne responded yes.

Trustee Bohmfalk made a motion to partner with Aspen Valley Land Trust in applying for \$200,000 from Garfield County's 2021 Conservation Trust Fund, with the Town as the applicant, and the Town agrees to contribute funding in order to demonstrate public support for the project. Trustee Silverstein seconded the motion and it passed with:

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

POLICE POLICIES REVIEW/UPDATE

Gene Shilling, Kirk Wilson and Chris Wurtsmith were present for the Zoom discussion.

Kirk explained that George Floyd was killed while in police custody in Minnesota in May, 2020. It sparked countless police brutality protests across the globe. As a result, the community has asked for a review of the Carbondale Police Department's policies.

Kirk stated that the department began a thorough review of department policies. The police department utilizes the services of Lexipol for policy development and maintenance. Lexipol uses a Risk Management approach when developing customized policy manuals. Kirk stated that the police department's policy manual is much more progressive than the average police department. For example, officers are required to intervene when excessive force is being used. Also, the department has added community reflective statements within the various policies.

Discussion ensued.

Kirk stated that recruitment is suffering; it is really difficult to hire officers. The officers want to hear from the Trustees. Kirk suggested the Trustees go on a ride along.

The Board stated that it is very important for the police to reach out to the Latino community. Police training is invaluable. Kirk and Gene noted that the department has a very robust training schedule.

The Board agreed to continue the discussion at the July 21st work session.

579 MAIN STREET LEASE

Jay informed the Board that due to COVID-19 social distancing requirements, he believes it would be beneficial to rent the 579 Main Street vacant lot. The Town can put picnic tables out for people to eat their take out restaurant food. When the lease expires the Town could possibly lease the parking area.

Trustee Henry noted that she is working with the owner so she will abstain from voting.

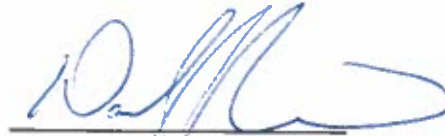
Trustee Sparhawk made a motion authorizing staff to lease 579 Main Street from July 15, 2020 through October 15, 2020. Trustee Silverstein seconded the motion and it passed with:

*6 yes votes: Bohmfalk, Kitching, Richardson, Silverstein, Yllanes, Sparhawk
1 abstain: Henry*

ADJOURNMENT

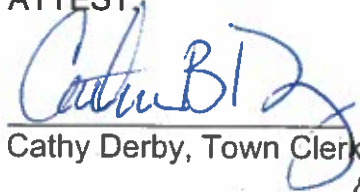
The July 14, 2020, regular meeting adjourned at 9:35 p.m. The next regularly scheduled meeting will be held virtually on July 28, 2020, at 6:00 p.m.

APPROVED AND ACCEPTED



Dan Richardson, Mayor

ATTEST:


Cathy Derby, Town Clerk