

TOWN OF BASALT MEETINGS
Planning and Zoning Commission Worksession
Tuesday March 1, 2016

Basalt Town Hall

101 Midland Avenue

- 6:00 PM Call to Order**
- Approval of February 2, 2016 Minutes
- 6:05 Worksession: Interpretation for Cole PUD 153 E. Homestead Drive Covered Entry Porch Enclosure**
- 6:20 Worksession: Zoning for Our Town Planning Properties**
- 7:30 Commissioner Comments and Staff Updates**
- 7:45 Adjourn**

Items on the agenda are approximate and intended as a guide for the Commission. Times are subject to change, as is the order of the agenda. For deadlines and information required to schedule an item on the agenda, please contact Basalt Town Hall at 927-4701.

DRAFT

TOWN OF BASALT PLANNING AND ZONING COMMISSION WORK SESSION FEBRUARY 2, 2016

CALL TO ORDER

The meeting was called to order at 6:04 p.m. Commissioners answering roll call were Dylan Johns, Eric Vozick, Gino Rossetti, and Alternate Tracy Bennett.

Staff present was Susan Philp, Town Planner; James Lindt, Assistant Planning Director; and Denise Tomaskovic, Recorder.

A list of people signing in for this meeting is available for review at Town Hall.

APPROVAL

Minutes of January 19, 2016

**M/S VOZICK AND ROSSETTI TO APPROVE THE MINUTES OF JANUARY 19, 2016 AS READ.
THE MOTION CARRIED BY A VOTE OF 4-0.**

AGENDA ITEMS

Work Session – Zoning for the Our Town Planning Properties

Philp reminded everyone present that what has historically been referred to as the Clark's Market parcel is now being referred to as Basalt Center Circle (BCC).

Philp called Don Elliott who has been contracted to help write the zoning language for the Our Town Planning parcels. He did not answer so she left a message and moved along with the discussion.

Philp reviewed the Our Town Planning Core Values and Guiding Principles posted on the wall.

At this time Elliott returned the call. At Philp's request, he explained the differences between the primary zoning options; Community Serving Commercial (CSC) and River District Overlay. Elliott was of the opinion that the four parcels included in this sub area are unique, each having its own character and potential, and should be anchored by four unique uses.

The Commissioners discussed possible uses for the BCC parcel that could function as anchors. Some recommendations were a grocery store, hotel, arts center and town hall combination, and a place for youth to gather and socialize. It was noted that a sub-surface parking structure should be incorporated into whatever anchor feature is proposed. Elliott reminded the Commissioners that a sub-grade parking structure is very expensive to build and cannot rely on a non-profit organization to generate a substantial enough income to subsidize the parking structure. Therefore, a hotel or grocery store might be better anchor uses. An arts center, town hall or youth center could be supporting uses but shouldn't be considered anchor uses. The site is big enough to support a variety of uses.

The Town Hall parcel would be appropriate for the Art Base to capitalize upon for its home. There is room to expand operations, the lawn area is used by kids attending classes, and the parcel is already being used for civic functions as well as a summer farmers' market. It is considered a "bridge" between the river parcel and the rest of downtown. Elliott said that the Art Base could function as a magnet (instead of an anchor) that would support the nearby anchors. Elliott cautioned against considering housing as a magnet – housing functions as a feeder for the magnets and anchors.

The BCC and CDC parcels are large enough to accommodate multiple uses while the Town Hall and Merino Park parcels would not really lend themselves to multi-use functions. However, there could be residential uses on upper floors.

Commissioner Rossetti asked if all the parcels will be zoned at the same time and if they would have the same zoning. Elliott replied that there will be an over-riding theme in this district but the parcels will have different uses, dimensions, and focuses on walkability depending on where they are located. He thought that the CSC Zone District may have to be modified to look more like the River District. Rossetti then asked if it would be possible to include the park area in the CSC Zone District [as a park/recreation use] instead of zoning it as Public (P). Philp said that Staff could work on that idea with Elliott.

Elliott asked what the Commissioners thought about the Merino Park site, especially in the context of a CSC Zone District. Suggestions made by the Commissioners included multi-story residential use, mixed commercial and residential uses, structured parking, business incubator and non-profit uses. Elliott wondered what type of anchor would be good in this location, given its size limitations. Further discussion about anchor uses also included this area as a possible relocation site for Town Hall.

Moving on to the CDC site, a hotel was suggested as well as a beer garden/brewery that could overflow into the adjacent park/event space, creating some synergy. Another need in Basalt is a youth center and having a place like that adjacent to the river park would be a great fit. Whatever is placed on the east end of the parcel should be something that energizes the park while not adversely affecting downtown businesses. The parcel is big enough to accommodate multiple uses and residential use could be part of that equation. An open space, an activating edge, and some other use should be included on the CDC parcel. Elliott stated that open space doesn't require placement of a large activating space adjacent to it. In fact, a one acre activating space would be too large, i.e. ineffective as an activator.

Elliott said that he will draft some different versions of what could be included in the CSC Zone District for the P&Z Commissioners to review. Some themes of the CSC are applicable for all four parcels but there are some distinctions that can be made, also. In response to a question from Commissioner Rossetti, Elliott said that combining retail space with any type of housing can get tricky if it is part of a requirement. It's wise to permit or allow it, but it's not smart to *require* it.

Chair Johns brought up the possibility of having a grocery store downtown. Elliott asked if any feasibility studies have been conducted regarding grocery stores in downtown Basalt. Philp said that a previous business owner had a grocery store feasibility study performed and it indicated that a grocery store was an economically feasible use. Johns said that success of a grocery store would depend on how different it is from Whole Foods or City Market, and mentioned Trader Joe's as an example.

Regarding existing vacant retail in downtown Basalt, Elliott said that successful retail depends on adjacent energizing activity. Philp added that other than a stretch of Midland Avenue, there are many places where commercial use is only on one side of the street so that compounds the problem.

Elliott stated that the conversation has been helpful and this will be an iterative process in which he will articulate what he has heard and align that with the rest of the Code in a draft document. He suggested that the Commission not try to be too specific in prescribing uses and dimensions. He will work further to define the differences in character, density, and focus of each parcel. He didn't think that including an expedited process for the CSC Zone District was a good idea because the parcels are such important sites in the Town. The phone call with Don Elliott ended. The next item for discussion was to begin setting some of the dimensional requirements for the parcels.

Regarding the BCC property, the Commissioners agreed on allowing up to four stories with the third story set back from the street and the fourth story set back even further, located over the center of the parcel. Chair Johns added that the streetscape building height is very important, especially at the entrance to Town, in order to avoid overwhelming that entrance. There was discussion about whether or not providing square footage numbers would be beneficial. The Commissioners thought it more important that the Town ends up with a functional, successful and quality project rather than limiting structures to specific allowable square footage numbers. Parcel use and height limits will help determine the building's workable square footage and its configuration. One use that should be included on the BCC parcel is housing that is affordable and attractive for 20- to 30-year-old residents. Another BCC parcel use should be commercial activity fronting Two Rivers Road to mirror the height limits of the existing two- to three-story commercial buildings across the road [at Ute Center].

For the Lions Park parcel the Commissioners agreed on structures up to two stories.

Discussion about Merino Park revolved around allowing an at-grade parking structure with up to three stories above it as long as the top floor doesn't interfere with views from the residences on the hillside. Another suggested configuration could be residential units above commercial/business incubator uses. Staff noted that residential uses require off-street parking and this could work in conjunction with the incubator uses if parking for that was located elsewhere.

Alternate Bennett asked about Sandy Kucharzyk's previously submitted idea of re-routing Midland Spur. Couldn't that potentially reconfigure the Merino Park parcel? Philp replied that it could be taken into consideration as a future planning exercise. However, if the Art Base has the entire Lions Park property in the future, rerouting the road might not work with their vision, in addition to being a very expensive proposition.

Philp then listed the proposed uses for the Merino Park parcel: Town Hall, park, housing, and a business incubator. The Commissioners thought that providing incubator space at Merino Park could be compatible with RMI's mission and the upcoming River Center. This could become Basalt's "brand" which may also help to draw a younger demographic. Including Affordable Housing would be integral to this mix of uses. The Town owns both Lions Park and Merino Park so that is a plus in determining their future.

At Staff's invitation, Tim Belinski showed a map depicting the BCC parcels which the Commissioners reviewed. Philp said that she has spoken with the Aspenalt Hotel owners and they are interested in what could happen in that area. Belinski suggested that it might be advantageous to use a process like Aspen's COWOP process in working through development possibilities on BCC. Lindt explained how the COWOP process worked in Aspen as far as getting all the stakeholders more or less on the same page. Most of the property owners in the BCC area are not local. Philp added that the Town will create the zone district but it won't be applied until a development application comes in.

Chair Johns asked if that process would boil down to spot zoning at its finest. Wouldn't it be better to implement an overlay area? Philp replied that after the P&Z's conference call with Don Elliott a few weeks ago, the Commissioners had moved away from the idea of having an overlay area. However, it could be revisited if the Commission wanted to do so. Belinski went on to explain that the idea in a multiple property owner situation (such as the BCC area) is to make sure the commonly held elements continue to provide equal benefits for all the property owners, even if significant changes occur in a different part of the property.

Philp added that in her conversations with the Prinster family they've indicated that they understand the BCC parcel will be redeveloped. Philp said that the BCC subdivision was created before PUDs had become the norm in Basalt. Belinski added that it also predates Colorado Common Ownership laws. As one of its uses, this parcel is the most likely location for a structured parking facility and it's a matter of figuring out the legalities to make this happen.

Philp pointed out that the P&Z's purpose is to create the framework for the CSC Zone District, but the properties won't actually be rezoned until development applications for these parcels are received. The BCC parcel will require more of a planning process than the other parcels.

Commissioner Rossetti said that there needs to be a complete picture; the public is as interested in knowing what uses are being considered for the properties as they are in what the zoning language entails.

Chair Johns summarized that the P&Z is framing the CSC Zone District as being more of a volumetric zoning model than a floor area specific model. Clarification will be included that states two and a half stories are allowed on the CDC parcel, one to two stories on Lions Park, three to four stories on Merino Park, and three to four stories on the BCC parcel. The P&Z is looking for feedback from the Council on these ideas. Philp said that the Commission should be prepared to hear that the Town Council will want to assign a square footage limitation on the CDC parcel.

Alternate Bennett asked for clarification about the difference between small and large retail uses. The Commissioners thought that having large retail use on the CDC parcel should be removed from the list; along with the movie theatre and performing arts uses on that parcel. Also, Staff will continue to work with Elliott on refining the Acceptable Uses List.

ADJOURNMENT

M/S ROSSETTI AND VOZICK TO ADJOURN. THE MOTION CARRIED BY A VOTE OF 4-0.

The Planning and Zoning Commission adjourned at 8:00 p.m.

TOWN OF BASALT
PLANNING AND ZONING COMMISSION

By: _____
Dylan Johns, Co-Chair

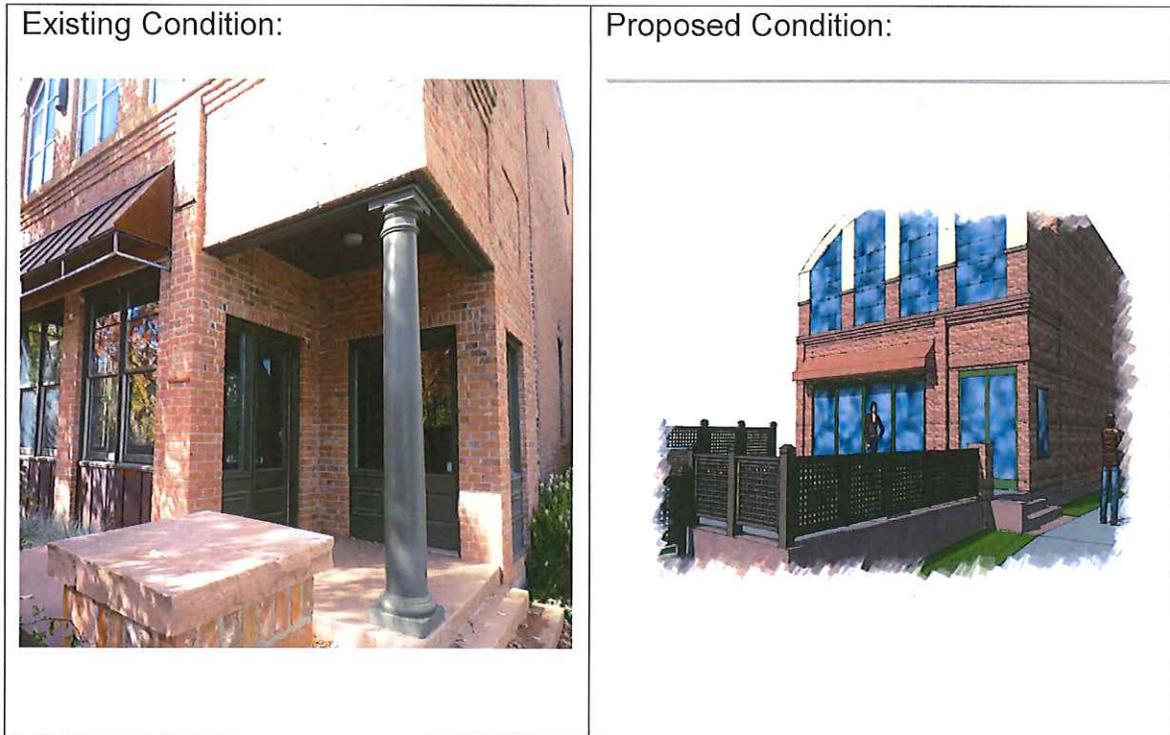
Attest: _____
Denise Tomaskovic, Recorder

MEMORANDUM

To: Chairman Johns and Basalt Planning and Zoning Commission
Thru: Susan Philp AICP, Planning Director
From: James Lindt AICP, Assistant Planning Director
Date: March 1, 2016
RE: Worksession- 153 E. Homestead Avenue Expansion Architectural Compatibility Check-in

Background:

Staff has received a request from the property owners of 153 E. Homestead Ave. (also known as the Sloss Building or the Cole PUD) to enclose a covered entry porch at the southeast corner of the building (see below).



PUD approvals granted pursuant to Ordinance No. 1, Series of 2008, included the following provision:

While the building (153 E. Homestead) is not formally designated as an Historic Landmark, as represented by the Owners as part of previous PUD approvals, the

building shall be maintained and additions/remodels shall be consistent with the general architectural character of the existing building.

In evaluating the request originally, Staff was concerned about the overall massing of the structure as a result of the enclosure in that there are square footage limitations in the PUD approvals. However, it was determined that the proposed addition would fall within the square footage limitations. Additionally, Staff expressed concerns about ensuring the recent addition continued to be discernable from the historic context of the building. As a result, Staff worked with the Applicant to include windows and glazing to help distinguish the area of the porch enclosure from the historic resource.

Staff feels that the revised proposal to enclose the covered entry porch in the southeast corner is consistent with the architectural character of the existing building pursuant to the above provisions and that the patio and column that exist were part of a recent addition to the building and are not original. Staff also believes that the proposed entry porch enclosure will not impact the adjacent public sidewalk from Homestead Drive to Midland Avenue through Luksinger Alley.

Based on the above findings, Staff was planning on approving the proposed change at an administrative level through the minor PUD amendment process set forth in the PUD, but wanted to conduct a check-in with the P&Z to confirm that the P&Z did not have an alternative position on the topic.

Recommendation:

At this work session, Staff would suggest hearing a brief presentation of the proposal and staff comments, and then discussing whether the P&Z is comfortable with Staff approving of the proposed change administratively. Ultimately, if the P&Z is comfortable with the compatibility of the proposed entry porch enclosure, Staff recommends providing direction to the Staff to approve the proposed amendment administratively.

Alternatively, if P&Z is not comfortable with the Staff approving the proposed entry porch enclosure administratively, the P&Z could direct Staff to schedule the Application for review by the P&Z at a public hearing as part of the Minor PUD Amendment process.

Attachments:

1. Site Map
2. Sketches of Proposal
3. Ordinance No. 1, Series of 2008











**Town of Basalt, Colorado
Ordinance No. 1
Series of 2008**

①
9/46

ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, GRANTING APPROVAL FOR AN INSUBSTANTIAL AMENDMENT FOR THE COLE PUD, TO ALLOW MODIFICATION TO THE CONFIGURATION OF THE USES WITHIN THE BUILDING AND GRANTING MINOR SUBDIVISION APPROVAL FOR AN AMENDED CONDOMINIUM MAP FOR THE COLE PUD – SLOSS BUILDING CONDOMINIUMS, LOCATED AT 153 HOMESTEAD DRIVE (SUBMITTED BY JOHN AND JANE JELLINEK, AS AUTHORIZED BY CHARLES W. COLE Jr.)

RECITALS

A. John and Jane Jellinek (“Applicants”) as authorized by Charles W. Cole Jr., owners of 100% of the units within the PUD (“Owners”) filed an Application for an Insubstantial PUD Amendment to the PUD Approvals for the Cole PUD, dated November 6, 2007 and an Application for a Minor Subdivision approval for an amended Condominium Map for the Cole PUD – Sloss Building Condominiums, dated December 14, 2007 (“Application”). The Cole PUD and Sloss Building Condominiumization were approved by Ordinance No. 25, Series of 1996, and amended by Ordinance No. 24 Series of 2001 and Ordinance No. 3, Series of 2002 (“Original Approvals”). The approvals relate to the property which is more particularly described as the Sloss Building, according to the Sloss condominium Plat, recorded March 16, 1998, at Reception No. 649657, in the records of the Clerk and Recorder of Eagle County (the “Property”).

B. The Applicant requests approval for an amendment to the PUD as adopted by the Original Approvals. The purpose of the amendment is to allow modifications to the configuration of the uses within the building including extension of the residential unit between the first and second floors of the building. The Applicant also requests approval of an Amended Condominium Map to modify the condominium units to conform with the requested PUD amendments.

C. The Planning and Zoning Commission previously considered the Insubstantial PUD Amendment requested by the Applicant at a public meeting held on December 4, 2007 and recommended approval of the Application with conditions. Throughout the meeting, evidence and testimony was offered by the Applicants, Town Staff and members of the public.

D. At a public hearing held on January 8, 2008, the Town Council considered the Applications on first reading and scheduled a public hearing and second reading for

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

this ordinance for January 22, 2008, for a meeting beginning no earlier than 6:00 p.m. at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

E. At a public hearing and second reading on January 22, 2008, the Town Council heard evidence and testimony as offered by the Applicants, Town Staff and members of the public.

F. The Town Council finds that the Applicant's requests are consistent with the applicable provisions of the Town Code and Town Master Plan, provided the Applicant adheres to the conditions identified in this Ordinance.

G. The Town Council finds that the building, while not designated as a local historic landmark, has significant historic and community value and is uniquely suited for the PUD amendment as requested by the Applicant.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Basalt, Colorado, as follows:

A. FINDINGS.

1. The Town Council incorporates the above recitals and all exhibits as references and as findings and determinations, and conclusively makes all of the findings of fact, determinations and conclusions contained herein.

2. The Town Council finds that the Applicants' request is consistent with the applicable provisions of the Town Code, provided the Applicant adheres to the conditions identified in this Ordinance and Exhibit "A".

3. Based on the evidence, testimony, exhibits, and comments from the public, Applicants and Town staff, the Town Council finds and determines as follows in accordance with Sections 16-63(d), 16-65(d)(6) and 16-72, Town Code.

a. Pursuant to Sections 16-65(d)(6) and 16-65(d)(2)b, Town Code, the Town Planner determined the modification to the PUD Plan is not substantial.

b. The PUD Plan as proposed to be amended is consistent with the Town Master Plan.

c. The PUD Plan as proposed to be amended conforms with the provisions of Article 16 of the Town Code.

d. The PUD development as proposed to be amended will not have an adverse environmental impact, such as excessively increasing traffic hazards or

congestion, overloading utilities or otherwise being detrimental to the general welfare of the community.

e. The PUD development as proposed to be amended will complement and be integrated with the existing development and with the approved but not yet existing development in the area.

f. The PUD development as proposed to be amended will provide community benefits.

g. The variances from the strict requirements of the Town Code and original PUD plan are designed to improve the efficiency of the development pattern, preserve existing natural assets, or encourage the use of open space.

h. The variances from strict compliance with the Code requirements are justified because the PUD Plan as proposed to be amended exceeds certain design standards or contains certain exceptional and desirable features that enhance the overall PUD Plan.

i. The PUD Plan as proposed to be amended satisfies one or more of the purposes set forth in Section 24-67-102(1), C.R.S.

j. The modification, removal or release of the current Development Approval is consistent with the efficient development and preservation of the entire planned unit development, does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest, and is not granted solely to confer a special benefit upon any person.

4. The Town Council finds and determines it is in the best interests of the Town to approve the Minor Subdivision Amended Condominium Map. The Town Council finds and determines that said approval is reasonable and consistent with the Town Code including Section 16-85, Condominium Review Procedures; that the request does not involve creation of any new residential units and may be reviewed as a Minor Subdivision. Further, the Town Council finds and determines this Ordinance is reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

B. CONCLUSIONS

1. Based on the Application, testimony, exhibits and comments from the public, Applicant and Town staff, the Town Council hereby grants approval for an Amendment to the PUD Approvals for the Cole PUD in substantially the form set forth on Exhibit "A" attached hereto and incorporated herein by this reference. Any changes to the attached form shall be subject to review and approval of the Town Planner and Town Attorney, and

only such changes as are not inconsistent herewith and intended to effectuate the intentions of the Applicant and the Town shall be approved. The Amendment to the PUD Approvals is approved subject to the following conditions and those contained on Exhibit "A":

a. Any owner exercising any right granted by this approval shall comply with all prior approvals for the Cole PUD (except as necessarily modified hereby), and all material representations made by the Applicant in the Application and in hearings before the Planning & Zoning Commission and the Town Council.

b. Prior to recording the Amendment to the PUD Approvals, the Applicant shall provide a fully executed Exhibit "A" acceptable to the Town Attorney reflecting that minimum of 67% of the owners within the PUD have approved the Amendment to the PUD Approvals in accordance with the requirements of the Colorado State Statutes. In addition the Applicant shall submit evidence acceptable to the Town Attorney that any other applicable provisions of homeowner's association documents or covenants have been satisfied.

c. All other conditions of the Cole PUD except as specifically amended herein, shall remain in effect. Compliance with the conditions of this Ordinance shall be required in addition to compliance with all other provisions of the Cole PUD Approval and condominium documents, and other Town Ordinances currently in effect or as may be adopted by the Town as they apply to the development. The Planning Department shall confirm compliance prior to the issuance of any building permits. The residential unit in no case shall be permitted to exceed a total square footage of 5,000 sq.ft.

d. While the building is not formally designated as an Historic Landmark, as represented by the Owners as part of previous PUD approvals, the building shall be maintained and additions/remodels shall be consistent with the general architectural character of the existing building. This Insubstantial PUD Amendment Application is consistent with previous representations which are applicable as conditions of the original PUD rezoning and subsequent approvals.

e. Only minor exterior changes to the building shall be permitted and no changes to the PUD relating to setbacks, building height and other zoning parameters shall be permitted. The building is historically pre-existing and nonconforming in regard to off-street parking. The Application shall result in a reduction in the parking demand associated with the property and a net reduction in the degree of nonconformity.

f. Compliance with all fire code and building code provisions as part of a more detailed review at the time of building permit submittal shall be

required.

g. Legal requirements for PUD Amendments shall be satisfied by 100% of the owners being party to the request. Any additional legal documentation shall be prepared by the Town Attorney and executed prior to recording the PUD amendments.

h. Amendments to the condominium mapping and condominium declarations shall be required to reflect the PUD amendment and new unit configurations. A condominium unit for the office space shall be created and said unit shall be required to remain separate from the residential unit.

i. The Applicant shall provide detailed surveying for the property as part of the updated condominium mapping, confirming that there are no survey or encroachment issues including the zero lot line portions of the building. Any issues identified by the surveys shall be corrected and cured prior to recording the PUD amendment and condominium map amendments. The platting shall confirm existing public access for the public pedestrian walkway (aka "Lucksinger Lane") across the site and if deemed appropriate by the Town Attorney, provide for formal dedication of easements for the existing walkways.

j. Adjacent to the public pedestrian walkway (aka "Lucksinger Lane") any fencing to be installed by the Applicant shall be limited to a maximum height of four feet and shall be placed no nearer than twelve inches from the public pedestrian walkway pursuant to Town Code Section 16-204 (3).

k. The building shall be re-evaluated by the Basalt Sanitation District, for sewer taps and any net increase in tap fees paid prior to issuance of a building permit.

l. The Applicant shall be required to pay standard fees associated with the building permit for the remodel.

m. All representations of the Applicant in the Application submittal and in the public meetings and hearings before the Planning and Zoning Commission and the Town Council shall be considered conditions of approval unless modified by specific conditions.

2. Based on the Application, testimony, exhibits and comments from the public, Applicant and Town staff, the Town Council hereby grants a Minor Subdivision approval for an Amended Condominium Map for the Cole PUD – Sloss Building Condominiums subject to the following conditions and those contained on Exhibit "A":

a. The Applicant shall comply with Applicant's representations set forth in the Application and with all material representations made by Applicant in the hearings before the Town Council.

b. The project shall comply with all requirements of the Town Code including compliance with Town of Basalt Building Department requirements and Basalt and Rural Fire Protection District recommendations. Prior to recording of the Condominium Map, the building shall be re-inspected by the Town's Chief Building Official to verify compliance with the requirements of the Town of Basalt Building Code and the Basalt and Rural Fire Protection District.

c. At such time as the remodeling of the units is completed the Applicant shall submit the Condominium Map reflecting the as-built condition of the units for review and approval by the Town Attorney.

d. Prior to the execution and recording of the Condominium Map the Applicant shall submit for review and approval by the Town Attorney, any amendments to the covenants and condominium declarations necessary based on the PUD amendments and amendments to the Condominium Map.

e. The Mayor and Town Clerk are hereby authorized to execute the Minor Subdivision Amended Condominium Map for the Property on behalf of the Town after approval of such Map by the Town Attorney.

C. MISCELLANEOUS

1. The approvals contained herein and the conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of Applicant.

2. This Ordinance, after being fully executed and after appropriate publication, shall be recorded in the office of the Clerk and Recorder of Eagle County.

3. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON January 22, 2008 by a vote of 5 to 2 on January 8, 2008.

READ ON SECOND READING AND ADOPTED, by a vote of 5 to 1 on January 22,
2008.



TOWN OF BASALT, COLORADO

By: Leroy Duroux
Leroy Duroux, Mayor

ATTEST:

Pamela K. Schilling
Pamela K. Schilling, Town Clerk

10-24-196

First Publication: Thursday, January 17, 2008
Final Publication: Thursday, January 31, 2008
Effective date: Thursday, February 14, 2008

Exhibit "A"

AMENDMENT TO THE P.U.D. APPROVALS FOR THE COLE PUD

The Town of Basalt, and the owner ("Owner") of Units of at least sixty-seven percent (67%) of the Units with the Cole PUD, as shown on the plat for the Sloss Condominiums recorded in Reception No. 649657 of the records on the Clerk and Recorder of Eagle County, Colorado (the "Property") desire to supplement and amend the PUD Approvals for the Cole PUD as adopted by the Town by Ordinance No. 25, Series of 1996, Ordinance No. 24 Series of 2001, and Ordinance No. 3, Series of 2002 ("Original Approvals") and as further reflected in the PUD documentation on file at the Basalt Town Hall. John and Jane Jellinek, as authorized by Charles W. Cole Jr., owner of 100% of the Units within the Cole PUD, filed an Application with the Town of Basalt, to amend the PUD Approvals for the Cole PUD.

1. Amendment. The Owners and the Town of Basalt hereby further supplement and amend the P.U.D. Control Document as follows:

a. The permitted uses pursuant to the PUD approvals, shall allow a single residential unit to span both floors of the building, as reflected in the Insubstantial PUD Amendment Application approved by Ordinance No. 1, Series of 2008.

The "Lower Level C-2: (pedestrian oriented, quiet, odorless, regular business hours)" Zoning, Item "E" of the PUD Control Document shall be amended to read as follows:

E. Either of the following residential uses may be permitted:

- (i) A residential unit in conjunction with an approved on-premise business; or
- (ii) Residential square footage associated with a residential unit on the upper level, provided the unit shall not exceed 5,000 total square feet, and a separate approved on-premise business.

b. All existing provisions of the original and amended Cole PUD approvals as reflected in Ordinance No. 25, Series of 1996, Ordinance No. 24, Series of 2001, and Ordinance No. 3, Series of 2002, and the Interpretation Memo from the Town Administrator dated 3/22/02 shall remain in effect except as expressly amended by the PUD Amendment process.

2. Continuing Effect. The provisions of the P.U.D. Control Document shall be and remain in full force except as amended hereby.

3. Counterparts. This Amendment to PUD Control Document may be executed in multiple counterparts or by counterpart signature pages each of which shall constitute an original and all of which taken together shall constitute one document.

Memorandum

To: Planning and Zoning Commission
From: Susan Philp AICP, Planning Director
Date: March 1, 2016
Re: Worksession: Our Town Planning – CSC Zoning Amendments

I. Purpose

The purpose of this Worksession discussion is for the P&Z to continue making progress on the work necessary to adopt new zoning regulations for the Our Town Master Plan properties.

II. Update on Council Direction

The Town Council reviewed the physical model prepared for the Town by Vision Design to show existing and potential buildings on Our Town Planning Parcels at their meeting on February 23, 2016. After explanation from Dylan Johns, P&Z Chair, and discussion, the Town Council then approved Resolution No. 09, Series of 2016. That resolution directed the Zoning Code amendments as the P&Z had presented them at the February 9th Council Worksession and included Option A which directs the P&Z to prepare zoning which would permit 2 ½ stories on the CDC Building Parcel as seen from Two Rivers Road and would define volumetric limitations and architectural character for the parcel in sufficient detail to enable the public, Developer and Owner to have a good understanding of what a successful land use application might include. The Town Council could provide further input on acceptable maximum allowed square footages at any time during the planning or zoning process

III. P&Z Discussion

An initial draft of the amended CSC Zone District will be presented at the P&Z meeting. Don Elliot, Clarion, will be available by phone for the P&Z's discussion. The P&Z will have an opportunity to discuss key items including but not limited to:

1. Anchors
2. Height and stories
3. Other standards