

101 Midland Avenue, Basalt, CO 81621

Meeting Date: September 13, 2016

Location: Town Council Chambers

TOWN COUNCIL MEETING AGENDA

5:00 pm Worksessions

- Stott's Mill Land Use Application – Introduction to Land Use application including Applicant presentation (James Lindt)
- Habitat for Humanity Proposal for Constructing Housing on the School District's Property south of High School (James Lindt)

5:45 Break

6:00 1. Call to Order (Mayor Whitsitt)

6:01 2. Roll Call (Pam Schilling)

6:02 3. Consent Agenda (Mayor Whitsitt)

3A. Minutes: (i) August 9, 2016; (ii) August 11, 2016; (iii) August 23, 2016

Motion to Consider:

Mayor, I move that the Town Council approve the Consent Agenda as published Item 3A.

6:05 4. Council Comments, Reports, Disclosures

4A. Council Comments

4B. Kitchen Cabinet – Creating a Common Vision for the Town of Basalt (Jon Fox-Rubin and Julie Kolar)

6:12 5. Citizen Comments: for Items Not on the Agenda and Items Added to the Agenda After the Deadline

6:15 6. FIRST READINGS OF ORDINANCES:

6A. Public Hearing and First Reading of Ordinance No. 21, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment (Susan Philp)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 21, Series of 2016, on first reading, and continue and set the public hearing and second reading for September 27, 2016.

6B. Public Hearing and First Reading of Ordinance No. 24, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Portions of Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Primarily Concerning Marijuana Stores (Susan Philp)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 24, Series of 2016, on first reading, and continue and set the public hearing and second reading for September 27, 2016.

6C. Public Hearing and First Reading of Ordinance No. 25, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Amending Article V of Chapter 6, Business Licenses and Regulations, of the Municipal Code of the Town of Basalt, Colorado, Amending License Requirements for Retail Marijuana Stores and Amending the License Requirements for Medical Marijuana Centers and Facilities (Susan Philp)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 25, Series of 2016, on first reading, and continue and set the public hearing and second reading for September 27, 2016.

7. INFORMATION AND CORRESPONDENCE:
NO ACTION REQUIRED BY THE TOWN COUNCIL

- a. Accounts Payable
- b. Whitewater Park Update
- c. Advanced Agendas
- d. Correspondence to the Town

8. ADJOURNMENT

Motion to Consider:

Mayor, I move that the Town Council adjourn the meeting.

TOWN OF BASALT
Worksession Item

Date: September 13, 2016
From: James Lindt AICP, Assistant
 Planning Director

SUBJECT: Introduction Meeting for Stott's Mill Reinstatement for Single-Family Section and Sketch Site Plan Review and Associated Reviews for Multi-Family Residential Section

DETAILS: MSP1 LLC. ("Applicant") is requesting approval for the following actions on the 18-acre Stott's Mill Property directly north of Basalt High School and east of Southside Drive: 1) Reinstatement of the 2009 Stott's Mill PUD approvals for the majority of the single-family section of the proposed development, and 2) Sketch Site Plan Review for the multi-family section of the proposed development to construct 156 dwelling units on the Stott's Mill Property.

More specifically, the Applicant has applied to annex the property into the Town and construct 60 single-family dwelling units and 96 multi-family dwelling units and two (2) parks in the same configuration as the parks that were included in the 2009 approvals. The Applicant has also agreed to provide a core and shell daycare space to be leased to a daycare provider at the average lease rate for the other daycares in the mid-valley. Also, an indoor tennis group has requested consent from the Applicant to construct an indoor tennis center in the South Park portion of the proposed development.

During the P&Z's review, Staff identified the following discussion items that are more specifically analyzed in the attached memos to the P&Z:

1. Density
2. Childcare Contribution
3. Traffic Mitigation (Staff plans on having a worksession with Council regarding the southside traffic mitigation on September 27th)
4. Southside Drive Cross-Section
5. Sufficiency of Parks and Open Space
6. Indoor Tennis Center
7. Southside Drive Traffic Calming
8. Allison Lane Connection/Traffic-Calming
9. Vested Rights

Staff suggests that this worksession be an introduction to the proposal and discussion items. Staff recommends that the Council hear a presentation from Staff and the Applicant, ask questions, take public comments, and then provide initial discussion. Ultimately, Staff recommends that the Council let Staff know if there is additional information that the Council needs or discussion with regards to reviewing the Application at the September 13th public hearing. The P&Z's recommended conditions are attached and they will be incorporated in an Ordinance for consideration at the September 13th public hearing.

RECOMMENDATION: Staff recommends that the Council hear a presentation from Staff and the Applicant, ask questions, take public comments, and then provide initial discussion and identification of additional information needed to complete the review.

RELATED TOWN STATUTE AND TOWN ACTIONS: Town Code Chapter 15, *Annexation*, Town Code Section 16-267, *Amendment Procedure*; Town Code Chapter 16, Article VI, *Site Plan Review Requirements and Standards*; Chapter 16, Article XIX, *Housing Mitigation*; Town Code Section 16-65, *Approval Procedures for PUD Amendment*; Town Code Section 16-31, *Supplemental Requirements for the R-4 Mixed Density Residential District*.

ATTACHMENTS: A) P&Z Recommended Conditions, B) Excerpts from Application C) P&Z Memos, D) P&Z Minutes, E) Excerpts from Traffic Report, F) Public Correspondence

Vicinity Map



2016 Stott's Mill P&Z Recommended Conditions

Note: (Strikethrough and Underline Text Identifies changes from 2009 Approved Conditions)

The Planning and Zoning Commission recommended conditions below are based on:

- 1) Final approval of the Reinstatement and Amendment of the 2009 Stott's Mill approvals for the portion of the 2016 Final Development Plan which includes the 60 individual lots on Blocks 1-5 (whether used for Single family dwellings, a child care or manager's unit); the north park and south parks; and the public street network
- 2) Sketch Plan approval of up to 96 multi-family units.

COMMUNITY BENEFITS

1. The development shall satisfy annexation requirements for park and trail improvement and dedication improvements as described further in Conditions Nos. ~~No. 6 and 7 in Exhibit J.~~ A public bathroom shall be provided in South Park which can also be used by users of the RFTA valley wide trail and designed to accommodate winter use of the Nordic trail. This bathroom may be incorporated into the Tennis Center provided an exterior entrance is provided.
2. *Dependent on Applicant's final negotiation with the School District* - The development shall provide a community housing program that provides teacher housing in lieu of land dedication, in the form of two (2) deed-restricted Category 3 units as further described in Condition No. 14 under "Attainable Housing" and Condition 9 under "Phasing and Approval Documents" ~~provides eleven (11) relocation dwelling units for the river master plan implementation, and provides long term "attainable" housing for a community of residents as described further in the conditions established herein, and as proposed in the Stott's Mill Final Plan application.~~
- 1) The Applicant shall construct and receive a core and shell CO on a daycare facility of at least 4,000 square foot core and shell daycare space on the first floor of the building on Lots 37 and 38, of Block 4, with the associated fenced playground space as generally shown as the Option B Preferred Layout on the Peak Architects (Anderson's) site concept plan dated 8-4-2006 ~~3,300 square feet on Block 9 of the development prior to the Applicant obtaining a building permit on the 59th dwelling unit within the development. The~~

~~Applicant shall condominiumize and dedicate ownership of the facility over to the Town once construction is completed and a certificate of occupancy is issued pursuant to the timing described in Exhibit J.~~

- 2) The Applicants shall lease the space to a daycare based on the following:
The Town's initial management policy shall be as follows:
- a. The daycare use will be the priority use for the facility; and,
 - b. The Town Applicant shall lease the space to a daycare provider at the market lease rate (considering the lease rates for Growing Years, Blue Lake, Learning Curve, and Honey Tree) for mid-valley daycare space as determined by the Town Manager; and,
 - c. If a licensed and qualified daycare provider cannot be found to lease the space at the terms identified in 4(b) above within ninety (90) days of the issuance of a core and shell certificate of occupancy on daycare building, the Town Council may choose to put another public use in the space for the lease rates described above. If the Council chooses not to put another public use in the space based on those terms, the Applicant may convert the space into two additional free-market dwelling units.

Similarly, if a daycare provider occupies the space and then vacates the space and the building sits vacant for a period of one year or greater, the Town Council may choose to put another public use in the space for the lease rates described above. If the Council chooses not to put another public use in the space based on those terms, the Applicant may convert the space into two additional free-market dwelling units.

~~After the daycare space is condominiumized from the remainder of the building by the Applicant and the public dedication of ownership is accepted by the Town, the Town shall be responsible for maintaining and managing the space. The Town will also reserve the right to sell the daycare space once it is dedicated to the Town if the Town ever desires to do so. The daycare facility along with the units above it will be part of the HOA master association and sub association. The owner of the facility will be responsible for discounted HOA dues and assessments as described below. The HOA dues and assessments for the daycare shall be proportional to the HOA dues and assessments for the non-category units above the daycare based on assessed value per square foot and then the daycare dues and assessments shall be further discounted by 20%. At the time the daycare is being constructed, the Applicant may construct residential units above the space with a full second floor; and a partial third floor consisting of at most 1,700 square feet, condominiumize the building, retain and rent the residential units or sell them individually.~~

5. The development shall satisfy the annexation policy for a minimum 1% Real Estate Transfer Assessment to be used for community benefits. Dwelling units which sell for \$1 Million or more shall have an additional 1% RETA so that the RETA is a total of 2% for those dwelling units.
6. *(To be deleted once FEMA approves the changes to the floodplain map for southside and eliminated the need for river improvements.)* The Applicant, his successors and assigns shall agree to be in a special district to help fund river and flood prevention improvements. River improvements are needed to ensure better vehicle exiting for all of Southside in the event the south side flooding occurs. While the district is not established at the present time, the requirement is that all annexations contribute to the funding of needed river improvements. This type of project would be assessed at a lesser extent than properties in the floodplain or adjacent to the river which benefit to a much greater extent by the improvements. This requirement shall be documented in the PUD control document, subdivision covenants, annexation agreement, or other type of development agreement, as determined by the Town Attorney.
7. The development shall comply with the Town's Sustainable Building Regulations green-building program and all other applicable building codes in effect at the time of building permit. Each single-family residential unit shall have a minimum Home Energy Rating System (HERs) rating index of lower than 80 points (equates to a score of 90 points on the old HERs Scoring System) that will be verified at building permit by the Town's Building Official and meet any green building and energy conservation regulations adopted by the Town at the time of building permit issuance.
8. The Applicant shall identify two (2) parking spaces for use of the carshare program once initiated on the final PUD plan to be recorded. The TRC shall review and approve of the location of the spaces. The Applicant or successors shall pay \$200 per dwelling unit at the time of building permit to the Town for use in implementing a carshare program or other green initiatives at the discretion of the Town's Green Team Advisory Board.

ATTAINABLE HOUSING

1. As represented in the Final Plan application, the dwelling unit breakdown for the project shall be as follows:

Type of Units	(Type-A) Deed-Restricted, Price-Capped Units	(Type-B) Deed-Restricted RO Units with appreciation caps	(Type-C) Deed-Restricted RO Units without an annual appreciation cap	(Type-D) RE-1 Units (Units to be dedicated to the RE-1 School District	(Type-E) Free-Market Units
	<p><u>312</u> Dwelling Units <u>plus 2</u> for <u>dedication to the School District</u> (Note- <u>Applicant still in discussions with School District</u>) (11 of which shall be dedicated as Replacement Housing Units, 1 of which shall be offered for rent to a daycare employee working within the Town of Basalt, and 5</p>	<p>15 Dwelling Units</p>	<p>53 Dwelling Units</p>	<p>2 Dwelling Units</p>	<p>7 Dwelling Units <u>123 Dwelling Units</u></p>

	of which shall have occupancy priorities for "critical workers")				
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a. The Community Housing and RO units developed in Stott's Mill shall meet the requirements established in the Community Housing Guidelines as in effect on the effective date of this ordinance.

b. The category-level units (Type A above) shall have a maximum initial sales price that does not exceed an average price that would be affordable to an individual or household making 115 100% of Basalt's Weighted AMI as defined by using the sales price formula established in the Basalt Community Housing Guidelines.

c. ~~The RO units with appreciation caps (Type B) shall be required to be owner-occupied at least 9 months out of the calendar year and shall have a simple annual appreciation cap of 5%.~~

d. ~~The RO units without appreciation caps (Type C) shall be required to be owner-occupied at least 9 months out of the calendar year, but shall not have an initial maximum sales price cap and shall not have an annual appreciation cap.~~

e. The Applicant shall identify which multi-family units are to be deed-restricted as Category-level units (Type A) and RO units with annual appreciation caps (Type B) prior to submitting a Final Site Plan Application on the Multi-Family portion of the development recording the Final Annexation documents. Additionally, the 10 lots within the development may be used to meet the affordable housing mitigation requirements and shall be deed-restricted as for the construction of Category units satisfying the following requirements: and RO units with annual appreciation caps as shown on the matrix in Tab 3 of the Final Plan application.

i. First priority to purchase the ten (10) vacant lots shall be provided to the School District and Habitat for Humanity unless another entity is approved for priority by the Town Council.

ii. The maximum sales price for the 10 lots to be used for affordable housing mitigation shall be further discussed and defined between Staff and Applicant prior to the Council's review.

f. In the event that the Applicant only receives final approval to reinstate the single-family development portion of the project and does not receive final approval on the multi-family development, the Applicant would be required to meet the Town's affordable housing mitigation requirements of 20% of the units and 25% of the residential square footage being deed-restricted at a maximum Category 3 rate in the single-family portion of the development.

~~f. Critical workers shall be defined as persons employed by the Town of Basalt, Pitkin County, Eagle County, the RE-1 School District, the Basalt Sanitation District, the Mid-Valley Metropolitan District, or the Basalt and Rural Fire Protection District employed in the "employment area" as defined in the Town's Community Housing Guidelines in effect at the time of each occupancy or as a "critical or essential employee" is defined in the Community Housing Guidelines at the time of each occupancy (if a definition is added to the Community Housing Guidelines). Vacant units designated with an occupancy priority for critical employees shall be offered to non-critical employees qualifying under the provisions of the Town's Community Housing Guidelines after the units have been advertised to critical employees for sixty (60) days.~~

~~2. At least 2 of the deed restricted RO restricted dwelling units (Type B) shall be on the 28 foot wide lots as proposed in the Final Plan application.~~

~~3. The Applicant shall offer at least 25% of the small lots (28-foot and 42-foot wide lots) to "owner builders".~~

~~a. Of this total, up to 5 units of the RO deed restricted units (Type B) may be permitted to count toward the required number of owner builder lots. At least two of the owner builder lots shall be on the 42-foot wide lots.~~

~~b. To discourage flipping of the lots and residences on owner/builder lots:~~

~~i. The vacant owner/builder lots shall be limited to simple annual appreciation caps of 3% per year or the Consumer Price Index (CPI), whichever is greater, until such time as a residence is completed and is issued a CO on each respective lot. The base price to be determined when the first purchaser buys a vacant lot at market conditions. In addition, the RETA established in Condition No. 4 in Exhibit B, shall apply.~~

~~ii. Instead of the 1% up to 2% RETA provisions established in Condition No. 4 of Exhibit B, the following will apply after a residence is built and a CO is issued until the earlier of either 3 years have elapsed following the issuance of the CO or until after the next purchaser buys the home from the initial home purchaser.~~

~~Once a residence is built on an owner/builder lot and a CO is obtained, if the owner/builder sells the residential unit within one year of obtaining a CO, the initial home purchaser shall pay a 5% RETA to the Town. If the owner/builder sells the residential unit within two years of obtaining a CO, the initial home purchaser shall pay a 4% RETA to the Town. If the owner/builder sells the residential unit within three years of obtaining a CO, the initial home purchaser shall pay a 3% RETA to the Town.~~

~~Finally, if the owner/builder maintains ownership of the residential unit for more than three years after obtaining a CO, only the RETA provisions established in Condition No. 4 of Exhibit B shall apply.~~

4. ~~The Applicant shall participate with the Town's designated housing administrator or other similar entity to participate in down payment assistance programs.~~
5. ~~Up to one floor of development may occur above the daycare may be used as the Multi-family's Management Office and a dwelling unit for the Applicant's Resident Manager and a half floors (half of a floor is not to exceed 1,700 total square feet) of dwelling units (Types A, B, and C) may be located on above a daycare facility. The final design of the daycare/ residential building on Block 9 shall be reviewed for approval pursuant to the procedures in Condition No. 5, Exhibit D prior to the issuance of the first building permit in the development. The primary intent of the design review is to ensure that there is an appropriate level of fenestration and that the alley-facing elevation contains architectural detailing to provide visual interest.~~
6. ~~The Applicant shall only list all the lots and units within the development for sale with a local realtor with a primary office within the Roaring Fork Valley, except for the Category-level ownership units that are to be sold through the Town's lottery process. No marketing in national newspapers or magazines for the first sale of any lot or dwelling unit is permitted.~~
7. ~~The initial HOA dues and assessments and changes to the HOA dues and assessments over time for the Category housing units (Type A) shall be as required by the Community Housing Guidelines, as amended from time to time. The Applicant shall provide a revised draft initial HOA budget for review and approval by the TRC prior to recording the necessary annexation documents. The revised HOA budget shall include a sufficient capital improvement fund. In no instance shall the HOA dues and assessments for the category-level units (Type A) be more than 80% of the HOA dues and assessments for the free-market units (Type E) and RO units without appreciation caps (Type B).~~
8. ~~Prior to the first sale of one of the 15 RO units with an appreciation cap (Type B), the Town or other public entity shall have an option to purchase the unit or~~

~~a Category level deed restriction to make said unit a Category 3 ownership unit. The "first option" provisions shall allow for the Town to have an ability to make an offer to purchase the unit or pay the difference between market rates and the sale price for a Category 3 Unit in exchange for deed restricting said unit as a Category 3 Unit (Type A). If the Town declines to make an offer to purchase or buy a Category 3 deed restriction on the units in the allotted timeline, then Pitkin County or another public entity shall have the option to purchase the unit or buy a category deed restriction on the unit.~~

~~The Applicant shall notify the Town when an RO unit with an appreciation cap (Type B) is scheduled to be listed for sale. The Town or other public entity shall have 60 days from the Applicant's notification of listing to notify the developer of intent to purchase the unit or purchase a Category 3 deed restriction on said unit. The Town or other public entity will have 30 days after notifying the Applicant of intent to buy a category deed restriction on a unit to enter into a contract with the Applicant. The market price for the RO unit (Type B) will be determined by an independent appraiser to be paid for by the Applicant. RO Units are not proposed or required by the Town as the Town has experienced issues with retaining deed restrictions on RO units.~~

- ~~9. The remaining housing units which are not price (Type A) or appreciation-capped units (Type B) shall be resident occupied and be deed restricted as such, with the exception of the seven (7) free market lots located in Blocks 6 and 11. These remaining housing units with the exception of the seven (7) free market units (Type E) shall be owner occupied at least 9 months out of the year but shall have no income or asset restrictions and will not be subject to annual appreciation caps.~~
- ~~10. The Applicant shall have the ability to construct a duplex on up to fourteen of the 28-foot wide lots. Each duplex (both units together) shall be capped at the single family square footages for the R3-TN-PUD units that are set forth in Condition No. 2 of Exhibit D. Duplex units shall not be combined into one unit and there shall be no openings permitted in the common wall between units. The final covenants shall include the provisions described above.~~
11. The small lots (28-foot wide and 42-foot wide) shall be permitted to provide one of their required parking spaces on the street as requested by the Applicant. Each of the small lots includes parking on-site for two cars and the parking requirement for a three-bedroom dwelling unit is rounded up to three parking spaces for these lots. The other uses shall be code compliant in terms of parking.
12. The live/work and home occupational aspects of the Stott's Mill development are approved as represented in the Final Application, as further clarified herein. The inhabitants of the multi-family dwelling units shall be permitted to

use up to 15% of their allowable square footage as home occupation space. The single-family lots to be zoned R3 (Type E) and R-3 TN PUD (Types A, B, and C) shall permit home occupations that do not employ more than 1 FTE that does not live on the premises and shall be allowed to use up to 30% of their allowable square footage as home occupation. All home occupations shall also comply with the remainder of the home occupation requirements set forth in the Town Code.

13. The Applicant shall construct a chain link fence (consistent in design and materials with the existing chain link fence between the High School and the Cerise property) at the eastern boundary of the property to protect the adjacent agriculture land prior to commencing any construction activities on the site. The fence shall be maintained after construction, but the abutting property owners may construct an internal fence meeting the guidelines in the PUD.
14. *Dependent on Applicant's final negotiation with the School District.* The Applicant shall deed restrict two (2) units, consisting of one studio and one 1-bedroom unit, as Category 3 Units and then deed the Units to the RE-1 School District upon ~~condominiumizing the building in which the units are located.~~—The two (2) units for School District employees shall obtain Certificates of Occupancy (CO) and be deeded to the School District before the issuance of COs prior to the completion of half of the units within the development. ~~on units in the third block to be developed on within the subdivision.~~—The School District units shall be part of the HOA and the School District will pay the HOA dues and assessments applied to comparable community housing units in the development.
15. The apartment units proposed to be category-level rental units (Type A) shall be rented at no more than the maximum rental rates and pursuant to the rental provisions established in the Community Housing Guidelines, as may be amended from time to time. The Applicant shall grant 1/10th of one percent ownership interest in each such rental unit to the Town of Basalt and hold the Town harmless for any liability incurred related to the Town's ownership. ~~In addition, the restrictive covenants for the development shall contain a requirement that the eleven (11) units designated as replacement housing units shall be required to remain rental units for a minimum of ten (10) years after the issuance of a CO on the individual units.~~

~~The Town or other eligible replacement housing owner shall have a right of first purchase to buy the replacement housing units if the Applicant decides to convert the units to sale units pursuant to the provisions established above. For the purpose of this condition, eligible replacement housing owners shall be the Town, Town's designated Housing Authority, Eagle County, Pitkin~~

~~County, or other entity assigned by the Town for the purpose of providing replacement housing. At any time after the ten (10) year period, upon notification that the Applicant would like to convert the replacement housing units to sale units, the Town will have will have 45 days notify the Applicant of intent to buy the units and then a subsequent 45 days to enter into a contract to buy the units.~~

~~Replacement Housing residents that qualify for a first priority to occupy the designated replacement housing units shall mean an employee with a job or principal office from Aspen to Glenwood Springs that lived in one of the mobile homes to be removed because of floodplain concerns identified in the 2002 River Stewardship Plan. In order to qualify under the occupancy priority for residents, the prospective occupant must demonstrate to the satisfaction of the Town that the mobile home they lived in has been permanently removed from the floodplain and not replaced with another unit in the floodplain. If after 30 days of the replacement housing unit being advertised for rent to replacement housing residents, the unit is not rented to a qualified replacement housing resident, it shall be rented in accordance with the rental requirements set forth in the Community Housing Guidelines for the Category of unit that it is designated~~

In the event that the Applicant wishes to sell any of the rental category units, the Town shall deed the Town's ownership interest back to the Applicant and the category-level community housing units (Type A) would be required to be sold according to the provisions in the Community Housing Guidelines for sale units in affect at the time and the Applicant must record a new deed restriction to meet the requirements in the Community Housing Guidelines for owned units. If at any time, a court of competent jurisdiction finds that the Applicant's agreement to rent the multi-family units at below market-rate rents violates a state or federal law, or if the Town determines that the rental deed restrictions are unenforceable, then the units shall be sold to qualified buyers as defined in the Town's Community Housing Guidelines at the maximum initial sales prices specified for the category of unit (Category 1, 2, 3, or RO) that they are designated, and the Applicant must execute a new deed restriction to meet the requirements of the Community Housing Guidelines for owned units, pursuant to the required plan specified in Condition No. 1(e), of Exhibit C.

16. One of the Category 3 units (Type A) shall be first offered for rent for a 60-day period to full-time daycare employees employed within the town limits of Basalt and if the unit is ever condominiumized and sold, it shall be first offered for sale for daycare employees working in the town limits of Basalt for 60-days each time it is offered for sale. In the event that qualified employee that works within a daycare cannot be found to rent or purchase the unit, it shall be offered for rent or sale subject to the rental and sale provisions for a

Category 3 unit in the Community Housing Guidelines.

17. The Applicant shall include language in the Master Declaration of Covenants generally consistent with the following:

If any Property or Unit is sold as a foreclosure sale or otherwise acquired by any person or entity in lieu of foreclosure, the Town, Pitkin County, or Eagle County, shall have the option to enter into an agreement to acquire such Property or Unit within sixty (60) days after the following:

- (i) the issuance of a public trustee's deed to the purchaser, or*
- (ii) receipt by the Town of written notice from such person or entity of the acquisition of such Lot or unit in lieu of foreclosure, as applicable, for an option price not to exceed*

(a) in the event of a foreclosure, the redemption price on the last day of all statutory redemption periods and any additional reasonable costs incurred by the holder during the option period which are directly related to the foreclosure, or

(b) in the event of a transfer in lieu of foreclosure, the amount paid, or the amount of debt forgiven, by the transferee plus the reasonable costs incurred by the transferee with respect to its acquisition of such Property or Unit.

Except for persons or entities having a lien on a Property or Unit as provided herein, only "Qualified Buyers" as that term is defined herein or the Town, Pitkin County, or Eagle County may acquire an interest in a Property or Unit at a foreclosure sale or in lieu of foreclosure. If any person or entity having a lien on a Property or Unit is not a Qualified Buyer and acquires an interest in such Property or Unit in a foreclosure sale or in lieu of foreclosure, the provisions in the Master Declaration of Covenants for non-qualified transferees shall apply. It is the Town's intent that the terms and provisions of this Agreement shall remain in full force and effect with respect to the Property and all Units until modified, amended or terminated in accordance with the terms of the applicable Master Declaration of Covenants.

In the event that the Town, Pitkin County, or Eagle County, exercise the option described above, the entity purchasing the unit, may sell the Property or Unit to Qualified Buyers as that term is defined herein, or rent the Property or Unit to qualified tenants who meet the income, occupancy and all other qualifications, established in the Basalt Community Housing Guidelines, until a sale to a Qualified Buyer is affected.

However, in the event of foreclosure by the holder of the first deed of trust on such Property or Unit, if the holder of such deed of trust is the grantee under the public trustee's deed and the Town, Pitkin County, or Eagle County does not exercise its option to purchase as provided in the applicable Master Declarations of Covenants, then the Town agrees to release the Property or Unit from the requirements of this Deed Restriction."

SITE PLAN, DESIGN, AND DEVELOPMENT PROGRAM

1. The Applicant shall abide by the revised design guidelines dated August of 2008. The design guidelines shall be incorporated into the PUD approval documents and enforced by the Town in building permit review. This shall not preclude the ability of the development to have a design review board in addition to the Town's review purview over the design guidelines.

Each building permit application submitted to the Town for a new single-family or duplex residence within the development shall have first been reviewed and approved by the subdivision's design review board for compliance with the subdivision design guidelines. In the event that there is a disagreement between a building permit applicant and the Building Official, the building permit applicant may appeal the Building Official's determination to the Town Council to be considered at a duly noticed public hearing.

The design guidelines shall be amended prior to being included in the PUD approval documents to include the following:

- ~~a. A maximum solar panel size shall be three feet by four feet; and,~~
- b. A requirement that front yard fences shall meet all requirements in the Town Code for front yard fences and front yard fences shall be setback at least 12 inches from the back of the sidewalk.

The Applicant shall also provide a variety of designs and contract with at least four (4) different local architect firms to design the units to be constructed by the developer to ensure variety in design.

2. The dimensional requirements for the narrow lots (28-foot wide and 42-foot wide) zoned R-3 TN PUD shall be as follows:

Dimensional Requirement	Approved Measurement
Min. Lot Area	3,360 SF
Building Height	24 Ft. to midpoint
Ridge Height	28 Ft.

# of Stories	2
Lot Width	28
Front Yard Setback	10 Ft. Porch 16 Ft. Living Area
Rear Yard Setback	7 Ft.
Side Yard Setback	5 Ft.
Floor Area	<ul style="list-style-type: none"> • 1,328 Total Square Feet for 11—of 28 Ft. wide lots • 2,000 Total Square Feet for 31—of 28 Ft. wide lots • 2,376 Total Square Feet for 42 Ft. wide lots
Max Lot Coverage	70%
Min Landscape	20%
Parking	Per Town Code. The small lots that have three-bedroom units shall be permitted to provide one of their required parking spaces on the street as requested by the Applicant.
Maximum No. of Bedrooms in a Unit	3 Bedrooms

3. The dimensional requirements for the larger lots (Type E) zoned R-3 PUD, known as Lots 1-3, Block 6, and Lots 1-4, Block 11 shall be as follows:

Dimensional Requirement	Approved Measurement
Min. Lot Area	6,000 SF
Building Height	24 Ft. to midpoint
Ridge Height	28 Ft.
# of Stories	2
Lot Width	50
Front Yard Setback	10 Feet
Rear Yard Setback	10 Feet
Side Yard Setback	10 Feet
Floor Area	4,500 Total Square Feet

Max Lot Coverage	NA
Min Landscape	20%
Parking	Meet Code Requirements

(Note Deleted as all of the single-family lots are now proposed as R-3 TN PUD Lots)

3. The dimensional requirements for the multi-family residential buildings on Blocks 1A, 1B, and 1C zoned R-4 MD PUD shall be as follows:

Dimensional Requirement	Approved Measurement
Min. Lot Area	NA*
Building Height	33 Ft. to midpoint
Ridge Height	35 Ft.
# of Stories	3
Lot Width	50
Front Yard Setback	10 Feet
Rear Yard Setback	20 Feet
Side Yard Setback	10 Feet
FAR of Building	.69:1 No Max - Defined by Massing Envelope of Setbacks and Height
Max Lot Coverage	NA
Min Landscape	20%
Parking	Meet Code Requirements

*- A total of 47 96 dwelling units shall be permitted on the multi-family Property Lots 1A, 1B, 1C, and Block 9. (Note: This density is permitted for the sketch plan approval on the multi-family and is subject to change at Final Plan Review). The maximum unit sizes allowed on the parcels to be zoned R-4 MD PUD are as follows:

Unit Type	Maximum Unit Size
Studio	700 Total SF
1-Bedroom	750 800 Total SF
2-Bedroom	1,100 965 Total SF
3-Bedroom	1,250 1,135 Total SF

5. ~~The Applicant shall submit a final design for the multi-family units on Lots 1A, 1B, 1C, and Block 9 for review and approval by the Planning and Zoning Commission prior to issuance of a building permit on any of these buildings. If the TRC determines the designs to be substantially different from the conceptual designs reviewed during the Final Plan review, the final design review will require review by both the P&Z and Town Council as a Special Review pursuant to the then applicable special review procedures in the Town Code. Multi-Family Design to be reviewed as part of the Final Site Plan Review.~~

IMPACT FEES AND DEDICATIONS

1. The Applicant shall participate in or contribute on a proportional basis to the future cost of making the transportation improvements that will be necessary to mitigate the cumulative impacts of traffic growth from this and other expected projects. The Applicant shall pay a transportation fee at the time of building permit issuance for each of the individual units based on the following schedule:

Type of Unit	Fee
Free-Market Residential (Type-E)	
Detached	\$.85 per total square foot
Attached (Includes duplexes)	\$.70 per total square foot
RO (Types B and C)	
Detached	\$.80 per total square foot
Attached (Includes duplexes)	\$.65 per total square foot
Community Housing (Type-A)	
Detached	\$.45 per total square foot
Attached (Includes duplexes)	\$.35 per total square foot

(Note: Staff did not grow this fee because there are significant transportation improvements required of this development application, but other Applications that are proposed are expected to have an increased fee.)

2. The Applicant shall contribute on a proportional basis to the cost of implementing the new water storage tank using the methodology and timing of payment in the Town Code and adopted fee schedule (as adopted in Ordinance No. 18, Series of 2008). The Stott's Mill project is subject to certain surcharges, as provided in the Municipal Code, for connecting to the existing water distribution system.
3. The plans for a Southside Traffic Roundabout or an Alternative Traffic Calming Mechanism on Southside Drive adjacent to Stott's Mill must be

approved by the Town Council before or concurrent with the Final Plan approval of the multi-family portion of the development. The Applicant's responsibilities for construction of this improvement will be addressed in the Final Plan review for the multi-family housing. However, the Applicant shall also dedicate the land area necessary for the implementation of a mini-roundabout at the intersection of Southside Drive and Running Brook Drive as proposed in the Application prior to recording the final plat for the Subdivision.

~~The Applicant shall be responsible for constructing a roundabout on Southside Drive in the location shown on the site plan incorporated in the Stott's Mill Final Plan application pursuant to the timing requirements established in Condition No. 12, Exhibit J of this ordinance, unless the roundabout is constructed by another before the Applicant is issued a construction permit from the Town to commence construction activities. It is the intent of this condition that the earlier of the Stott's Mill or Basalt Design District development projects (with the exception that Basalt Design District may construct up to two additional commercial mini-storage buildings on a property without triggering the need to construct the roundabout) to be issued a construction permit as determined by the TRC would be required to construct the roundabout. Further, it is the Town's intent to require all subsequent Town approvals for development constructed south of the intersection of Fiou Lane and Southside Drive to be responsible for repaying the developer that constructed the roundabout a proportional share of the design and construction costs of the roundabout based on anticipated trip generation as determined by the Town Engineer.~~

~~The final construction and design cost of the roundabout subject to the reimbursement shall be established by the Town Engineer at the time of completion of the roundabout construction and shall be based on the actual design and construction cost of the roundabout and the value of land dedicated for the roundabout. For the purpose of ensuring an equitable assessment and distribution of the final costs of the roundabout, the final construction cost to be reimbursed will also include the actual cost of borrowing money for the construction of the roundabout and the Applicant shall demonstrate to the satisfaction of the Town Engineer their interest costs related to borrowing money to construct the roundabout. The interest costs related to borrowing the money to construct the roundabout shall be based on the cost of a construction loan. For the purposes of this reimbursement, the cost of a construction loan shall be based on the Prime Interest Rate as published in the Wall Street Journal at the time the Applicant takes out a construction loan to finance the construction of the roundabout and the term of the roundabout construction loan to be reimbursed shall not exceed five (5) years (if the construction loan is taken out by the Applicant for a term less than five (5) years then the interest reimbursement shall be based on the actual term of the loan). If the Applicant takes out a construction loan for~~

~~longer than five (5) years, the interest reimbursed on the construction loan shall be limited to five (5) years.~~

~~The final construction cost shall be demonstrated by the Applicant by providing an itemized summary of the design and construction costs and related invoices to the Town Engineer. The Town Engineer shall provide notice of the final construction costs to the other known parties subject to the reimbursement requirements and by publishing in a local newspaper of general circulation and said parties and the public shall have fifteen (15) days from the notice to appeal the final construction costs. If an appeal of the final roundabout construction cost is filed, the Town Council shall consider the appeal at a public meeting in which (15) days written notice of the public meeting has been provided to the appellants.~~

~~The Applicant shall prepare construction drawings of the roundabout for review and approval by the Town Engineer as part of the final civil engineering drawings.~~

~~Developers dedicating land for the construction of the roundabout shall receive credit against their required reimbursement contribution at a fixed value of \$20 per square foot of land dedicated. If the land owner on the west side of Southside Drive at the location of the roundabout is not willing to grant the land to the Town for the roundabout prior to the time that a developer is ready to build the roundabout, a modified roundabout that only requires the dedication of the land on the east side of Southside Drive by the Stott's Mill Applicant shall be constructed subject to approval of the modified roundabout design by the Town Engineer.~~

~~The construction of the roundabout shall occur when school is not in session, unless the Applicant proposes, and the Town approves, a plan to detour traffic around the construction site; and Southside Drive shall not be completely closed during construction.~~

~~The Applicant shall enter into a cost reimbursement agreement determined acceptable to the Town Attorney prior to recording a Master Subdivision Plat. Town-initiated amendments to this condition require four affirmative votes of the Town Council after a public hearing in which a fifteen (15) day notice is also provided to the parties subject to the reimbursement.~~

- ~~4. The Applicant shall conduct a traffic study acceptable to the Planning Director upon the completion of the pedestrian underpass to establish new baseline conditions or pay the Town for the cost to complete the study. The Applicant shall provide financial security for its share, determined to be one-third of the construction costs, of a mini roundabout at Cody Lane and Basalt Avenue ("Mini Roundabout Improvement" or "Improvement"), before filing a plat on the~~

Property. The Town will assume a conservative \$500,000 for the cost of the Mini Roundabout Improvement until final plans and cost estimates are prepared and certified by an engineer for Improvement and accepted by the Town Engineer. Therefore, until the Town Engineer certifies a lower cost the Applicant shall provide security of \$165,120, prior to filing a plat to develop on the property. The Town Engineer can approve a lower amount based on 115% of certified cost estimates on an approved plan for the Applicant's share provided the Applicant agrees to pay its fair share upon construction of the Improvement. Upon providing financial security in a form acceptable to the Town Attorney in the amount required by this condition, the Applicant may construct up to sixty (60) units, the daycare and park improvements (including the tennis center to be built by others).

Upon completion of 60 units, an updated traffic study is required to be submitted and accepted by the Planning Director for adequacy of the required information and a check-in with the Town Council must be conducted before any additional units may receive a building permit. The purpose of the updated traffic study is to determine the effectiveness of the pedestrian underpass and associated lane age changes with regards to reducing the queuing time and providing an acceptable level of service at the Basalt Avenue/Highway 82 traffic signal. The updated traffic study would identify whether the mini-roundabout is needed to be constructed before additional development is permitted or define how many more units could be built without triggering the need for the mini-roundabout. This condition may be refined during final plan review of the multi-family units.

5. The Applicant shall prepare and submit for the Town an updated access permit with CDOT. Alternatively, at the Town's sole decision, the Town shall prepare and submit the access permit and be reimbursed by the Applicant. The required permit application shall be submitted before or concurrent with the Final Plan application unless waived by the TRC.
6. The Town will use its best efforts to seek funds from other Developments in the Southside for the necessary studies and improvements needed to accommodate the pedestrian and vehicular traffic through the area. The Town will use its best efforts to reimburse the Applicant when other funds are received so that the Applicant is only paying for its fair share of the studies and infrastructure.

WATER RIGHTS

1. The Stott's Mill developer shall dedicate by special warranty deed all of its 1.57 cfs, absolute, decreed in the Grace & Shehi Ditch, 0.644 cfs under Priority 142 and 0.926 cfs under Priority 302, which have been historically

used to irrigate 12.29 acres of the 17.976 acres proposed for annexation into the Town as more further described in the Memorandum from Tom Kinney, Town of Basalt Water Attorney, to Susan Philp and Larry Thompson dated April 30, 2007.

2. The Town shall lease back to the Applicant, portions of these Grace & Shehi Ditch water right priorities for continuation of raw water irrigation within the Stott's Mill PUD Parcel.
3. The Applicant shall be required to provide a cash-in-lieu payment reflecting the cost of the Town's obtaining water rights sufficient to meet the full build-out municipal water service demand occurring during the non-irrigation season (currently anticipated 18.2 acre-feet).
4. As part of constructing the irrigation water storage pond on the property, the Applicant shall abide by the following requirements:
 - a. The out-of-priority stream depletions resulting from pond evaporation should be incorporated by the Town into the Town's augmentation plan, which augmentation plan is and shall continue to be solely owned and maintained by the Town.
 - b. The Applicant shall make a cash payment to the Town in lieu of the dedication of additional water rights and in an amount appropriate to compensate the Town for the legal and engineering costs associated with either amending the Town's augmentation plan or obtaining Water Court approval of an additional augmentation plan, to incorporate the operational pond as an augmented structure.
 - c. The declaration of covenants and the subdivision improvements agreement shall contain language prohibiting the use of treated water for outdoor irrigation purposes, except between November 1st and March 31st when homeowner's may use treated water for irrigation.
 - d. Applicant shall continue to use the dedicated 1.57 cfs Grace & Shehi Ditch water described herein above at Condition No. 1 of Exhibit F pursuant to the annual lease-back agreement described herein below at Condition No. 5 of Exhibit F for the purpose of irrigating 12.29 acres of historically irrigated acreage within the Stott's Mill PUD Parcel until development construction begins and shall thereafter continue to use a portion of said 1.57 cfs Grace & Shehi Ditch water right to continuously irrigate the maximum portion of said 12.29 acres historically irrigated within the Stott's Mill PUD Parcel practicable during construction of the Stott's Mill PUD.

5. The Town's former Water Attorney has drafted a municipal water service agreement, water rights dedication deeds, and an annual lease agreement by which the Town will lease back to the developer and/or home owners' association(s) a portion of the 1.57 cfs of dedicated water rights in the Grace & Shehi Ditch for raw water irrigation. The Applicant shall execute these documents prior to or in conjunction with recording the final annexation plat and agreement.

PARKS, TRAILS, AND OPEN SPACE

1. The Applicant shall comply with the annexation requirements for parkland dedication and park improvements by:
 - a. Dedicating ownership of 4.5 acres of improved park land to the Town as shown on the Final plat and ~~as described in the Final Plan application and~~ improving the two parks as shown on the landscape plan prepared by Mt. Daley Enterprises with a revision date of 11/17/09.
 - b. For South Park, the Tennis Group represented by Diana Elliot shall be able to construct an indoor tennis center comprised of three (3) tennis courts in the event that they are able to raise the necessary funding as determined by the Town Manager by *(two years after the final project approval date)*. If the Tennis Group has not obtained enough funds to build the tennis facility by *(two years after the final project approval date)*, the Applicant will resume control of installing an active park consistent with the park plan in the 2009 approvals to include a public bathroom in the vicinity of the Denver and Rio Grande Trail, storage space incorporated into the bathroom design for use by the Public Works Department, drinking fountain, trails, signage, bicycle parking facilities, 2 basketball courts, and 4 tennis courts, a small storage space of 30 feet by 20 feet to be used by the Aspen/Snowmass Nordic Council or others for storage of nordic grooming equipment and the historic cabin in the configuration generally shown on the landscaping plan dated 6/8/09. As the Town will own the storage space, the Town will be able to use it or specify the use of it in the event it is no longer needed to store nordic grooming equipment. If the Tennis Center is not built, conditions c-j below will also apply.
 - c. A revised landscape plan shall be submitted for review by the TRC prior to recording the Master plat and SIA that demonstrates the ability for and the location of a 14-foot wide Nordic ski loop in South Park that is free of landscaping barriers.
 - d. The Applicant shall erect the proposed pole and rail fence between the Rio Grande Trail ROW and the Stott's Mill property prior to commencing construction activities on the entire site.

- e. The Applicant shall enter into a license agreement with RFTA to construct the a sidewalk connections to the Rio Grande Trail prior to recording a Master Plat and SIA.
- f. The trails on the Landscape Plan prepared by Mt. Daly Enterprises, dated 11/17/09 in the North and South Park shall be asphalt.
- g. The Applicant shall relocate the historic cabin to South Park and make it structurally sound for use as a recreational feature in South Park. This shall be completed as part of the required improvements discussed in Condition No. 7 of Exhibit J below.
- h. The Town will conduct the routine park maintenance on North and South Park, but the Applicant shall enter into a perpetual maintenance agreement with the Town requiring that the HOA will maintain the raw water irrigation system at its sole expense. The Town Attorney and Public Works Director shall review the maintenance agreement prior to recording it at the Pitkin County Clerk and Recorder's Office. The agreement shall be recorded in conjunction with recording final annexation plat and agreement.
- ~~i. The Applicant shall submit trail sign plans for the intersection of the sidewalks/trails in South Park to the Rio Grande Trail for review and approval by Pitkin County Open Space and Trails and the Basalt TRC.~~
- j. The Applicant shall provide an irrigation plan for irrigation in the Town's right-of-ways for review and approval by the Town's Horticulturist Assistant Planning Director prior to issuance of any building permits for the development.

FIRE DISTRICT CONDITIONS

1. The declaration of protective covenants shall require that fire apparatus access roads within the development shall not be obstructed in any manner, including the parking of vehicles so that the minimum widths and clearances established in the Section 503.4 of the International Fire Code are maintained. Language shall also be added to the declaration of protective covenants shall also prohibit the parking of recreational vehicles or boats in the on-street parking spaces within the development.

The declaration of protective covenants shall provide that these requirements are enforceable by the HOA and by the Basalt and Rural Fire Protection District.

EXHIBIT I

TECHNICAL CONSIDERATIONS

1. The Applicant shall comply with all of the geo-technical recommendations provided by HP Geotech, including the basement recommendations made by HP Geotech in their letters dated October 23, 2007 and April 3, 2008, requiring that basements for the single-family lots not extend more than six (6) feet below existing grade and that basements not be provided in the multi-family buildings. This shall be a requirement of the declaration of protective covenants.
2. The Applicant shall only be required by the Town to remove a small area of willow vegetation on the westernmost extent at which the Home Supply Ditch is on the Stott's Mill property before it reaches Southside Drive and a small area of willow vegetation at the easternmost extent at which the ditch is located on the Stott's Mill property. These small areas of removal shall be revegetated with a native low-lying species approved by the Public Works Director ~~Town Horticulturist~~. The Applicant shall have finalized an agreement with the Home Supply Ditch Company to enable the Applicant to construct Alexander Lane across the ditch prior to recording the Master Plat dedicating the parks to the Town.

The Applicant shall prepare a revised landscaping plan for North Park for review by the TRC and the Assistant Planning Director ~~Town Horticulturist~~ that includes an area of dense vegetation adjacent to the irrigation pond that may replace some bird habitat that might be lost if the ditch company or the Applicant removes all of the vegetation on the south side of the Home Supply Ditch within the ditch easement. Four water birch specimens that were identified on the site visit between representatives of the Home Supply Ditch Company and Town Staff on 11/12/09 are to be preserved on the south side of the ditch upon final approval by the Home Supply Ditch Company Board of Directors.

3. There shall be no designated parking spaces, except for handicap spaces on the public streets, spaces on the individual single-family ~~and duplex~~ lots, and carshare spaces. This shall be a requirement of the declaration of protective covenants.
4. The Applicant shall apply for and be annexed into the Basalt Sanitation District prior to the issuance of the first building permit in the development. Acceptance into the Basalt Sanitation District shall be contingent on obtaining final annexation approval.

5. The Town contracted with Economic and Planning Systems (EPS) to develop an economic model to study the fiscal impacts of the development on the Town. The Applicant shall reimburse the Town for the cost of having EPS conduct the study.
- ~~6. The residential units above the daycare shall be limited to one bedroom units to limit parking demands around the daycare for uses other than the daycare.~~
7. The Applicant shall dedicate the alleyways to the Town on the Master Plat, but the Applicant shall also enter into a perpetual maintenance agreement requiring the HOA to maintain the alleyways, including but not limited to snowplowing and resurfacing. This maintenance agreement shall be drafted by the Applicant and reviewed by the Town Attorney and Public Works Director and recorded prior at the County Clerk and Recorder's Office in conjunction with recording the PUD control document.
- ~~8. The Applicant shall amend the site plan to include a five (5) foot wide sidewalk on the south side of South Park Drive.~~
- ~~9. The Applicant shall submit new street names to replace South Park Drive, North Park Drive, and Apartment Street that do not conflict with other street names in Eagle or Pitkin Counties for review and approval by TRC prior to recording the Master Subdivision Plat.~~
10. Development in the rights-of-way shall occur as approved in the Final PUD plan, but the Town reserves the right to make future improvements in the rights-of-way as deemed appropriate and shall not be bound by limits established in the PUD.
11. The Applicant shall install removable bollards in the Allison Lane vehicular connection with a Knox box meeting the Fire District's requirements. The area between the bollards shall be maintained for a through access during the winter by the Town. (Town will discuss further with Fire District prior to Council's Public Hearing.)

PHASING AND APPROVAL DOCUMENTS

1. The Applicant shall enter into a PUD control document with the Town within 180 days of the effective date of the Final Plan ordinance for Phase I, adopting the terms and conditions of the development and providing security for the common public improvements associated with the development. The Applicant shall also record a Master Plat/Annexation Map and Final PUD Development Plan with the Pitkin County Clerk and Recorder's Office within 180 days of the effective date of the Final Plan ordinance.

A note shall be included on the Final Annexation Map indicating that the area of annexation has been refined from the legal description included on the original annexation petition, yet represents the development proposed in the annexation petition that was approved for annexation eligibility pursuant to Resolution No. ~~14 5~~, Series of ~~2016~~ 2006 and to be in substantial compliance with the annexation requirements pursuant to Resolution No. 2, Series of 2006.

The PUD control document, Master Plat/Annexation Map, and PUD Development Plan shall be reviewed by the Town Attorney for approval of form and content prior to recording. The PUD control document, Master Plat, and PUD Development Plan shall be recorded prior to commencing the installation of infrastructure and prior to the issuance of the first building permit in the development. The Applicant shall also prepare deed restrictions for the community housing units for review and approval by the Town Attorney prior to the recording of the PUD Control Document.

An individual subdivision plat shall be submitted for each phase prior to closing on the sale of any lots or developing on any of the lots in each phase. ~~The individual phase subdivision plats shall be reviewed and approved by the TRC prior to recording. If the TRC finds that an individual subdivision plat that is submitted is inconsistent with the approvals established herein, the Applicant may request that such determination be appealed to the Town Council to be reviewed at a duly noticed public hearing. For the purposes of the phasing approvals, the term "filing" shall mean the same as a "phase" as identified on the Applicant's proposed phasing plan prepared by Sopris Engineering, dated July 28, 2009.~~

- ~~2. The following improvements shall be required as part of the Subdivision Improvements Agreement for any filing prior to closing on the sale of any lots within the filing to be recorded in conjunction with filing the subdivision plat for an individual filing:~~
 - ~~a. Pedestrian crossing improvements at corners and a pedestrian link to the block being developed; and,~~
 - ~~b. Two driving lanes adjacent to the blocks being developed; and,~~
 - ~~c. Alley improvements within the blocks being developed as proposed by the Applicant, with addition that the alley shall only be gravel for one year from the issuance of the first building permit within the block; and,~~
 - ~~d. The parking lot and drive west of the multi-family Blocks 1A, 1B, and 1C may be phased as proposed in the Applicant's phasing plan except that it may only be gravel for up to one year after the issuance of the first single-family building permit or the first CO on a multi-family building, whichever is earlier; and,~~

- e. ~~Parking on both sides of the street adjacent to the blocks being developed; and,~~
- f. ~~Concrete curb and gutter on both sides of the street adjacent to the blocks being developed; and,~~
- g. ~~All utility lines brought to the blocks being developed, including potable water, raw water, electric, telephone, communications, gas, and cable; and,~~
- h. ~~Sewer improvements adjacent to the blocks being developed, and all downstream sewage conveyance facilities of the block being developed; and,~~
- i. ~~Signage and striping; and,~~
- j. ~~Stormwater improvements adjacent to the block being developed, and all downstream stormwater conveyance facilities to convey stormwater to, and including, detention facilities.~~
- k. ~~Landscaping shall be installed pursuant to the timing established in No. 4 below.~~
~~Sidewalks shall be installed pursuant to the timing established in No. 4 below~~

~~In conjunction with each filing, the Applicant shall submit an individual site control plan for each filing for review and approval by the Town Engineer and the Public Works Director. The site control plan for each filing shall include the status of site grading, top soil removal, structural fill placement, locations for stockpiling of material, storm water drainage and detention, weed control and interim reseeding (where necessary to control dust and erosion where alternate measures are not satisfactory), sediment control, dust control, ditch relocation issues, and public safety concerns. The intent of the site control plan review is to provide for appropriate mitigation measures in recognition of the fact that heavy equipment, grading and site disruption will be occurring for a period of several years.~~

- 3. ~~Sidewalks and street landscaping shall be installed, and accepted by the Town Engineer in the rights-of-way adjacent to the blocks being developed prior to closing on the sale of any lots on a block and prior to the issuance of a CO on any of the units within the block. However, up to five (5) individual owner/builder lots in each phase are exempt from the above requirement and may be sold prior to the completion of sidewalk and street landscaping. Sidewalks adjacent to the South and North Parks shall be constructed in conjunction with construction of the landscaping improvements in the parks. Additionally, the eight (8) foot wide sidewalk running north and south adjacent to Cross Street shall also be installed and completed in conjunction with the completion of all of the required park improvements in North and South Parks so that there is a connection between the parks upon their completion.~~

4. ~~The Applicant shall be required to construct and obtain a core and shell CO and dedicate the public facility with a daycare priority on Block 9 prior to the Applicant obtaining a building permit to construct the 59th unit in the development (equates to the daycare being required prior to half of the units obtaining a building permit in Phase 2 of the development).~~

~~The Town may construct the permanent daycare facility earlier than the second filing at the Town's cost.~~

6. The Applicant shall complete all of the proposed park improvements (including all landscaping, trails, one stormwater detention facility, the ditch improvements, pond, irrigation piping, and adjacent sidewalk and parking) in North Park within three (3) years of final approval prior to recording the plat for the second filing in the development.
7. In the event that the Tennis Center is not built, the Applicant shall complete all of the proposed park improvements (including all landscaping, trails, one stormwater detention facility, the ditch improvements, the adjacent sidewalk and parking, the public facilities/storage, and the courts) in South Park prior to the earlier of the Applicant obtaining a building permit on the 59th unit half the units in the development (equates to the park improvements being required prior to the Applicant obtaining a building permit on half the units in Phase 2 of the development) or prior to the issuance of any building permit in Block 10 of Phase IV or on Lots 3 or 4 of Block 11 in Phase V of the development.
8. The Applicant shall construct a chain link fence (consistent in design and materials with the existing chain link fence between the High School and the Cerise property) at the eastern boundary of the property to protect the adjacent agriculture land prior to commencing any construction activities on the site. The fence shall be maintained after construction, but the abutting property owners may construct an internal fence meeting the guidelines in the PUD.
9. *Dependent on Applicant's final negotiation with the School District.* The two (2) units for School District employees shall obtain COs, be deed restricted as Category 3 units, and then be deeded or prioritized (in the case of a rental unit) to the School District before the issuance of COs on half the units in the development ~~any units in the third block to be developed on within the development.~~
10. The category level units and RO units with appreciation caps shall be constructed at a proportional rate with the RO units without appreciation caps and free-market units (if any are approved). For example, since the number of category-level and RO units with appreciation caps equal at least 20-30% of the units within the project, at least ~~three (3)~~ two (2) category-level or RO units with appreciation caps shall be constructed and obtain COs out of every

ten (10) total units developed within the project.

11. The multi-family Blocks 1A, 1B, and 1C shall remain in a single ownership until such time as the last of the multi-family buildings on these blocks is completed and obtains a CO. All of the multi-family buildings on Blocks 1A, 1B, and 1C shall be constructed and obtain a CO prior to the recording a plat on the third filing in the development to ensure that the Southside Drive streetscape is completed. Any future subdivision will be subject to the then-current subdivision regulations.
12. ~~The roundabout on timing and Applicant's responsibilities or proportional costs for construction of the roundabout or traffic-calming improvements determined necessary by Town Council for Southside Drive shall be determined during Final Plan review of the multi-family units installed and completed as part of the 1st phase improvements and within the first summer of infrastructure improvements. The Applicant shall submit and implement a detour plan for pedestrians, bicyclists, and vehicular traffic acceptable to the Town Engineer to safely and efficiently move pedestrian, bicyclists, and vehicles around the roundabout construction prior to commencing construction on the roundabout.~~
13. The irrigation pond and irrigation piping shall be installed in the 1st phase of improvements and prior to the issuance of the first building permit within the development.
14. ~~The Applicant shall make arrangements to continue temporary storage at the Applicant's cost for the Nordic Council's equipment on the site until the new storage facility is completed in South Park.~~
15. Up to four (4) model units that are not inhabited may be exempted from the phasing requirements by the TRC.
16. If there are any insubstantial changes to the project's phasing plan during construction, a revised phasing plan shall be submitted for review by the TRC. Any minor deviations from the requirements of the approved phasing plan require approval by the TRC and shall be documented by the issuance of a TRC Certificate. If the TRC finds that a change is not insubstantial, the change shall require approval by the Town Council.
17. ~~If the Applicant is constructing their infrastructure when the Town is ready to develop Parcel C of Basalt Design District, the Applicant will grade and install utilities for the project at their cost. Alternatively, if the Applicant has completed infrastructure improvements on their site but is still doing vertical construction when the Town is ready to develop Parcel C, the Applicant shall provide the Town with a legitimate construction bid for the vertical construction on Parcel C. The bid shall be a market rate bid that is discounted by 100% of the staging costs, except that the Applicant may~~

~~include justified "specialty staging costs" in their bid at the discretion of the TRC. For the purpose of this condition, "specialty staging costs" shall be defined as the staging costs associated with the need to bring in specialty equipment that is not staged at Stott's Mill at the time of construction on Parcel C of Basalt Design District.~~

18. The Applicant shall provide financial security in a form acceptable to the Town Attorney, in an amount sufficient to secure all of the improvements within both North and South Parks (2009 Landscape Plan), ~~and the Southside Drive roundabout~~ within the development plus a ten (10%) percent contingency in conjunction with filing the master plat and PUD plan. Prior to the issuance of the first building permit or closing on the sale of any lots in an individual block, whichever is earlier, the Applicant shall prepare and record a subdivision plat for the individual block or blocks that are being developed.

In conjunction with filing the subdivision plats on the development ~~phases individual blocks~~, the Applicant shall be required to put up sufficient financial security in a form acceptable to the Town Attorney for the public improvements in the phase block. If the Applicant is proposing to develop multiple blocks ~~phases~~ at once, they shall be allowed to record multiple phase block subdivision plats at once, but they would need to put up security for the public improvements on all of the phases blocks being platted.

The Town may draw on the financial security posted for the public improvements to install any incomplete public improvements or restore the site to an acceptable condition if at any time after the commencement of construction activities the Town Engineer determines that the project or a portion of the project has been abandoned. Abandonment for the purpose of administering this condition shall mean that the Applicant has started improvements, but has stopped all construction activities on the site for a period of more than six (6) months.

No more frequently than once every quarter, Applicant shall be entitled to partial releases or reductions of the Performance Guaranty as portions of the Improvements are completed and approved. In order to obtain a partial release or reduction of the Performance Guaranty, Applicant shall submit a Certificate of Partial Completion signed by an engineer licensed in the State of Colorado or other appropriate professional acceptable to the Town describing the portion of the Improvements completed, and the cost allocation associated with such completed improvements.

VESTED RIGHTS AND CONTRACTUAL PHASING

1. Vested property rights shall be granted for a period of three (3) years from the effective date of the ordinance approving the final annexation. The Applicant

may request an extension of vested rights and an amendment to the contractual phasing requirements pursuant to the process for extending vested rights as established in the Town Code. The Town Council may consider the strength of the local housing market and construction lending environment in considering a request to extend the vested rights and contractual phasing time period.

~~All of the public improvements required in Phases 1 and 2 of the development with the exception of South Park, including the construction of the roundabout, all of the North Park improvements, all of the South Park improvements, and the core and shell of the daycare facility shall be completed within the three (3) ~~five (5)~~ year vested rights period. If all of these improvements are not completed to the satisfaction of the Town within the ~~five (5)~~ year vested rights period, then no further building permits shall be issued except on owner/builder lots within the development and no additional plats shall be filed within the development unless the Town Council extends the vested rights period. Additionally, if the Applicant does not complete the Town's required Phase 1 and 2 improvements within the three (3) ~~five (5)~~ year vested rights period, the Town reserves the ability to unilaterally rezone the property or change the allowable uses within the PUD. Buildout shall occur in seven (7) years after infrastructure installation with the ability for the Applicant to come back and ask for an extension from the Town Council.~~

August 10, 2016

James Lindt, Assistant Planning Director
Town of Basalt
101 Midland Avenue
Basalt, CO 81621

RE: Stott's Mill – Updated Affordable Housing Plan
Other Submittals

Dear James:

We are providing an updated Affordable Housing Plan, a proposed condition related to traffic mitigation and comments on other issues as a result our recent Technical Review Committee meetings and conference calls with SGM related to traffic issues in the Southside Area. We have tried to keep our comments succinct and to the point. They are as follows:

Traffic Mitigation. These comments are being provided under separate cover by Yancy Nichol, Project Engineer for Stott's Mill.

Affordable Housing. Stott's Mill will provide affordable housing in compliance with the Town's Housing Guidelines - 20% of the number of units in 25% of total square footage. The following units are proposed:

- 20 multifamily units (rental)
- 10 single-family lots or single-family "for sale" constructed units.

The rental units will follow the progression of the number of units outlined in the Housing Guidelines. The intent is to place five rent capped units in each of the four multifamily buildings. The number of units within each category is provided on the attached spreadsheet. The single-family lots or single-family constructed units will be spread throughout blocks 1 through 4 with at least two affordable units in each block. The Affordable Units will be provided on 28 foot wide lots. Stott's Mill has been in conversations with Habitat and is reaching out to other groups. We know the town is also talking other organizations. At this point we don't think anyone knows exactly the optimum mix for the town and or the Developer in terms of then ratio between vacant lots or fully constructed units. We think this will evolve over the next few months and would like to keep the conversation open. We also know the Council will want to comment and provide further direction.

Mark Chain Consulting, LLC

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Day Care. Attached is a site plan from the project Landscape Architect, Rich Camp. As we have discussed before, the bottom floor of lot 37 is being dedicated as a Day Care facility. Lot 38 is being shown as the open space/play area for the day care. An apartment on the second floor of the day care facility is being proposed to be occupied by the manager of the multifamily complex. Please note that in the project approval language will need to be finalized which discusses what happens if the daycare use goes away.

Tennis Center. The video showing design of the tennis center facility has been sent previously to you.

Please contact us if you need additional information or wish to discuss the proposal prior to the August 16 hearing.

Sincerely,

Mark Chain

Mark Chain, Planner

**AFFORDABLE HOUSING RENTAL UNITS
STOTT'S MILL: LOCATED IN MULTIFAMILY COMPLE**

	AH Category	# BR	Max Rent	# Units	Approx Size	Total SF
80% AMI	1	1	\$ 1,327	3	700	2,100
	1	2	\$ 1,410	3	900	2,700
100 AMI	2	1	\$ 1,785	4	700	2,800
	2	2	\$ 1,897	4	900	3,600
120% AMI	3	1	\$ 2,119	3	700	2,100
	3	2	\$ 2,172	3	900	2,700
Totals				20		16,000

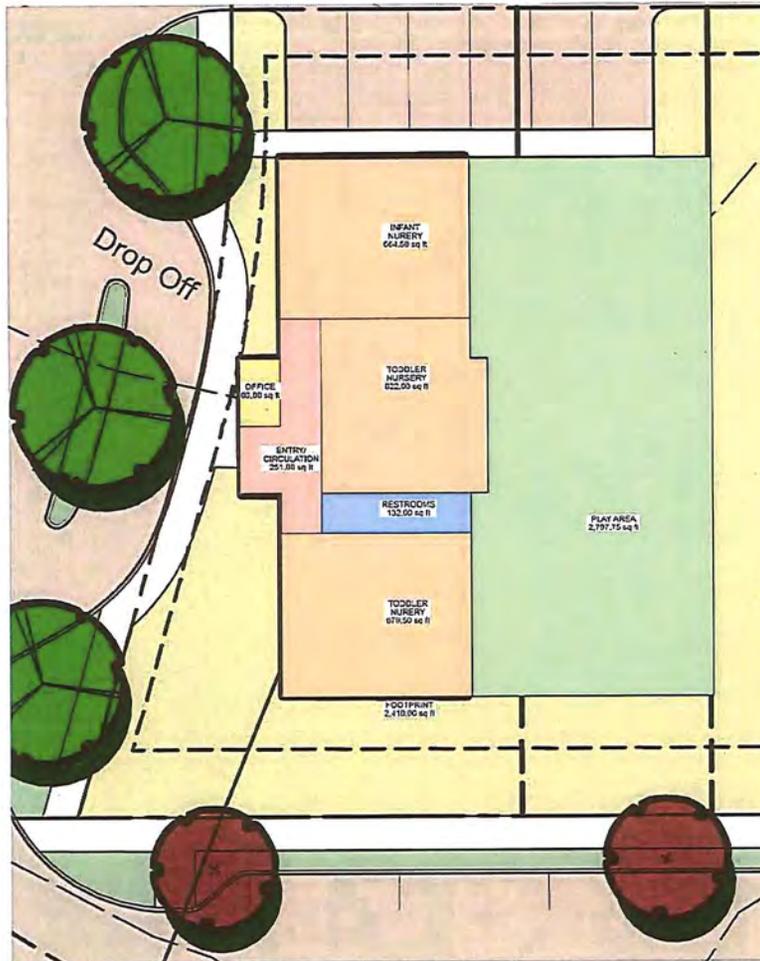
- Notes
1. Plan is to locate 5 "affordable" rent capped units in each multi-Family Building
 2. SF estimates are Approximate. Subject to Final Design



Conceptual Landscape Plan
Stott's Mill P.U.D.
 Basanti, Colorado

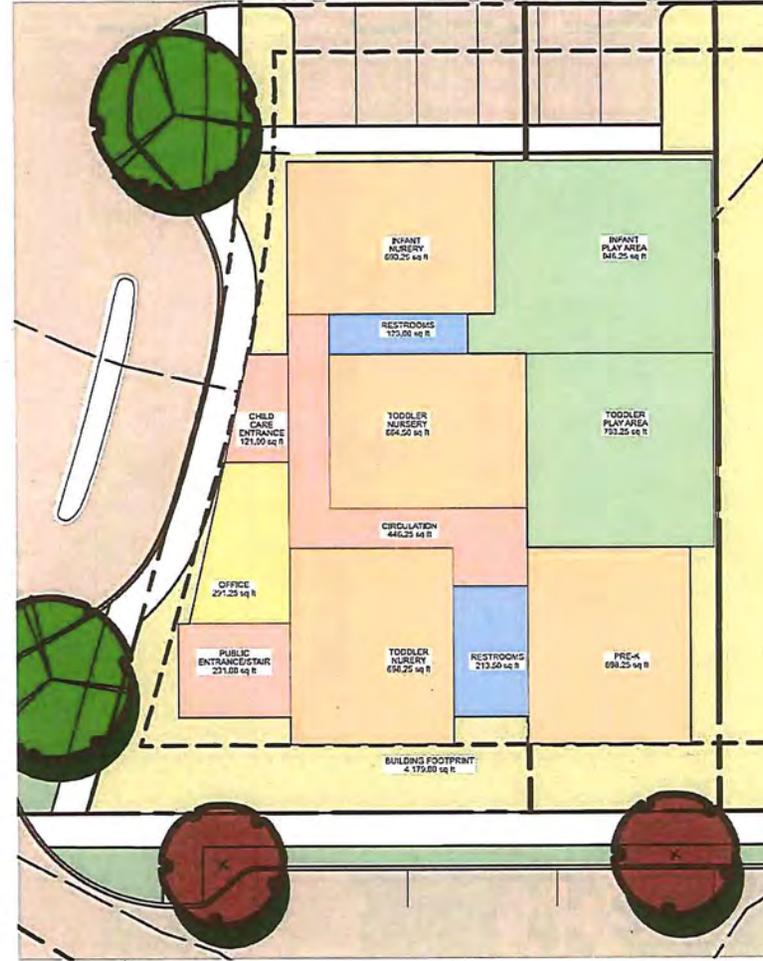
Date: January 21, 2016
 Revised: July 27, 2016

Sheet:
L-1



OPTION A - LAYOUT WITH APPLICANT'S 2,410 SF FOOTPRINT

1/8" = 1'-0"

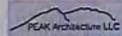


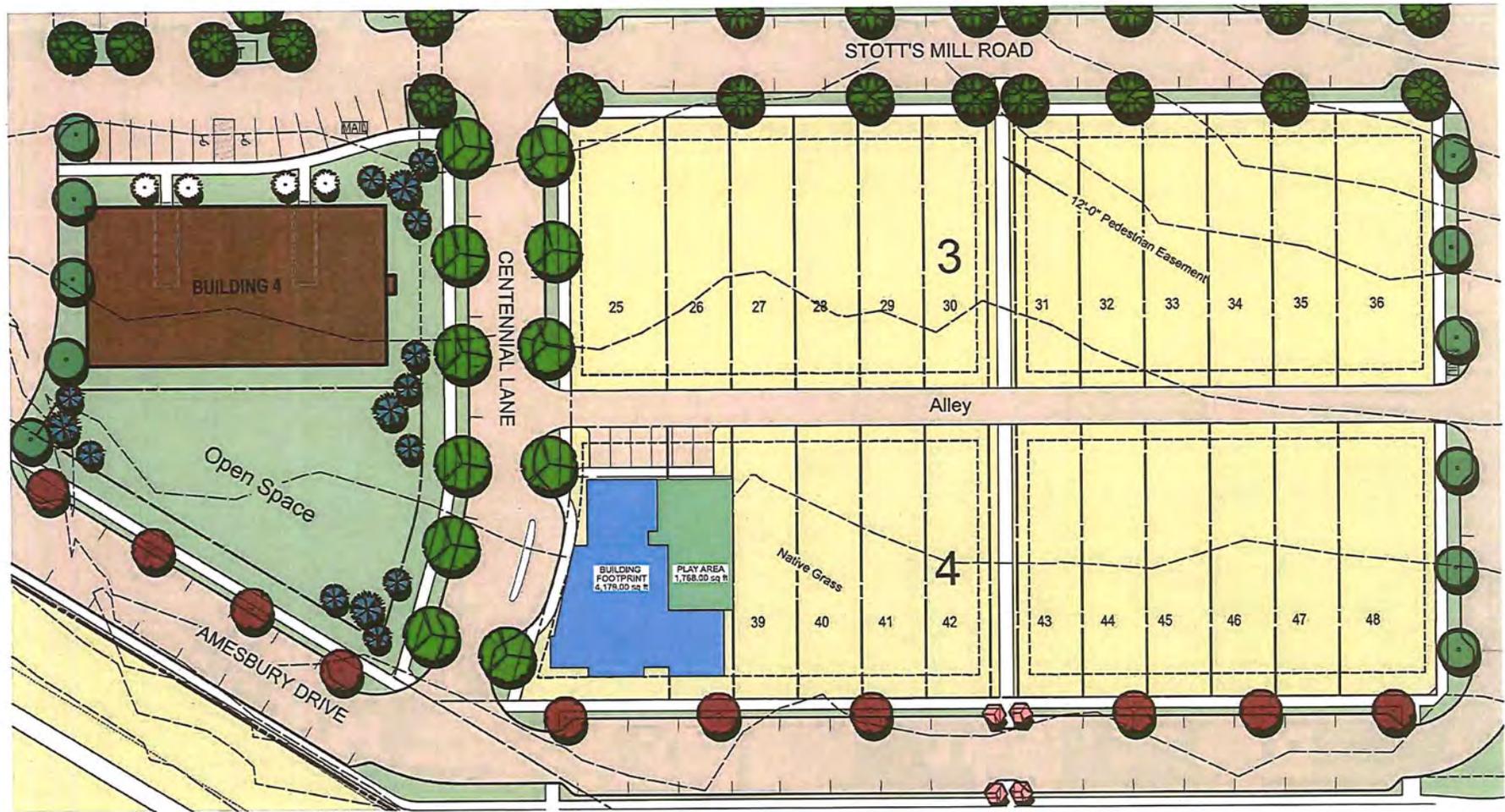
OPTION B - PREFERRED LAYOUT WITH 4,179 SF FOOTPRINT

1/8" = 1'-0"

STOTT'S MILL - EARLY LEARNING CENTER
 CONCEPTUAL LAYOUT PLANS - 8.4.2016

PLAN
 COMPARISON





OPTION B - PREFERRED LAYOUT WITH 4,178 SF FOOTPRINT

1" = 20'



STOTT'S MILL - EARLY LEARNING CENTER
 CONCEPTUAL LAYOUT PLANS - 8.4.2016

PROPOSED
 SITE PLAN

App. Addendum

Mark Chain Consulting, LLC

Page 1

July 13, 2016

James Lindt, Assistant Planning Director
Town of Basalt
101 Midland Avenue
Basalt, CO 81621

RE: Stott's Mill - Updated Comments on Day Care & South Park

Dear James:

Thanks very much for the extensive discussion today at the Technical Review Committee meeting for Stott's Mill. Per our discussion at the end of the TRC meeting, the Stott's Mill team is to provide you in writing comments related to the provision of Day Care and the South Park Site Plan. Our comments are as follows:

Day Care. The Stott's Mill Team is aware of the strong desire for Day Care in the Mid-Valley area. We are willing to provide the following:

- An approximately 4,000 ft.² ground floor core and shell space to be located on Lot 37.
- A second story of the structure would be provided. This may be for the purpose of providing employee housing and related space for the manager of the Stott's Mill multifamily rental area.
- Stott's Mill would retain ownership of the structure. The Town or a professional daycare operation would lease the ground floor core and shell area.
- If the daycare operation does not fulfill the terms of the lease, ceases to exist or terminates their lease, Stott's Mill would retain ownership of the building. Lot 37 could then be converted to residential use per the approved zoning for the property.

South Park Design/Site Plan

- Stott's Mill understands that only one connection to the Rio Grande trail is desired by RFTA. Therefore, the two connection points will be modified and only one connection provided. It appears best that this connection would extend from the central portion of the Park extending from the north-south pedestrian path. Exact point of connection to be determined.
- A scaled-down Tennis Center is acceptable. Desired location would be in the southeast corner of South Park. Please note that we still are of the opinion that the Tennis Center is not the best use for the South Park Open Space area and the neighborhood for reasons we previously discussed.
- The tennis advocacy group (AD-IN) would have two years to come up with the sufficient funding for construction of the facility. Stott's Mill would provide the space in South Park as well as extend utilities to the construction site.

811 Garfield Avenue Carbondale, CO 81623 Ph 970.963.0385 Fax 970.963.2916
mchain@sopris.net

Mark Chain Consulting, LLC

Page 2

- If AD-IN is not ready to start construction within two years of project approval, Stott's Mill would build the previously approved (via Ordinance # 19-2009) "active area" of South Park which included two tennis courts and a basketball court.

We are in the process of contacting Diana CordovaElliot to confirm a reasonable time period for obtaining the necessary funding for the Tennis Center. Please contact me if you have any questions regarding the Day Care or South Park comments.

Sincerely,

Mark Chain

Mark Chain, Planner

STOTT'S MILL

Basalt, Colorado

Phase 1 PUD Reinstatement & Extension
Phase 2 Sketch Plan

January 2016

Amended March 2016

TABLE OF CONTENTS

1. Development Application Forms & Development Team
2. Project Narrative & Support Information
 - Project Background/Development Plan Summary
 - Comparison with 2009 Approval
 - Phase 1 PUD Reinstatement & Extension
 - Phase 2 Sketch Plan
 - East Basalt Future Land Use Map
 - Selected Responses to James Lindt Letter of Completeness 2-8-16
3. Technical Documents
 - Utility Plan
 - Street Sections
 - Landscape Plan
 - Schematic layout for Narrow Lot/Single-Family Area
 - Schematic access & Layout options – Block 5
 - Phase 1 SFD Concept Elevations
 - Multifamily Building Perspective
4. Miscellaneous Documents
 - Strike through version/responses to Previous Approval (Ordinance No. 18 – 2009)
 - List of Property Owners within 300 ft.
 - Title Commitment (updated linked, title commitment submitted electronically)
 - Engineering letter on drainage

SECTION 1: APPLICATION & RELATED FORMS

**Land Use Application Form
Reimbursement Agreement
Legal Description
Project Team Directory**

To be filled out by the Town

Filed: ___/___/___

Application Fee: _____

Review Fee: _____

Total Payment Received: _____

Current Reimbursement Agreement: _____

Town of Basalt

Development Application

The Following Must Be Provided Unless the Town Planner Gives Permission to Omit Answer:

TYPE OF APPLICATION FILED: ___ Annexation Rezoning ___ ESA Environmental ___ ESA Floodplain ___ Regular Rezoning ___ Special Review ___ Special Review for Off-Street Parking ___ Variance ___ Minor Subdivision ___ Minor Subdivision Condominimization

___ Major Subdivision or Replat ___ Planned Unit Development ___ Sketch Plan ___ Sketch Plan ___ Preliminary Plat ___ Master Plan ___ Final Plat ___ Preliminary Development Plan ___ Final Development Plan ___ TRC Administrative Amendment

Other: type of Application _____

Brief description of project: STOTT'S Mill : 1) PUD Reinstatement and Extension for Phase 1; 2) Sketch Plan and REzoning to R-4 Mixed Density for Phase 2.

Project description previously provided _____

Contact Information

Name of Applicant(s): MSP 1 LLC Phone number 970-923-3088 Fax number E mail (if available) BRISTON@BAKUR.COM Address 20 SUNSET DR. #1

Name of Owner(s): MSP 1 LLC Phone number 970-923-3088 Fax number E mail (if available) SAME AS ABOVE Address SAME AS ABOVE

Name of Owner's Representative: BRISTON PETERSON
Phone number 970-923-3088
Fax number _____
E mail (if available) BRISTON@PNIKOR.COM

Please attach owner's authorization.

Name of Engineer or Surveyor: YANCY NICHOL, SUPRIS ENGINEERING
Phone number 970-704-0311
Fax number _____
E mail (if available) YNICHOL@SUPRIS.ENG.COM

Name of Architect or Planner: MARK CHAIN
Phone number 970-309-3655
Fax number _____
E mail (if available) MCHAIN@SUPRIS.NET

Information on Existing Conditions

Existing Zoning: AFR-10 (Pitkin County) Proposed Zoning: PUD & R-4 Mixed Density
Total square feet or acreage in application 18.014 Ac.

Information on Proposed Development

Total number of dwelling units: 156 Number of bedrooms: 324 +/-
Total floor area: 218,000 +/-
Proposed gross floor area by use (non-residential development only): NA

Area of open space to be provided: 4.5 Ac.

Legal Description

Legal Description of property (attach if necessary):

Attached

Reception No. of Deed: _____



SIGNATURE OF OWNER OR OWNER'S REPRESENTATIVE*

* If Owner's Representative files or will represent the application, attach an owner's authorization to represent

Attach appropriate information requested for type of application per the Basalt Town Code and any information requested by Planning Department.

SECTION 2 - PROJECT NARRATIVE

TYPE OF APPLICATION & INTRODUCTION

This is a land use application for the following actions:

- Reinstatement of PUD approval for Phase 1 of the Stott's Mill PUD.
- Sketch plan for Phase 2 of the Stott's Mill PUD, AKA the multi-family area component for Stott's Mill

This is the second land use application for this cycle of the Stott's Mill PUD and Subdivision review. As indicated previously, Stott's Mill was originally approved by the adoption of Ordinance No.18-Series of 2009. For a number of reasons, the project did not move forward at that time and the property was not annexed and the land use entitlements lapsed. A new annexation for the Stott's Property was submitted in December 2015. The purpose of this application is to Reinstate the PUD approval for the single-family area and to have a sketch plan reviewed for a revised multifamily component. Assuming approval of these two elements of this land use application, the Applicant intends to submit an additional application in the early spring which will include the final subdivision and any outstanding preliminary plan and final plan elements for the entire Stott's Mill property. It is the intention at that time to formalize all agreements, record all documents and begin installation of infrastructure in the summer of 2016.

Format of Application

While this land use application requests separate actions, the applications are integral to each other. Some of the submittal requirements are identical, and some are unique to only one of the applications. Another necessary component is comparing the 2015/2016 Stott's Mill submittal with what was approved in 2009 and identifying significant changes. Therefore, this application is laid out in the following format:

Brief Project Description

Describe Changes in Land Use Plans

- Outlining differences from Stott's Mill 2015 with previous application.
- Providing summary project data for the entire project.

Phase 1 PUD Reinstatement

- Identifying differences in Phase I submittal portion with 2009 approval including;
- All relevant written and graphic information required for a Preliminary Development Plan.
- Appropriate graphic material and final summary data chart required for Preliminary Development Plan.
- PUD zoning and conformance chart/information.
- Landscape plan.
- Updated utility plans.

Phase 2 Sketch Plan

- Development and planning objectives.
- Description of uses.
- Statement how proposal relates to Master Plan and Three-mile plan and 2009 approval documents.
- site summary data for Phase 2

Information Common to Both Applications Such As Utilities, Drainage, Geotechnical Aspects, etc.

PROJECT INTRODUCTION AND DEVELOPMENT PROGRAM

Project Site

The Stott's Mill property is 18.01 acres in size and is located on the east side of Southside Drive between the Southside PUD Subdivision and the Basalt High School. The vicinity map is attached. The parcel is relatively flat and has no geologic hazards. It is one of the largest undeveloped parcels that lies within the Basalt Urban Growth Boundary (UGB). It is bounded on the north by the Home Supply Ditch; on the east by agricultural land; on the south by the RFTA Trail Corridor than on the west by Southside Drive. The site has recently been the home of Stott's Lumber Mill, and was used as agricultural land prior to the sawmill activities. The property is accessed from Southside Drive and can be connected to the Southside Subdivision via a connection to Allison Lane. Town utilities are presently located in Southside Drive.

Development Program

Stott's Mill is a new urbanist development which features a grid system laid out on an east/west access. Alley access is provided for the heart of the project, which allows a streetscape to accommodate parallel parking on both sides of the street. A total of 156 residential units are being proposed. The project will comply with the Town's Amended Housing Guidelines. Initially, it was proposed that all the affordable units will be rental units in the Multifamily area. This may be reconsidered after review with Town Staff and the various Boards. If the Phase 1 Single-Family Area proceeds to construction first and separately from Phase 2 (Multifamily Area), Affordable Housing per code will be done concurrently with the initial construction. A summary of the residential land use is provided below.

STOTT'S MILL RESIDENTIAL SUMMARY

PHASE	LOCATION/AREA	# UNITS	UNIT TYPE	COMMENT
1	Block 1	12	SFD/dup	
1	Block 2	12	SFD/dup	
1	Block 3	12	SFD/dup	
1	Block 4	12	SFD/dup	
1	Block 5	12	SFD/dup	No alley access
2	MF Lot	96	Apartments	
TOTALS		156		

Project Elements

Multifamily Component. The west part of the project adjacent to Southside Drive is being proposed for up to 96 apartment style/loft units. The underlying zone district for this part of the project is proposed to be R-4 Mixed Density. Proposed parking will be provided on the multifamily lot as well as adjacent rights-of-way. The Development Plan is to have these units remain as rental properties and they will not be subdivided or condominiumized. The plan calls to allow home occupations, which would be similar to standard town code provisions, allowing up to 15% of the floor area to a home occupation use.

Single-family component. The heart of the project is the east/west grid pattern which is proposed to comprise up to 60 single-family homes on small lots. The majority of lots are designed to be either 28 foot or 42 foot wide by 120 foot deep.

Block 5 on the eastern portion of the property is proposed to have lots approximately 43.5 feet in width. Block 5 is the only area that will not have alley access. All other lots will be access off of a paved alley. The 28 foot wide lots are intended to provide homesites with sizes that range from 1328 ft.² to a maximum of 2000 ft.² of livable area, not including garage space. The 42 foot wide homes will have a maximum size of 2376 ft.² of living area. Required front porches will help frame the streetscape. Houses and zoning requirements will generally conform to the R-3 Traditional Neighborhood/Hill District standards. No FARs being proposed, but the house size limits noted above are being included in the zoning. There will be 10 foot utility easement along front lot lines and 7 foot utility easements along the rear. Side yard setbacks will be a minimum of 5 feet, with 10 foot being the minimum between residential structures unless duplex units are approved. Zero lot line setbacks for garage structures only are being proposed, which is consistent with the 2009 approval. The separation complies with updated Building Code criteria. Home occupations for this zone district are proposed to be able to utilize up to 30% of living space for an individual business and the potential of having one FTE employee. All other aspects of a proposed Home Occupation will have to conform to Basalt Municipal Code requirements, including application procedures.

The single-family lots in Block 5 do not have alley access. Shared driveways will be utilized. The shared access driveways are shown both on the Site Plan and the Landscape Plan in Section 3 – Technical Documents. Layout schematics for the lot lots themselves have been added to the Technical Documents section. There are many alternative layout schematics but we have chosen two that work. Option A shows a lot with a one car garage located approximately 42 feet from the lot line. This is a one car garage which also allows some storage. Two cars can be parked between the garage and the lot line. This option shows a relatively narrow home – 18 foot in width and 48 feet in depth which is in keeping with homes on many of the narrower lots in Stott's Mill. This layout allows for a relatively spacious backyard.

Option B utilizes a two car garage format with the garage being 24 feet x 24 feet in dimension. The driveway entry has been rotated 90° so that garage doors do not stare directly at the streetscape. The front porches in this format are set back further from the property line in order to allow access to the garages. These dwelling units are slightly wider than those in the previous option; 24 foot in width.

As per the Stott's Mill template, all units have front and back porches. The two car garage option would feature garages with a zero lot line/ shared common wall. As with the remainder of the single-family area for Phase 1, the Applicant

proposes to have the option of zero lot line development for the residential portion of the structures.

Circulation. The grid street system is generally laid out on an east/west access. The rights-of-way range from 50 to 55 feet in width. There is one pedestrian/trail easement on a north-south access designed to be 12 feet in width. Right-of-way dimensional information is contained in the technical documents section.

Alley width is 16 feet to allow for adequate turning movements into garage/carports, which will have a minimum 7 foot setback. Required parking for most single-family lots is provided off of the alleys, with no driveway cuts being allowed on the formal streets. Streets will have parallel parking lanes and sidewalks on both sides. A connecting point with the Southside PUD is also being provided at Allison Lane.

Pedestrian bulb-outs are being provided at all street intersections, including Southside Drive in order to facilitate pedestrian safety and access. Some mid-block bulb outs are also being proposed in order to break up long rows of parallel parking, create pedestrian "safe havens" and provide a more appealing streetscape. An open space parcel at the northeast corner of the project is also being proposed.

A three-way stop intersection is being provided at Southside Drive and the Norse portion of the project (Southside Drive & Running Brook Drive intersection). This would allow a Mini-Roundabout to be constructed in the future. Any roundabout discussion will occur during the project review. As part of the Completeness Review by staff, more information was requested related to the proposal for the Mini-roundabout, an updated Southside Traffic Study and Highway 82/Basalt Avenue improvements. These items are being addressed at the end of this section.

Open space and park facilities. A total of 4.5 acres of open space is being provided in three discrete parcels. Size and location of the open space areas are shown in the table below:

OPEN SPACE SUMMARY

OPEN SPACE AREA	SIZE (SF)	SIZE (ACRES)
NORTH PARK	68,368	1.57
PARCEL A	6,065	0.14

SOUTH PARK	121,679	2.79
TOTAL	196,112	4.5

The "North Park" area is 1.57 acres in size and backs up to the Home Supply Ditch and the Southside PUD. This is designed to be a passive park. The irrigation supply pond is proposed to be located in the northern portion of the park. The storage capacity of this pond is approximately 3.5 days. The pond is being designed with a plastic liner in a shallow bench to ensure safety of people or children are attracted to the pond area itself. The Home Supply Ditch is being fenced off for safety purposes. A path is located along the south portion of the park itself.

The South Park is 2.79 acres in size and is more suitable for active recreation. The South Park will include a connection with the RFTA Corridor. Some amenities include:

- water fountain
- restroom facilities
- picnic tables
- bike racks
- benches
- children's play area

There will be some sort of "green boundary" and fencing separation between the RFTA Trail and South Park itself. There previously was an agreement and a conceptual design for the fence to separate these parcels. This agreement will have to be re-executed. Free movement between the RFTA Trail and South Park will be provided, though actual connection points are limited.

The final open space element is an open space parcel which could provide a connection to the property to the east located at the northeast corner of Stott's Mill and the southeast area of North Park adjacent to Allison Drive (Parcel A).

The drainage and storm detention facilities are provided in North Park. This detention area was originally designed to accommodate a 25- year storm event through a system of dry wells and underground drainage chambers. Storm events larger than the 25 year storm have an outlet from the storage areas that will put some drainage into the Home Supply Ditch. An updated Drainage Report will be submitted with the final subdivision and final plan applications.

Phasing of Park Construction. North Park will be constructed and finished with the first Phase of construction. As irrigation facilities and the drainage system are contained in North Park, this will be the first priority for completion. It also makes sense to build this Park with the initial phasing and construction so that the buffer with Southside Subdivision can be completed with the initial construction. We are also open to talking about a specific date for completion as we are still uncertain of the number of homes that will be included in the "initial construction" phase.

South Park is proposed to be completed when 50% of the approved units are completed and ready for Certificate of Occupancy. Developer and contractor will work with the Town in case certain items are viewed as critical for early completion (e.g. storage facility or perhaps bathroom for users of the Rio Grande Trail).

DEVIATIONS BETWEEN CURRENT PLAN AND 2009 DEVELOPMENT PLAN AND APPROVAL

The development, zoning and site plan for the 2016 Stott's Mill project is very similar to the 2009 Plan approval. Many of the changes are small details and often times center around specific obligations of the previously approved Affordable Housing Plan. We have provided a "strikethrough" version of the 2009 approval ordinance (Ordinance No. 19 - series of 2009) in the application so one can see point by point changes and comments on virtually each condition of approval (in Section 4 – Miscellaneous documents).

Similarities with 2009 Plan Approval

In the big picture, the project has the following similarities:

- Parks and Open Space Plan that is nearly identical – Open Space is virtually the same acreage and there are only minor deviations.
- A street and alley system running for the single-family area in an east-west orientation. This assists with provision of solar access.
- The single-family area has relatively narrow, long lots with the average widths being 28 feet and 42 feet with the exception of the east most row of lots (Block 5).
- The alley system allows access from the rear of the lot so street frontage is not interrupted by street cuts, and dominated by garages.
- The majority of the street frontage will have front porches as the defining element in a New-Urbanism format.
- Allowance for a right-of-way connection with the parcel to the east which is currently undeveloped.
- Design of a three-way stop with Southside Drive which will allow construction of a mini-roundabout in the future.
- Request to provide housing to the RE-1 School District in lieu of dedicating land.
- HOA will maintain the irrigation systems in North Park and South Park and maintain the alleys.
- Complies with Open Space conditions including those concerning the Home Supply Ditch with the exception of the "active play area" in the southeast corner of South Park which was characterized by tennis courts and basketball courts.

Differences with 2009 Plan Approval

- Affordable Housing will comply with 2015 changes to the Town of Basalt Affordable Housing Guidelines. One option is that the majority of Affordable units will be rental units within the multifamily area which is now designed for buildings with a total of 96 apartment units. The Applicant is also looking at providing some “for sale” housing that would meet affordable housing guidelines in the single-family area. The final mix will need to be determined as we work through the total cost of the project including the allowed category unit sale prices and allowed rental rates. (Note: If what is listed as Phase 1 in this application proceeds to construction first and separately from Phase 2, Affordable Housing to meet code will be part of that Development Program).
- Related to specific conditions on Affordable Housing items – as the Applicant will comply with current Housing Guidelines, many of the individual conditions mentioning “owner/builders”, “critical workers” and an “anti-flip device” will no longer be necessary from any future approval.
- A total of 60 single-family, narrow lots are proposed for the Phase 1 area (63 approved in 2009).
- The eastern row of lots in Phase 1 (Block 5) has been slightly modified. The lots are now approximately 43.5 in width and there are 12 of them as opposed to the former plan which had somewhat larger lots. These lots have the same depth as the other single-family lots within the Development (approximately 120 foot in length). Lot sizes average about 5,235 SF.
- The Phase 2/multifamily area is proposed now to be characterized by apartment style units. No individual ownership is being proposed. The Phase 2 plan proposes for three-story apartment buildings with each building having 24 apartment units – for a total of 96 units.
- Removal of the following conditions from the new Stott's Mill Plan:
 - A bid for installing infrastructure or vertical construction for Parcel C of the Basalt Design District.
 - Day care unit. The applicant suggests that the Day care facility be put in another location that is closer to the main transportation corridors in Basalt. A day care facility should probably be relatively large with a correspondingly large recreation area (in proximity to State Highway 82 or Two Rivers Rd.)
 - Car share program (provision of two parking spaces in right-of-way and \$200 per unit)

STOTT'S MILL PROJECT DATA

Site Area:	18.014 Acs.
Max # of Residential Units	196
Max # of Multifamily Units:	96 (Phse 2 MF lot only)
Max # of SFD:	60
Density (Gross):	8.66 units/ac.
Density (net):	16.9 units/ac.
FAR:	0.542 ¹
On-street parking:	163
Approximate # of bedrooms:	324 +/-

<u>Land Use Summary</u>	<u>Total Size</u>	<u>%</u>
Right-of-way	4.29 Ac.	23.8
Public Open Space	4.5 Ac.	25.0
MF Residential	3.61 Ac.	20.0
SF Residential	<u>5.61 Ac.</u>	<u>31.2</u>
Totals	18.01 Ac.	100.0

¹ Based on 218,000 approximate floor area and 9.22 acres (401,623 SF) of private lot area.

PHASE 1 PUD REINSTATEMENT

The PUD reinstatement for Stott's Mill requires restating many of the written, graphic and technical materials supplied as part of the Preliminary Development Plan (section 16 -66 (3)). The written material and some of the necessary attachments will be put into this following section. Required charts and PUD summaries will be included in this section.

Required Written Information

1. Legal description. Included with the Application Forms.
2. Statement related to any deviations between 2009 Development Plan approval.

Response: changes between the 2009 approval and the proposed Development Plan are noted above.

3. Statement of planning objectives of the PUD. Include allowed uses, schedule of requirements, PUD design standards and any proposed modifications.

Response: PUD Objectives are noted below and are virtually identical to the 2009 approval. Schedule of uses in comparison with PUD and subdivision design standards and requested modifications/variances will also be included in this section.

PUD OBJECTIVES

1. To build a traditional neighborhood with a grid pattern of streets and alleys that enables a maximum of southern exposure for the majority of single-family residential units.
2. To provide an affordable housing program that meets the updated requirements of the Basalt Affordable Housing Guidelines (2015)
3. To provide affordable housing at an acceptable density to the adjoining properties.
4. To allow the single-family areas of the PUD to accommodate larger than normal home occupations in order to provide for the creation of local businesses and provide local employment opportunities with a minimum of commuting distances.

5. To provide a streetscape with architectural elements that focus on living area and pedestrian improvements as opposed to being dominated by garages and street cuts.
6. To construct a development with logical pedestrian and vehicular connections to adjoining properties while maintaining adequate Parks and Open space and connection to the valley wide trail system (RFTA/Rio Grande Rail Corridor).
7. To provide a project that helps implement the Basalt Master Plan.

STOTT'S MILL PUD ZONE DISTRICTS

A. ZONE DISTRICT REGULATIONS

Intent of Individual Zone Districts. The Stott's Mill PUD is made up of three zone districts. The intent of each district is described below. Please note that the R-4 MD district is a straight zone district according to the Town of Basalt Municipal code, but it is being included here in the schedule of uses so it will be easier to reference.

1. R-4 MD District. The intent of this zone district is the same as the Town's intent statement. That intent is being repeated here: "It is the intent of this zone district to promote the creation of affordable community housing or attainable housing. This zone district encourages affordable and attainable housing units through the use of small lots, flexible lot configurations, a mix of lot and home sizes and efficient use of land".

2. PUD/R-3 TN Zone District. The PUD/R-3 TN Zone District is intended to be a new urbanist, small lot neighborhood with alley access on lots oriented along an east-west grid network. Lots generally range from 28 feet to 42 feet in width. Allowed uses are single-family detached and duplex style dwellings, with the potential of constructing townhome units upon a special review by the Town. The district is meant to replicate the development pattern of the R-3 Traditional Neighborhood/Hill Zone District in residential character.

3. PUD/Open Space. The intent of the PUD/Open Space Zone District is to provide an adequate parking open space system for the residents of Stott's Mill,

the Town and users of the RFTA Corridor Trail System. North Park and South Park are the primary open space features within the Stott's Mill Neighborhood.

Conflict Statement. Chapter 16 "Zoning" and Chapter 17 "Subdivisions" of the Basalt Municipal Code, pertaining to zoning and subdivision's respectively, shall be applicable to the Stott's Mill PUD in so far as they are consistent with the zone district and development standards set forth below. To the extent that any specific subdivisions or zoning regulations contained in Chapters 16 and 17 conflicts with any provisions regarding use, density and supplementary requirements of this PUD, such conflicting provisions of the code shall not be applicable and the provisions of these PUD zoning regulations shall control.

Schedule of Uses and Requirements. To facilitate public understanding of this Section and for conventional reference and use, the following schedules are provided for the residential zone districts of the Stott's Mill PUD. The schedules are part of the PUD Zone District regulations for the Stott's Mill Development and may only be amended as part of a Zone Text Amendment to the Stott's Mill PUD Regulations in conformance with the appropriate procedures outlined in the Basalt Municipal Code.

Schedule of Uses. The schedule of Uses indicates by District those uses that are permitted by right, permitted by special use permit, permitted as a conditional use or Prohibited. Any use that is not specifically permitted shall be deemed to be excluded. If a question arises as to whether a specific use does or does not fall within the expressed categories, any person may apply to the Planning and Zoning Commission for a determination as to whether a specific use is permitted.

Schedule of Uses

<u>Use</u>	<u>PUD/R 3-TN</u>	<u>R-4 MD</u>
Single-Family Dwellings	P	X
Two Family Dwellings	C	X
Accessory Dwelling Unit	X	X
Townhomes (Note 1)	S	X
Apartments/Flats (Note 1)	X	S

Home Occupations ²	C	C
• % floor area in DU	30	15
School	X	X
Churches	X	X
Community Centers	X	X
Small Day Care	P	P
Large Day Care	X	X
Neighborhood Commercial	X	X
Convenience Store	X	X
Bed & Breakfast	X	X
Adult Entertainment	X	X

P= Permitted Use C= Conditional Use S= Special Use Permit
X= Prohibited

Note 1: Townhomes for more than 2 units and Multifamily structures with more than 4 units are subject to special review unless a site plan and special review application for the multifamily structures is processed during the Final PUD Plan or Subdivision Plat process and approved by the town.

² Home Occupations are to follow procedures outlined in Section 16-202 of the Basalt Municipal Code and are considered a conditional use permit. Home Occupations are to be located within a dwelling unit only, and may not be located in an accessory building or a garage. Home Occupations in the PUD/R-3 TN may have up to one FTE in addition to any workers who live in the dwelling unit.

Schedule of Requirements. The Schedule of requirements includes basic a bulk, setback, density and open space requirements for the Zone District's within Stott's Mill.

B. SCHEDULE OF REQUIREMENTS AND CONFORMANCE/VARIANCE REQUESTS WITH R-3 TN PUD ZONE DISTRICT

CONFORMANCE/VARIANCE REQUESTS: R-3 TN ZONE DISTRICT

ITEM	R-3 TN STANDARD	CONFORMANCE/VAR. REQUEST	EXPLANATION
Min Lot Area (SF)	6,000	3,360	To allow lots in traditional, flexible array as per original Town Plat.
Max Bldg. Ht. (feet)	24	Conforms	
Highest point pitched roof (ft.)	28	Conforms	
Max # stories	2	Conforms	
Min Lot width (ft.)	50	28	To allow smaller, but still buildable lots & provide flexibility.
Front Yard setback Local street	10 ft. porch, 16 ft. living area	Conforms	
Rear Yard (ft.)	10	7	For alley parking and garages. Design still has adequate turning radii.
Side Yard (ft.)	7.5	5	Building code met with this requirement.
FAR	0.35 & 0.5	None	Request straight dimensional criteria. Design produces liveable and buildable lots. "Build-to" lines or setbacks

			can be incorporated onto final docs for clarity (see dimensional drawings).
Max Lot Coverage	None (FAR)	None	See above comment.
Min. Landscape	20%	Conforms	30% proposed
Parking	Per Section 16-91	Conforms	Previous Plan (2009) required only 2 spaces on lot. Remainder could be placed in street ROW. Fewer driveway cuts because of alley loaded lots

4. Disposition of maintenance responsibility and service responsibility for water and sanitation, energy supplies etc.

Response: The Developer will install all infrastructure. In general, all municipal services and utilities will be dedicated to the appropriate service provider once constructed. Exceptions are that the HOA will be responsible for maintenance of the irrigation system within the open space areas (generally, North Park and South Park) and the maintenance of the alley areas within the street system.

5. Will serve letters from utilities and public agencies.

Response: Will serve letters were included with the Annexation Application. Please note that the Applicant received permission from the Home Supply Ditch Company regarding improvements in the area of Southside Drive and North Park. These agreements will have to be reviewed and re-executed prior to recording of approval documents.

6. Proposed development schedule.

Response: Development schedule in terms of exact timing is unknown at this time and depends on project review and final approvals. The Developer hopes to begin installing infrastructure for the project in mid-summer of 2016.

7. Listing of all property owners and/or authorized agents, including members of the Design Team. Statement authorizing filing and processing of application.

Response: A listing of names and contact information of the Design Team is submitted with the application forms and related documents in section 1 of the application. Statements authorizing filing and processing are submitted separately.

8. Draft agreements, conveyances, restrictions/proposed covenants.

Response: Agreements, covenants and restrictions including deed restrictions for Affordable Housing units were finalized with the 2009 approval. These of course will have to be modified. Applicant proposes that drafting of agreement/covenant/restrictions wait until scope of changes to the Plan are approved and conditions of approval are known.

9. Plan for unified control of common areas of the PUD.

Response: A Homeowners Association which meets all the provision of the Colorado Common Interest Ownership Act (CCIOA) will be created and the necessary documents available for review and approval by the Town. The HOA will maintain all common areas owned by the Association, and in addition will maintain the alleys and the irrigation system within the Parks and other Open Space areas. A separate entity will own the multifamily housing units and will maintain that lot(s). That entity will also be part of the Master Association.

10. Proposed terms of reservations and dedication of public rights-of-way, easements and other public lands.

Response: Dedications of public rights-of-way and easements will follow's standard operating procedures for the Town as well as the Basalt Sanitation District. The only difference will be the fact that the HOA will maintain the irrigation system in the parks and the stormwater conveyance system in the parks.

11. Names and addresses of all property owners within 300 feet.

Response: Provided with Miscellaneous Documents (Section 4).

12. Reports, site plans and supporting documents.

Response: Comments on status of technical reports and site plans and other details are included at end of this section.

PHASE 2 SKETCH PLAN

Introduction

Initial conversations with Town Planning Staff centered on the fact that the Developer was proposing to modify the multifamily area of the Stott's Mill PUD. This was because the economy of the mid-Valley area has changed so many times since Stott's Mill was proposed in 2005 that what was submitted at that time may not be economically viable. In addition, the Development Team is of the opinion that a different multifamily plan may be more advantageous for the area. The Plan now revolves around some increased density and apartment style units because of such factors as the success of the RFTA Trail, the nearby BRT system, strong demand for rental units, etc. However, as the Development Team looked at proposed PUD zoning for the Phase 2 Multifamily area, it appeared that the town's relatively new R-4 Mixed Density Residential District may be a better fit for zoning for the project. We feel that the zoning as outlined in the general town standards fits nearly every schedule of use and development requirement. The only outstanding issue that we saw was Floor Area Ratio. The Floor Area Ratio for the R-4 Mixed Density District has a standard of 0.5:1 for allowed FAR, with the ability of the Town Council to approve an FAR between 0.5:1 and 0.8:1. The proposed FAR for this project is approximately 0.69:1.

We are also aware that in order to implement zoning for the R-4 Mixed Density Residential District that a review according to section 16-31 of the Basalt Municipal Code is required. This includes a site plan review followed by a final plan review. We therefore are submitting this sketch/site plan review according to the procedures in 16 - 31 and will address the topics noted in the Town Code. During the Town's review, if the P & Z and the Council indicate that a PUD for Phase 2 is more appropriate; we will either amend the submittal or create a new application for Phase 2 as directed.

Per 16-31 (2) supplemental requirements for R-4 mix density residential district – Site Plan Review

General Overview

Existing conditions. An existing conditions map is included earlier in this section of the application. What is proposed to be the R-4 MD district is presently vacant

from a town development perspective. The area was originally used as agriculture/forage production, and in recent years was part of the Stott's sawmill and lumberyard activities. Photos of the property in its existing condition was included in the Annexation Application.

Mix of land uses. What is proposed for the R-4 MD area of Stott's Mill is relatively high density in nature. The R-4 MD designation is very similar to what was proposed in the 2009 Stott's Mill land use application – which was designated as R-4 PUD and was characterized by proposed triplex, four-plex and possibly higher density components which were dependent on special use review. This area acts as a good transition from the single-family areas of Southside PUD and the narrow lot single-family area of Stott's Mill towards Basalt High school and the RFTA Trail Corridor. The area on the other side of Southside Drive, which is classified as a collector road, is parcel C of the Basalt Design center as well as a lot just south of Parcel C. These areas may be used as high density development parcels in the foreseeable future. We believe that this Phase 2 area which is slightly higher density than the rest of Stott's Mill, is appropriate due to its location adjacent to Southside Drive, close proximity to the parks and the Trail Corridor, the high school and relatively close proximity to the RFTA Park, N Ride (approximately ½ mile).

Height. This area will be built in compliance with the three-story and R-4 MD height standards of 33 feet height limit and 35 feet to top of ridge.

Floor area. FAR for this zone district of the Stott's Mill PUD is computed as follows:

$$\frac{109,200 \text{ SF- total building area}}{157,388 \text{ SF of lot area}} = 0.6938 \text{ FAR}$$

Calculations are based on the following:

- four buildings, each footprint being 70' x 130' (9100SF per floor)
- three floors in each building – 9100SF X 3 = 27,300 ft.² per building
- 4 buildings X 27,300 SF = **109,200 SF** of building area
- land area= 3.613 acres or **157,388 SF**

Section 16-31 (3) "Dimensinal Requirements" of the Basalt Municipal code has the following standards in terms of FAR

- FAR standard for R-4 MD: 0.5:1
- FAR allowed by Special Review 0.8:1 (to be approved by Council)

- FA are greater than 0.8:1 (to be approved via PUD)

The FAR proposed for the Stott's Mill R-4 MD Residential Zone District falls within the FAR which can be approved by special review via R-4 MD review procedures. To our knowledge, FAR is the only zoning requirement that is above the outlined R-4 MD review process.

Parking. Provision of adequate parking is always an important component of a significant residential development and often the subject of community concern. This proposed multifamily component of Stott's Mill would yield a total of 96 apartment units mixed equally between one and two bedroom units. Required parking is 192 units according to Town standards (2.0 spaces/2 bedroom unit, 1.5 spaces/one-bedroom unit and 0.25 spaces/unit for guest parking). Parking is provided for this multifamily unit area as shown in the chart below:

Area	# of Parking Spaces Provided
On lot	148
Adjacent to Running Brook Dr.	4
West side of Centennial Lane	19
East Side of Southside Drive	15
North Side of Amesbury Drive	6
<i>Total</i>	192

Relationship to neighboring properties. Described in "mix of land uses" above.

Consistency with applicable code provisions. The normally prescribed schedule of requirements for the Town's residential district are contained in Section 16 - 22 of the Municipal Code. For the R-4 MD Residential District, this extensive chart notes that the basic bulk, setback, density intensity and other requirements refers to supplemental regulations contained in Section 16 - 31. The dimensional requirements noted in 16 - 31 a (3) are compared below:

CONFORMANCE/VARIANCE REQUESTS: PROPOSED R-4 MD ZONE DISTRICT

Item	R-4 MD Standard	Conformance/Variance Request	Explanation
Min. Lot Area	7,500	Conforms (MF/Phase	Multifamily/Phase

(SF)		2 lot is 157,388 SF	2 area designed to accommodate all parking, setback and other dimensional criteria.
Max Bldg. Height (ft.)	33	Conforms	
Highest point – pitched roof (feet)	35	Conforms	
Max # Stories	3	Conforms	
Min Lot Width (feet)	70 ft.	Conforms	Note: Intent is not to resubdivide Phase 2 into smaller lots
Front Yard Setback - local Street/Major collector	10 ft.	Conforms	Building setbacks shown on site plan. They vary from 10 ft to 25 ft. in width.
Rear Yard	10 ft.	Conforms	
Side Yard	5 ft.	Conforms	
FAR	0.5:1 0.8:1 allowed if approved by Council at Hearing	Proposed FAR is 0.6938:1	Based on 109,200 total SF to outside walls, with total lot area being 157,388 SF
Max Lot Coverage	None	Conforms	Must be approved per Section 16-31 which are Supplemental Requirements for R-4 MD District and include a site plan review and a Final Plan Review
Min Landscape	10%	Conforms	
Parking	Per Section 16-91	See Note 1 below	144 spaces provided on lot and the remaining 44 located on street right-of-

Note 1: 44 of the required parking spaces including guest parking spaces are provided on the adjacent streets. Please note that within the entire Stott's Mill project area, there are 72 excess parking spaces over and above those required by code, and these are located in the rights-of-way. We think this is appropriate and acceptable for a number of reasons including the fact that as there are no commercial or other uses that may occur generally in the evening on weekends, and that there is more than adequate parking required within the project. Requiring additional parking spaces in our opinion would only add additional asphalt and hard surface to areas which often runs contrary to neighborhood desires. In addition, this may reduce what we feel is appropriate density in this area and affect the project intent which is to provide ample attainable housing for the Town.

Note 2: Regarding unit sizes and elevations. The actual units and the interiors of the Multifamily buildings have not been designed as of the end of February, 2016. The Design Team will ensure that the proposed one and two bedroom apartments comply with section 16-31 (3) a of the Basalt Municipal Code in terms of both minimum and maximum size requirements. Specifically, proposed size ranges will be:

- 1 bedroom units: size ranges will be between 580 SF and 965 SF
- 2 bedroom units: size ranges will be between 750 SF and 1135 SF

Intent of Zone District. The Intent of the R-4 Mixed Density is noted in section 16-21 as the following: "It is the intent of this zone district to promote the creation of affordable community housing or attainable housing. This zone district encourages affordable and attainable housing units through the use of small lots, flexible lot configurations, a mix of lot and home sizes and efficient use of land". The Stott's Mill Plan is in conformance with the establishment of this zone district as follows:

The R-4 MD component in the Stott's Mill plan will provide for a mix of one-bedroom and two-bedroom units at a sufficient density (96 units) that would help fulfill the critical need for rental units in both the short and long-term. The size of these units will average about 1000 ft.² In addition; part of the affordable component required by code for Stott's Mill may be placed in this portion of Stott's Mill. The R-4 MD component, when reviewed in conjunction with the small lot area provides a significant number of small and moderately sized units which will hopefully make this an attainable location for future and

current residents in Basalt. These units are generally smaller than the majority of units in the Southside area and taken together with its location – by the High School, RFTA Trail and approximately ½ mile from the Park' N Ride are accommodating residents where important community infrastructure is located.

Site Plan Review Criteria

Consistency with Basalt Master plan. Compliance with the Basalt Master Plan was addressed in detail with the Annexation Application. We are reinserting the responses related to conformance with the Master plan for your ease of review below.

This section demonstrates compliance of the Stott's Mill Development Plan and Annexation Application with the most appropriate goals and objectives of the 2007 Community Master Plan. Many of the goals and individual objectives did not relate to land use/development in general or the particular project and often times were policy and related suggestions that the town should pursue in order to make future development compatible with the Master Plan and other Community values. Therefore, we did not respond to those particular objectives. Responses are in italics.

4.1 Future Plan Use

Objectives:

4.1.3 Ensure that future growth is fiscally supportable and can be served with the necessary and appropriate services and facilities without creating any undue financial burden on the Town. As part of this effort, establish methods for ensuring that development pays its own way and does not create an economic burden on the community;

Response: No undue financial burden should occur. Applicant will pay all fees as outlined in Town Code and such fees will be included in the Annexation Agreement and/or Subdivision Agreement. Developer will install infrastructure at Developers cost. Surcharges are already in place to recapture past costs on items such as Southside Water tank. It is assumed there will be cost-sharing agreements for other items such as a possible roundabout.

4.3 Three Mile/Annexation

Objectives:

4.3.1 Strictly enforce the UGB identified in this master plan to ensure that future development occurs within or close to existing developed areas.

Response: the property is in the Urban Growth Boundary.

4.3.8 Dedications should meet or exceed current code requirements reflective of the extra impacts associated with annexations of new lands. In the case of parkland, a dedication of two acres of parkland per 125 estimated residents should be provided unless fees in lieu of parkland or other options are negotiated as part of the annexation agreement. Evaluate formulas for increasing other dedication requirements where annexation is involved;

Response: Dedications will be made per Municipal Code or as negotiated as part of the land use approval. The Project Team has also enumerated all fees that may be relevant in the Town Code that may apply to the project and will provide this and related information to Town Staff.

The dedication policy for Open Space as part of the Annexation process exceeds normal code provisions. However, doubling the Open Space requirement would compromise the project layout which has been in the works for over a decade. We will address this issue in this response section. First of all, the Basalt Municipal Code has multiple references for the provision of open space related to residential development. These sources and estimates are provided below. The code provisions vary from simple percentages additional to those based on population; and annexation allows for the provision of open space at a higher percentage. Town Parkland/Open Space dedication requirements are outlined below:

Development Program Assumptions

Project land area:	18.014 acres
# Single-Family Detached Units:	60
# Multifamily units:	96
Population – SFD Area:	180 (60 units @ 3.0 people/du)
Population – MF area	240 (96 units @ 2.5 people/du)
Total Population	420

Subdivision Dedication Requirements (Sec. 17-15)

- 1 acre/125 residents
- Projected population – 420 residents
- open space requirement is 3.36 acres

Annexation Dedication Requirements (per Master Plan)

- 2 acres/125 residents,

- Projected population – 420 residents
- Open space requirements = 6.72 ac. $\frac{420 \text{ residents}}{1} \times \frac{2.0 \text{ Acres}}{125 \text{ residents}} = 6.72 \text{ ac.}$

Planned Unit Development Dedication Requirements (Sec. 16-73 C)

- 30% of size of PUD
- Total open space = 5.4 ac.
- Total recreation element (75% of required) = 4.05 ac.

Total parkland dedicated capable of active recreation = 4.36 ac.

The present open space plan is identical to that provided with the 2006 land-use application. The North Park and South Park areas as proposed were designed because of their size as well as the fact that they provided buffers from the Southside Subdivision on the north and the transition towards the High School and Rio Grande trail on the south. We feel that the present provision of open space – a total of 4.55 acres is adequate for the following reasons:

1. The open space provision for the project meets the concept that was contemplated in the Comprehensive Plan. Please see East Basalt Future Land Use Map (attached).
2. The Stott's Mill Program Design included a certain number of access points onto Southside drive designed to allow two full blocks for narrow lot, single-family land-use. The streets are laid out on an east-west access that would allow the majority of the single-family units to utilize alley access and provide a pedestrian oriented and community friendly streetscape. The provision of additional open space would compromise this design.
3. The Stott Property is within the Urban Growth Boundary and is appropriate for construction of residential units at an appropriate density. It is where development has been predicted and planned for.
4. The physical park layout plan contains a number of amenities that are appropriate. They are outlined below:
 - The project has physical layout and trail connections to the Rio Grande trail which is an important trail corridor and open space amenity for the entire Valley. The proximity to the trail will allow residents of Stott's Mill, as well as those in Southside and Oldtown Basalt in general, to access many recreational and open space parcels quite easily.
 - The project is providing direct path connections from South Park to the Rio Grande Trail.
 - The Project is providing a small trail loop which cross-country skiers from the Rio Grande trail can utilize as a small exercise loop.

- A fully operational public bathroom is being provided in South Park. This is a facility that will be shared not only with the residents of the project and users the South Park, but also with Rio Grande trail users.
- A small storage facilities being provided for Public Works and the Nordic Council.

4.3.10 All rights-of-way for major and minor streets will be dedicated in accordance with this master plan;

Response: All rights-of-way, including alleys will be dedicated in accordance with regular town procedures. The Basalt Streets Manual is being used as a template for right-of-way design.

4.3.11 All infrastructure shall be compatible with the Town's standards.

Response: All infrastructure will comply with Town standards. See civil engineering documents.

4.4 Infrastructures/utilities

Objectives:

4.4.2 Continue to refine mechanisms to ensure that future development projects pay their own way. Some existing and possible future mechanisms include:

1. Concurrency regulations;
2. Impact fees (roads, recreation);
3. Subdivision improvement agreements;
4. Uniform standards for all roads and infrastructure facilities;
5. Public/private partnership agreements or tax increment financing;
6. Performance zoning;
7. Special assessments; and
8. Annexation agreements

Response: See previous comments.

4.4.6 Require new developments to connect to existing water and sewer systems. Prohibit the proliferation of small private water and sewer systems;

Response: The project will be connected to the Town water system and the Basalt Sanitation District's wastewater collection system.

4.5 Housing

Objectives:

4.5.3 Explore a wide range of affordable housing strategies to produce housing for local residents in an amount consistent with findings and recommendations of the Housing Needs Assessment. These strategies shall, at a minimum, significantly increase the percentage of the housing stock that is affordable. Solutions should include the appropriate balance of rental and ownership housing;

Response: The Developer will comply with Basalt's Affordable Housing Regulations and is proposing to provide affordable housing with rental units.

4.5.13 Identify specific locations in Town with particular potential for greater densities (including taller structures) within one half mile of existing commercial centers and in close proximity to transit facilities in order to avoid suburban sprawl and auto dependence;

Response: Stott's Mill is located within one half mile of the RFTA Park 'n Ride and is easily accessible to Basalt Avenue/Highway 82 commercial and service establishments and the downtown core.

4.5.17 Identify locations and develop regulations that would encourage small-scale, high-density starter housing which is affordable. Some characteristics that could be utilized to help make starter housing units affordable include; simple finishes, small house size, higher density (8-10 du/acre minimum), and shared parking

Response: the project is providing narrow lots and houses which will be size limited because of their dimensions. The smaller size and the inclusion of apartment style units will help with providing attainable housing.

4.7 Parks/Recreation and Trails

Objectives:

4.7.3 New development should provide for new trails at the time of development, and in accordance with the trails plan and input from public groups as appropriate in implementing trails. This should be a standard policy whether the project is in the County or the Town;

Response: Some trails are being provided in the parks proposed for Stott's Mill. The path adjacent to Stott's Mill and Southside Drive will be reconstructed and widened. Stott's Mills is also adjacent to the RFTA/Rio Grande Trail.

4.8 Environment

Objectives:

4.8.11 Strictly enforce the UGB identified in this master plan which was, in part, established in response to the desire to preserve wildlife habitat areas and migration routes;

Response: The project is within the UGB.

4.8.14 Establish environmentally sensitive building and development standards including energy code which would reduce the energy footprint of a typical home by 20%;

Response: The project will conform to Basalts Sustainable Building Regulations.

4.8.15 Encourage the use of renewable energy devices and renewable technology; and

Response: The site plan layout with predominantly east-west oriented streets and alleys allows for placement of solar and/or other renewable energy devices.

4.9 Historic Preservation

General

Response: There are no historic structures on the site. The developer will relocate a small, old structure that was used as a playhouse and for storage in one of the parks if requested.

4.10 Community Character

Objectives:

4.10.11 Limit house size as part of an effort to preserve small-town character;

Response: Residential unit sizes are limited in the proposal because of size limitations put on single-family lots. The narrow lot types designed for the single-family areas is a de-facto limitation to house size. The PUD zoning also limits house size. The apartment style units are modest, with an average size of about 1,000 SF

FINDINGS NECESSARY TO APPROVE R- 4 MIXED DENSITY RESIDENTIAL DISTRICT

A number of findings are required as part of a site plan review by the Planning and Zoning Commission and the Town Council according to section 16 – 31 (a) (2) a.4. The Boards shall consider the following factors:

- i. Compliance of the application with the Code in general and Section 16-31 in particular.
- ii. Compatibility of the proposed use with the character of the surrounding area.
- iii. General conformity with the Master Plan.
- iv. Ability of the application to satisfy the intent of the Zone District.
- v. Site plan review criteria of Article VII.

The application has addressed items "i though iv" in the section above, prior to the comments made on the master plan. We shall respond to the site plan review criteria of Article VII below:

Section 16 – 113: standards for Site Plan Review

- a) Lights and sign shall be located in a manner that will not be distracting to adjoining properties or passing motorists.

Response: there will be no commercially related signs in the development. Streetlights will meet Town code. Any signs for home occupations will also meet Town Code.

- b) Landscaping shall be provided in areas near the public right-of-way and located with consideration for energy conservation. An acceptable plan must be provided for the maintenance of the required landscaping areas.

Response: Landscape plan is included in the Technical Documents section. The Town will be required to maintain plantings within the parks,

and the HOA will maintain the irrigation system within the parks. A plan for maintaining other landscaping within the rights-of-way will be discussed with the Town during the application review. The HOA or private property owners will maintain all landscaping on private property.

- c) Control of storm drainage shall be provided so as not to damage adjoining properties. The plan must be approved by the Town Engineer.

Response: Storm drainage was approved with the previous plan. Storm drainage information will be updated with the Final Subdivision Application.

- d) Site design and building plan shall include provisions of or the need of the handicapped individuals as required by the building code or other ordinances of the Town.

Response: the Development Plan will comply with all ADA requirements.

- e) Approve landscaping or solid fencing capable of screening adjacent property shall be provided when commercial uses abut residential uses.

Response: NA No commercial properties are being proposed.

- f) Commercial and industrial uses shall conform to the following standards (not listed)

Response: NA

INFORMATION ON TECHNICAL REPORTS, SITE PLANS AND SUPPORTING DOCUMENTS

Technical reports

Geotech. A Preliminary Geotechnical Study was previously performed on the Stott's Mill Property and subject to the report dated October 23, 2007. This was previously provided to the town a number of times in the past with the Stott's Mill

land use application. It has also been submitted under separate cover with the annexation application in December 2015. A clarifying letter dated January 4, 2008 discussing groundwater and surface drainage conditions has also been submitted. It is our understanding that no additional Geotechnical information is required at this time.

Preliminary Stormwater Drainage Report. To clarify, a Final Drainage Study dated December 3, 2008 by Rhino engineering, Inc. was submitted to the town with the previous land-use application. The drainage study will have to be updated assuming changes similar in nature for Phase 2 are eventually approved. An engineering letter addressing drainage issues as they now stand is included in the application (Section 4, Miscellaneous Documents).

Floodplain, River Banks Stabilization and Wetland Areas. The project is not in the floodplain or adjacent to the river. No wetland areas exist on site. Bank stabilization ditch was addressed as part of the previous application.

SITE PLANS AND SUPPORTING DOCUMENTS

Proposed lot lines and dimensions. A site plan of the entire project showing lot lines and dimensions is included in earlier in this section of the application.

Existing Building And Propose Building Envelopes. Existing structures are shown on the Existing Conditions Map earlier in this section. Setbacks are shown for phase 1 on the Site Plan. The utility easements will be the same as the 2009 submittal and will be shown on all final subdivision submittals. Proposed building envelopes are shown for Phase 2. Finally, typical building footprints for Phase 1 are shown in lot schematic format in the Technical Documents section (3).

Recreational Open Space, Private Open Space And Common Open Space. The majority of open space provided in the Project is Parkland Open Space. North

Park and South Park were approved with the 2009 project and only minor variations in the southeast portion of South Park are proposed. See the Site Plan and Landscaping Plan. Common open space for Phase 2 is shown on the site plan and this is not been designed at this time since we are at this Sketch Plan level. Private open space for the single-family lots is shown on the Site Layout & Setback Schematic plans. The apartments will have private open space which would feature decks and/or patios which meet the town minimum requirements.

Easements, Utilities, Intersections, etc. Easements and proposed locations of underground utilities are shown on the Utility Plan. The location of underground drainage detention facilities in North Park are also shown on the utility plan. The drainage facilities were shown in detail in the 2009 engineering drawings and Drainage Study. They will be resubmitted as necessary with changes when Final Subdivision application is made.

Flood Protection. No flood protection is necessary for the project as it is outside the 100 year floodplain. The Floodplain is shown on the vicinity map.

Fire Protection. This construction plan is virtually identical to the 2009 land use application. This was reviewed by the Basalt Rural and Fire Protection District. These plans will again be reviewed by the fire department. The road sections meet both Town and Fire Department guidelines. Fire hydrant locations are shown on the utility plan.

Off-Street Parking Areas, Service Areas, Streets and Street Names. All these and related infrastructure are shown on the Site Plan. Trash receptacles for the multifamily area is still to be designed.

Location of Temporary Model Homes. Model homes will be located on lots 1 through 3, Block 1.

Location of Pedestrian And Bike Paths. Shown on the site plan. As an FYI, a 12 foot wide pedestrian path and easement connect the project on a north/south access giving an additional pedestrian access to both North Park and South Park (in addition to the general street right-of-way/intersection access).

Signage. No commercial signs will be provided with the development. Real estate signs, construction signs and model home signs will be provided as per Town Code.

Location of Low Income, Elderly or Other Specialized Housing. There is no defined elderly or specialized housing. Affordable Housing will be provided per Basalt's Community Housing Guidelines. Specific units and/or lots for Affordable Housing will be defined later on in the process.

Location of Dedications to RE-1 School District. The Proposal is to provide dwelling units available for School District occupancy and long-term rental or perhaps ownership basis as opposed to direct land dedication or other in lieu fees. Final negotiations have yet to take place with the School District, but this was approved in the 2009 plan.

General Landscape Plan. A landscape plan is provided in Section 3 (Technical documents). The plan is still conceptual related to phase 2.

Other graphics

Site Layout and Setbacks for Single-Family Area. Layout diagrams showing building envelopes, porches, parking spaces and garages are shown for the single single-family area including potential duplex lots. These diagrams show development options for the 28 foot wide and 42 foot wide lots. The Applicant intends to engage 4 or 5 local architects for designs on the single-family lots.

The designs for the multifamily area are proven building footprints for apartment buildings that had previously been developed in Colorado. Second level of design is being under taken at the present time. A local architect will be retained in the near future for making final site adjustments and designing building exteriors.

Street Cross-Section Schematics. Provided with the application.

Additional Information. No additional information has been requested at this time. We will be happy to provide additional explanatory materials as necessary.

RESPONSES TO JAMES LINDT'S LETTER DATED 2-8-16
2016 STOTT'S MILL COMPLETENESS REVIEW

The Completeness Review letter from Assistant Planning Director James Lindt asked the Development Team to address nine separate issues. Numbers 1 through 4 and number 6 had been addressed in portions of Section 2 of the application (Project Narrative and Support Information). The remaining 4 points are being discussed in this attachment. Responses are in italics.

5. Clarify proposal for Mini- Roundabout.

Response: Land will be dedicated so that a mini-roundabout can be constructed at a later time. In terms of ordination with the Stott's Mill project, the intent is to construct a three-way intersection at the proposed intersection of Southside Drive and Running Brook Drive and install stop signs for traffic calming purposes. Sopris Engineering has indicated that a roundabout is not necessary for traffic control purposes related to traffic impacts from the Stott's Mill development. It is also doubtful that a roundabout would be required for traffic control based on the entire Southside Area development potential.

The concerns we heard with the previous development proposal in 2006 is the desire for traffic calming and speed control, and much of this is caused by high school traffic during various parts of the day. A stop sign controlled intersection may fulfill this purpose.

Stott's Mill will be happy to discuss this in more detail during the land use review process. However, Stott's Mill should not have to bear the responsibility for design and cost of a mini-roundabout project.

7. CDOT Access Permit, Southside Traffic Study and Basalt Avenue/Highway 82 improvements.

Response: the Stott's Mill Design Team is aware that the Town's contract Engineer, SGM, is conducting an updated Southside Traffic Study. Sopris Engineering has indicated that with the additional number of units proposed for Stott's Mill that a CDOT Access Permit will be needed for the proposed development. At this time, Sopris Engineering is not aware that any specific traffic improvements would be required for the Basalt Avenue/Highway 82 area. It is thought that a pedestrian underpass will help greatly with the traffic flow at this intersection. It is also thought that some striping and other low-cost fixes may also improve traffic flow in the area.

We wish to note that Stott's Mill has contributed to two previous traffic studies for the Southside area. One is for traffic study done with the original application shortly after 2006. We also believe that AVMF contributed to a Traffic Study as

part of their plan post 2011. Stott's Mill is of the opinion that they have contributed their share of traffic studies in the past.

Related to proposed traffic improvements at the Highway 82/Basalt Avenue intersection, we have not had an opportunity yet to review any proposed data or related traffic improvements.

8. Provide information related to schematic elevation drawings and what design guidelines and proposed dimensional limitations could yield on single-family lots (Phase 1) and what the Phase 2 development (multifamily structures) will look like.

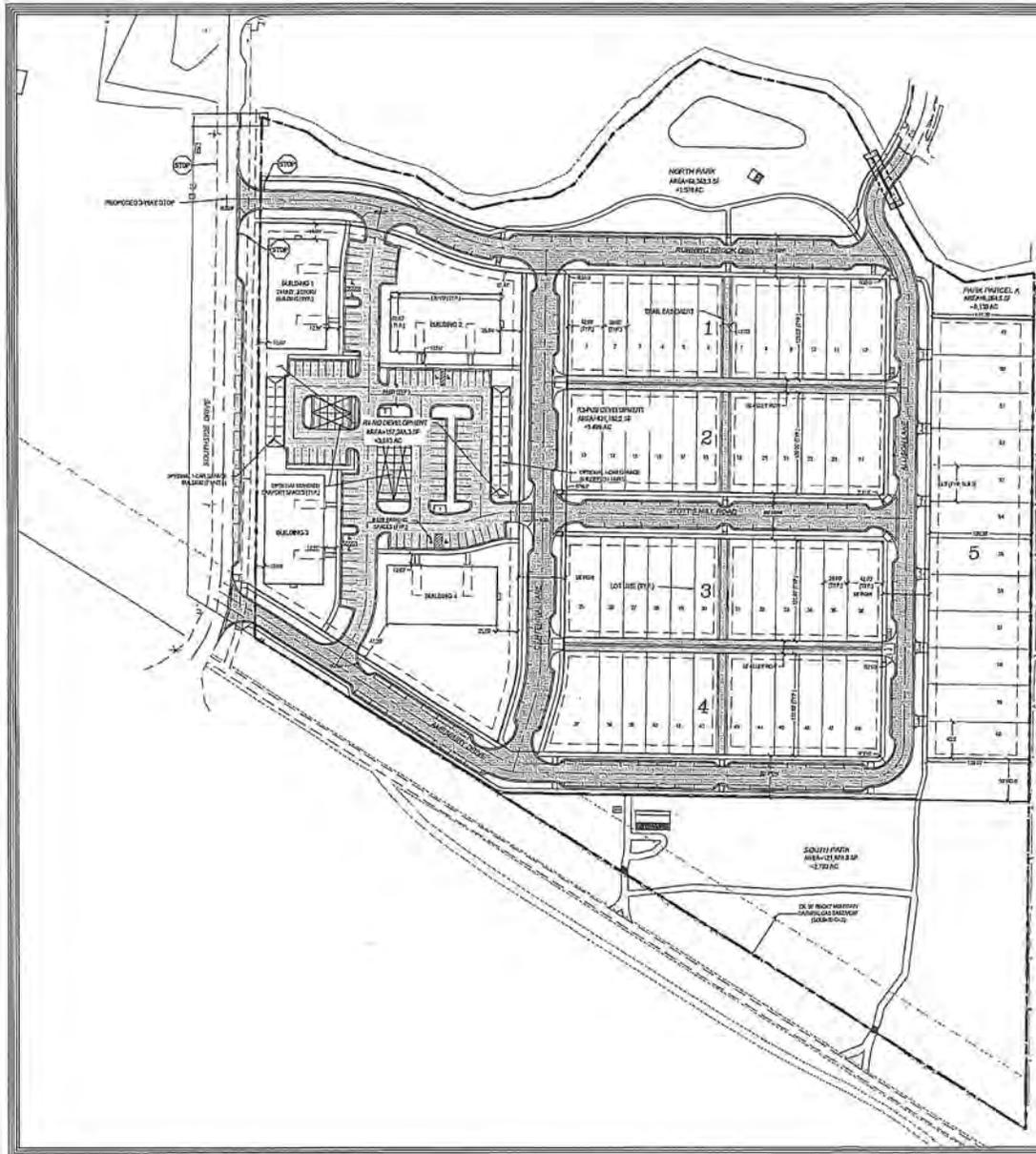
Response: Phase 1. The single-family properties are intended to be the same as they were with the 2006 application. These are contemporary, narrow single family structures that will be New-Urbanist in nature. Front porches and back porches will be required, with a 10 foot front yard setback in all cases. The homes will have alley access where available. Conceptual elevations were included in the Sketch Plan application in 2006 and the concept remains the same. The sketches are provided again for your information. We are also including a CD of the vision for the single-family homes that was made as part of the Sketch up presentation to the Town of Basalt in 2009. This presentation was made by Winston Associates). Design guidelines were put together in 2009 though specifics of the single-family area (Phase 1) were to be added at time of final document recording. The ultimate development/construction concept from the original application remains; to utilize 4 or 5 local architects so that some variation within the approved design parameters is available.

Phase 2. MSP 1 is meeting with the Design Architect on March 16th to provide direction and input on the next iteration of design and proposed elevations for the multi-family portion of the project. We will update the Town ASAP.

9. Daycare was a significant item during the original Stott's Mill review. Given that the daycare was a significant community benefit in the prior Stott's Mill approvals and that the mid Valley daycare shortage is a significant issue, please consider proposing to include the daycare impact fee that was recently approved in Willits Town Center

Response. The Applicant will address Daycare as part of the land use review process. Since conversation started with the Town in 2015, MSP 1 has consistently said that they believe Stott's Mill is not the appropriate place for a day care facility for a number of reasons. This is an issue that may require a more regional solution. A local option a option is to utilize a small portion of South Park. The Applicant will consider the daycare impact fee approved for the Willits

Town Center along with other exactions that would come with any review discussion or land-use approval. The project must work economically as well as fit into the big picture for the Town



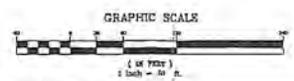
STOTT'S MILL DENSITY SUMMARY TABLE

STOTT'S MILL	DESCRIPTION	AREA (SQ)	AREA (AC)	UNITS	UNIT TYPE	DENSITY (UNITS/ACRE)
PHASE 1	BLOCK 1	45,120	1.03	12	SINGLE FAMILY	11.59
	BLOCK 2	45,120	1.03	12	SINGLE FAMILY	11.59
	BLOCK 3	45,120	1.03	12	SINGLE FAMILY	11.59
	BLOCK 4	45,120	1.03	12	SINGLE FAMILY	11.59
	BLOCK 5	45,120	1.03	12	SINGLE FAMILY	11.59
TOTAL	225,600	5.15	60		6.06	
PHASE 2	DESCRIPTION	AREA (SQ)	AREA (AC)	UNITS	UNIT TYPE	DENSITY (UNITS/ACRE)
	PHASE 2	6,065	0.14	30	PASSIVE/UTILITIES	
PHASE 3	DESCRIPTION	AREA (SQ)	AREA (AC)	UNITS	UNIT TYPE	DENSITY (UNITS/ACRE)
	PHASE 3	121,679	2.79	30	APARTMENTS	10.77
TOTAL AREA		253,344	5.88	90		

STOTT'S MILL PARKING TABLE

STOTT'S MILL PARKING SUMMARY

PHASE	LOTS	PARKING REQUIRED	LOT	STREET	TOTAL	±%
BLOCK 1	1	12	12	12	48	7
	2	12	12	12	48	8
	3	12	12	12	48	9
	4	12	12	12	48	9
	5	12	12	12	48	9
BLOCK 2	1	12	12	12	48	9
	2	12	12	12	48	9
BLOCK 3	1	12	12	12	48	9
	2	12	12	12	48	9
BLOCK 4	1	12	12	12	48	9
	2	12	12	12	48	9
BLOCK 5	1	12	12	12	48	9
	2	12	12	12	48	9
PHASE 2	1	30	30	30	120	1
	2	30	30	30	120	1
PHASE 3	1	30	30	30	120	1
	2	30	30	30	120	1
TOTAL	54	54	54	54	441	72

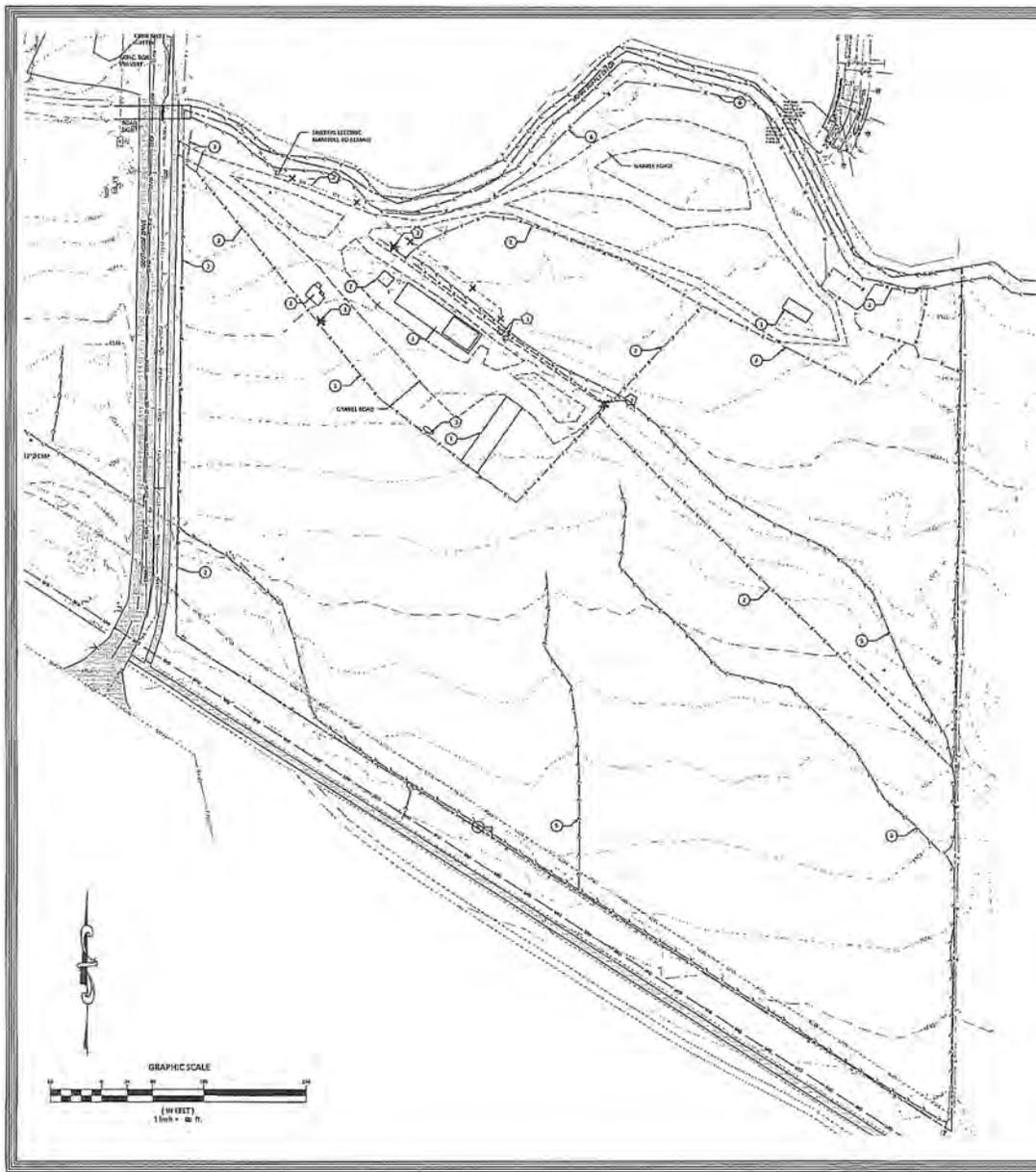


STOTT'S MILL PUD
BASALT, COLORADO
SITE PLAN - LAND USE & PARKING TABLES

ANNEXATION SUBMITTAL

SOPRIS ENGINEERING, LLC
CIVIL CONSULTANTS
1000 W. 10TH AVENUE
DENVER, CO 80202
PHONE: 303.733.7420

DATE	07/14/2016
JOB NO.	15115
SHEET	021



GENERAL UTILITY NOTES:

- EXISTING CONDITIONS BASED UPON INFORMATION SURVEY BY SOPSIS ENGINEERING, LLC, DATED 12/2015.
- THE LOCATION OF UNDERGROUND UTILITIES WERE DETERMINED THROUGH THE USE OF GROUND PENETRATING RADAR (GPR) AND OTHER METHODS. THESE LOCATIONS ARE APPROXIMATE AND SHOULD NOT BE RELIED UPON FOR CONSTRUCTION. THE RESPONSIBILITY OF THE CONTRACTOR TO CONDUCT A UTILITY CONFERENCE WITH THE FIELD OFFICIALS PRIOR TO CONSTRUCTION.
- ALL UTILITIES, BOTH UNDERGROUND AND OVERGROUND, SHALL BE PROTECTED BY CONSTRUCTION METHODS THROUGHOUT THE DURATION OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. THE CONTRACTOR SHALL NOT REMOVE OR DESTROY ANY UTILITIES UNLESS APPROVED BY THE FIELD OFFICIALS.
- CONTRACTOR TO CONDUCT ALL UTILITY INVESTIGATIONS AND RESPECTIVE UTILITY CONFERENCE PRIOR TO CONSTRUCTION.
- ALL UTILITY SERVICES SHALL BE MAINTAINED TO EXISTING LOCATIONS. A BACKUP SERVICE SHALL BE PROVIDED TO ANY TEMPORARY SHUT DOWN FOR UTILITY RELOCATION.

SITE UTILITY NOTES:

- EXISTING UTILITIES TO BE REMOVED
- EXISTING PIPES TO BE REPAIRED
- EXISTING UTILITY TO BE REMOVED
- SHUT OUT AND REPAIRS EXISTING UTILITY, CONDUCTED WITHIN 10 DAYS OF RECEIVING PERMITS AND APPROVALS.
- APPROVED AND REPAIRED UTILITIES
- EXISTING PIPES TO BE REPAIRED AFTER LANDSCAPE FINISHES AND PAVING OPERATIONS HAVE BEEN COMPLETED.
- EXISTING UTILITY SERVICES TO BE RELOCATED TO THE NORTH PARK, REFER TO LANDSCAPE PLANS FOR LOCATION AND DETAILS.

UTILITY ABANDONMENT NOTES:

- CONTRACTOR TO CONDUCT THE ABANDONMENT AND ON BEHALF OF THE EXISTING UTILITY PROVIDER, THE UTILITY PROVIDER IS TO PROVIDE ALL UTILITY UTILITY RECORDS. CONTRACTOR TO PROVIDE TRANCHES, RECORDS AND MATERIAL NECESSARY FOR THE UTILITY PROVIDER.
- CONTRACTOR TO LOCATE THE EXISTING PRIVATE WATER SYSTEMS AND VERIFY SIZE AND LOCATION PRIOR TO CONSTRUCTION. CONTRACTOR TO PROVIDE AND APPROVE ALL PRIVATE WATER UTILITY RECORDS.
- CONTRACTOR TO CONDUCT THE ABANDONMENT OF THE EXISTING GAS UTILITY. THE GAS COMPANY IS TO PROVIDE ALL RECORDS NECESSARY FOR GAS ABANDONMENT.
- CONTRACTOR TO REPAIR OR REPLACE THE EXISTING LATERAL UTILITY SYSTEMS AS AN UNDERGROUND UTILITY. CONTRACTOR TO PROVIDE ALL RECORDS AND MATERIAL NECESSARY FOR THE UTILITY PROVIDER. CONTRACTOR TO CONDUCT THE ABANDONMENT OF THE EXISTING UTILITY SYSTEMS WITH THE GAS COMPANY. REFER TO UTILITY RECORDS FOR LOCATION AND DETAILS.

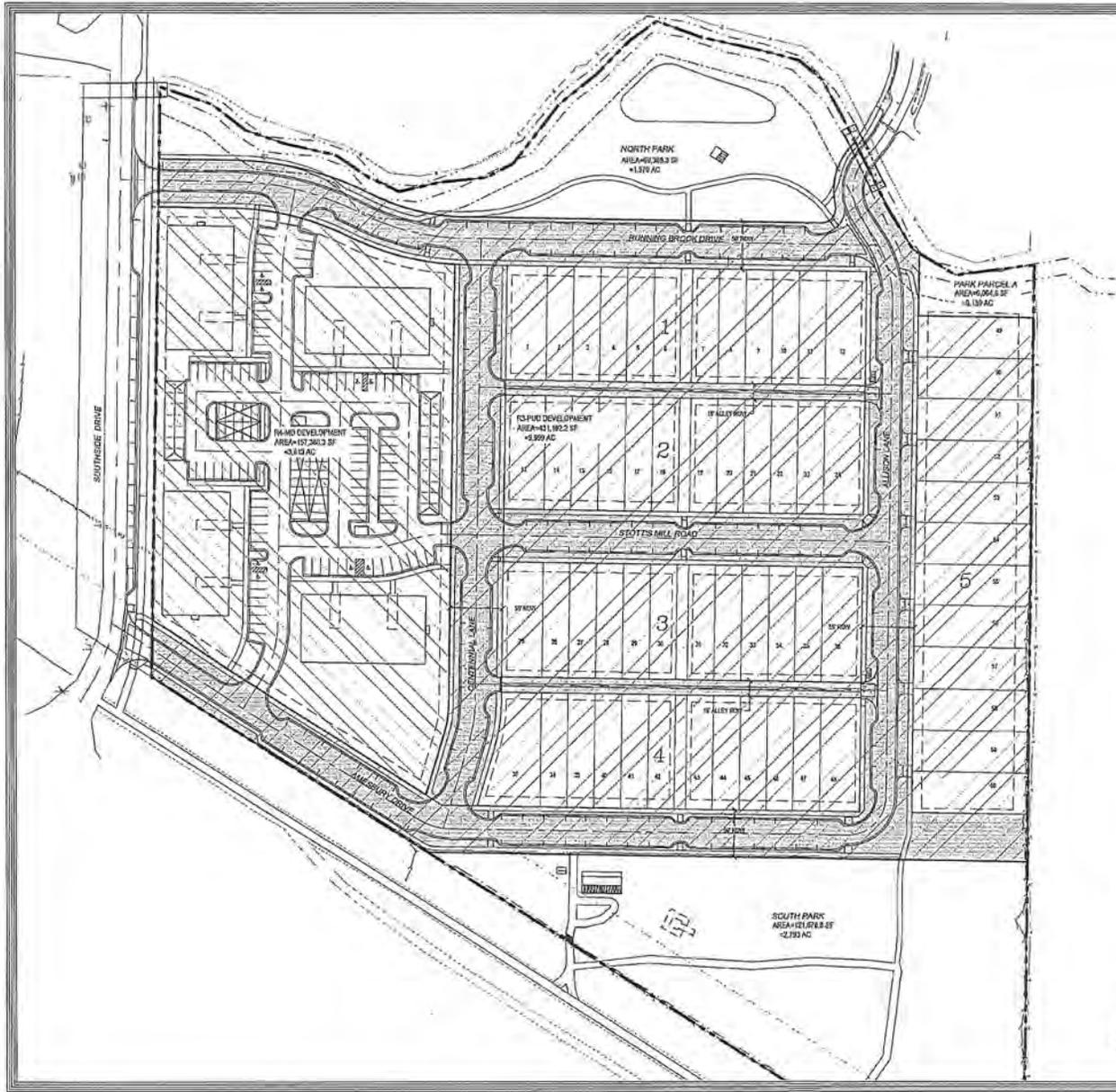
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<p>SOPSIS ENGINEERING, LLC CIVIL CONSULTANTS 1000 MAIN STREET COLORADO SPRINGS, CO 80905 PHONE: (719) 595-8888 FAX: (719) 595-8889</p>		<p>DATE: _____ BY: _____ CHECKED BY: _____</p>
<p>STOTT'S MILL PUD BASALT, COLORADO EXISTING CONDITION / SITE DEMOLITION PLAN ANNEXATION SUBMITTAL</p>	<p>DATE: 12/22/2015 JOB NO.: 16115 SHEET: 012</p>	<p>DATE: _____ BY: _____ CHECKED BY: _____</p>



Keep what's below.
 Call before you dig.
 Call 811 before you dig.
 Call 811 before you dig.
 Call 811 before you dig.

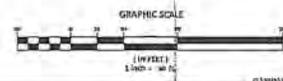


ZONE DISTRICT LEGEND

- PROPERTY LINE
- PUD ZONE DISTRICT
- R-1 ZONE DISTRICT
- P ZONE DISTRICT

ROW AREA

- RIGHT-OF-WAY AREA



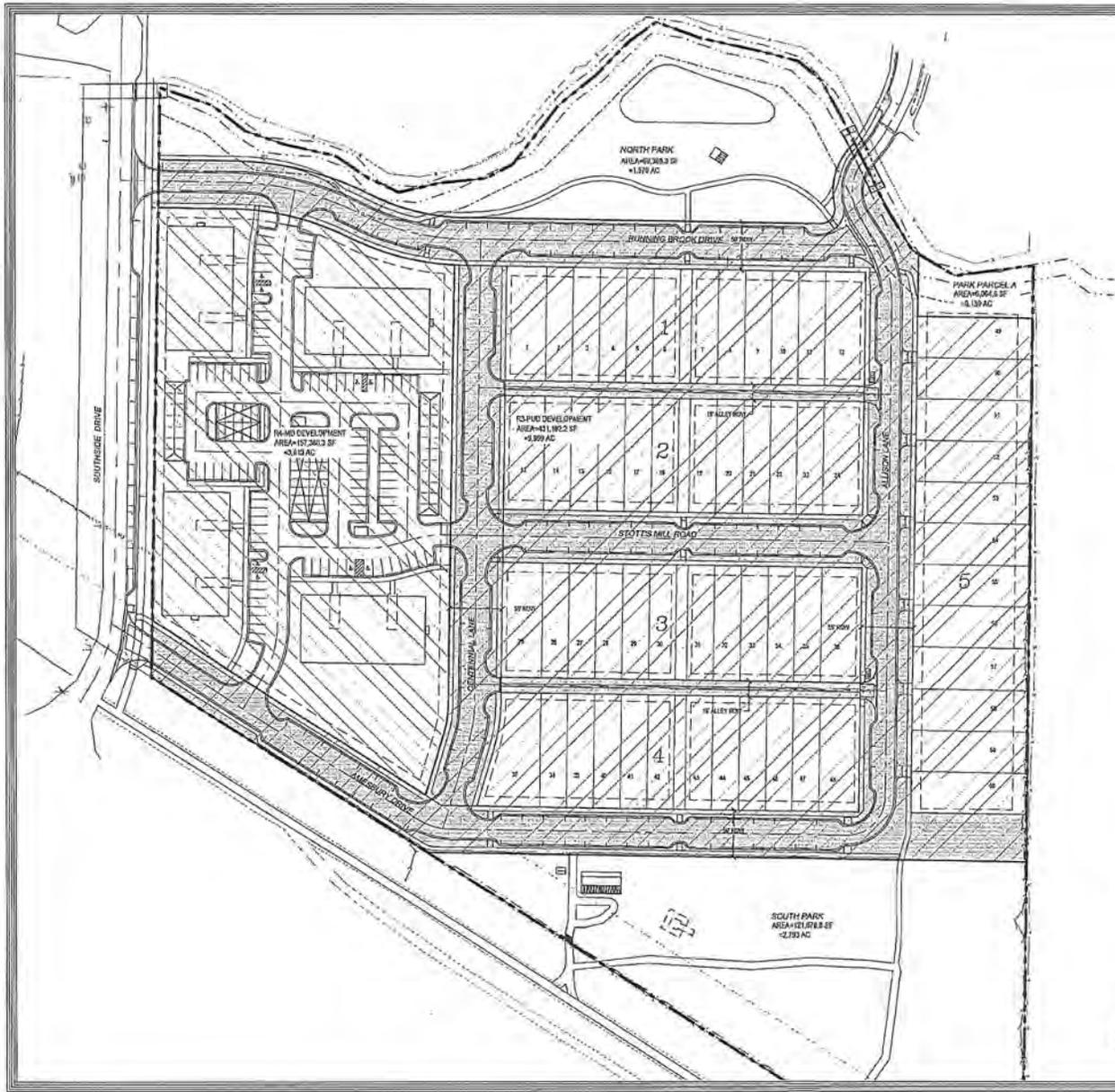
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CHECKED BY	

S. ORRIS ENGINEERING, LLC
CIVIL CONSULTANTS
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.1111
 FAX: 303.733.1111

PROJECT	
NO.	
DATE	

STOTT'S MILL PUD
 BASALT, COLORADO
 ZONE DISTRICT MAP
 AMENDATION SUBMITTAL

DATE	12/04/2015
JOB NO.	15115
SHEET	02.2

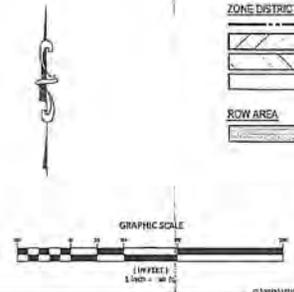


ZONE DISTRICT LEGEND

- PROPERTY LINE
- POLY-ZONIC DISTRICT
- HOMO-ZONIC DISTRICT
- P ZONE DISTRICT BOUNDARIES

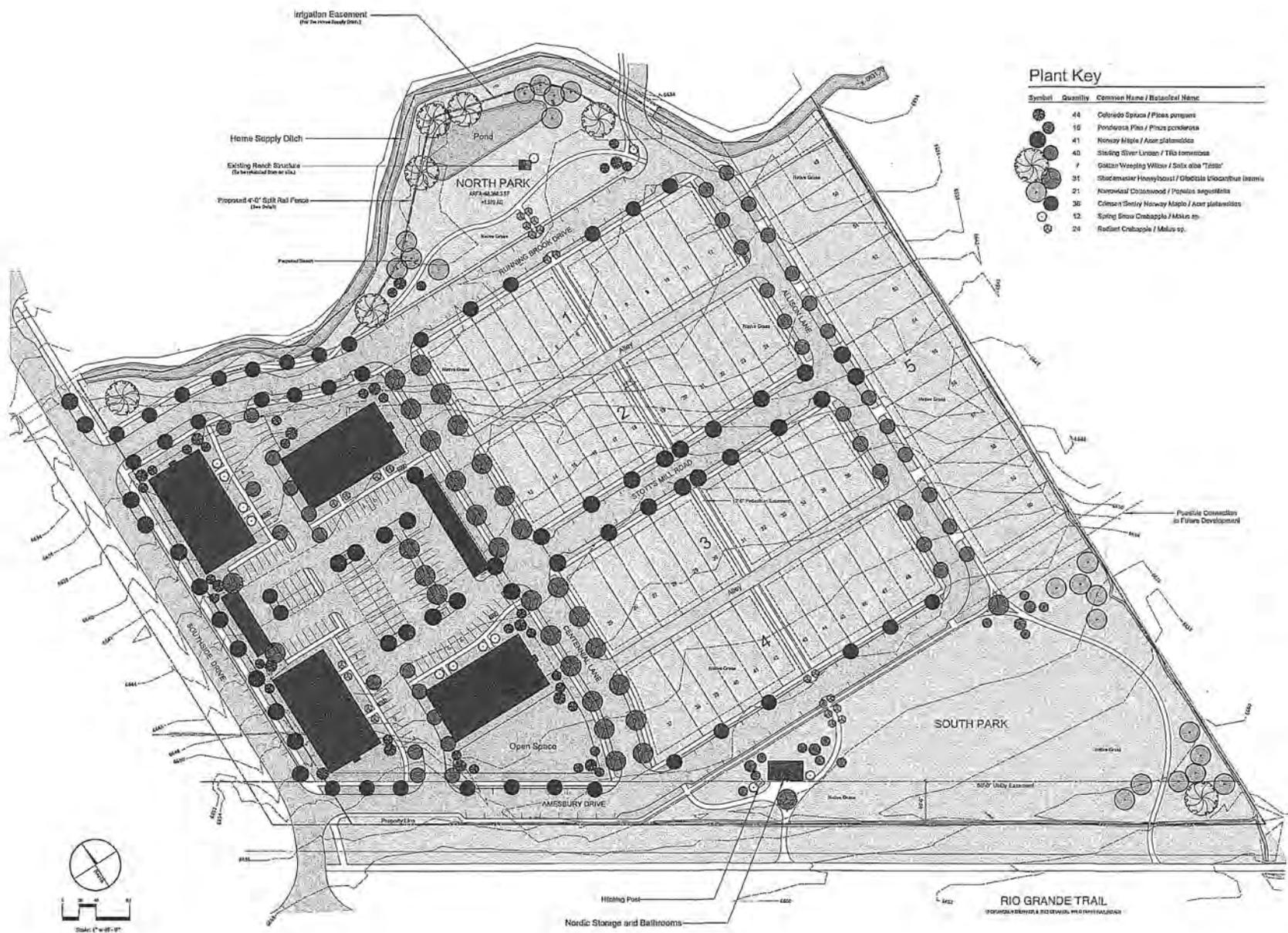
ROW AREA

- RIGHT-OF-WAY AREA
- 100 FT ±



DATE	12/04/2015
JOB NO.	15115
SHEET	02.2
REVISION	
BY DATE	
PROJECT	STOTT'S MILL PUD BASALT, COLORADO ZONE DISTRICT MAP AMENDATION SUBMITTAL
DESIGNED BY	
CHECKED BY	
APPROVED BY	
DATE	

S. ORRIS ENGINEERING, LLC
CIVIL CONSULTANTS
 2400 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.8888
 FAX: 303.733.8888



Plant Key

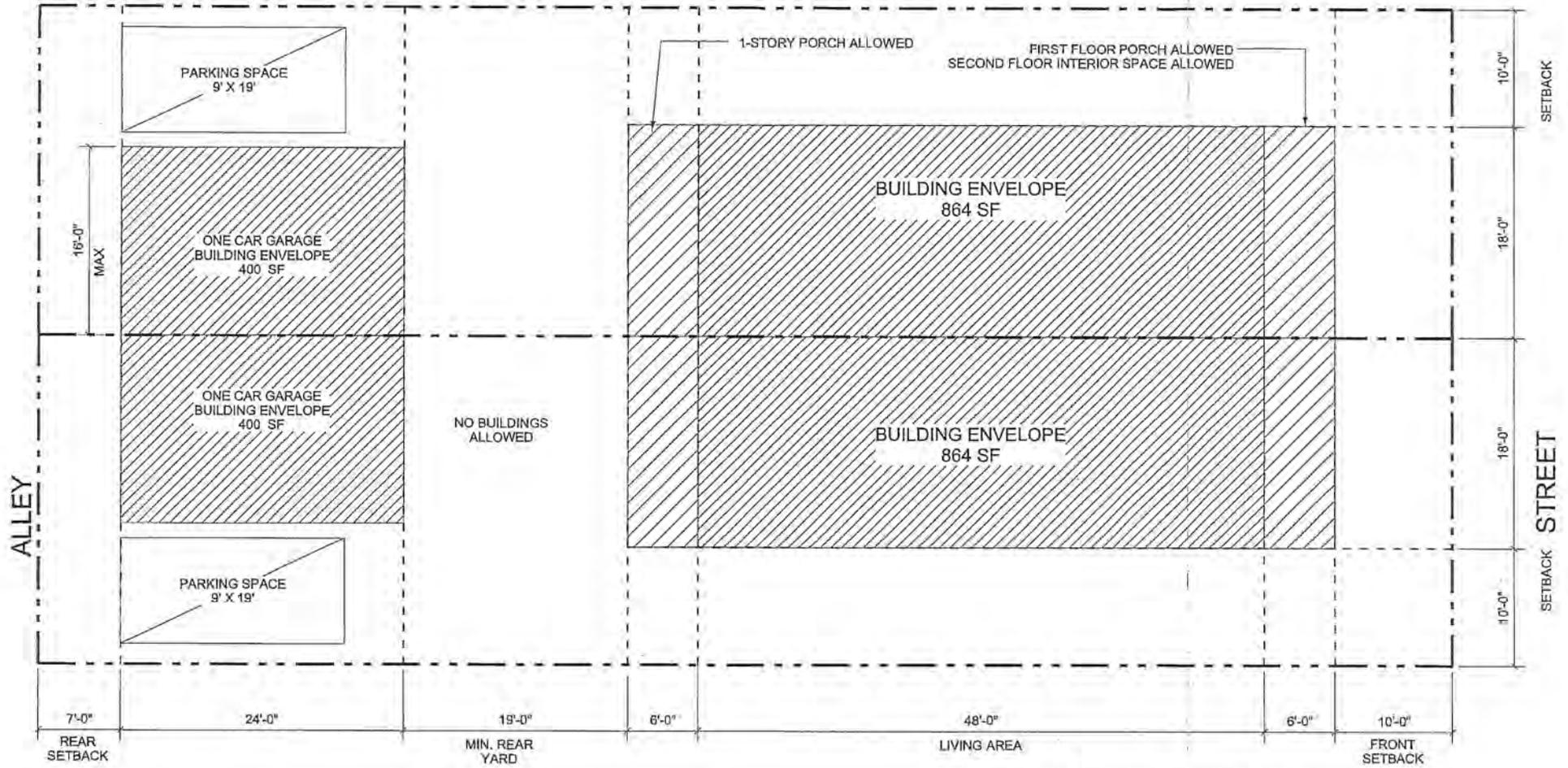
Symbol	Quantity	Common Name / Botanical Name
(Symbol 1)	44	Colorado Spruce / <i>Picea pungens</i>
(Symbol 2)	16	Ponderosa Pine / <i>Pinus ponderosa</i>
(Symbol 3)	41	Kentucky Maple / <i>Acer glaberrimum</i>
(Symbol 4)	40	Stinking Silver Linden / <i>Tilia tomentosa</i>
(Symbol 5)	7	Golden Weeping Willow / <i>Salix alba 'Tristis'</i>
(Symbol 6)	31	Shademaster Honeylocust / <i>Gleditsia triacanthos inermis</i>
(Symbol 7)	21	Kentucky Yellowwood / <i>Populus nigra</i>
(Symbol 8)	36	Clemson Sherry Norway Maple / <i>Acer platanoides</i>
(Symbol 9)	12	Spring Snow Crabapple / <i>Malus sp.</i>
(Symbol 10)	24	Radiant Crabapple / <i>Malus sp.</i>



Conceptual Landscape Plan
Stott's Mill P.U.D.
 Basalt, Colorado

Date: January 21, 2014
 Revised:

Sheet:
L-62 of 127



**SITE LAYOUT & SETBACKS
 DUPLEX DWELLING UNITS**

1/8" = 1'-0"

A4

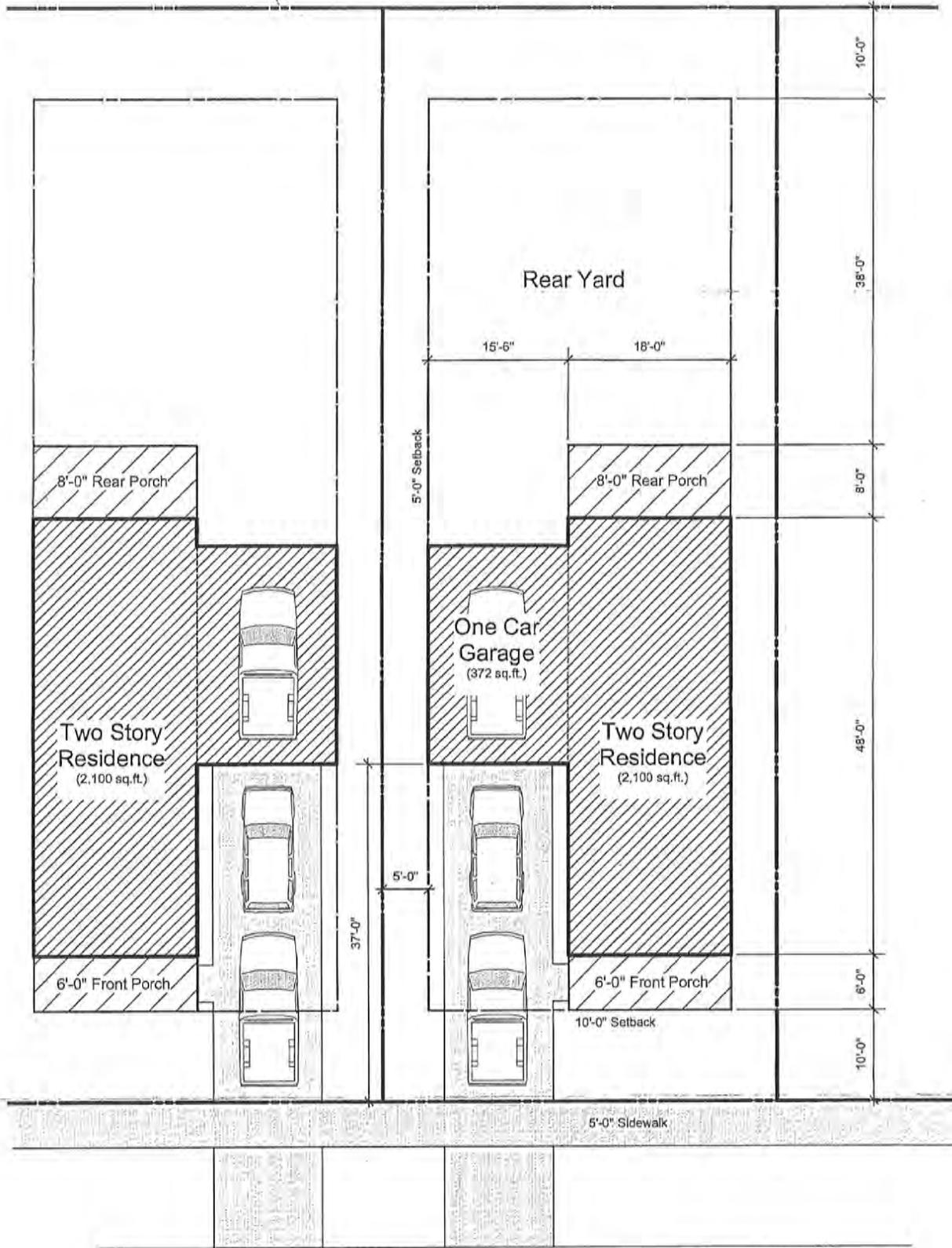
A4 ARCHITECTS LLC
 100 North Third Street
 Carbondale, Colorado 81623
 970.963.6760
 970.963.6761 Fax

SK 003

PROJECT: STOTT'S MILL

DATE: 12.6.05
 REV: 5.6.06

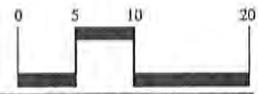
Open Space



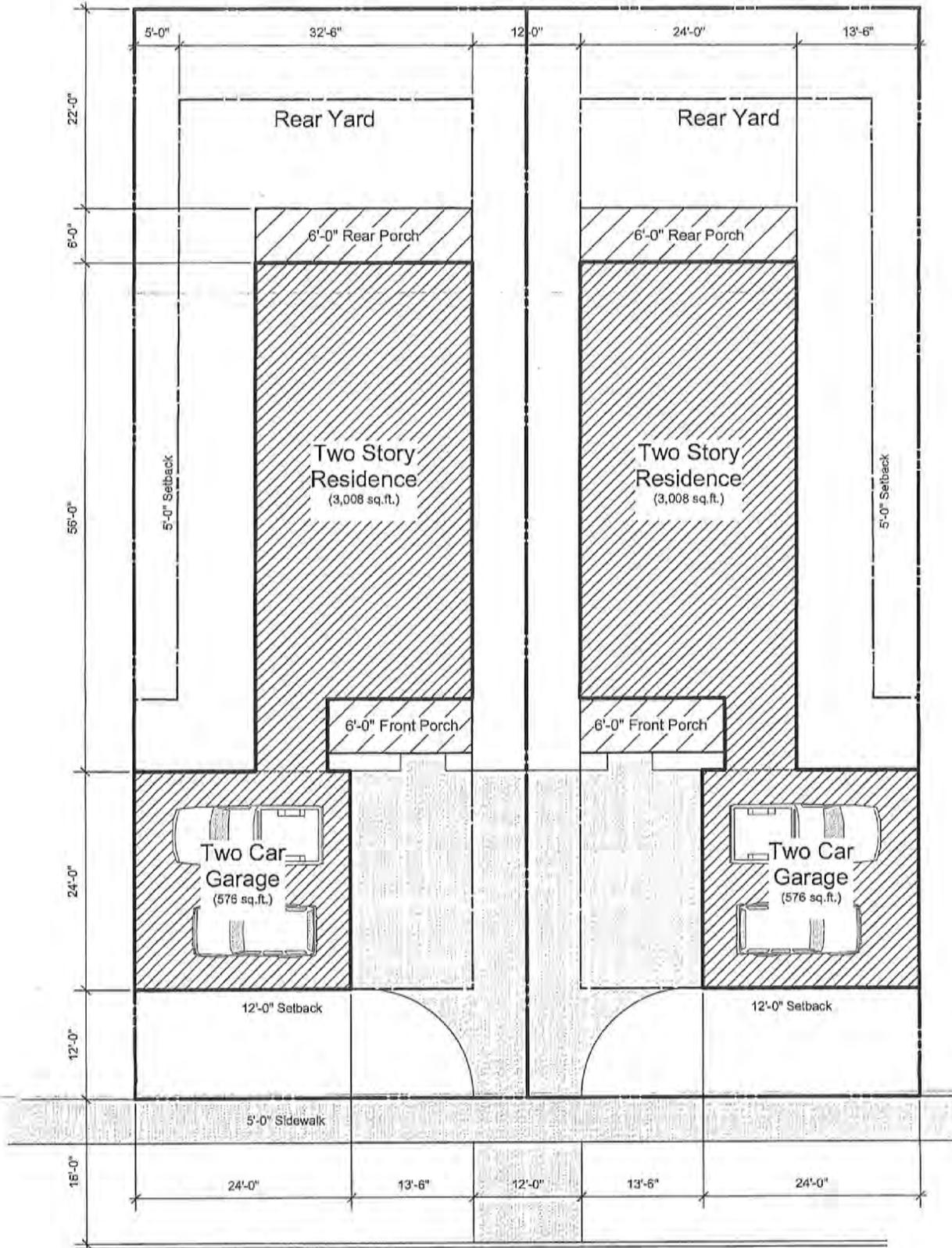
Allison Lane

Scheme "A" - One Car Garage Plan
Stott's Mill - Block 5 Site Layout

Scale: 1" = 10'-0"



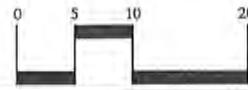
Open Space

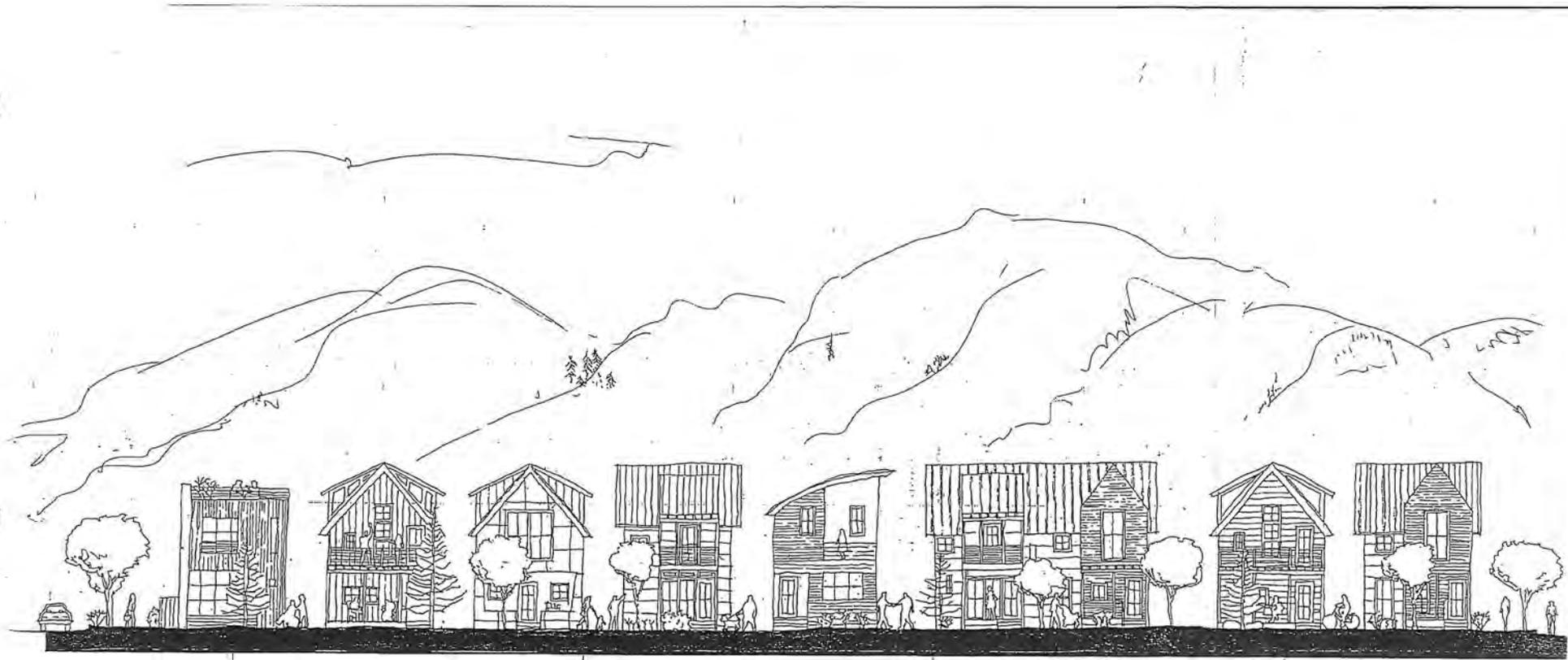


Allison Lane

Scheme "B" - Two Car Garage Plan
Stott's Mill - Block 5 Site Layout

Scale: 1" = 10'-0"





single family

single family

single family

single family

single family

duplex or double lot

single family

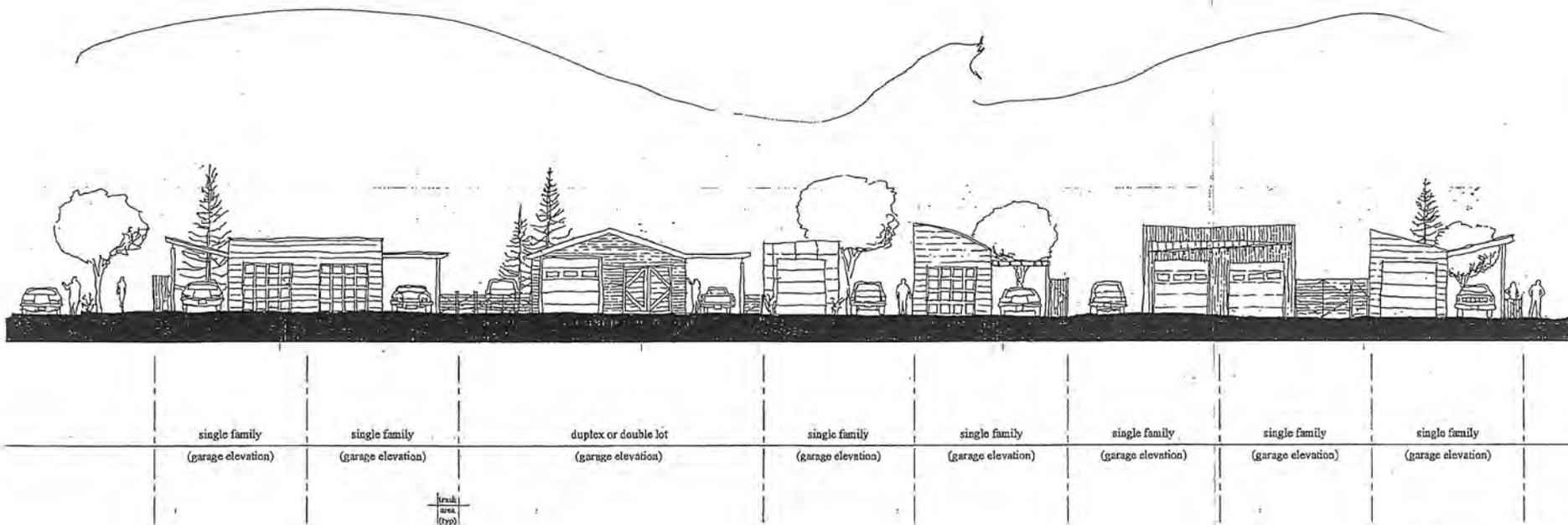
single family

Stott's Mill
basalt, colorado

black shack office
po box 1847
basalt, colorado 81621
970 927 0635 v • 970 927 0654 f

typical street elevation





Stott's Mill
basalt, colorado

black shack office
po box 1847
basalt, colorado 81621
970 927 0635 v • 970 927 0654 f

typical alley elevation





24 PLEX

PERSPECTIVE VIEW

MEMORANDUM

To: Chairman Johns and Basalt Planning and Zoning Commission
Thru: Susan Philp, AICP Planning Director
From: James Lindt, AICP Assistant Planning Director
Date: July 5, 2016
RE: Public Hearing- Stott's Mill PUD Reinstatement for Single-Family Section and Sketch Site Plan Review and Associated Reviews for Multi-Family Residential Section Introductory Meeting

I. Purpose:

MSP1 LLC. ("Applicant") is requesting approval for Reinstatement of the 2009 Stott's Mill PUD approvals for the majority of the single-family section of the proposed development and Sketch Site Plan Review for the multi-family section of the proposed development to construct 156 dwelling units on the Stott's Mill Property. Staff suggests that this initial meeting be an introductory meeting to the proposal and discussion items. Staff recommends that the P&Z hear a presentation from Staff and the Applicant, ask questions, take public comments, and then provide initial discussion. Ultimately, Staff recommends that the P&Z let Staff know if there is additional information that the P&Z needs to complete the review of the Application and continue it to July 19th.

II. Background:

The 18-acre property subject to the Application is currently vacant with the exception of a couple of agricultural buildings and is located on the east side of Southside Drive adjacent to the Rio Grande Trail. The property is currently located in unincorporated Pitkin County. The Applicant has applied to annex the property into the Town and to reinstate the 2009 PUD approvals for the majority of the single-family family residential portion of the development and a sketch site plan review through the proposed R-4 MD Zone District for the multi-family portion of the development adjacent to Southside Drive. The property is located in the Town's Urban Growth Boundary (UGB) and is designated as Medium Density Residential (MDR) and Public Open Space (OS) on the Future Land Use Map (FLUM) that is included in the 2007 Basalt Master Plan.

The Applicant received annexation and PUD approvals in 2009 for 110 dwelling units, a daycare core and shell, a south and north park, and associated infrastructure pursuant to Ordinance No. 18, Series of 2009. The new proposal includes 156 dwelling units, fifty-six (56) of which are proposed as single-family dwellings and ninety (90) of which are proposed as multi-family dwelling units. Additionally, the Applicant has proposed

two (2) parks in the same configuration as the parks that were included in the 2009 approvals. Site plan and elevation drawings are attached in the application.

III. Review Process:

The Applicant has received approval for annexation eligibility pursuant to Resolution No. 14, Series of 2016. The Town's policy is not to annex a property until a development proposal is approved. The P&Z makes a recommendation to the Town Council on the proposed PUD reinstatement on the single-family portion of the development, and on the R-4 MD Sketch Site Plan Review.

IV. Discussion Items:

1. Consistency with Master Plan

In reviewing the proposed development plan, Staff believes that the proposed mix of uses is generally consistent with the 2007 Basalt Master Plan. The proposed development to consist of a mix of single-family and multi-family residential dwelling units is consistent with the Medium Density Residential Designation in the Master Plan. Additional discussion on the proposal's consistency with the density guides in the Master Plan are discussed below.

2. Proposed Density

The medium density designation for the property in the 2007 Basalt Master Plan prescribes a potential density range of 6 dwelling units/acre to 11.9 dwelling units/acre. The proposed development consists of 156 units, which is above the Master Plan's prescribed density range if you only include the area of the property in the Master Plan that is designated as Medium Density Residential (MDR). There is language in the Master Plan that expresses that the use designations on the Future Land Use Map are recommendations and that site-specific refinements may be acceptable if they are determined to be consistent with the goals and objectives of the Master Plan. In evaluating the 2009 Application, the density was allowed to go from 105 dwelling units in the sketch plan approvals to 110 dwelling units because the Applicant added a daycare core and shell as an additional amenity. Staff believes that there needs to be discussion at the P&Z level about whether the density increase proposed in the multi-family section of the development beyond the 2009 approvals will put too much stress on the southside infrastructure.

3. Affordable Housing Mix

The Applicant has proposed to satisfy the affordable housing requirements for the development by including 25% of the total residential floor area and 20% of the units as deed-restricted, category-level affordable housing as required by the Town Code. Additionally, Staff anticipates requiring that the Applicant provide a 1% Real Estate Transfer Assessment (RETA) and a 2% RETA on transactions of over \$1 Million pursuant to the Town's Annexation Policy.

4. *Childcare/Daycare*

In the 2009 Stott's Mill approvals, the Applicant was required to construct a 3,000 square foot core and shell daycare space to be administered by the Town. As part of the current Application, the Applicant has proposed not to include any mitigation for the impacts that the development would have on the Mid-Valley daycare situation. Staff believes that a project of this nature will have impacts on the demand for daycare and should be required to contribute to solutions for mitigating the current daycare shortage. Staff has identified several options for consideration as follows:

- a) Identify a location in the Project for the Applicant to construct a 3,000 sf core and shell space similar to what was included in the 2009 approvals; or,
- b) Require the Applicant to dedicate land to the Town for daycare purposes as was required of the Continuous Care and Retirement Community (CCRC) that was approved for the site after the 2009 approvals were vacated; or,
- c) Require the Applicant to pay a fee for use by the Town in enacting daycare solutions as was required of Willits Town Center in the recent PUD amendment approvals; or,
- d) Reinstate the original requirement.

Staff has identified this item for additional discussion and Staff will be seeking input from the Childcare Coalition.

5. *Annexation Policies*

Town Code Chapter 15 and the Town's Master Plan include that the Town can receive additional community benefits through annexation. The Town has annexation policies requiring that development subject to annexation provide a 1% RETA on property transfers of less than \$1 Million and a 2% RETA on property transfers of \$1 Million or greater. Staff anticipates requiring compliance with this annexation policy. Additionally, the Town has an annexation policy of requiring double the parkland requirements for annexations. Staff includes analysis on the consistency of the Applicant's proposal related to the parkland annexation policy later in this memo.

6. *Proposed Zoning*

The multi-family development adjacent to Southside Drive is proposed to be zoned R-4 MD, the narrow lot single-family dwelling units are proposed to be R-3 TN PUD upon annexation. The dimensional requirements for the multi-family development are proposed to meet the dimensional requirements of the R-4 MD Zone District with the exception that the Applicant is requesting Special Review Approval for a .69:1 FAR, which exceeds the .5:1 allowable FAR in the R-4 MD Zone District.

The ***multi-family residential*** dimensional requirements are proposed as follows:

Dimensional Requirement	Proposed	R-4 MD Requirement
Min. Lot Area	157,388 sf	12,000 sf
Max Building Height	35 Ft.	35 Ft.
Ridge Height	33 Ft.	33 Ft.
# of Stories	3	3
Lot Width	Greater than 70 Feet	70 Feet
Front Yard Setback	10-25 Feet	10 Feet
Rear Yard Setback	10 Feet	10 Feet
Side Yard Setback	5 Feet	5 Feet
FAR	.69:1	.5:1 with up to .8:1 Allowed by Special Review
Max Lot Coverage	NA	NA
Min Landscape	10%	10%

Staff is concerned with the overall floor area of the multi-family buildings as shown in the sketches provided in the application and is concerned that the layout does not provide a desired streetscape along Southside Drive. Staff believes that these issues are partly a function of the additional density being proposed.

On the **narrow single-family lots**, the Applicant has proposed the following dimensional requirements:

Dimensional Requirement	Proposed R-3 TN PUD	R-3 TN Requirement
Min. Lot Area	3,360 SF	6,000 SF
Max Building Height	24 Ft.	24 Ft.
Ridge Height	28 Ft.	28 Ft.
# of Stories	2	2
Lot Width	28	50
Front Yard Setback	10 Ft. Porch 16 Ft. Living Area	10 Ft. Porch 16 Ft. Living Area
Rear Yard Setback	7 Ft.	10 Ft.
Side Yard Setback	5 Ft.	7.5 Ft.
FAR	<ul style="list-style-type: none"> • 1,328 Square Feet for 11 of 28 Ft. wide lots • 2,000 Square Feet for 31 of 28 Ft. wide lots • 2,376 Square Feet for 42 Ft. wide lots 	.35:1 up to .5:1 through Special Review
Max Lot Coverage	Proposed FAR in Lieu of Lot Coverage Maximum	30%

Min Landscape	30%	20%
Parking	2 Spaces per dwelling	Varies depending on # of bedrooms

In evaluating the proposed dimensional requirements for the narrow single-family lots, Staff supports the variations requested to the minimum lot size, minimum lot width, lot coverage, and setback requirements because the lots are designed to be very modest in size to permit a significant density of moderately priced residences as was granted in the 2009 approvals. Staff also supports the floor area in this circumstance in that residences on the 28-foot wide lots are proposed to support residences of 1,328 square feet and the 42-foot wide lots are proposed to accommodate residences of about 2,400 square feet. Considerable time was spent in 2008 and 2009 evaluating the small lot concept.

7. Architectural Guidelines

Staff and the Applicant had developed design guidelines for the single-family portion of Stott's Mill that were included in the 2009 approvals. As part of the 2009 approvals, Staff was concerned that there is really no assurance that there will be variety in the design of the units. To avoid a cookie-cutter scenario, Staff required the Applicant to come up with a plan to assure the Town that there will be variety in the designs developed within the subdivision. As a result of this concern, the Applicant has proposed to retain four to five different local architecture firms to design the single-family residential units that will be built by the developer within the project. The Applicant believes that the different styles of the varied architects will insure variety in design, while the design standards will provide a framework to maintain some design continuity in the development. Staff anticipates maintaining the condition from 2009 about retaining four to five local architects to design the single-family residential units.

8. Parks and Open Space

The Applicant has proposed 4.5 acres of open space within the development, which is mainly contained within two (2) parks, one at the southern extent of the development and one at the northern extent of the development. Pursuant to the Parkland requirements in the Town Code and the annexation policy that annexations provide double the required parkland, the total parkland dedication required would be 6.2 acres.

The park on the northern extent of the development is proposed to contain a man-made pond used for raw water irrigation storage. The pond will be drawn down at certain times of the year, but will be constructed with a shallow bench area around the outer extents of the pond so that it reduces hazards when the water is drawn down for irrigation.

The programming for the park at the southern extent of the development is proposed to be a passive park with some bathroom and storage facilities for the Town. In the 2009 approvals, the park included two (2) basketball courts and two (2) tennis courts. Staff feels that a more active park consistent with the POST Committee's recommendation as

outlined below is necessary for a family-oriented development of the scale being proposed.

A group represented by Diana Elliot would like to put a four-court tennis center in South Park, but the Applicant has indicated that they are not interested in incorporating such a facility (see attached letter). The POST Committee also weighed in on the Application and have recommended a more active park and programming that would include a 3-4 court tennis center and a children's play area in addition to the bathrooms and storage already proposed. The POST Committee thought that there was enough passive park in the southside already and that there should be additional park amenities since the development is short of the amount of parkland required to be dedicated pursuant to the Town's annexation policy and that it will attract young families. It should be noted that Pitkin County no longer needs a nordic storage area as was required in 2009 as they now have another location.

9. School Land Dedication

The Applicant has proposed to construct two (2) deed-restricted residential units that would be rented to the RE- 1 School District for no rent charge as was included in the 2009 approvals. The Applicant is in discussions with the School District on this topic.

10. Traffic

The Town's Consulting Engineer, SGM, has been preparing a traffic report for southside. Initial information from SGM identifies that the Stott's Mill proposal will likely require a CDOT access permit as it will increase traffic beyond the thresholds required by CDOT. SGM's initial information also identifies that there is a need for improvements at the intersection of Basalt Avenue and Highway 82 to mitigate the impacts of the increased traffic that would be expected by buildout of the proposed project. A next step in SGM's analysis is to identify options for potential traffic improvements that could be implemented to mitigate the additional traffic. The traffic mitigation options to be identified by SGM will be brought back at future meeting for discussion. The Applicant and others proposing to develop in Southside would be expected to pay the cost of implementing necessary traffic mitigation improvements on a fair share basis based on trip generation.

11. Round-a-bout and Traffic Calming

A round-a-bout on Southside Drive was approved in 2009 as part of the original Stott's Mill Development Application and the Sketch Plan development application for the Basalt Design District (BDD) as a mechanism for turning cars around and was also seen as a traffic-calming mechanism. The BDD application is no longer active, but Staff does believe that there is still a need for traffic-calming along Southside Drive. Staff believes that it is important to know the other traffic improvements that will be needed at the Basalt Avenue/Highway 82 intersection before it is determined whether a round-a-bout should still be required on Southside Drive. As Staff identified above, SGM is identifying options for potential traffic improvements that could be implemented to mitigate the additional traffic.

12. Southside Drive Cross-Section

In acquiring the funding for the Basalt Avenue pedestrian underpass, Pitkin County elevated the importance of improving the trail from the Rio Grande Trail to the Highway 82/Basalt Avenue underpass. Pitkin County Open Space and Trails is working with the Town Parks, Open Space and Trails (POST) Committee to determine the desired long-term road cross-section for South Side Drive and associated improvements. Additionally, POST has also expressed the need to improve the trail. The Town POST Committee reviewed options for the Southside Drive Cross-Section and recommended that Pitkin County's consultant draw a cross-section consisting of a wider trail on the west side with bike indicator in the travel lanes traveling north; and a designated bike lane with no parking on the west side of Southside Drive. Once Pitkin County's consultant amends the cross-section, Staff will provide it to the P&Z. Staff anticipates that the Applicant will be responsible for making some improvements to enact a portion of the planned cross-section adjacent to Southside Drive.

13. Green Building

The dwelling units will be required to meet the Town's sustainable building regulations. Also, in 2009 the Applicant was required to meet a minimum HERs rating score of 90 points. Staff also anticipates maintaining the condition of approval from 2009 requiring each single-family residence to meet a minimum HERs rating score of 90 points.

14. Ditch Plan

The Applicant had worked out details related to the maintenance of ditch with the Ditch Company in 2009. There are representations in the application that the Ditch Company will continue to maintain the ditch. Additionally, there is a fence detail in the application for a split-rail fence to be built along the ditch to discourage recreation in the open ditch. An easement for the ditch is also proposed to be dedicated on the plat. Staff anticipates including a condition of approval in the initial staff recommendation requiring that the Applicant continue to work with the ditch company to define the terms of maintenance for the ditch and provide a document memorializing said terms prior to the Town granting final approval for the development.

15. Water Rights Dedication

The Town had worked out water rights dedication documents in 2009 and lease back provisions. Staff recommends an updating the 2009 dedication and lease back provisions. Typically, the Town Council deals with Water Rights dedication.

16. Connection to Allison Lane

The Applicant proposes a vehicular connection to Allison Lane. The Fire District strongly supported the connection in the 2009 review and the connection was previously required. Staff has heard some concerns from Southside residents about the potential for additional traffic on Allison Lane. Staff recommends that the Applicant consider some additional traffic calming potential for the connection to limit its desirability as a throughway from the High School to Highway 82 in non-emergency situations.

17. Vested Rights and Phasing

The Applicant has proposed vested property rights of five (5) years for installation of the infrastructure and ten (10) years after the installation of infrastructure is installed for buildout of the project. North Park is proposed to be installed in the initial five (5) year period of infrastructure installation and South Park is proposed to be completed prior to half of the units in the development being constructed as was included in the 2009 approvals. Staff's understands that this is a project of significant scale, but Staff would prefer requiring that the infrastructure be installed in three (3) years (which is the Town's standard vested rights period as set forth in the Town Code) and that the build-out be limited to seven (7) years after installation of infrastructure. Staff has anticipates including draft conditions requiring infrastructure installation in three (3) years and buildout in seven (7) years after infrastructure installation.

V. Technical Issues:

Fire District Requirements:

The Basalt and Rural Fire Protection District (BRFPD) reviewed the proposed application and requested some site plan changes with regards to street widths. The Applicant has made the requested site plan changes.

RFTA Comments:

RFTA reviewed the Application and identified that RFTA is nearing capacity with existing equipment and personnel, so there is potential that the Applicant will need to contribute financially to mitigate the additional impacts that the development may impose on RFTA service. Additionally, RFTA and Pitkin County Open Space and Trails are looking at the potential for a rest station at the intersection of the Rio Grande Trail with Southside Drive. The Town POST Committee suggested that RFTA and Pitkin County go ahead and plan for installation of the rest station separate from Stott's Mill as they are hoping to begin installing some of the improvements later this fall and Stott's Mill will not have completed their land use review by that time.

VI. Recommendation:

Staff recommends that the P&Z hear a brief presentation from Staff and the Applicant, consider public comments, and provide initial discussion. Staff would recommend that the P&Z identify what additional information is required to make a final recommendation on the Application and continue the public hearing to July 19th. Staff will provide draft conditions and present them at the July 19th meeting.

Attachments:

Application
Addendum
Referral Comments

MEMORANDUM

To: Chairman Johns and Basalt Planning and Zoning Commission
Thru: Susan Philp, AICP Planning Director
From: James Lindt, AICP Assistant Planning Director
Date: July 19, 2016
RE: Continued Public Hearing- Stott's Mill PUD Reinstatement for Single-Family Section and Sketch Site Plan Review and Associated Reviews for Multi-Family Residential Section

I. Purpose:

MSP1 LLC. ("Applicant") is requesting approval for: 1) Reinstatement of the 2009 Stott's Mill PUD approvals for the majority of the single-family section of the proposed development, and 2) Sketch Site Plan Review for the multi-family section of the proposed development to construct 156 dwelling units on the Stott's Mill Property.

II. Background:

The 18-acre property subject to the Application is currently vacant with the exception of a couple of agricultural buildings and is located on the east side of Southside Drive adjacent to the Rio Grande Trail. The property is currently located in unincorporated Pitkin County. The Applicant has applied to annex the property into the Town and to reinstate the 2009 PUD approvals for the majority of the single-family residential portion of the development and a sketch site plan review through the proposed R-4 MD Zone District for the multi-family portion of the development adjacent to Southside Drive. The property is located in the Town's Urban Growth Boundary (UGB) and is designated as Medium Density Residential (MDR) and Public Open Space (OS) on the Future Land Use Map (FLUM) that is included in the 2007 Basalt Master Plan.

The Applicant received annexation and PUD approvals in 2009 for 110 dwelling units, a daycare core and shell, a south and north park, and associated infrastructure pursuant to Ordinance No. 18, Series of 2009. The new proposal includes 156 dwelling units, fifty-six (56) of which are proposed as single-family dwellings and ninety (90) of which are proposed as multi-family dwelling units. Additionally, the Applicant has proposed two (2) parks in the same configuration as the parks that were included in the 2009 approvals. Site plan and elevation drawings were attached in the July 5th packet.

III. Review Process:

The Applicant has received approval for annexation eligibility pursuant to Resolution No. 14, Series of 2016. The Town's policy is not to annex a property until a development proposal is approved. The P&Z makes a recommendation to the Town Council on the proposed PUD reinstatement on the single-family portion of the development, and on the R-4 MD Sketch Site Plan Review.

IV. July 5, 2016 P&Z Meeting:

An introductory meeting was held on July 5th, at which the Applicant presented the proposal and Staff presented the status of some of the discussion items, the P&Z considered public comments, and provided initial P&Z comments. The P&Z identified additional information needed to further evaluate the application. Staff has tried to provide as much of the additional information requested as possible. Some additional information may still need to be produced for the P&Z to make a final determination on the Application.

V. Additional Information:

Density Comparison to Southside Subdivision- P&Z asked for a comparison between the density allowed in the neighboring Southside Subdivision to the Stott's Mill proposal. The Southside Subdivision including the Southside Townhomes and Southside Phase IV, contains an approved buildout of 101 dwelling units over a total of 21.5 acres, equaling 4.7 units per acre. Stott's Mill as proposed includes 156 dwelling units on over 18.01 acres of property, equaling 8.7 units per acre. The 2009 Stott's Mill approval included 110 dwelling units over 18 acres, equaling approximately 6 units per acre.

Childcare Coalition Recommendations- At the last meeting it was discussed that there was a requirement for the Applicant to construct a 3,000 square foot core and shell space for daycare in the 2009 Stott's Mill approval. Growing Years Preschool was actively looking for a space at the time and the Town expressed that daycare was an important community benefit to include in the Final Plan Annexation proposal. The Applicant was allowed five (5) additional dwelling units in exchange for incorporating the daycare in the plan between Preliminary Plan and Final Plan Review.

As was discussed at the last meeting, the Applicant did not include a daycare contribution on the site in the Application because the Applicant believes that a more regional approach is necessary to solve the problem and that Stott's Mill is not a good site for daycare as it should be located closer to Highway 82. The Childcare Coalition reviewed the Application and expressed that they thought the Application should include a daycare component given that they expect a significant number of children to live in the proposed development. With the increase in density of the project, the Childcare Coalition thought that the 2009 requirement for a 3,000 square foot daycare core and shell to be provided by the Applicant should be increased to a 5,000 square foot core

and shell daycare space. Additionally, the Coalition felt that a good option would be to convert the ground floor of the southernmost proposed apartment building (labeled as Building 4 on the site plan) to a 5,000 square foot daycare space with a drop off and playground in the proposed open area between Building 4 and Amesbury Drive.

After hearing the Childcare Coalition's recommendation, the Applicant submitted an addendum to the Application to propose a 4,000 square foot daycare space on the first floor of the building to be built on Lot 37, of Block 4, located on the corner of Amesbury Drive and Centennial Lane with a drop-off area along Centennial Lane pursuant to similar terms that were provided in the 2009 approvals for the daycare space. The Applicant has suggested that the play area could be across Amesbury Drive in the South Park area or that the daycare play area could be placed on a portion of Lot 38 pursuant to a lease with the Applicant. The Applicant has suggested that if a daycare ceases to exist in the space that it would revert to the Applicant for conversion to residential.

Consistent with the Applicant's revised proposal to provide 4,000 square feet of core and shell daycare space, Staff has included a draft condition as Option #1 that would require the Applicant to provide a 4,000 square foot core and shell daycare space. The draft condition varies slightly from the Applicant's proposal as it would require that if a daycare operator cannot be found to use the space, that the Town Council could authorize another non-daycare public use of the space consistent with the daycare provisions in the 2009 approvals. Alternatives to the Applicant's revised proposal for 4,000 square feet of daycare space that the P&Z could consider include the following:

- a) Require 5,000 square feet of core and shell daycare space be provided on the first floor of Apartment Building #4, consistent with the Childcare Coalition's recommendation (shown as Condition Option #2 in the draft conditions); or,
- b) Identify a location in the Project for the Applicant to construct a 3,000 sf core and shell space similar to what was included in the 2009 approvals; or,
- c) Require the Applicant to dedicate land to the Town for daycare purposes as was required of the Continuous Care and Retirement Community (CCRC) that was approved for the site after the 2009 approvals were vacated; or,
- d) Require the Applicant to pay a fee for use by the Town in enacting daycare solutions as was required of Willits Town Center in the recent PUD amendment approvals.

Traffic Study and Traffic Solution Options- Staff received an initial traffic report from SGM that identifies that at buildout, Stott's Mill under the current proposal would generate a 36% increase in traffic at the Basalt Avenue/Highway 82 intersection to trigger a CDOT access permit. The traffic study concludes that without additional traffic mitigation, the anticipated buildout of all of the properties remaining in Southside would

create operational deficiencies. It is identified in the traffic study that laneage changes and signal changes in connection with the Basalt Avenue pedestrian underpass will have impacts on reducing the traffic issues in the short-term, but that operational deficiencies still exist in the long-term if buildout occurs as anticipated in the study.

SGM included several improvement alternatives that could mitigate the traffic impacts of the long-term buildout anticipated in Southside. The two (2) improvements that were identified as potential solutions include: 1) a mini-roundabout and laneage improvements at Basalt Ave./Cody Lane as shown on the attached excerpt from the traffic report, or 2) a vehicular underpass at Midland Avenue. It is anticipated that the mini-roundabout and laneage improvements would cost less than \$1 Million to install and the vehicular underpass at Midland Avenue could be a considerable cost. The traffic modeling showed that the Midland Avenue underpass option would sufficiently mitigate the traffic anticipated from buildout in Southside under the currently anticipated development scenarios and maintain the Basalt Avenue/Highway 82 intersection at an acceptable level of service over the next 20 years. Conversely, the modeling showed that the mini-roundabout and laneage improvements would help mitigate the traffic impacts but that the intersection would still operate at an unacceptable level at buildout in the PM Peak times unless slight reductions are made to intensity of development anticipated for Southside.

Staff anticipates scheduling a worksession with Council in August to present the traffic report and mitigation options to get the Council's feedback. In moving forward with the P&Z's analysis of this Application, Staff believes that the mini-roundabout may be a realistic improvement that could be funded given that its anticipated cost would be less than \$1 Million as opposed to the potential cost of the Midland Avenue Underpass that would likely be a significant cost and require amendments to State Planning Documents to permit the improvements. As noted in the attached traffic study excerpts, the mini-roundabout and the corresponding laneage changes would only improve the operations of the intersection to an acceptable level if the overall anticipated intensity of development for Southside were reduced, which is a separate discussion topic.

Staff has included a draft condition that would require that the Applicant either: 1) complete the construction of the traffic mitigation improvement deemed necessary by the Town and be reimbursed by other developments in Southside when they build, or 2) pay the Town to construct the desired intersection improvement plus 15% prior to the issuance of the first building permit in the development and be reimbursed by other developments in Southside when they build.

Southside Drive Cross-Section- In acquiring the funding for the Basalt Avenue pedestrian underpass, Pitkin County elevated the importance of improving the trail from the Rio Grande Trail to the Highway 82/Basalt Avenue underpass. Pitkin County Open Space and Trails is working with the Town Parks, Open Space and Trails (POST) Committee to determine the desired long-term road cross-section for South Side Drive and associated improvements. Additionally, POST has also expressed the need to

improve the trail. The Town POST Committee reviewed options for the Southside Drive Cross-Section and recommended that Pitkin County's consultant draw a cross-section consisting of a wider trail on the west side with a bike indicator in the travel lanes going north; and a designated bike lane with no parking on the west side of Southside Drive.

Staff has drafted a sketch of the concept chosen by the POST Committee and it will be further refined by Pitkin County's Consultant, DHM Design. Staff has included a draft condition requiring that the Applicant implement the desired cross section adjacent to the Stott's Mill property.

Parks and Open Space- The Applicant has proposed 4.5 acres of open space within the development, which is mainly contained within two (2) parks, one at the southern extent of the development and one at the northern extent of the development. Pursuant to the Parkland requirements in the Town Code and the annexation policy that annexations provide double the required parkland, the total parkland dedication required would be 6.2 acres.

The park on the northern extent of the development is proposed to contain a man-made pond used for raw water irrigation storage. The pond will be drawn down at certain times of the year, but will be constructed with a shallow bench area around the outer extents of the pond so that it reduces hazards when the water is drawn down for irrigation.

The Applicant proposed for South Park to be a passive park as well. A group represented by Diana Elliot would like to put a four-court tennis center in South Park, but the Applicant indicated that they were not interested in incorporating such a facility. The POST Committee also weighed in on the Application and have recommended a more active park and programming that would include a 3-4 court tennis center and a children's play area in addition to the bathrooms and storage already proposed. The programming for the park at the southern extent of the development is proposed to be a passive park with some bathroom and storage facilities for the Town.

Since the last meeting, the Applicant has provided an addendum to the Application expressing that they are open to allowing a tennis center of a reduced scope of three (3) courts and giving the Tennis Group the opportunity to continue their fundraising for a period of two (2) years from the project's final approval to obtain enough funds to build the facility. The Applicant has proposed that after two (2) years from the project's final approval, if the Tennis Group has not obtained enough funds to build the tennis facility, the Applicant will resume control of installing an active park consistent with the 2009 approvals (see 2009 Approved Site Plan attached). Staff included a draft condition to memorialize this proposal.

Southside Drive Traffic Calming- A roundabout on Southside Drive was approved in 2009 as part of the original Stott's Mill Development Application and the Sketch Plan development application for the Basalt Design District (BDD) as a mechanism for

turning cars around and was also seen as a traffic-calming mechanism. The BDD application is no longer active, but Staff does believe that there is still a need for traffic-calming along Southside Drive.

Having received the results of the Traffic Study and understanding that there will need to be a significant intersection improvement at the Basalt Avenue/Highway 82 intersection, Staff does not believe that an improvement as significant as the roundabout is necessary on Southside Drive. The transportation resources to come from Applicants in the Southside should be focused on improving the traffic conditions at the Basalt Ave./Highway 82 intersection and smaller traffic-calming improvements. That said, Staff would like to preserve the ability for the construction of a mini-roundabout on Southside in the future and included a draft condition requiring that the Applicant dedicate land necessary for the installation such a mini-roundabout.

In lieu of a roundabout, Staff is studying other traffic-calming mechanisms that could be instituted and will be reviewing them with the POST Committee to ensure their compatibility with the desire to make Southside Drive more friendly for bicyclists. Options could include speed tables, speed humps, or chicanes. Staff has included a draft condition requiring that the Applicant pay the proportional share of the cost based on anticipated trip generation to install the Southside Drive traffic calming plan that is ultimately decided on by the POST Committee.

Allison Lane Traffic Calming and Discouragement- As introduced at the last meeting, the Applicant has included a vehicular connection to Allison Lane as was the case with the 2009 approved plan. Staff has heard from several residents of Southside that they would not like to have the vehicular connection between the Stott's Mill Subdivision and the Southside Subdivision, but it has been required by the Fire District in past development proposals for the property. Staff agrees with the Fire District that it is important to have the vehicular connection on Allison Lane for emergency services, but also understands the concerns of the homeowners and tenants that live in the Southside Subdivision on Allison Lane.

Staff has recommended that there be removable bollards installed in the Allison Lane connection that are spaced far enough apart so that a snowplow can get through during the winter with signage indicating that it is a pedestrian/bicycle and emergency service connection. The Fire District has not liked bollards on emergency access areas in the past primarily because they have experienced emergency service access areas that have not been maintained during the winter because of bollards. Staff has included provisions in the draft conditions requiring that the area between the bollards be maintained for a through access during the winter by the Town. Staff will have discussions with the Fire District on the concept prior to the Council's review.

VI. Additional Major Discussion Items:

In addition to the significant discussion items presented above that are influenced by new information received by Staff, Staff feels that the following discussion items are key

discussion items in determining if the Stott's Mill development is conceptually acceptable:

Proposed Density and Multi-Family Massing

Staff believes that there needs to be a discussion at the P&Z level about whether the density increase proposed in the multi-family section of the development beyond the 2009 approvals will put too much stress on the southside infrastructure and how it relates to the Southside neighborhood.

As discussed at the last meeting, the medium density designation for the property in the 2007 Basalt Master Plan prescribes a potential density range of 6 dwelling units/acre to 11.9 dwelling units/acre. The proposed development consists of 156 units, which is above the Master Plan's prescribed density range if you only include the area of the property in the Master Plan that is designated as Medium Density Residential (MDR). There is language in the Master Plan that expresses that the use designations on the Future Land Use Map are recommendations and that site-specific refinements may be acceptable if they are determined to be supportive of the goals and objectives of the Master Plan.

Additionally, as discussed above, there is a need for a reduction in the overall anticipated buildout for southside included the traffic study in order for the potential Cody Lane mini-roundabout traffic improvement to maintain the Basalt Avenue/Highway 82 Intersection operating at an acceptable level. Essentially, a reduction in density would be necessary on either the Stott's Mill Property or one of the other properties in Southside for the Cody Lane mini-roundabout to sufficiently mitigate the traffic impacts of development in Southside over the next 20 years.

Related to density, Staff also expressed concerns about not being able to completely understand the massing of the proposed multi-family portion of the development and the Southside Drive streetscape in analyzing the denser multi-family component with the Application materials received. P&Z members also indicated a need for more architectural details on the multi-family component. In response, the Applicant has expressed that they are producing a sketch-up model of the multi-family component that they will present to Staff before the P&Z meeting and present to P&Z at the meeting. Staff is reserving a recommendation on the density and massing until the sketch-up model is viewed.

Affordable Housing Mix

The Applicant has proposed to satisfy the affordable housing requirements for the development by including 25% of the total residential floor area and 20% of the units as deed-restricted, category-level affordable housing as required by the Town Code. Additionally, Staff anticipates requiring that the Applicant provide a 1% Real Estate Transfer Assessment (RETA) and a 2% RETA on transactions of over \$1 Million pursuant to the Town's Annexation Policy. Staff intends on taking this development

proposal to the Basalt Affordable Community Housing (BACH) Committee before the next P&Z meeting.

Vested Rights and Phasing

As discussed at the last meeting, the Applicant has proposed vested property rights of five (5) years for installation of the infrastructure and ten (10) years after the installation of infrastructure is installed for buildout of the project. North Park is proposed to be installed in the initial five (5) year period of infrastructure installation and South Park is proposed to be completed prior to half of the units in the development being constructed as was included in the 2009 approvals. Staff's understands that this is a project of significant scale, but Staff would prefer requiring that the infrastructure be installed in three (3) years (which is the Town's standard vested rights period as set forth in the Town Code) and that the build-out be limited to seven (7) years after installation of infrastructure. Staff has included a draft condition requiring infrastructure installation in three (3) years and buildout in seven (7) years after infrastructure installation.

VII. Recommendation:

Staff recommends that the P&Z hear a brief presentation from Staff on the new information and the draft conditions. Staff then recommends considering the Applicant comments and presentation of their sketch-up model, taking public comments, and providing discussion. It is anticipated by Staff that there might be a need for one more meeting on the application before a recommendation. Staff has included initial draft conditions of approval for the P&Z's consideration. The final conditions from 2009 were used as a basis for the draft conditions. The 2009 conditions that have been updated to be applicable to this application in underline/strikethrough format are included as follows:

COMMUNITY BENEFITS

1. The development shall satisfy annexation requirements for park and trail improvement and dedication improvements as described further in Conditions Nos. ___ ~~No. 6 and 7 in Exhibit J.~~ A public bathroom shall be provided in South Park which can also be used by users of the RFTA valley wide trail and designed to accommodate winter use of the Nordic trail.
2. The development shall provide a community housing program that provides teacher housing in lieu of land dedication, ~~provides eleven (11) relocation dwelling units for the river master plan implementation,~~ and provides long term "attainable" housing for a community of residents as described further in the conditions established herein, and as proposed in the Stott's Mill Final Plan application.
3. *Daycare Condition Option #1*-The Applicant shall construct and receive a core and shell CO on a daycare facility of at least 3,300 square feet on Block 9 of the development prior to the Applicant obtaining a building permit on the 59th

MEMORANDUM

To: Chairman Johns and Basalt Planning and Zoning Commission

Thru: Susan Philp, AICP Planning Director

From: James Lindt, AICP Assistant Planning Director

Date: August 16, 2016

RE: Continued Public Hearing- Stott's Mill PUD Reinstatement for Single-Family Section and Sketch Site Plan Review and Associated Reviews for Multi-Family Residential Section

I. Purpose:

MSP1 LLC. ("Applicant") is requesting approval for: 1) Reinstatement of the 2009 Stott's Mill PUD approvals for the majority of the single-family section of the proposed development, and 2) Sketch Site Plan Review for the multi-family section of the proposed development to construct 156 dwelling units on the Stott's Mill Property.

II. Background:

The 18-acre property subject to the Application is currently vacant with the exception of a couple of agricultural buildings and is located on the east side of Southside Drive adjacent to the Rio Grande Trail. The property is currently located in unincorporated Pitkin County. The Applicant has applied to annex the property into the Town and to reinstate the 2009 PUD approvals for the majority of the single-family family residential portion of the development and a sketch site plan review through the proposed R-4 MD Zone District for the multi-family portion of the development adjacent to Southside Drive. The property is located in the Town's Urban Growth Boundary (UGB) and is designated as Medium Density Residential (MDR) and Public Open Space (OS) on the Future Land Use Map (FLUM) that is included in the 2007 Basalt Master Plan.

The Applicant received annexation and PUD approvals in 2009 for 110 dwelling units, a daycare core and shell, a south and north park, and associated infrastructure pursuant to Ordinance No. 18, Series of 2009. The new proposal includes 156 dwelling units, sixty (60) of which are proposed as single-family dwellings and ninety-six (96) of which are proposed as multi-family dwelling units. Additionally, the Applicant has proposed two (2) parks in the same configuration as the parks that were included in the 2009 approvals. Site plan and elevation drawings were attached in the July 5th packet.

III. Review Process:

The Applicant has received approval for annexation eligibility pursuant to Resolution No. 14, Series of 2016. The Town's policy is not to annex a property until a development proposal is approved. The P&Z makes a recommendation to the Town Council on the proposed PUD reinstatement on the single-family portion of the development, and on the R-4 MD Sketch Site Plan Review.

IV. July 19, 2016 P&Z Meeting and Additional Information:

At the July 19th meeting, Staff and the Applicant presented the status of discussion on the significant discussion items. The Applicant also presented a sketch-up model that they prepared to give a sense of the neighborhood that would be created with Stott's Mill. Public comments were also considered and the P&Z provided comments on many of the main discussion items. Staff provides a summary of P&Z's comments on the main discussion items and a summary of the negotiations that have transpired since the last meeting below.

Daycare: The P&Z expressed a desire for the Applicant to provide an on-site daycare core and shell space. The Applicant proposed a site layout concept for an approximately 2,500 square foot daycare space with the necessary playground space on Lots 37 and 38, of Block 4 (see attached site concept plan from Applicant). Staff worked with members of the Childcare Coalition, and a local architect, Dustin Anderson of Peak Architecture, to take the Applicant's concept plan to the next level to test whether the site will be feasible for a 4-classroom daycare. Anderson reworked the site concept plan (Anderson's version is attached) provided by the Applicant to make it work as a 4-classroom facility on the first floor of the building to be built on Lots 37 and 38.

Staff has included a draft condition requiring the following:

- 1) The Applicant shall build the 4,000 square foot core and shell daycare space on the first floor of the building on Lots 37 and 38, of Block 4, with the associated fenced playground space as generally shown on Anderson's site concept plan of August 4, 2016; and,
- 2) The Applicant shall lease the space to a daycare based on the following:
 - a. The daycare use will be the priority use for the facility; and,
 - b. The Applicant will lease the space and associated playground to a daycare provider at the market lease rate (considering the lease rates for Growing Years, Blue Lake, Learning Curve, and Honey Tree) for mid-valley daycare space as determined by the Town Manager; and,

- c. If a licensed and qualified daycare provider cannot be found to lease the space at these terms and the building sits vacant for a period of one year or greater, the Town Council may choose to put another public use in the space for the lease rates described above. If the Council chooses not to put another public use in the space based on those terms, the Applicant may convert the space into two additional free-market dwelling units. (There would then be 3 dwelling units on the 2 lots).

South Park and the Tennis Facility: The P&Z expressed that they thought the concept of allowing for the Tennis Group to continue to develop its funding for a period of two (2) years after the final approval is granted for Stott's Mill and allowing them to build the scaled down three (3) tennis court facility if they are able to compile the necessary funding was acceptable. Additionally, the P&Z agreed with the concept of requiring the Applicant to build the 2009 approved concept for South Park in the instance that the Tennis Group is not able to compile the necessary funds to construct the tennis center within two (2) years of the final approval. The 2009 South Park concept (attached) is an active park that includes outdoor tennis and basketball courts. The draft conditions reinforce the scenario described herein. It should be noted that the potential for incorporating the daycare into the tennis center was discussed at a staff level and Staff felt that it was appropriate to keep the daycare and park dedication obligations and requirements separate.

Traffic Study and Traffic Mitigation: Staff introduced the traffic study prepared by SGM on July 19th and the Applicant's engineer, Sopris Engineering provided some questions about the Study. Since the last meeting, representatives from SGM and Sopris Engineering as well as Staff and the Applicant have had considerable discussion about the traffic topic. There was basic agreement on the following:

- 1) Stott's Mill would require a CDOT access permit; and,
- 2) The Cody Lane Mini-Roundabout and lane age changes identified in the Traffic Study would likely cost at most \$400,000 and \$500,000 to complete based on costs for a mini-roundabout project that is currently being done in Snowmass Village and likely would be significantly less.

Staff and the Applicant worked through a concept where the Applicant would have to put up financial security for their portion of the construction costs (assuming a conservative \$500,000 cost) for the mini-roundabout totaling about \$165,000 at the time of the initial platting of the first phase of the development and then they could build up to sixty (60) units. Upon completion of sixty (60) units there would be a need for a check-in with the Town Council and a revised traffic study to determine the effectiveness of the pedestrian underpass and associated lane age changes once constructed in reducing the queuing time at the Basalt Avenue/Highway 82 traffic signal. The updated traffic study after the development of sixty (60) units would identify if the mini-roundabout would need to be constructed before further development is permitted or define how

many more units could be built without triggering the need for the mini-roundabout. Staff has included a draft condition representing this concept.

Staff believes that this concept related to traffic allows for the Applicant to construct a reasonable amount of development, yet requires the installation of the mini-roundabout prior to the intersection reaching an unacceptable level of service given that the construction of the pedestrian underpass will improve existing conditions. As the Applicant has indicated that he intends to try and get final approval on the multi-family portion of the development and construct a mix of the single-family and multi-family development at once, Staff believes that this concept may likely get refined as part of multi-family component's final review, but Staff believes it is satisfactory for approval of the single-family portion of the development. Lee Barger of SGM is expected to be in attendance at the P&Z meeting to discuss the traffic study and answer questions.

Affordable Housing Mix: Since the last meeting, the Basalt Affordable Community Housing (BACH) Committee reviewed the Application and made a recommendation on the mix of affordable housing that should be provided in the project. Specifically, BACH recommended that there be a mix of affordable housing product provided in Stott's Mill, including single-family units, multi-family units, and vacant AH lots.

BACH felt that the single-family lots could potentially be sold to the School District/Habitat for Humanity to help reduce the number of units to be built in the project that is contemplated behind the High School. BACH was also of the opinion that the affordable housing mix should generally be provided in the same proportion as the mix of single-family and multi-family development provided in the development. Therefore, BACH was suggesting the following breakdown on the 156-unit scenario:

19 Multi-Family Units
5 Single-Family Units
10 Single-Family Lots

The 34 AH units/lots represent 32 units to satisfy the Town's inclusionary housing requirements and 2 units to satisfy the school land dedication requirements. Staff had discussions with the Habitat for Humanity representatives and they indicated that they were interested in moving forward with their project south of the High School, but that they could reduce their density behind the High School if a partnership worked for them to acquire some lots in Stott's Mill. The Town Code and Community Housing Guidelines do not provide a maximum price for vacant lots to be used as affordable housing mitigation. Therefore, Staff came up with a suggestion that the vacant lots have a maximum price cap of \$23 per square foot of lot area in the AH lots, which represents the average lot listing price per square foot in Southside, discounted by 1/3.

The mix of 19 multi-family units, 5 single-family units, and 10 single-family lots has been included in the draft conditions of approval with the caveat that if the Applicant is unable to get final approvals on the multi-family portion of the development, the Applicant would

be required to provide all of the affordable housing at a rate of 20% of the units and 25% of the overall floor area in the single-family portion of the development since the single-family portion of the development is set up to get reinstated for vested rights before the multi-family portion of the development.

Density: Staff has struggled in making a recommendation on the proposed density, but supports density within the UGB. Staff has included in the conditions that the sketch plan portion of the multi-family component is approved for the proposed ninety-six (96) units but that the allowable density in the multi-family component will be revisited in the final plan review as we get more knowledge on the traffic implications and how other projects that are contemplated in the southside are taking shape.

It was noted that the P&Z requested an update on how other potential affordable housing projects were progressing. Staff provides this update below:

- 1) Willits Town Center Block 7 North- 50 Rental Affordable Housing Units nearing completion of construction.
- 2) Willits Town Center Block 7 South- Building permit has been applied for on 27 Affordable Housing Units.
- 3) Roaring Fork Apartments (Foundation next to Stubbies)- Owner applied for tax credits from the State for construction financing and will be notified in late August/September whether they received the tax credits.
- 4) Habitat for Humanity/School District Housing- Habitat for Humanity Representatives met with Staff and are moving forward towards an application with a reduced density scenario.

Vested Rights and Phasing: As discussed at the last meeting, the Applicant has proposed vested property rights of five (5) years for installation of the infrastructure and ten (10) years after the installation of infrastructure is installed for buildout of the project. North Park is proposed to be installed in the initial five (5) year period of infrastructure installation and South Park is proposed to be completed prior to half of the units in the development being constructed as was included in the 2009 approvals. Staff's understands that this is a project of significant scale, but Staff would prefer requiring that the infrastructure be installed in three (3) years (which is the Town's standard vested rights period as set forth in the Town Code) and that the build-out be limited to seven (7) years after installation of infrastructure. Staff has included a draft condition requiring infrastructure installation in three (3) years and buildout in seven (7) years after infrastructure installation with the ability for the Applicant to come back and ask for an extension from the Council.

V. Items Agreed to by the Applicant at 7/19 Meeting:

The Applicant agreed to the following at the 7/19 P&Z Meeting:

- 1) Participate in instituting the POST's preferred Southside Drive Cross-Section along the Stott's Mill frontage; and,
- 2) Participating in providing a contribution to funding Southside Drive traffic-calming and dedicating land for the potential of a future mini-roundabout on Southside Drive if determined appropriate for construction by the Town in the future; and,
- 3) Allison Lane emergency access scenario suggested by Staff.

VI. Recommendation:

Staff recommends that the P&Z hear a brief presentation from Staff on the new information and the draft conditions. Staff then recommends considering the Applicants' comments, taking public comments, and providing discussion. Staff has included draft conditions of approval for the P&Z's consideration. The final conditions from 2009 were used as a basis for the draft conditions. The 2009 conditions that have been updated to be applicable to this application in underline/strikethrough format are included below.

The Planning and Zoning Commission recommended conditions below are based on:

- 1) Final approval of the Reinstatement and Amendment of the 2009 Stott's Mill approvals for the portion of the 2016 Final Development Plan which includes the 60 individual lots on Blocks 1-5 (whether used for Single family dwellings, a child care or manager's unit); the north park and south parks; and the public street network
- 2) Sketch Plan approval of up to 96 multi-family units.

COMMUNITY BENEFITS

1. The development shall satisfy annexation requirements for park and trail improvement and dedication improvements as described further in Conditions ~~Nos. 6 and 7 in Exhibit J.~~ A public bathroom shall be provided in South Park which can also be used by users of the RFTA valley wide trail and designed to accommodate winter use of the Nordic trail. This bathroom may be incorporated into the Tennis Center provided an exterior entrance is provided.
2. *Dependent on Applicant's final negotiation with the School District* - The development shall provide a community housing program that provides teacher housing in lieu of land dedication, in the form of two (2) deed-restricted Category 3 units as further described in Condition No. 14 under "Attainable Housing" and Condition 9 under "Phasing and Approval Documents" ~~provides eleven (11) relocation dwelling units for the river master plan implementation, and provides long term "attainable" housing for a community of residents as described further in the conditions established herein, and as proposed in the Stott's Mill Final Plan application.~~

Commissioner Vozick suggested that the Conservancy staff check in with RMI staff to determine if there would be any ride-sharing opportunities available between them. Lofaro said it was a great suggestion.

Public Comment

The Public Comment was opened at 7:07 p.m. Seeing as there was no comment the public hearing was closed at 7:07 p.m.

Commissioner Comments

Commissioner Rossetti said he was comfortable with moving the application along to Town Council.

Commissioner McAllister said he wanted to move ahead as quickly and efficiently as possible but he was still concerned about the number of proposed parking spaces and the inclusion of the proposed parallel parking spaces.

Commissioner Wheeler agreed with McAllister's comments and wanted Staff to re-examine the parking plan, especially the parallel configuration. This is going to be very successful and parking is going to be a problem. He then sought and received clarification about the construction management plan which Staff will add to the list of required plans to be submitted in the Final Plan application.

Alternate Bennett also thought the River Center would be extremely successful and, as a result, parking will be a problem.

M/S VOZICK AND ROSSETTI TO RECOMMEND APPROVAL OF THE ROARING FORK CONSERVANCY'S RIVER CENTER APPLICATION TO THE BASALT TOWN COUNCIL PER STAFF RECOMMENDATIONS AND FURTHER EXAMINATION OF PARKING OPTIONS. THE MOTION CARRIED BY A VOTE OF 6-0.

The Commissioners took a brief break and reconvened at 7:15 p.m.

Public Hearing on Stott's Mill Application – Introductory Meeting for the purpose of considering an Application submitted by MSP1 LLC for: Rezoning; Reinstatement of the majority of the Single-family residential portion of the Stott's Mill PUD Development approved pursuant to Ordinance No. 18, Series of 2009; and R-4 MD Sketch Site Plan Review for the Multi-Family development portion of the project. The Application includes a proposal to be annexed into the Town. Overall, the proposal includes, but is not limited to: 156 residential dwelling units, approximately 4.5 acres of parks, and associated necessary infrastructure improvements.

Referring to Staff Memo dated July 5, 2016 Lindt reviewed the application and pointed out the posted site plan and some architectural renderings. He noted the discussion items which were also posted and listed as follows:

- Consistency with Master Plan
- Density
- Affordable Housing
- Childcare/Daycare
- Parks and Open Space
- Traffic
- Southside Drive Cross-section/Traffic Calming
- Allison Lane Connection
- Phasing/Vested Rights

Lindt then turned the presentation over to Mark Chain, Land Use Consultant, and Briston Peterson, Applicant. Chain provided additional background information, pointing out that the single-family residential lot widths range from 28 to 42 feet wide, thus accommodating smaller homes, will translate into affordability by design. The multi-family residential will consist of four apartment buildings containing one-bedroom, two-bedroom and perhaps some studio rental units. The developer will build, own and manage the multi-family rental units to maintain quality control.

Concerning the parks, the plan is for the parks to buffer the Stott's Mill neighborhood from the existing Southside neighborhood [to the north] and from the Rio Grande Trail and the adjacent high school on the south end. South Park will be programmed for more activity and will provide some storage space and public restrooms. The previous proposal to store the Nordic track equipment at South Park isn't included in this application because Pitkin County found a different place for that storage.

Chain reviewed elements of the development proposal that meet many of the goals included in the Basalt Master Plan. He noted that most of the recommendations in the discussion items contained in the Staff Memo are acceptable to the applicant. He then addressed these items. Chain said that due to experiences during the recent Recession, the applicant is requesting five years of vested rights in order to install the infrastructure. Regarding childcare, the applicant thinks this is more of a regional issue, requiring a larger structure than what could be accommodated at Stott's Mill. Regarding the issue of architectural diversity, the single-family residences will be designed by four or five architects working under some design parameters. An RFP will be issued for design of the multi-family units.

Transportation was the next topic. Chain said that the applicants saw the previous traffic study from around 2005 and they don't think that the traffic situation has changed much since then. That report didn't suggest more traffic safety improvements but, rather, some traffic-calming measures that could be used to slow down traffic going to and from the high school. The proposed (at that time) roundabout was part of the traffic-calming solution. However, they will wait to see what the new traffic study says and they don't expect any major changes [to their requirements] because the numbers are pretty much the same as before. Land dedication for a roundabout has been included in this proposal but the applicant thinks there are other cheaper traffic calming options that could be implemented.

Regarding zoning, the proposed FAR of 0.69:1 is not dense for a higher medium density area. However, it will be up to the Town Council to change that.

In terms of the parks, the design for South Park is geared more for flexible use by keeping the programming to a minimum. The applicant group met with the tennis group regarding the indoor tennis center proposition, but the applicant believes that South Park is not a good location for that facility because of potential impacts on the neighborhood.

Regarding the Allison Lane connection, if the Town wants to eliminate it, that would be okay but there are some options for retaining the connection while not permitting it to be used as a thoroughfare.

Chain said that an architect could be brought in to work on the streetscape by the apartments to help minimize their suburban appearance and closer location to Southside Drive. This is an ongoing issue. He then turned the presentation over to Briston Peterson.

Peterson said that the previous application took about five years to get approved and then the recession happened. They still believe in the vision that they had in 2004 but the current economic situation now demands more multi-family units and extended vested rights in order to reduce their level of risk. These multi-family apartments will help generate more affordable housing in the mid-valley.

Commissioner Questions/Discussion

Commissioner Vozick asked how many acres are in the Southside development and how many dwelling units were approved for that development, for a comparison. Lindt said that he didn't have the information right now but will provide it at the next meeting.

Public Hearing

The public hearing was opened at 7:45 p.m.

Todd Hartley, Southside resident, said that adding these 156 units and possibly another 40 behind the high school (essentially tripling the size of the neighborhood) will create an even more congested traffic situation in Southside and at the Basalt Avenue/Hwy 82 intersection. He was concerned about the piecemeal approach to traffic solutions and said that a bigger picture solution needs to be found, such as an overpass from Big O to the post office and/or another highway access. Funneling all the traffic onto Fiou Lane and Basalt Avenue will not work.

Diana Elliott, tennis center advocate, explained why the group wants to locate an indoor tennis court facility in South Park. There are existing sports fields directly across the Rio Grande Trail from this location and having an indoor tennis facility would be a nice complement for that sports complex. People could park at the high school and walk to the indoor courts. Elliott said that the group's request to the developer is for land and utility hookups and, while the group would ideally prefer having four indoor courts, they would be willing to reduce that amount if necessary to win approval. Having indoor tennis courts would benefit the neighborhood residents, local recreation programs, the high school, and Basalt's coffers.

Ted Bristol, CEO of Advantage Indoor Tennis, said the group has raised over a half million dollars already for this public indoor tennis facility which would be unique since the facility would provide the only public indoor tennis courts from Aspen to Vail to Grand Junction. He added that this facility could also house the office for the Basalt Recreation programs. He concluded by asking the Commission to favorably consider this location for the indoor tennis court facility.

Matt Jay, Southside resident, thanked the P&Z for their time and work. He didn't want to see the Allison Lane connection used for through traffic. People parking their horse trailers, campers, etc. is already a problem back there and adding more density and traffic to Southside would only make things worse. He would like to see some sort of financial assurance put in place guaranteeing this project's completion before construction begins on it. Jay said that additional costs incurred by the developer over the years are a business risk and aren't a valid reason for asking for more density. Other than some of the things he's mentioned, he likes the idea of this development proposal. It's in the urban growth boundary (UGB) and if we don't want sprawl everywhere we have to allow building within it.

Since there were no more comments the public hearing was closed at 7:53 p.m.

In response to a comment from Chair Johns, Lindt said that there is more information coming regarding childcare, traffic report, etc. Lindt asked if the Commissioners had any other informational needs.

Commissioner Comments

Commissioner Vozick asked about the status of the park requirements. Lindt replied that this item will be covered in more detail at the next meeting.

Alternate Bennett agreed that the traffic situation needs more clarity. Also, she thought the daycare should be closer to downtown and thought the Commission needed to discuss this further. She also

had a question about the double parkland dedication for annexation proposals. Lindt said Staff will provide more information about these items and provide opportunity for more Commission discussion at the next meeting.

Commissioner Wheeler asked if ADUs will be a concern in that neighborhood. Lindt said that the lot sizes are too small to accommodate ADUs. Wheeler said that with the addition of this many new residences there should be at least fees-in-lieu for daycare if the facility isn't built in this neighborhood. Regarding parkland dedication, he was of the opinion that there needs to be an active park next to the Rio Grande Trail. Wheeler added that he was in favor of three to seven-year vesting rights.

Chair Johns noted for the record that a letter had been submitted by the Buddy Program in support of the proposed indoor tennis facility.

Commissioner Rossetti said he was in favor of having an active park, along with the indoor tennis facility, located at South Park. He also supported the inclusion of a childcare facility in this development because there will be increased demand for it, much of it possibly generated by residents of the proposed Stott's Mill development.

Commissioner McAllister asked for, and received, clarification from Lindt about the next steps in this review process. McAllister noted that he hoped this round of approvals won't take another five years.

Chair Johns said he also agreed that the traffic study report will be a key component in figuring out how this application can proceed. He also wants to see more information about the architecture of the proposed project. There is already a variety of uses going on in the Southside and it will be important to have a better idea about how a dense residential area would fit in with what's already in place. Johns also supported having a childcare facility in the Southside. In his opinion, this new development will be attractive to young families and it would be nice if parents could walk their kids to childcare. He thought it would be helpful to know if there were other types of solutions for traffic mitigation that don't involve creating an eight-lane highway, which can be considered on a more Town-wide, and perhaps even regional, basis. This project could provide a much-needed product for the valley but it needs to be well-thought-out before receiving final approval.

M/S VOZICK AND BENNETT TO CONTINUE THE PUBLIC HEARING ON THIS AGENDA ITEM TO JULY 19TH. THE MOTION CARRIED BY A VOTE OF 6-0.

Public Hearing - Kai Peterson Application to construct an addition to the existing single-family residence at 309 E. Sopris Drive and deed restrict a portion of the structure as an Accessory Dwelling Unit (ADU). Application involves a rezoning from R-3 to R-3 TN and Special Review Approval.

Lindt briefly reviewed the application. Kai Peterson was present. Lindt said that more information regarding parking and construction management has been submitted since the last meeting. These are: 1) the applicant has proposed a fourth parking space on the south side of his property along with agreeing to a rental agreement limiting a future renter to one parking spot; 2) construction staging has been expanded to the south of the proposed new structure; 3) a construction fence will be erected along the driveway with no parking signs on the subject property; and 4) the project will comply with construction activity regulations according to the Town Code. Lindt added that Staff has suggested a doubled amount for the construction deposit to encourage the applicant to complete the project in a satisfactory manner. Enforcement of construction-related problems is more likely since the application has been reviewed (as opposed to just applying for a building permit) and conditions for approval agreed upon. Staff is also requiring that the neighbors be informed of the construction activity.

Commissioner McAllister asked which parking spots were in question and the proposed location of the required parking. Philp explained that per the Town code required parking cannot be located on the street. Guest and commercial parking can be located on the street, but not residential parking. McAllister then asked where redevelopment on the Lot would occur if it ever happens. Lindt replied that it would be generally in the same spot but would have to meet the R-4 MD setback.

Chair Johns asked if the property line adjustment between Lots A & C creates any sort of issue with setbacks and overall lot square footage. Lindt said the Lot sizes still meet the [zoning] minimum requirements and Mark Elice added that even with the property line adjustment, Lot C can still accommodate an ADU.

Public Hearing

The public hearing was opened at 6:17 p.m.

There were no comments from the public so the public hearing was closed at 6:17 p.m.

Commission Questions/Discussion

Chair Johns noted that the proposed parking configuration essentially sterilizes Lot A from having additional parking on the street. Lindt agreed, adding that the off-street parking requirement is procedural.

Alternate Bennett asked if there would be any other possible location for the parking. Lindt said there are provisions for parking easements on adjacent lots that are owned by the same person. It was noted that they could look at the possibility.

M/S VOZICK AND ROSSETTI TO APPROVE THIS AGENDA ITEM PER CONDITIONS IN STAFF MEMO DATED JULY 19, 2016. THE MOTION CARRIED BY A VOTE OF 5-0.

Public Hearing on Stott's Mill Application for the purpose of considering an Application submitted by MSP1 LLC for: Rezoning; Reinstatement of the majority of the Single-family residential portion of the Stott's Mill PUD Development approved pursuant to Ordinance No. 18, Series of 2009; and R-4 MD Sketch Site Plan Review for the Multi-Family development portion of the project. The Application includes a proposal to be annexed into the Town. Overall, the proposal includes, but is not limited to: 156 residential dwelling units, approximately 4.5 acres of parks, and associated necessary infrastructure improvements.

Lindt corrected a typo on the first page of the Staff Memo dated 7/19/16, stating that it should read there are 96 multi-family units and 60 single-family lots being proposed. He added that this is a continued public hearing on this agenda item.

The applicant, Briston Peterson, was present along with land use planner Mark Chain and engineer, Yancy Nichol.

Lindt explained the revisions to the proposal that were made in response to input received from the Child Care Coalition and Commissioner comments made at the previous P&Z meeting. He referred to Staff Memo dated July 19, 2016 which contains the revisions and information about the traffic study, noting that the estimated increase in traffic would require an additional CDOT access permit.

The applicant provided a proposed site plan, architectural renderings of the multi-family units as seen from Southside Drive. The Town's consulting engineers had provided several options for traffic

mitigation on the South Side, ranging from a very costly vehicular underpass connecting Basalt Avenue with Midland Avenue beneath Highway 82 to a mini-roundabout at the Cody Lane and Basalt Avenue intersection along with some lane changes.

A list of posted discussion items included:

- Daycare – revised proposal/Childcare Coalition recommendation
- Traffic
- Southside Drive cross-section
- Parks and open space program
- Allison Lane and Southside Drive traffic calming
- Density

For purposes of comparison, the adjacent Southside Subdivision has 101 units on 21.5 acres (4.7 units/acre), and the Stott's Mill project proposal is for 156 units on 18 acres (8.5 units/acre).

Referring to the posted list of discussion items, Peterson said that, in his experience, this isn't a dense project; that would have 12-15 units/acre. If you want affordability, you have to have density. All of the discussion points affect the affordability of the proposed project. He employs 16 people, including those with young families who can't afford to live in Basalt due to high real estate costs. He asked the Commissioners to focus on affordability and attainability, not on other issues.

Chain began by addressing the daycare issue. The applicant has suggested dedicating Lot 38 for a slightly smaller daycare facility than recommended by the Childcare Coalition with the option for the space to revert back to the developer if a daycare facility isn't successful. They are not in favor of committing the ground floor of one of the multi-family buildings as a daycare facility as recommended by the Childcare Coalition. It's been tried and hasn't worked in Carbondale.

Regarding Southside Drive, the applicant believes that there needs to be parking on one side of the street and it's the Town's right-of-way so the applicant will go along with the proposed cross-section.

Chain said that what they've heard from people in the Southside neighborhood is that they don't want any more traffic coming through there so the applicant agrees that the Allison Drive intersection could be removed [as proposed by Staff] to appease the South Side neighborhood.

The applicant still prefers that South Park function more as a passive/flex park but they have re-engaged the tennis center group. The applicant still doesn't think that South Park is the best location for an indoor tennis facility but they've counter-proposed a somewhat smaller facility with three courts located closer to the eastern side of the park. They would agree to give the tennis group two years to raise the funds to build the indoor courts and utilities would be extended to the facility parcel.

Chain said that the traffic study report was a little hard to digest in only a day or so. He then turned over the traffic part of the discussion to Yancy Nichol. Nichol said that he's reviewed the traffic study and has some questions which he hasn't had a chance to research yet. However, he does think the number of cars is being over-projected. He also thinks that the pedestrian underpass will help increase the level of service at the Basalt Ave./Hwy 82 intersection and relieve the congestion currently experienced by waiting for pedestrians to cross the highway. Nichol said he would be surprised if the total build-out of Southside happens within the next 20 years. He also questioned the projected million dollar cost of the mini-roundabout because he is involved with the building of a mini-roundabout for a similar situation in Snowmass for about \$350K. Nichol thought it only fair to know in advance how Peterson's traffic mitigation fees would be committed and used. He said that he disagreed with the

need for another CDOT access permit as his numbers show 16%, not 20% as stated in the traffic study. Also, it would be helpful know how the pedestrian underpass is working before trying to get the access permit, which would be the Town's responsibility, not the applicant's. In his opinion, Nichol said that the permit should have been issued with the recently built park-n-ride because that location is creating a lot of traffic problems on Cody Lane. If the Town really wants to reduce traffic on Southside then, he suggested, don't add a daycare and indoor tennis center to the mix. Nichol concluded his comments by asking (rhetorically) who would offset those impacts.

Peterson noted that there were no conclusions or recommendations in the traffic study. His project proposal is trying to help solve the housing affordability issue, not the lack of childcare issue. It seems like a band aid fix for a regional need. Also, if there's a possibility that traffic numbers could be a concern, then adding a daycare and a tennis facility needs to be considered as to whether or not this is the appropriate location for them. Nichol said that he needs more time to go through the traffic study. Lindt suggested having SGM have further discussions with Nichol about the traffic study.

Chain then activated an animated presentation of a drive-through in the proposed project. The purpose was to illustrate the grid pattern and the streetscape along Southside Drive. Peterson explained how the multi-family buildings are sited and the different parking options that will be incorporated into the project. There will be some garages with storage available for some of the apartment residents. He added that he owns a 58-unit apartment building in Carbondale with some tenants who have lived there for seven to ten years. That apartment manager receives four to six calls per day from people looking for housing. There were numerous PowerPoint slides which Peterson elaborated upon further.

Commissioner Questions

Commissioner Rossetti asked about the location of the proposed vehicular underpass. Lindt explained that it would connect Midland Avenue and Southside Drive. Rossetti commended the applicant and Staff on all the work that has been done. He asked why the applicant had suggested that the tennis facility be reduced from four to three courts. Peterson replied that he was concerned about a possible scale issue and also that the idea of an indoor tennis facility wouldn't match with an affordable housing neighborhood. Rossetti then asked for more clarification on the overall parking situation and Peterson complied with further explanations of layout and accessibility.

Commissioner Vozick had some bigger-picture questions. Regarding the traffic study estimates of 200 new units, is that accurate? Lindt said that reflects the Master Plan buildout numbers. Vozick said he is concerned because, as a Southside resident, there are already traffic issues experienced every day and the traffic study doesn't provide any solutions. Lindt said that Staff will try to get the traffic engineer to attend the next meeting when the traffic study is discussed. Vozick then asked if it is possible to address this proposed affordable housing project within the larger context of other ongoing and proposed AH proposals in Basalt. He would like to know what AH proposals are actively being considered, where they're located and how many and what types of units. Also, how can we get another restaurant on the South Side to alleviate the traffic leaving there (mostly from the high school) beginning at 11:15 a.m. every school day. It's chaotic.

Commissioner Rossetti asked Staff about the outdoor play area location for the childcare facility. Lindt and Peterson explained that it would be possible to use the adjacent lot for the outdoor play area with Peterson expressing his desire to have the lot revert back to a developable lot if the daycare facility ever goes away. He added that the plan would be to lease the ground floor area and adjacent lot to a childcare provider and have the AH apartment complex's manager live in a residential unit on the second floor. Rossetti clarified with Peterson that the [north/south] path is a walkway and bike path.

Alternate Bennett had a question about the possible mini-roundabout. Lindt said this would be a good question for the Town's traffic engineer, whom Staff will ask to attend the next meeting in order to provide more information about traffic mitigation. Also, Bennet asked, is the indoor tennis facility not an option at Crown Mountain Park anymore? Ted Bristol, CEO of Advantage-In Indoor Tennis Board of Directors, replied that the organization will conduct a feasibility study to cover four of the existing outdoor courts at Crown Mountain. Both Stott's Mill and Crown Mountain Park are under consideration.

Commissioner McAllister said he could understand the applicant's view on providing a daycare facility. He wanted to know if Staff thinks that [Stott's Mill] is the best location for a daycare facility.

Chair Johns said that he, also, was wondering why the mini-roundabout is considered a viable traffic mitigation option. He asked for more clarification about the Southside Drive cross-section drawing for making improvements to that street. Philp explained that with Pitkin County providing funding for the pedestrian underpass the County wanted to make sure that the connection to the Rio Grande Trail was strengthened. She explained how the cross-section provides an opportunity to keep the bicyclists and vehicular traffic separated. The plan will be implemented incrementally and this portion fits in with the larger plan. Lindt added that the good thing about Stott's Mill is that it fronts a long section of Southside Drive so it's easier to implement a nice streetscape. Johns then confirmed that the upper limit for density is 11.9 units per acre in the Master Plan, not the actual zoning. He asked if parking in the multi-family portion is covered or not. Peterson replied that some spaces will be covered/enclosed to provide parking and storage. Johns asked if there are any fences proposed. Peterson said that the last application allowed low fences, e.g., 3.5 feet tall in single family neighborhood. Also, there will be wildlife friendly fences to keep kids out of adjacent property and fences to keep them from getting into the irrigation ditches.

Commissioner Rossetti asked if snow removal has been considered in the multi-family section. Peterson and Chain said that all snow removal and snow storage, along with garbage pickup, etc. have been planned for, although some details may change. All of the apartments will be rental units.

Public Hearing

Chair Johns opened the public hearing at 7:33 p.m.

Renee Fleisher said that she has lived in Southside for 14 years. She asked for clarification about the covered parking and wondered if the proposal is the same as what is in place at the townhouses on the north side of the Southside neighborhood? She said that she likes the idea of including the AH component. She thinks that a daycare facility is necessary for inclusion in the plan. The neighborhood needs more active park space so the indoor tennis facility would be a good addition. There are already passive parks in Southside. She added that getting in and out of Southside is already problematic. The trouble is with the intersection design; we need a dedicated right-turn lane to get onto Hwy 82. Also, the traffic signal needs to be adjusted to let drivers turn left onto Hwy 82 on an as-needed basis in the evenings.

Diana Elliott, Advantage Indoor Tennis board member, thanked the applicant for being receptive to the indoor tennis facility as well as responsive to input from the community. At most there would be 16 cars at the facility if four courts are full, 12 if three courts are full. The tennis facility would not be an exclusive thing – it'd be open to the public. The tennis courts could also be used by the schools for a tennis program. The School District is excited about being able to offer expanded sports programming with the addition of high school tennis teams and having the indoor courts located so close to the high school would be a bonus. The Basalt Recreation Department office and storage could be located in the facility. She invited people to feel free to email or call her with questions.

Ted Bristol, Crown Mountain Board, said that as we speak, there are 90 people playing league tennis in the valley this evening. This could be a great revenue-generator for the Town.

Linda Hoffman and her son, Connor, expressed support for the proposed indoor tennis facility.

Renee Fleisher spoke up again to say that tennis is a growing sport and there are very few affordable places to play in the valley. This would provide a great opportunity to make the sport more accessible.

The public comment period closed at 7:44 p.m.

Chair Johns noted for the record that five letters of support had been submitted for the indoor tennis facility. He then asked the Applicant/Staff to answer Fleisher's question about the multi-family parking situation. Philp said that not all units will have access to enclosed/covered parking. Peterson said that the leases won't allow storage on porches or decks.

Commissioner Discussion

Philp explained the Child Care Coalition's (CCC) thoughts behind their support of a childcare facility located at Stott's Mill. She said that affordable childcare is a huge need and is considered a workforce issue. This location could serve Stott's Mill residents as well as teachers on their way to work at the high school. The CCC is more interested in getting a core and shell built, not fees-in-lieu. Lindt said that a recent study identified one pre-school age child/every three housing units built. Lindt reviewed the four childcare options presented in the Staff Memo.

Alternate Bennett said she considers having a daycare facility an amenity to the Stott's Mill project. She supported the suggestion of having the first floor as a daycare and a second floor residence for an apartment manager. She thought 4,000 sq. ft. would be an okay size for the daycare. Bennett said she would support a reversion of the property back to the developer if no daycare provider is found.

Commissioner McAllister said that what works for the developer needs to be taken into consideration. He also supported a property reversion to the developer if it doesn't work out. He hopes that the Town can figure out some options to get a provider in place.

Commissioner Rossetti suggested that we should rely on experts to determine the size of the daycare.

Alternate Bennett asked why more childcare centers haven't been built in the valley. Staff replied that it's not a profitable endeavor, it's heavily regulated, and land is not available. Operators are looking for space. Staff will get feedback from CCC members on this proposal.

Commissioner Vozick wondered if there is a potential safety issue if daycare students have to cross a street to get to their play area and the open space.

Commissioner Rossetti agreed that having a childcare facility in Stott's Mill could be a marketing tool.

Chain said that there is sometimes neighborhood opposition to daycare facilities. It's a different animal to get something approved after the neighborhood is built vs. having one built as part of the project.

Peterson said he's an advocate for daycare but let's find the right solution. A better solution would be to put a regional daycare across Southside on a parcel owned by the Aspen Ski Company. It could be a partnership between RE-1, the Town, and probably others. However, it's very important to him to have the property reverter option.

Chair Johns said he was not comfortable with the tight approval timeframe that has been proposed. If we need more time, let's get the appropriate information in hand and have the necessary conversations before holding a public hearing. Solutions need to work for everybody. It's the same thing with the traffic situation. We need more information and it's not the P&Z's place to figure out these solutions.

Commissioner Vozick agreed with Johns. Think outside the box for solutions.

Chair Johns suggested the possibility of having a cross-town shuttle to reduce traffic.

Alternate Bennett noted that the vehicular underpass has been discussed since the 1990s.

Commissioner Rossetti said that this is a refreshing proposal and there has been lots of good discussion about it. He really wants to see the project happen; the sooner, the better.

Chair Johns said he does not mean to imply that the project isn't needed. However, we need to get the plan figured out.

Commissioner Vozick wondered how to mesh together the proposed Habitat project behind the high school, Stott's Mill, and the Ski Co. parcel in a way that makes sense. Nobody's arguing that the project isn't needed but the location and potential issues can't be ignored. It'd be great to come up with an out-of-the-box solution. He also asked what's going on with the other proposed affordable housing projects. Philp replied that Real America's interview with CHAFA is in the beginning of August and we will find out shortly thereafter if the developer will receive tax credits, enabling construction to begin.

Peterson agreed that everyone seems to be on the same page in wanting this project to happen and he outlined his solution – they will build a 3000 to 4000 sq. ft. daycare facility and offer the adjacent lot for outdoor play area space with the condition of having a reverter clause for both those lots and, if necessary, they will contribute their proportional share to a future mini-roundabout.

Regarding the Southside Drive cross-section, nobody had any problems with what has been proposed.

Chair Johns clarified with Staff that the Parks and Open Space item concerned whether or not the Commission is okay with Staff's condition for the reduced size (three courts) and two years to get the funding to build the center after Stott's Mill receives final approval. If the group cannot get the funding then the applicant, at the discretion of the Town Manager, is required to build a more active park that would include outdoor tennis courts and basketball courts.

Alternate Bennett asked if two years was okay. Elliott said that the tennis group agrees to that. She added that while having three courts would be okay, having four would be more financially lucrative. The projected cost of completion is \$1.3M and the group has \$500K so far. If this proposal is approved then the tennis group wouldn't pursue covering the outdoor tennis courts at Crown Mountain. Peterson suggested that combining a childcare facility with the indoor tennis courts could be a good fit and a better land use model.

Chair Johns said it sounds like there needs to be more discussion between Staff and the applicant regarding these ideas. The Commissioners weren't adverse to having four tennis courts if that made more sense in optimizing the facility's use and economic viability.

Staff further explained the Allison Lane and Southside Drive Traffic Calming item. Commissioner Vozick said he was okay with the suggestion in Staff's Memo. Peterson said they were fine with the

condition, either way, and it's up to the Town to determine the best way to address the safety issue. Nichol said that if the connection is kept as emergency only access then it could be downsized. Lindt noted that this connection needs to be able to function as an emergency route for traffic also. Nichol said that the type of use will determine the extent of the infrastructure work needed for the ditch.

Regarding density, Lindt said that Staff has provided the comparison between Southside and Stott's Mill. After viewing the flyover presentation, Staff would like to take another look at the scale and massing before making a final recommendation. The traffic piece is related to density and if we can get the traffic engineer to the next meeting, the issue can be delved into further at that time.

Peterson reiterated that affordability requires density. If they had to go back to the original approvals for 110 units that would probably cause him to walk away. He is not trying to strong-arm anybody – this is just an economic reality - 156 units are necessary and it fits into the zoning, even if it's on the high side. They are not trying to push the envelope, just laying their cards on the table.

Alternate Bennett we said we wanted density here so we need to work with it.

Chair Johns asked if August 2nd is still a good date for continuation. Philp suggested keeping that date as a place-holder and it can be moved to a later date if necessary.

M/S VOZICK AND ROSSETTI TO CONTINUE THIS APPLICATION TO AUGUST 2, 2016. THE MOTION CARRIED BY A VOTE OF 5-0.

PLANNER UPDATES

Staff reported that the Planning Department is extremely busy. They are working with the Town Council and POST on the feasibility of an outright Pan and Fork parcel purchase. The Department has also been directed to consider how to adjust zoning districts to allow expansion of the locations where retail marijuana stores can be located. The other application on the burner is TACAW, which is scheduled for August 2nd, too. Applications that were reviewed earlier by the P&Z are now moving on to the Town Council.

Philp reviewed other planning department activities. The traffic circulation plan for the schools' remodel and parking lot improvements is coming along. WE-cycle will be submitting an update on the success of the program. Also, there are potentially more ADU applications.

ADJOURNMENT

M/S BENNETT AND ROSSETTI TO ADJOURN. THE MOTION CARRIED BY A VOTE OF 5-0.

The P&Z adjourned at 8:32 p.m.

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION**

By: _____
Dylan Johns, Chair

Attest: _____
Denise Tomaskovic, Recorder

DRAFT

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION
REGULAR MEETING and PUBLIC HEARING
AUGUST 16, 2016**

Due to a schedule conflict at Basalt Town Hall, this meeting was held at Rocky Mountain Institute Innovation Center at 22830 Two Rivers Road, Basalt.

CALL TO ORDER

At 6:10 p.m. the Planning and Zoning Commission was called to order. Commissioners answering roll call were Gary Wheeler, Gino Rossetti, Dylan Johns, and Eric Vozick.

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

APPROVAL

Minutes of July 19, 2016 and August 2, 2016

M/S ROSSETTI AND VOZICK TO APPROVE THE MINUTES OF JULY 19, 2016 AND AUGUST 2, 2016 AS READ. THE MOTION CARRIED BY A VOTE OF 4-0.

CONTINUATION

Public Hearing on the Application submitted by "The Arts Campus at Willits" (TACAW) for Sketch Site Plan Review for the proposed Arts Campus at Willits. The proposal sets the site plan limitations at the sketch plan level for construction of the Arts Campus at Willits in two (2) phases.

M/S ROSSETTI AND VOZICK TO CONTINUE THIS AGENDA ITEM TO SEPTEMBER 20, 2016. THE MOTION CARRIED BY A VOTE OF 4-0.

AGENDA ITEMS

Continued Public Hearing on Stott's Mill Application for the purpose of considering an Application submitted by MSP1 LLC for: Rezoning; Reinstatement of the majority of the Single-family residential portion of the Stott's Mill PUD Development approved pursuant to Ordinance No. 18, Series of 2009; and R-4 MD Sketch Site Plan Review for the Multi-Family development portion of the project. The Application includes a proposal to be annexed into the Town. Overall, the proposal includes, but is not limited to: 156 residential dwelling units, approximately 4.5 acres of parks, and associated necessary infrastructure improvements.

Lindt, referring to Staff Memo dated August 16, 2016, a posted site plan and other visual representations, reviewed the application and provided updates as necessary. He noted that the traffic engineer from SGM, Lee Barger, was present.

Chair Johns asked Lindt to clarify the land use process for this application since it already has received approval for an earlier version. Lindt explained that the multi-family portion of this application has been expanded, necessitating expanded review with a Sketch Plan Review and a Final Plan Review by the P&Z and Town Council, while the single family area remains essentially the same with only some minor changes, which only requires one round of review by the P&Z and Town Council.

Lindt said that Barger would explain the traffic study results and planned traffic improvements further. Barger began with the soon-to-be built Basalt Avenue Pedestrian Underpass. He pointed out that there

will be a dedicated right turn lane onto Highway 82 which should help reduce the back-up at the intersection since drivers will be able to make the turn without having to wait for pedestrians to cross. Using a PowerPoint presentation, Barger then explained the traffic study modeling and findings.

Regarding build-out potential, Barger explained that the traffic study reflects the best available information from the various Southside property owners, in addition to the current proposal for Stott's Mill. The Year 2035 projections include the various options for further traffic mitigation, including a mini-roundabout at Cody Lane and a vehicle underpass between Midland Avenue and Southside Drive. Barger briefly reviewed the circumstances under which the Town would need to obtain another CDOT access permit on Hwy 82.

Commissioner Wheeler clarified with Barger and Staff that the installation of the Basalt Avenue underpass will eliminate foot traffic across Highway 82. The Commissioners asked Barger about specific numbers in the traffic study and different traffic generation scenarios and their associated mitigation alternatives. Barger suggested that it would be a good idea to see how the pedestrian underpass functions before proceeding with further traffic mitigation measures. It will be necessary to establish a new baseline after the new traffic patterns are normalized.

Lindt pointed out that Staff's conditions for approval regarding traffic require a "check-in" after sixty dwelling units (DU) are built and up-front security towards traffic improvements.

Chair Johns asked if there is an established threshold at which the Town needs to prohibit more development on the Southside until the appropriate traffic improvements are built. Barger replied that he hadn't worked out any number specifically but he would guess that the tipping point would be somewhere in the range of 25% less than the total Southside buildout numbers.

Lindt noted that Staff had a handout of the revised conditions with the changes in red type. He said that Staff is comfortable with the revisions but the P&Z Commission can feel free to suggest any further changes. Philp said that Staff is banking on the pedestrian underpass improvements making a noticeable difference in the performance level of the intersection and the addition of the proposed Cody Lane mini-roundabout would make even more of an impact.

Applicant Presentation

Lindt noted that land use planner/consultant, Mark Chain, and engineer, Yancy Nichol, were present along with the applicant/developer, Briston Peterson.

Chain said they are in basic agreement with the conditions for approval. Regarding child care, they would prefer having the childcare facility located on Lot 37 with Lot 38 as the playground. Regarding the Tennis Center, the applicant still doesn't believe this is the best location for it but they think the two-year limitation on obtaining funding is a good call. Regarding Affordable Housing, the applicant agrees with scattering ten SF lots throughout the development. Chain noted that the transportation issue is the most problematic. Chain said that Peterson is not willing to move forward with building the SF portion unless he's assured that the MF portion is viable land use-wise, politically and financially.

Chain then invited Nichol to make comments about the traffic study, etc. Nichol said that it's probably going to take more than 20 years for the complete Southside build-out to occur. The Town should begin the procedures for an additional Hwy 82 access permit after the Basalt Ave. underpass is built. Nichol stated that Peterson would rather pay fees-in-lieu per building permit on the SF, as well as MF units, for traffic mitigation instead of providing lump-sum security at some percentage. Philp said that the Town is more comfortable with a Letter of Credit (LOC).

Peterson stated that this project doesn't work unless both phases are approved. While Staff may be looking just at the SF part of this proposal, the development team is looking at the entire application. Each MF building has 24 dwelling units and, since each DU requires a building permit, they essentially will be paying all associated fees as they create traffic. They would rather pay their fees that way instead of having a LOC that goes on and on. One of the things Nichol didn't mention in his traffic review is that the school district and Habitat for Humanity are talking about perhaps building 40 AH units [behind the high school] which wouldn't be in the Town's UGB. Stott's Mill is trying to create affordable, attainable housing in an area where it's needed and within the UGB.

Peterson noted that they have a video with the tennis center modeled if the Commission wants to see it. He said that he thinks the tennis group will be challenged to raise the funds within the two-year timeframe. Regarding the daycare facility, Peterson said he thinks there is a better way to design a facility (than what has been shown) that would allow for easier conversion to SF use in the event a daycare is no longer needed.

Chair Johns asked Philp to explain the Town's perspective on the proposed pay as you go versus a bond type of guarantee. Philp explained the sharing proposal, noting that the Town is trying to package the money in way that it can be relied upon when needed, especially for the traffic improvements. Peterson suggested a way to phrase the condition to avoid front-end loading of costs and having to extend the LOCs. He said that they would prefer a condition saying that they won't get any building permits until the appropriate fees-in-lieu are paid.

Commissioner Rossetti said he was sensing some negativity. Lindt said Staff has been working with the development team and thought that they were in general agreement except for the traffic situation. Peterson said they have about \$1.6 million invested in this project so far. He wouldn't be sitting here if he wasn't serious about it. Chair noted that the timing and funding of the transportation mitigation items have been the most difficult to resolve.

Public Hearing

Chair Johns opened the public hearing at 7:19 p.m.

Diana Elliott – Ad-in Tennis Group representative – said they are happy with what's been agreed upon. She added that the committed right turn lane at Hwy 82 will be a huge asset.

Chris Touchette said that he was the architect for a previous development proposal on this property and he understands the issues. However, the affordable housing issue is a crisis in the valley. He thought it unfortunate that forces beyond this Commission's control are focusing on open space acquisition at the cost of AH. Touchette spoke in favor of the application as a way to address the AH crisis. If we think outside the box we will find that there are other options to help reduce the amount of traffic which wouldn't have to involve huge infrastructure costs.

Shirley Ritter, Kids First Director and Basalt Childcare Coalition, said that there are currently about 100 children on mid-valley childcare center waitlists. The Coalition thinks that 4,000 sq. ft. (four classrooms) is the minimum space requirement for a sustainable childcare business model. The Coalition is aware that this proposed facility is just one part of a wider solution.

The public hearing was closed at 7:28 p.m.

Commissioner Discussion

Commissioner Vozick said he thought the proposal was great and he didn't think that the full buildout

onus has to fall on this development. This application consists of 156 of a potential 350 units that could occur in a total Southside buildout scenario. The developer is trying to address a need in the valley. Vozick wants to make sure that this development is considered within the larger context of other development in the mid-valley.

Commissioner Rossetti asked if the tennis center's final court count was three or four. Staff responded that three courts are in the current plan. Rossetti said that having four courts would be better. Having only three courts might be a financial mistake.

Commissioner Wheeler said he likes the project and there's a huge need for this type of development. He thanked the developer for sticking with the proposal.

Chair Johns agreed that there is clearly a need for this type of project, it's within the UGB, and the Commission is not in a position to determine how the funding mechanisms would work. He was glad that the engineers were talking to each other and there seems to be some consensus around the short-term solution. He was comfortable that Staff and the applicant could find a solution for the cost-share mechanism – he can understand both sides of the argument. He supports whatever works best for the daycare provider and was less concerned about making the lot amenable to conversion to SF use. Regarding Rossetti's comment about the indoor tennis center, John said that we need to make sure it's a workable plan and not designed to fail.

Commissioner Rossetti said that they all want this to be a win-win for everyone. It's a much-needed project.

MOTION BY ROSSETTI TO RECOMMEND THE STOTT'S MILL APPLICATION TO THE BASALT TOWN COUNCIL FOR THE NEXT LEVEL OF REVIEW PER STAFF'S RECOMMENDATIONS.

Discussion: Commissioner Wheeler suggested including Staff's revised conditions as well and Commissioner Vozick suggested including that Staff will continue to work with the applicant on a traffic mitigation funding mechanism.

Commissioner Rossetti agreed to the amendments to his motion.

MOTION SECOND BY VOZICK. THE MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM

Consideration of Amendments to the Municipal Code, Chapter 16, Zoning and Chapter 5, Business License and Regulation. The Amendments include, but are not limited to, changes to allow medical marijuana centers and retail marijuana stores in additional zoning districts and changing other restrictions on locations and number of facilities.

Philp referred to Staff's memo dated August 16, 2016 to review the proposed changes to the Town Code regarding expansion of locations for medical and retail marijuana establishments. The major change is to amend the current allowance for two medical and two retail licenses to allow up to four marijuana general (medical or retail) businesses (of whatever combination) within the Town boundaries and expanding the allowed areas to include the C-2 and C-3 Zone Districts. The licensing provisions have been updated to further clarify surveillance and security monitoring requirements and owner/employee training needs. Also, the buffer area now includes Triangle Park and Basalt River Park in the list of parks, not just on the maps. Finally, the code amendments limit the number of marijuana

**Table 1
Baseline Intersection Level of Service Summary**

Intersection	AM		PM	
	LOS	DELAY _i (s)	LOS	DELAY (s)
SH 82 & Basalt Avenue	D	39.3	D	41.0
Cody Lane & Basalt Avenue	A	6.0	E	56.5

¹ - Delay expressed as average delay per vehicle in seconds/vehicle.

As the table shows, the intersections within the study area currently operate within acceptable standards. Detailed operational results for the signal are provided in the appendix that show the MOE's by movement on each approach on Table A1.

Although the stop-controlled intersection south of the highway is shown to operate with low average delays, intersection blockage is common at Cody/Basalt during the peak hours of most weekdays. However, the northbound green phase generally allows the Cody/Basalt intersection to clear each cycle. The signal cycle currently operates in "split-phase" mode throughout the day, allowing southbound and northbound traffic separate green phases with the pedestrian crossing phase occurring during the lagging northbound green phase. The existing peak hour cycle length of 180 seconds is set by CDOT to maximize highway flows and minimize delays for the predominant direction during the peak hour.

The following table shows the baseline analysis 95th percentile queue lengths estimated by the Simtraffic model.

**Table 2
Baseline 95th Percentile Queue Summary**

SH 82 & Basalt Avenue	AM	PM	Available Length (ft)
Northbound Approach	163'	174'	180'
Eastbound Approach (Left)	331'	279'	370'
Southbound Approach	227'	160'	110'
Westbound Approach (Left)	151'	167'	370'

The 95th percentile queue length represents the maximum queue length that occurs during 95% of the hour, so there may be times when it is exceeded for a short period of time. As the baseline model results show, the 95th percentile queue lengths for the northbound approach do not exceed the available storage length (but they are close), while the southbound queue lengths exceed the available storage length of 110' and spill into the roundabout during both peaks. Eastbound and westbound left turns are predicted be accommodated in the turn lanes provided. There is room in the median of the highway to restripe these turn lanes to allow more storage in the future, if necessary.

5.4. Improved Baseline Intersection Capacity and Queuing Analysis

The proposed pedestrian underpass project will improve existing operations at the signal by removing the pedestrian phase, restriping the northbound approach to allow for a shared left-through lane and an exclusive right turn lane, and adjusting the split-phase signal operations to permissive for northbound and southbound approaches. With these changes, the intersection is estimated to operate with about 18 seconds less overall delay in the AM peak (LOS C) and about 12 seconds less overall delay in the PM peak (LOS C) than it does today. The following tables show the results of the capacity and queuing analyses using existing volumes and

assuming the above laneage and phasing changes occurring with the underpass project. Although not shown in the table below, the intersection of Cody/Basalt operates at acceptable levels of service during both peaks with the underpass.

Table 3
Improved Baseline Scenario
Intersection Level of Service Comparison

		2015 PERFORMANCE COMPARISON TABLE A1													
		OVERALL	Eastbound			Westbound			Northbound			Southbound			
			LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	
SH 82 / Basalt Avenue Intersection - Approach Performance	2015 AM Peak	LOS	D	F	C	A	F	C	A	E	F	E	E	E	A
	Baseline	Delay	39.3	81.5	32.5	7.7	117.1	26.3	3.6	72.5	86.4	55.6	73.5	63.8	5.3
		Queue		331	526	85	151	142	30	113	163	163	188	227	62
	2015 AM Peak	LOS	C	D	B	A	E	B	A	C	C	B	D	C	A
	w/ Underpass	Delay	21.3	45.8	18.6	7.2	58.5	13.1	2.3	31.8	28.5	18.8	44.0	32.6	4.1
		Queue		191	965	73	84	83	16	94	94	94	149	163	25
	2015 PM Peak	LOS	D	F	B	A	F	C	A	F	F	E	F	E	C
	Baseline	Delay	41.0	93.0	15.4	3.2	108.4	33.1	9.5	98.3	107.6	62.9	89.4	74.7	33.8
		Queue		279	149	41	167	1309	248	146	174	174	126	160	100
	2015 PM Peak	LOS	C	F	B	A	D	C	A	D	D	A	D	C	B
	w/ Underpass	Delay	28.5	85.3	12.1	3.4	50.3	26.7	9.0	48.5	46.6	7.0	42.6	34.0	19.3
		Queue		223	108	46	79	406	53	152	152	63	82	86	54

Signal runs actuated-uncoordinated with protected-only phasing for mainline left turns
95th Percentile Queues exceeding available storage shown in BOLD
Simtraffic Results - COOT Existing Cycle Length of 180 Seconds

7/15/2016

1 - Delay expressed as average delay per vehicle in seconds/vehicle.

As Table 3 above shows, the signal will operate with less delay when the underpass is installed and the northbound laneage is reassigned. The northbound and southbound approaches show the greatest improvements in reduction of average delays when the underpass is in place. The following table shows the estimated queue lengths for the improved baseline scenario when the underpass is in place.

Table 4
Improved Baseline 95th Percentile Queue Summary

SH 82 & Basalt Avenue	AM	PM	Available Length (ft)
Northbound Approach	94'	152'	180'
Eastbound Approach (Left)	191'	223'	370'
Southbound Approach	163'	86'	110'
Westbound Approach (Left)	84'	79'	370'

As Table 4 and Table A1 of the appendix show, the queue lengths are reduced when compared to the Baseline scenario (Table 2 results). The results show the queue lengths all fall within their available lane lengths, with the exception of the southbound approach to the highway during the AM peak hour.

The underpass improvement demonstrates a first, significant step to improving access to the Southside and reducing delays for all intersection users at the SH 82 signal and adjacent intersections.

6.0 20-Year Traffic Conditions (2035)

The Town of Basalt has developed a 20-year development plan for the Southside that reflects active land use proposals and plans developed through discussions with stakeholders. For the purpose of this study, SGM will assess all proposed 20-year buildout of the Southside in one scenario.

New traffic turning to and from the highway or crossing at Basalt Avenue was increased using land use estimates and ITE trip rates for specific development proposed for the Southside. Traffic entering and leaving the Southside was assigned using the existing turning splits occurring at the SH 82 signal to estimate percentages turning up or down valley or crossing the highway during the AM and PM peak hours. Through movements at the signal (not influenced by the Southside 20-year development plan or the Roaring Fork Apartments) were increased using CDOT's 20-year factor of 1.35. The following sections detail the development of the peak hour volumes for the 20-year development scenario.

6.1. Traffic Generation (20-Year Plan)

According to the Town of Basalt Planning Department, several southside parcels are planned for development in the next twenty years. These parcels are color coded in Figure 6 below and include:

- Cathers East (16 Multi-family units, 1,800 SF Commercial / Orange)
- Cathers West (32,000 Industrial / Orange)
- Schlumberger (8,000 SF Industrial, 3 Multi-family units / Yellow-green)
- Skico Industrial/Housing parcel (10,000 SF Industrial, 3 Multi-family units / Blue near 82)
- Basalt Design District Housing (80 Multi-family units, 23,700 SF office / Light green)
- Basalt Mini Storage (81,600 sf of Mini warehousing / Green)
- Southside PUD (11 Single-family units / Red)
- Stott's Mill (56 Single-family units, 90 Multi-family units / Gold)
- Skico Housing (24 Multi-family units / Blue)
- RE-1/Habitat for Humanity (40 Multi-family units / White)

And the northside proposed development parcel includes:

- Roaring Fork Apartments (56 Apartment units / Yellow)

Some of the development potential identified above is projects that have submitted development applications such as Stott's Mill and the Basalt Mini-Storage expansion. Others are projections from the Town's Master Plan. Actual development proposals by these other projects could be lower or higher with regards to project scope.

**Table 7
Buildout Baseline
Intersection Level of Service Summary**

Basalt Avenue / SH 82 Intersection - Approach Performance	2035 PERFORMANCE SUMMARY						7/7/2016	
			OVERALL	EB App	WB App	NB App		SB App
	2035 AM Peak	LOS	D	D	C	E		E
<i>Buildout Baseline</i>	Delay	41.3	38.6	27.3	65.3	57.9		
2035 PM Peak	LOS	E	F	E	E	D		
<i>Buildout Baseline</i>	Delay	73.9	83.9	74.0	67.0	45.8		
<i>Signal runs actuated-uncoordinated</i>								
<i>Simtraffic Results - CDOT Existing Cycle Length</i>								

1 – Delay expressed as average delay per vehicle in seconds/vehicle.

As Table 7 shows, the intersection is forecast to operate acceptably in 20 years during the AM peak but not the PM peak (LOS "E"). Based on the applied CDOT growth rates and site specific traffic generation, this is to be expected along the highway within the mid-valley area as SGM found in other recent studies along the SH 82 corridor (The Fields, Eagle County). The forecast 20-year increase in most areas has shown that over-saturated (LOS "F") conditions are likely to exist along the corridor during peak hours without the addition of lanes to the highway or the implementation of additional transportation demand measures like transit, bike commuting, and ride sharing options.

Table 8 summarizes the 95th percentile queue lengths estimated for the Buildout Baseline scenario.

**Table 8
Buildout Baseline
95th Percentile Queue Summary**

SH 82 & Basalt Avenue	AM	PM	Available Length (ft)
Northbound Approach	196'	157'	180'
Eastbound Approach (Left)	414'	438'	370'
Southbound Approach	218'	169'	110'
Westbound Approach (Left)	165'	620'	370'

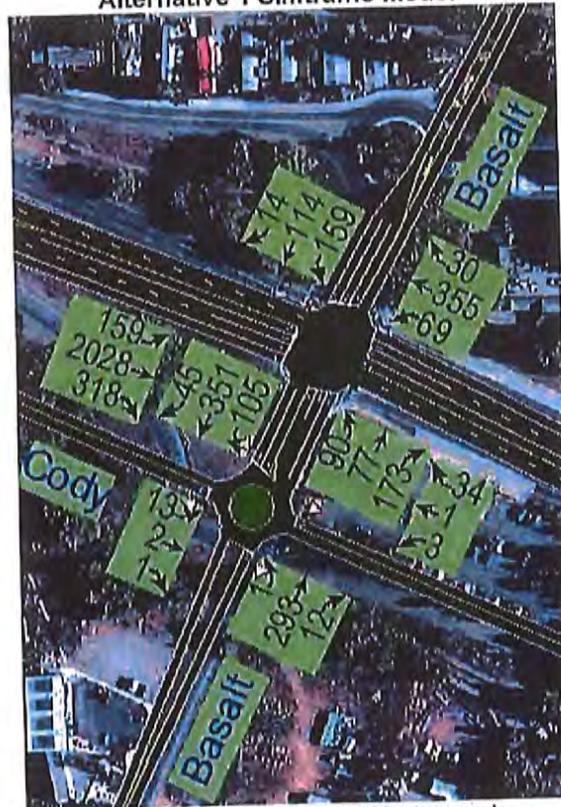
As Table 8 shows, the additional traffic from background and Basalt parcels will create queue lengths at the signal that will exceed the available storage length that exists today on all approaches during most peak hours. Of significance to Southside development, the westbound left turn queue increased from 79' in the Improved Baseline scenario (Table 4) to 620' in the Buildout Baseline scenario as a result of the increased traffic demand on the Southside. Additionally, the northbound queue is estimated to extend through the Cody Lane intersection in the Buildout Baseline scenario, whereas it did not extend through this intersection in the Improved Baseline scenario (increases from 94' to 196' in AM peak). These increases show the effects of additional traffic demand from Southside developments on the current system.

Improvements to the left turn lanes on the highway could be accomplished easily by restriping the proper lengths within the paved medians. There is about 700' of pavement available for the westbound left turn lane and 800' available for the eastbound left turn lane if they were extended to the existing median barrier sections on the highway.

Figure 13
Alternative 1 Improvement Plan



Figure 14
Alternative 1 Simtraffic Model



Alternative 1 may require a small Right-of-Way (ROW) take from the Cathers West parcel, although the preliminary plan shown in Figure 13 fit within the existing ROW of Basalt Avenue and CDOT. This improvement could also provide safer crossings for pedestrians at Cody Lane using the splitter islands of the roundabout. The underpass plans were developed to include this improvement without major changes to the underpass approach south of SH 82 or the traffic signal poles. This improvement would cost less than \$1M to construct.

7.2 Alternative 2 – Split-Tee Intersections

Alternative 2 consists of a split-tee intersection that creates two signalized "Tee" intersections with SH 82 at Midland Avenue and at Basalt Avenue. These would separate turning movements to the north and south side of the highway and the signals could be timed as a system for efficiency. However, this alternative requires relocating the north leg of Basalt Avenue to Midland, while relocating Emma Road potentially through the Roaring Fork Mobile Home Park. The property impacts to the north including less direct access to the commercial uses along Emma Road may screen this alternative out. An option for a split-tee would be to "flip it" and leave the north Tee at Basalt and move the south Tee to Southside Drive. This would require realignment of Cody Lane near Southside Drive and provide less direct access to the highway for businesses along east Cody Lane. It would also create overlapping left turns the intersections (less than 600').

Figure 15
Alternative 2 Simtraffic Model



Alternative 2 was analyzed in the configuration shown above. In addition to the relocation of Emma Road east of Midland, Emma Road will need to be relocated west of Midland to connect to Gisella Way, north of the Post Office. Additional impacts at the relocated intersections were not fully studied for this alternative. Alternative 2 would require amending CDOT's Access Control Plan.

7.3 Alternative 3 – Underpass at Midland Avenue/Southside Drive

Alternative 3 consists of a vehicular and pedestrian underpass connecting Midland Avenue with Southside Drive. This alternative provides additional access to the Southside but avoids having to be granted new access to the highway. Alternative 3 is shown in Figure 16.

Figure 16
Alternative 3 Improvement Plan



The improvement plan shown in Figure 16 includes an on- and off-ramp for eastbound SH 82, which would require amendment to the Access Control Plan. As considered for this study, no access will be provided to the highway for this alternative beyond the existing access at Basalt Avenue, so these ramps were not considered a part of this improvement. For the purpose of the traffic model, the through volumes crossing the highway at the Basalt Avenue intersection (north- and southbound traffic) were reassigned to the underpass, and removed from impacting the signalized intersection. The signal will not prohibit through movements, but it is likely that the majority of travelers will use the underpass to get across the highway rather than wait at the signal. A cost estimate of this concept was not developed for the Town, but based on the current underpass construction budget, it would be significant.

8.0 Alternative Analysis Capacity and Queuing Results

Using the 20-year buildout volumes shown on Figures 11 and 12, the capacity analysis was run in Synchro to determine level of service and delay for the signalized intersection under each of the alternatives. The following tables show the overall results of the capacity analysis for the signal at SH 82 and the 95th percentile queuing results for the two alternative improvement scenarios.

Table 9
20-Year Buildout Alternatives Level of Service Summary

		2035 PERFORMANCE SUMMARY					
		OVERALL	EB App	WB App	NB App	SB App	
Basalt Avenue / SH 82 Intersection - Approach Performance	2035 AM Peak	LOS	D	D	C	E	E
	<i>Buildout Baseline</i>	Delay	41.3	38.6	27.3	65.3	57.9
		Queue					
	2035 AM Peak	LOS	D	C	C	D	E
	<i>Alternative 1</i>	Delay	35.4	32.0	25.1	51.5	61.5
		Queue					
	2035 AM Peak	LOS	D	C	B		F
	<i>Alternative 2</i>	Delay	39.5	28.5	11.5		181.1
		Queue					
	2035 AM Peak	LOS	C	C	C	D	E
	<i>Alternative 3</i>	Delay	32.1	30.5	23.3	49.6	57.2
		Queue					
	2035 PM Peak	LOS	E	F	E	E	D
	<i>Buildout Baseline</i>	Delay	73.9	83.9	74.0	67.0	45.8
		Queue					
	2035 PM Peak	LOS	E	D	E	F	D
	<i>Alternative 1</i>	Delay	68.4	53.3	71.1	94.7	49.7
		Queue					
2035 PM Peak	LOS	F	A	F	D		
<i>Alternative 2</i>	Delay	113.7	7.3	159.7	53.3		
	Queue						
2035 PM Peak	LOS	D	D	D	D	D	
<i>Level 4 Improvements</i>	Delay	40.5	41.5	38.8	51.3	39.0	
	Queue						
<i>Signal runs actuated-uncoordinated</i>							
<i>Simtraffic Results - CDOT Existing Cycle Length</i>							

7/8/2016

Figure 15
PROPOSED FIOU LANE SIDEWALK



A future option to improve safety and connectivity is shown conceptually above. This would provide a continuous 10' sidewalk along the south side of Fiou Lane, between Southside and Basalt (along the Basalt Design District frontage). This would allow the pedestrians to avoid the two at-grade crossings of the main access route to the Southside and the High School. Figure 14 shows this simple connection that would include a marked pedestrian crossing for the Meyers driveway and connectivity to the existing sidewalk by the Shell station. This sidewalk and trail connection would significantly improve the pedestrian experience and reduce the interaction of pedestrians, cyclists, and traffic on Fiou Lane and Basalt Ave. The construction cost of this approximate 300' trail connection is under \$50,000.

11.0 Conclusions and Recommendations

The scale of proposed development for the next 20 years on the Southside will create operational deficiencies at the SH 82/Basalt Avenue Intersection upon Buildout if no additional capacity improvements are made. Upon buildout and based on conservative assumptions, the proposed Southside development and Roaring Fork Apartments will generate approximately 2,965 external daily trips to/from the Southside, including 252 trips in the AM peak and 301 trips in the PM peak. This equates to a 58% increase in AM peak hour traffic and 123% increase to PM peak hour traffic over today's volumes on the northbound approach.

Two of the proposed developments will require an access permit with CDOT because individually they would contribute 20% or more traffic (over today's volumes) to the northbound approach to SH 82/Basalt Avenue. The State's permitting process would seek improvements from the developer to mitigate the LOS "E" that would exist if nothing were done to improve the intersection or approach in the meantime.

This report explores two potential solutions, with the first (Alternative 1) requiring a less intensive development scenario for the Southside than anticipated in order for the signalized intersection to operate within acceptable standards. CDOT's acceptable standard means LOS "D" overall operations and 95th percentile queue lengths accommodated within the allowable turn lanes provided. Alternative 3 meets all of CDOT's standards with the exception of satisfying the southbound 95th percentile queue needs. Laneage options may be available for

the southbound approach (exiting the Emma roundabout) that were not included in this study. With improvements to the SH 82/Basalt signal operations under Alternative 3, the Basalt Avenue/Cody Lane intersection will function acceptably during peak hours.

Other mitigation solutions that were not explored in depth could include:

- Eastbound slip lanes to and from SH 82 to Cody Lane
- Relocation of the Basalt Avenue/Cody Lane intersection to the south

These options create major property impacts to multiple properties (similar to Alternative 2), and the slip lanes would require amending the Access Control Plan. Both options could improve intersection operations at SH 82/Basalt Avenue, but were not studied due to the excessive property impacts.

A final recommendation this report offers is to construct a sidewalk connection on the south side of Fiou Lane between Southside Drive and Basalt Avenue. This would create a safer connection between the highway and the Rio Grande Trail, which is used heavily by school children, residents, tourists, and others.

SOUTHSIDE TRIP GENERATION TABLE A3

Southside 20-Year Development	Number of Units	ITE Code	Average Weekday Rate	Peak Hour Rates				Average Weekday Traffic	Peak Hour Traffic				% Impact
				AM Entering	AM Exiting	PM Entering	PM Exiting		AM IN	AM OUT	PM IN	PM OUT	
RE-1 Habitat For Humanity	40	230	5.81	0.07	0.37	0.35	0.17	232	3	15	14	7	7.2%
Ski-Co Housing	24	230	5.81	0.07	0.37	0.35	0.17	139	2	9	8	4	4.3%
Stotts Mill Single Family	56	210	9.52	0.19	0.56	0.63	0.37	533	11	31	35	21	35.8%
Stotts Mill Multi-Family	90	230	5.81	0.07	0.37	0.35	0.17	523	6	33	32	15	8.7%
Basalt Mini Storage	81.6	151	2.5	0.08	0.06	0.13	0.13	204	7	5	11	11	26.8%
Basalt Design District Multi-Family	80	230	5.81	0.07	0.37	0.35	0.17	465	6	30	28	14	
Basalt Design District Office	23.7	710	11.01	1.36	0.19	0.25	1.24	261	32	5	6	29	
Southside PUD (Buildout Existing Lots)	11	210	9.52	0.19	0.56	0.63	0.37	105	2	6	7	4	3.8%
Schlumberger Industrial	8	110	6.97	0.81	0.11	0.12	0.85	56	6	1	1	7	3.7%
Schlumberger Multi-Family	3	230	5.81	0.07	0.37	0.35	0.17	17	0	1	1	1	
Cathers West Industrial	32	110	6.97	0.81	0.11	0.12	0.85	223	26	4	4	27	12.7%
Cathers East Multi-Family	16	230	5.81	0.07	0.37	0.35	0.17	93	1	6	6	3	4.6%
Cathers East Commercial	1.8	826	44.32	-	-	1.19	1.52	80	-	-	2	3	
Ski-Co 82 Industrial	10	110	6.97	0.81	0.11	0.12	0.85	70	8	1	1	9	9.9%
Ski-Co 82 Multi-Family	3	230	5.81	0.07	0.37	0.35	0.17	17	0	1	1	1	

323	Residential units												
81.6	ksf Mini storage												
50.00	ksf Industrial												
1.8	ksf Commercial/Retail												
23.7	ksf Office												
TOTAL TRIPS:								3,018	110	147	156	154	

INTERNAL TRIP REDUCTION (15%): 370 9 21 21 15

TOTAL 2035 EXTERNAL TRIPS: 2,649 100 127 136 138

TOTALS: 227 274

CDOT PERMIT THRESHOLD FOR SOUTHSIDE: 442 244

ITE Trip Generation Manual, 9th Edition

- ITE Code 110 - General Light Industrial, Units in 1000 SF
 - ITE Code 151 - Mini-Warehousing, Units in 1000 SF
 - ITE Code 210 - Single-Family Residential, Units in # of dwelling units
 - ITE Code 230 - Residential Condominium/Townhome, Units in # of dwelling units
 - ITE Code 710 - General Office Building, Units in 1000 SF
 - ITE Code 826 - Specialty Retail Center, Units in 1000 SF
- Assumptions:
Internal Trips: 15% Res, 15% Commercial, 15% Office, 0% Industrial

Northside 20-Year Development	Number of Units	ITE Code	Average Weekday Rate	Peak Hour Rates				Average Weekday Traffic	Peak Hour Traffic				
				AM Entering	AM Exiting	PM Entering	PM Exiting		AM IN	AM OUT	PM IN	PM OUT	
Roaring Fork Apartments	56	220	6.65	0.10	0.41	0.40	0.22	372	6	23	22	12	
ITE Code 220 - Apartments, Units in # of dwelling units								56	1	3	3	2	
TOTAL NORTHSIDE EXTERNAL TRAFFIC:								317	5	20	19	10	
TOTAL 20-YEAR EXTERNAL TRAFFIC:								2,965	105	146	155	149	



Peter Mueller, Principal
Jamie Hozack, Assistant Principal
600 Southside Dr
Basalt, CO 81621
970-384-5959
bhs.rfsd.org

BASALT HIGH SCHOOL

August 31, 2016

Basalt Town Council

101 Midland Ave

Basalt, CO 81621

Dear Mayor Jacque Whitsitt and the Basalt Council,

I am writing to support the creation of a publicly accessible indoor tennis center. It is needed to serve our students and families. It's location by Basalt high school complements the sports complex that already has football, baseball, softball, soccer and track fields.

A public Indoor tennis center will provide another attractive amenity for people, families and businesses considering relocating to the Roaring Fork Valley. While we have one of the area's best park systems and open space areas, the development of year-round recreational facilities is critical to our community's growth. Sports tourism created by the Indoor Tennis Center at Stotts Mill will generate income for our community from jobs and increased tax base to revenue from tournaments, clinics and exhibitions. The growth of tennis will help create a more vibrant economic base for our Valley. Visitors to our area from neighboring communities, as well as from around the country, will strengthen our retail, hotel, restaurant and service industries.

With these indoor tennis courts, we would have the opportunity to provide the Basalt High School tennis team with a facility to host most of their matches and provide a place to practice in the spring and fall. The BHS tennis team is a combined team with the Roaring Fork High School so the indoor tennis center will serve two schools in the Roaring Fork district. This is in addition to the inter club tennis, family tennis, USTA leagues, junior tennis leagues, middle school tennis programs and other community oriented tennis programs.

Please consider our endorsement to support the Indoor Tennis Court project proposed for the Stotts Mill Neighborhood. The opportunities with this public indoor tennis center at Stotts Mill are endless and extremely exciting for our school and the community.

Sincerely,

Peter Mueller

Principal Basalt High School

OFFICE OF THE
BOARD OF COMMISSIONERS
970-328-8605
FAX: 970-328-8629
eagleadmin@eaglecounty.us



www.eaglecounty.us

JEANNE MCQUEENEY, JILL H. RYAN, KATHY CHANDLER-HENRY

Basalt Town Council
P&Z Commissioners
101 Midland Ave
Basalt, CO 81621

Dear Mayor Whitsitt, Basalt Council and P&Z Commissioners:

I'm writing in support of a publicly accessible indoor tennis center as proposed by the AD-IN! Tennis Group. This facility at Stotts Mill would provide opportunities for a healthy, lifelong activity and would be the only public indoor tennis venue in the Roaring Fork Valley. Its location by Basalt high school complements the sports complex that already has football, baseball, softball, soccer and track fields.

We know that recreation is a big draw for residents of our communities. This tennis facility would be a wonderful complement to Crown Mountain, the Rio Grande trail, high school facilities, and other indoor and outdoor recreation opportunities in the Roaring Fork Valley.

Not only are indoor and outdoor sports loved by locals, sports tourism continues to be critical to economic growth throughout the County. According to AD-IN!, the sport of tennis has grown 9.6% in the past five years with 18.6 million people ages 6 or older playing tennis on a regular basis. Having this facility in the Roaring Fork Valley will surely add revenue from visitors and from sports teams coming to compete in training and tournaments.

One goal of the Eagle County Strategic Plan is "Eagle County is a Great Place to Live for All" and this proposed facility helps further that goal. Please consider my personal endorsement to support the Indoor Tennis Court project proposed for the Stotts Mill Neighborhood.

Sincerely,

Kathy Chandler-Henry



Basalt Town Council
P&Z Commissioners
101 Midland Ave
Basalt, CO 81621

Dear Basalt Council and P&Z Commissioners:

I am writing in support of the public indoor tennis center at Stotts Mill. What an exciting opportunity to provide the only public indoor tennis venue in the Roaring Fork Valley! A public Indoor tennis center will provide an important and attractive amenity for people, families and businesses considering relocating to the Roaring Fork Valley. I was not surprised to hear that tennis as a sport increased in participation by 9.6% in the past five years with 18.6 million people ages 6 or older playing tennis on a regular basis. Tennis is a big part of the lives of many of my family and friends and I know how truly coveted a facility that can be used year round is.

Sports tourism created by the Indoor Tennis Center at Stotts Mill will generate income for our community from jobs and increased tax base to revenue from tournaments, clinics and exhibitions. The growth of tennis will help create a more vibrant economic base for our Valley. Visitors to our area from neighboring communities, as well as from around the country, will strengthen our retail, hotel, restaurant and service industries. This project is an important complement to the other outdoor amenities that are being built in Basalt by the Town in the downtown corridor. With the underpass being built under Highway 82, we are increasingly creating a community with a variety of opportunities and connectivity.

With these indoor tennis courts, we would have the opportunity to provide the Basalt High School tennis team with a facility to host most of their matches and provide a place to practice in the spring and fall. The BHS tennis team is a combined team with the Roaring Fork High School so the indoor tennis center will serve two schools in the Roaring Fork district. This is in addition to the inter club tennis, family tennis, USTA leagues, junior tennis leagues middle school tennis program and other community oriented tennis programs.

Please consider my personal endorsement to support the Indoor Tennis Court project proposed for the Stotts Mill Neighborhood. The opportunities with this public indoor tennis center at Stotts Mill are endless and extremely exciting.

Sincerely,

Jennifer Ellsperman
Principal, Basalt Middle School

Basalt Town Council
P&Z Commissioners
101 Midland Ave
Basalt, Colorado 81621

July 18, 2016

To the Basalt Town Council and P&Z Commissioners:

As a full time resident of Basalt and the Southside neighborhood since 2006, I am writing this letter in support of the proposed indoor tennis center in the Stotts Mill neighborhood that is currently being evaluated. It is exciting to hear that this facility is being considered in a town that needs something like this to help bring the community together. There is so much potential here, but the action and vitality seems to be bypassing Basalt somewhat.

This tennis facility would bring so many wonderful opportunities to this community:

- Providing a place to play for those in the community who are already avid tennis players
- Offering an opportunity to introduce more people to the game by having a facility for teachers who can provide lessons and for community members to learn on their own
- Giving the high school a great place for their teams to play their matches (and by providing a nice facility may lure more students to play on the teams, while also providing a sense of school pride which the current middle school courts do not)
- Hosting tournaments to facilitate community involvement, fund raising, etc.
- Having an indoor facility would mean all of these activities could happen year round

I learned to play tennis at a young age on public tennis courts and have so many fond memories of the hours and hours spent there. As a life long tennis player and new mother to an almost 10 week old baby, I hope to spend many hours on the court with my son and would love the opportunity to do that in the neighborhood we have chosen to make our home in.

Tennis is a wonderful game that people can participate in and play literally their entire lives. I began playing when I was 10 years old and still play regularly today. My first tennis coach and I met when he was 72. He played several hours a day until he was 96. The relationship I built with him, which began on public tennis courts, was one of the most positive experiences of my life. I would love for everyone in our community to have the same opportunities I had to learn to play a great game and establish lifelong friendships with others who live here as well.

Sincerely,
Melanie Grant

James Lindt

From: Gayle Godwin <gaylegodwin1@gmail.com>
Sent: Monday, July 18, 2016 7:56 PM
To: James Lindt
Subject: Indoor tennis center at Stotts Mill

To: James Lindt, Assistant Planning Director, Town of Basalt
From: Gayle Godwin
RE: Indoor tennis center at Stotts Mill

Dear James,

I am writing this letter in support of the proposed public indoor tennis center at Stotts Mill. I think this is an incredible opportunity to have the only public indoor tennis courts in this valley.

I believe this tennis facility will be very successful and play a big part in the lives of many of our local residents and visitors. Tennis is a sport that cuts across all ages. This facility would be used by kids learning to play, high school teams, junior leagues, USTA league matches, clinics, programs, tournaments, adult and family tennis. It would give players the opportunity to play all year, regardless of the weather. I think that this facility has the potential to generate revenue for the town of Basalt, while providing the opportunity for tennis to be a year round sport for our community.

I have lived in this valley for about 28 years and have been involved in the tennis community during my time here. We have always needed an indoor facility that was available for public play at a reasonable rate. I hope that Stotts Mill becomes that place.

Due to work commitments, I am sorry to say that I am not able to attend the meeting on July 19th. I hope the meeting goes well.

Sincerely,

Gayle Godwin

July 18, 2015

Basalt Town Council
P&Z Commissioners
101 Midland Ave
Basalt, CO 81621

Dear Basalt Council and P&Z Commissioners:

Do you realize how exciting this is to hear about the possibility of having an indoor tennis center?? I moved here from Boulder 26 years ago where tennis was available year round from the time I was nine. It was a way of life from lessons, to summer junior tennis leagues to high school teams to adult leagues. I am now 56. This facility would potentially provide access to a lifetime activity for all ages!

This would be the only public tennis venue in the Roaring Fork Valley. Currently being asked by members of private clubs is our only option to play during the winter. A facility such as this would not only be another amenity to our current residents in this incredible valley, but would be another amenity to the tourism that keeps this valley vibrant. There is an opportunity for income from lessons, clinics, USTA leagues and tournaments.

Please consider my endorsement to support the Indoor Tennis Court project for the Stotts Mill Neighborhood. The potential for a facility like this is endless!!

Sincerely,



Nancy Zeigel
Carbondale, CO

Dear Town of Basalt,

I am thrilled that Basalt is considering building and maintaining a year round tennis facility!

I am a 30 year resident of the Roaring Fork Valley. I teach art at Aspen Country Day School and summer workshops in the valley. I am an avid skier, yogi and tennis player.

I lettered in High School tennis many years ago, (one of the very few varsity sports for girls at the time!) and then picked it up again after two children and twenty years. At 57, I play tennis 5 times a week and have met many other active and wonderful friends. We travel to tennis tournaments throughout the country representing Colorado. I can not tell you what it would mean to have an affordable winter solution to play in our valley.

Basalt only need look to Steamboat and their thriving and incredible public faculty. Their addition of tennis has a huge impact on their sports tourism. I play several leagues and tournaments there in both winter and summer. My fellow tennis players and I spend money on dinners in restaurants, hotels and fun!

When I picked up my racket again after 20 years, I had no idea the amazing life change I was creating for myself. My quality of life is through the roof. The exercise is fantastic, the game is fun, but the people I have meet and spent time with both on and off the courts are incredible. Tennis along with skiing, are two of the most amazing LIFE LONG sports out there!

Please consider my personal endorsement to support the Indoor Tennis Court project proposed for the Stotts Mill Neighborhood. The opportunities with this public indoor tennis center at Stotts Mill are endless and extremely exciting.

Sincerely,
Paula Ponto

James Lindt

From: Diana Elliott <dee@bearchitect.com>
Sent: Monday, June 27, 2016 9:23 AM
To: Mark Chain; Briston Peterson
Cc: James Lindt; Susan Philp; Mike Scanlon; jacque whitsitt
Subject: Tennis Center at Stotts Mill
Attachments: Letter_Lindt_Tennis Center 20160613.pdf; ATT00001.htm

Good morning Mark and Briston,

James Lindt forwarded your letter to me about your decision on the tennis center at Stott's Mill. I would like to address some of your concerns in the letter:

- 1. Open Space at Stotts Mill:** In your plat you have both open space by Building 4 and open space at the North Park which has a pond. I live in River Ranch and we have a pond and tennis courts. When our residents our spending time in the neighborhood they spend it at the pond and tennis courts. This is the gathering place for the neighborhood and you will find that the residents of Stott's Mill will spend most of their time at the park that has the pond. If you have ever been to the high school during the summer weeks or on the weekends, you will see people using the track and the soccer field. What you do not see, is people in the park along Southside drive that Southside provided for their neighborhood to use. Most of the time this open space park is under utilized.
- 2. Parking at Stott's Mill:** In your letter you mentioned the parking at South Park. Most of the use for this facility will be on the weekends, early morning or in the evening time. The tennis center is supported by the Roaring Fork School District and parking at Basalt High School will be available. In fact, you can restrict the parking to BHS should you choose to do so, and this would allow park users to park at South Park only. There are plenty of parking spots at BHS that would accommodate the 16 cars (that would be the total number of doubles players at any given time on the courts if they drove separately) that the tennis center would generate.
- 3. Tennis Center as Proposed:** We would be willing to reduce the size of the tennis center to 3 courts in order for it to be more accommodating to your neighborhood. We are willing to work with you on this and if you would like we can bring in Loretta Conway from Steamboat Springs or Christina Kika from River Valley Ranch to inform you about the success of their tennis programs. We feel that having an active indoor tennis center would actually enhance your selling of the neighborhood lots. If you have ever been to River Valley Ranch in Carbondale, you would see first hand how many residents participate in tennis programs there.
- 4. Recreation Dept. Offices:** We fully support having Basalt's recreation department's office in the tennis center. This only makes sense since Dorothy would oversee the hiring of the tennis director for this position and it would allow her to have an office by the fields and basketball courts that she uses in her programs. I do not believe there would be space for any other Town offices in this building as we do not want to make it any larger than what we have proposed.
- 5. Appropriate Mid-Valley Location:** We strongly feel that this is the most desirable location for a tennis center in the mid-valley. Having it by Basalt High School allows it to be part of a sports complex that includes the football field, the soccer field, the baseball and softball field and the basketball gym. It will be used by the girls and boys basalt high school tennis team, the PE classes at BHS, the Stotts Mills Residents, the Basalt Community and the communities of Aspen, Eagle, Pitkin, Carbondale and Glenwood Springs. Supporters of ours that will also benefit are the Buddy Program, Town of Basalt Recreation dept., Basalt Middle and High School tennis clubs and the Roaring Fork School district.

I would like to further discuss the merits of having a tennis center at Stotts Mill. This will be a asset to the Stott's Mill neighborhood and will make it the most desirable place to purchase a lot and live in the Mid-Valley. Thank you again for your time.

Diana C. CordovaElliott
President
Advantage Indoor Tennis Group
970-927-4693

TOWN OF BASALT
Worksession Item

Date: September 13, 2016
From: James Lindt AICP, Assistant
 Planning Director

SUBJECT: Introduction to Habitat for Humanity/RE-1 School District Concept of
 Constructing Housing on the School District's Property South of Basalt
 High School

DETAILS: Habitat for Humanity is looking to partner with the RE-1 School District to construct approximately 27 units of housing on the School District's Property to the south of Basalt High School (see attached site plan and concept sketches). Staff has identified that the appropriate first step in the review process is for Habitat for Humanity to enter into a Pre-Application Agreement (Staff changed the name of the Pre-Development Agreement in response to previous Council concerns) with the Town as is the Town's standard practice for developers proposing significant development projects within the Town.

Staff felt it appropriate for the Applicant to give the Council an introduction to the concept in a worksession format before the Council considers the agreement at a future meeting. An annexation agreement and water service agreement currently exists, which limits development on the High School Property to the current school. Many of the discussion items associated with the project will be identified as part of the development review, but Staff believes it is important for the Council to discuss whether the Council is interested in the Applicant proceeding with an application even though the land proposed for the concept is outside the Town's Urban Growth Boundary (UGB) as can be seen on the attached vicinity map.

In considering the concept of allowing affordable housing outside the UGB, Staff would like to offer some background on the Town's Master Plan related to the topic. The High School Property was left out of the Town's UGB in formulating the 1999 Master Plan, which carried over into the 2007 Master Plan. There was concern at the time that the adjacent properties might claim that their proximity to the UGB would make them good candidates for development. Since that time, the adjacent Grace Shehi Meadows Property to the west of the High School was purchased by the Town and Pitkin County for Open Space purposes. The property to the east of the High School is a family ranch.

Prior Town Councils have desired a stringent UGB for some time. In 2007, the Master Plan was adopted with a stringent UGB and includes the following objective:

Master Plan Objective 4.3.1-"Strictly enforce the UGB identified in this master plan to ensure that future development occurs within or close to the existing developed area".

Understanding that the Master Plan calls for a stringent UGB, Staff believes it to be important to understand where the current Council stands on allowing affordable housing to be built outside the UGB or amending the current UGB to include the High School Property prior to the Council considering a Pre-Application Agreement on the Habitat for Humanity and School District proposal.

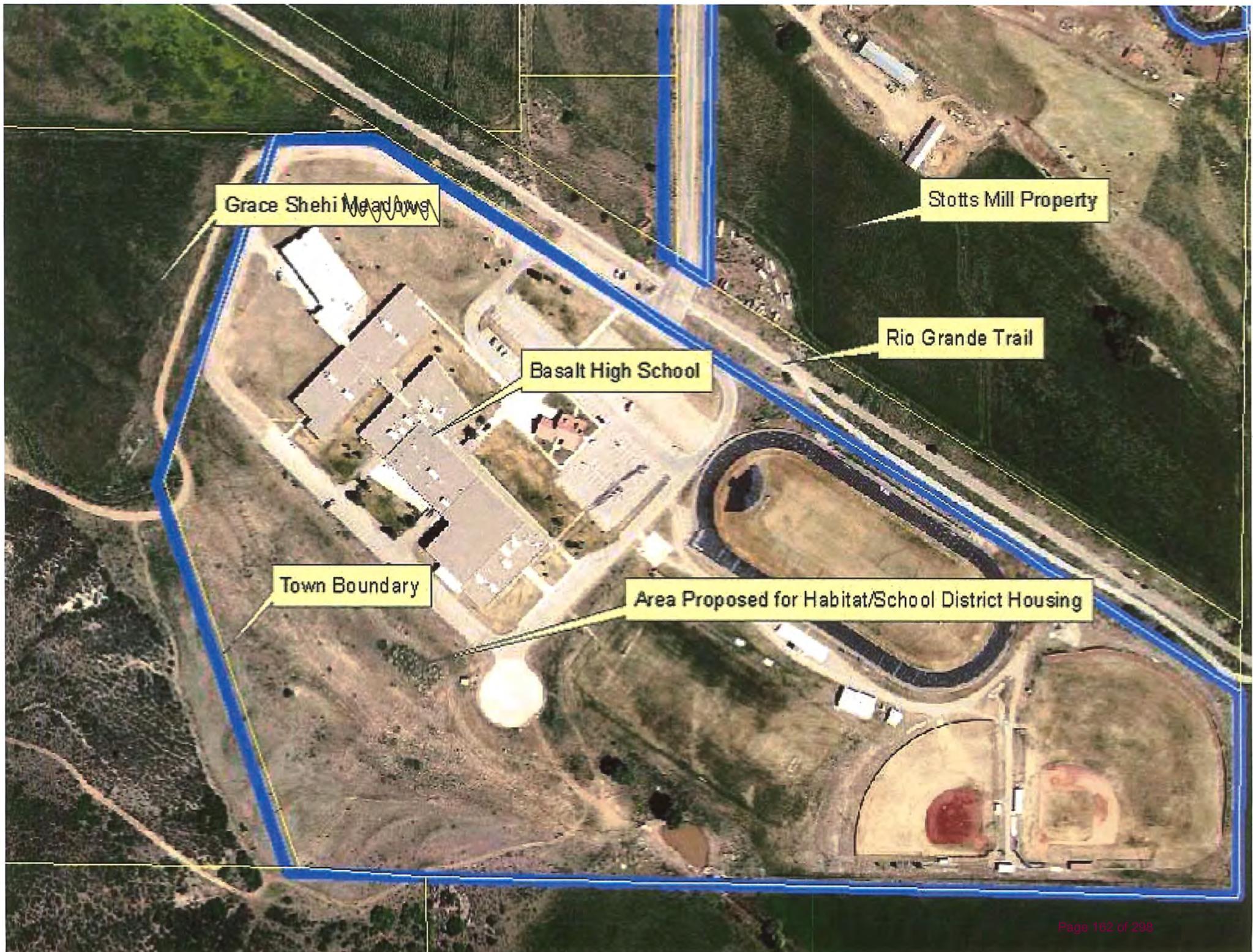
Staff suggests hearing a presentation of the project concept from Habitat for Humanity representatives and then having a Council discussion related to whether

the Council is interested in amending the Town's UGB to include the High School Property. Staff's plan was to bring back a Pre-Application Agreement for consideration at the September 27th meeting if the Council provides feedback that the Council is interested in pursuing the application.

RECOMMENDATION: Staff recommends that the Council hear a presentation from Staff and the Applicant, ask questions, and provide feedback on the topic of allowing AH development outside the UGB or amending the UGB to include the property.

RELATED TOWN STATUTE AND TOWN ACTIONS: 2007 Town of Basalt Master Plan

ATTACHMENTS: A) Habitat for Humanity Concept Explanation and Drawings, B) Vicinity Map, C) Excerpts from Master Plan related to UGB (including Future Land Use Map showing UGB)



Grace Shehi Meadows

Stotts Mill Property

Rio Grande Trail

Basalt High School

Town Boundary

Area Proposed for Habitat/School District Housing

***Goal:** Ensure that future growth reflects sensitivity to the natural environment occurs at a slow rate and is consistent with the concept of economic and community sustainability and is consistent with other goals and objectives of this master plan, particularly those related to land use, transportation and environment.*

Objectives:

- 4.2.1 Establish measures to control growth and reduce the rate of growth to a rate less than the 4.8% annual rate of population growth experienced in the last ten years;
- 4.2.2 Promote and support projects that provide quality growth (development which is consistent with the goals, objectives and policies contained in this master plan, does not create a financial burden on the community and provides significant benefits to the community);
- 4.2.3 Prohibit retail and service commercial growth that does not forward the community's economic development goals, as defined in this master plan, or is regional in scale and would move the community further toward becoming a regional commercial center; and
- 4.2.4 Urban Growth Boundary (See the objectives under "Three Mile/Annexation").

4.3 THREE MILE/ANNEXATION

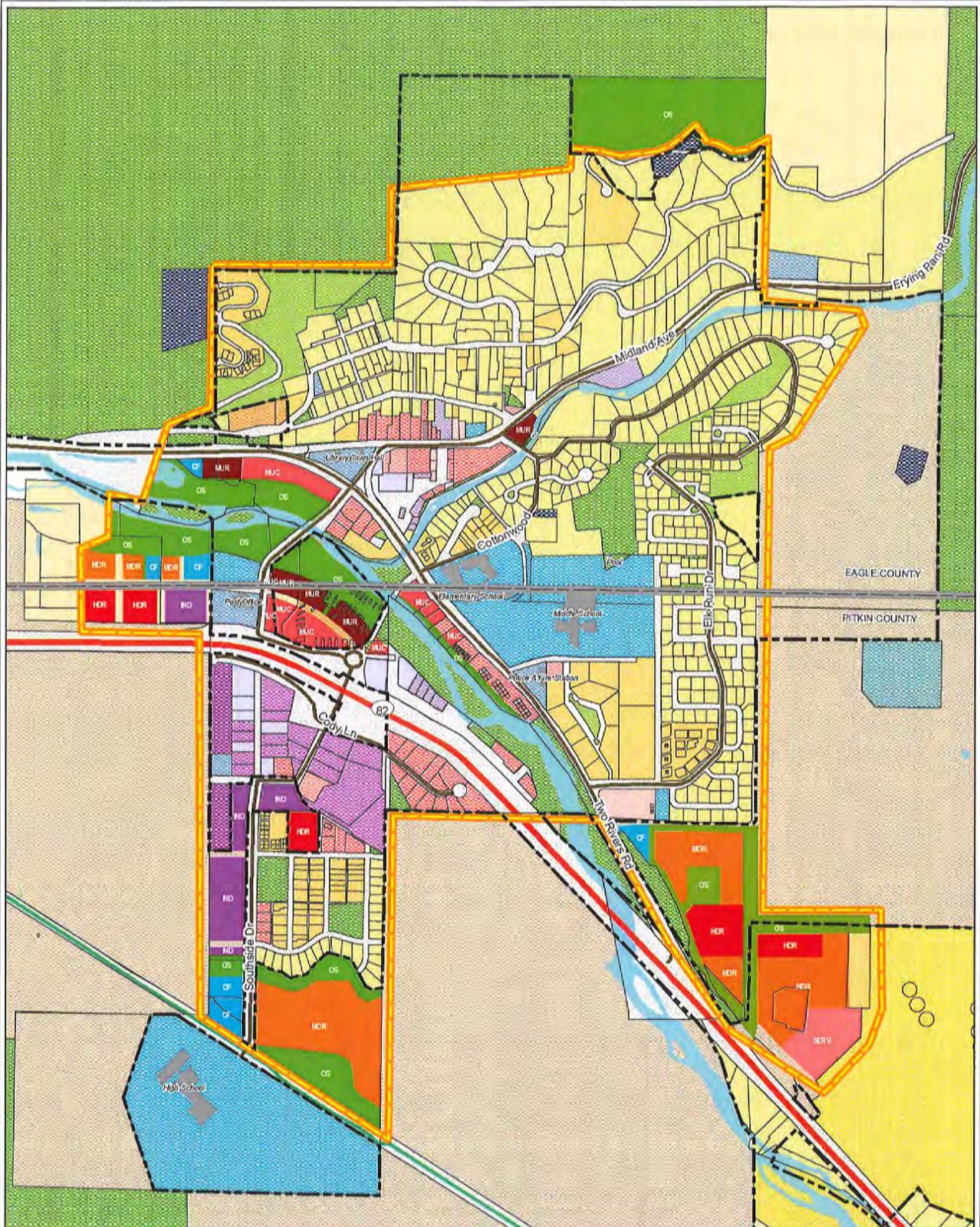
***Goal:** Ensure that future growth in the Three Mile Planning Area surrounding the Town of Basalt (including El Jebel) is done in a cost-efficient yet high-quality manner and is consistent with community values and traditional town planning principles. These principles promote compact, dense development designed to encourage pedestrian circulation, distinct transitions from urban to rural areas, well-defined town centers which serve as both community gathering places and commercial centers, and transportation/street systems based on the concept of providing alternative routes and modes for getting from place to place. These principles also include the idea of carefully integrating appropriately scaled shopping areas, parks, open space, and public facilities such as schools, religious facilities, libraries and recreational facilities within close proximity to town centers.*

Objectives:

- 4.3.1 Strictly enforce the UGB identified in this master plan to ensure that future development occurs within or close to existing developed areas. *The UGB may only be changed if the Town Council determines that it be modified for purposes of providing 100% replacement housing for the relocation of the Roaring Fork Mobile Home Park and/or the Pan and Fork Mobile Home Park;**

* The Planning and Zoning Commission included the italicized language in its adoption of the 2007 Master Plan. The Town Council voted to remove this language in its resolution of adoption (see Town Council Resolution No. 14, Series of 2007 in the Appendix of this document).





Mapping by Denise Tomaskovic & TerraCognito GIS

Town Boundary	SERV Service	LDR Low Density Residential
Urban Growth Boundary	CF Community Facility	MDR Medium Density Residential
MUC Mixed Use Commercial	POS Private Open Space	HDR High Density Residential
IND Light Industrial	OS Public Open Space	MUR Mixed Use Residential

Notes:

- 1) Bold colors and white labels indicate future land use and stipled colors show existing or committed land use (see Figure 5 and Table 2.7.1).
- 2) See typologies and text for additional guidance on desired land uses.
- 3) Affordable housing to be included throughout all land use categories.

0 495 990 Feet



2007 Basalt Master Plan



Fig. 12b: East Basalt Future Land Use Page 164 of 298



101 Midland Avenue, Basalt, CO 81621

Meeting Date: August 9, 2016
Location: Town Council Chambers

Time: 6:00 p.m.

TOWN COUNCIL MEETING MINUTES

1. Call to Order

The regular meeting of the Basalt Town Council was called to order at 6:00 pm on Tuesday, August 9, 2016.

2. Roll Call

Council members present were Auden Schendler, Katie Schwoerer, Gary Tennenbaum, Bernie Grauer and Mark Kittle. Council member Jennifer Riffle was absent.

3. Consent Agenda

3A. Minutes: July 26, 2016

3B. Continue Public Hearing and Resolution of the Town Council of the Town of Basalt, to August 23, 2016: Approving Rezoning to R-4 MD, Minor Subdivision, and R-4 MD Sketch Plan Review for 150 W. Homestead Drive, Basalt, Colorado.

M/S COUNCILORS KITTLE AND GRAUER THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA AS PUBLISHED. THE MOTION CARRIED 6-0.

4. Council Comments, Reports, Disclosures and Other Reports

4A. Council Comments

Katie Schwoerer asked if there had been any progress for additional financial information from the Roaring Fork Conservancy? Susan Philp indicated that Pt McMahon would be providing that information to Council.

Katie Schwoerer shared her perspective and response to the recently published article about TACAW and her concerns of TACAW's accounting and the use of the RETA (Real Estate Tax Assessment), and compliance with the predevelopment agreement.

Bernie Grauer said he was happy to report that the TACAW Board reached out the Finance Committee and agreed to have their new general manager completely re-do their financing and accounting back to day 1.

Jenn Riffle reported that she had met with Scott Thompson and brought back a message asking that Council members take the ICS program. Jenn said she had met with David Mylar, Mary Kenyon, Tim Belinski, Mike Scanlon, Susan Philp to discuss affordable housing. She noted that she had also attended a meeting in Eagle County for discussion of regional housing with Susan Philp, Mike Scanlon and Scott Gilbert of Habitat for Humanity. Jenn had met multiple time with Eagle Commissioner Jill Ryan. Jenn reported that BACH has updated and is working on suggestions for affordable housing.

Gary Tennenbaum thanked Jenn for helping with the potential funding question that Eagle County is looking at adding to the November ballot for child care and affordable housing; he praised Eagle County for taking the lead on this as it could capture so much more funding when done through the County. Gary hoped for community support for solutions on child care and affordable housing. Eagle County would be discussing these items on Tuesday, August 16; the public from the Roaring Fork Valley is invited to email, write, call or show up.

4B. Manager's Report

Town Manager Mike Scanlon asked Police Chief Knott for an update on the National Night Out.

M/S COUNCILORS RIFFLE AND SCHWOERER THAT ITEM 8B BE CONTINUED TO THE AUGUST 23 MEETING - APPROVING AMENDMENTS TO CHAPTER 16, ZONING, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO, AMENDING THE COMMUNITY SERVING COMMERCIAL (CSC) ZONE DISTRICT. THE MOTION CARRIED 6-0.

Mike Scanlon updated Council on the Basalt Avenue underpass.

5. Citizen Comments: for Items Not on the Agenda and Items Added to the Agenda After the Deadline

There were no citizen comments this evening.

6. SECOND READING OF ORDINANCES:

6A. Public Hearing and Second Reading of Ordinance No. 18, Series 2016: An Ordinance of the Town Council of Basalt, Colorado: Approving Rezoning to R-3 TN and Special Review for an Accessory Dwelling Unit at 309 East Sopris Drive, Lot 1B, of the Osman Subdivision, Basalt, Colorado. (Susan Philp/ Kai Peterson)

Town Planner Susan Philp and Applicant Kai Peterson were present.

The public hearing was opened at 6:20 pm. There were no comments and the public hearing was closed.

M/S COUNCILORS RIFFLE AND KITTLE THAT THE TOWN COUNCIL APPROVE ORDINANCE NO.18, SERIES OF 2016, ON SECOND READING. THE MOTION CARRIED 6-0.

6B. Public Hearing and Second Reading of Ordinance No. 19, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Authorizing the Conveyance of Real Property, Being a Portion of the Town's Property Located at 30 Shining Mountain Way, Snowmass, CO 81654

Town Attorney Tom Smith summarized the Ordinance for Council.

The public hearing was opened at 6:25 pm. There were no comments and the public hearing was closed.

M/S COUNCILORS KITTLE AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 19, SERIES OF 2016 ON SECOND READING. THE MOTION CARRIED 6-0.

7. RESOLUTIONS

7A. Resolution No. 32, Series of 2016: A Resolution of The Town Council of Basalt, Colorado, Amending Council Policy 110 related to the Town Council Finance Committee

M/S COUNCILORS GRAUER AND KITTLE THAT THE TOWN COUNCIL CONTINUE THE REVISION OF COUNCIL POLICY 110 AND RESCHEDULE FOR THE AUGUST 23, 2016 MEETING. THE MOTION CARRIED 6-0.

7B. Resolution No. 33, Series of 2016: A Resolution of the Town Council of Basalt, Colorado, Calling a Special Election on November 8, 2016 for Authorization to Incur Debt, Issue General Obligation Bonds and Levy Property Taxes to Pay Such Bonds; Setting the Ballot Title and Content for the Ballot Issue and Providing Other Matters Relating Thereto.

Paul Wisor, the Town's Bond Counsel, reviewed the resolution and ballot question, answering questions from Council.

An Open House schedule was drafted to give citizens and opportunity to learn more about the bonds and their impact, and to allow the community input on the bond question. Open Houses would be held on Thursdays and Saturdays, with additional information being shared at the Sunday Market. Final action on the Resolution was set for September 6, 2016.

A short recess was called at 8:03 pm.

7C. Resolution No. 34, Series of 2016: A Resolution of the Town Council of Basalt, Colorado, Calling an Election on November 8, 2016 for a Ballot Question Regarding Whether the Town may Re-Establish Its Right to Provide Tele-communications Services, Advanced Services, and Cable Television Services Either Directly or Indirectly with Public or Private Sector Partners

Tom Smith offered background and explanation for the ballot question.

M/S COUNCILORS SCHWOERER AND RIFFLE THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 34, SERIES OF 2016, CALLING AN ELECTION ON NOVEMBER 8, 2016 FOR A BALLOT QUESTION REGARDING WHETHER THE TOWN MAY RE-ESTABLISH ITS RIGHT TO PROVIDE TELECOMMUNICATIONS SERVICES, ADVANCED SERVICES, AND CABLE TELEVISION SERVICES EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS. THE MOTION CARRIED 6-0.

8. FIRST READINGS OF ORDINANCES:

8A. First Reading of Ordinance No. 20, Series 2016: An Ordinance of the Town Council of

Basalt, Colorado, Utilizing the Uniform Election Code of 1992 in Lieu of the Municipal Election Code of 1965 in Order to Participate in a Coordinated Election with Eagle and Pitkin Counties on November 8, 2016.

M/S COUNCILORS TENNENBAUM AND RIFFLE THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 20, SERIES OF 2016, ON FIRST READING AND SET A PUBLIC HEARING AND SECOND READING FOR AUGUST 23, 2016.

8B. Public Hearing and First Reading of Ordinance No. 21, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment

Item 8B: This item was removed from the agenda; postponed to the August 23, 2016 Basalt Council Meeting.

8C. First Reading of Ordinance No. 22, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Chapter 4, Article IV of the Basalt Municipal Code, Entitled Sales Tax, to Permit not more than 25% of the Fund Generated by the 1% Sales Tax Rate Dedicated to Capital Improvements Projects for Parks, Open Space Acquisition and Trail Projects, to be used for the Maintenance of Parks, Open Space and Trails, and Submitting this Ordinance to a Referendum Election.

Town Manager Mike Scanlon explained the previously dedicated POST percentage for maintenance and the Ordinance which would send a question to the voters in November for to amend the amount allowed for maintenance.

M/S COUNCILORS RIFFLE AND GRAUER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO 22, SERIES OF 2016 ON FIRST READING, WITH THE EDIT THAT THE TOTAL SALES TAX BE 20% NOT 25% OF THE GENERATED TAX. THE MOTION CARRIED 6-0.

RECOMMENDATIONS FROM THE FINANCE COMMITTEE

9A. Minutes of the Finance Committee: August 2, 2016

This item was tabled to the August 23, 2016 Basalt Council meeting.

10. EXECUTIVE SESSION:

M/S COUNCILORS GRAUER AND RIFFLE THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION AT 8:20 PM FOR THE PURPOSES OF: A CONFERENCE WITH OUR ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(B); THE PURCHASE, ACQUISITION, LEASE, TRANSFER OR SALE OF PROPERTY INTERESTS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(A); PERSONNEL MATTERS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(F).

THE MOTION CARRIED 6-0.

M/S COUNCILORS SCHWOERER AND TENNENBAUM TO ADJOURN THE EXECUTIVE SESSION AT 9:42 PM.

INFORMATION AND CORRESPONDENCE:

NO ACTION REQUIRED BY THE TOWN COUNCIL

- a. Accounts Payable
- b. Advanced Agendas
- c. Correspondence to the Town

12. ADJOURNMENT:

M/S COUNCILORS TENNENBAUM AND GRAUER TO ADJOURN THE COUNCIL MEETING AT 9:42 PM.

The minutes of the August 9, 2016 meeting were read and approved this 13th day of September, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk



101 Midland Avenue, Basalt, CO 81621

Meeting Date: August 11, 2016

Time: 6:00 p.m.

Location: Planning Office Conference Room - Art Base Building, 99 Midland Ave.

TOWN COUNCIL SPECIAL MEETING MINUTES

1. Call to Order (Mayor Whitsitt)

The meeting was called to order at 6:05 pm by Mayor Jacque Whitsitt.

2. Roll Call (Pam Schilling)

Council members present were: Jenn Riffle, Bernie Grauer, Katie Schwoerer and Mark Kittle. Gary Tennenbaum arrived shortly after the start of the meeting. Council member Auden Schendler was absent.

3. Executive Session:

M/S COUNCILORS GRAUER AND RIFFLE THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION FOR THE PURPOSES OF:

- A conference with our attorney for the purpose of receiving legal advice on specific legal questions in accordance with C.R.S. 24-6-402(4)(b).
- Personnel Matters in accordance with C.R.S. 24-6-402(4)(f).

M/S TO ADJOURN THE EXECUTIVE SESSION. THE MOTION CARRIED.

4. ADJOURNMENT

M/S TO ADJOURN THE MEETING AT 7:05 PM. THE MOTION CARRIED.

The minutes of the August 11, 2016 meeting were read and approved this 13th day of September, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk



101 Midland Avenue, Basalt, CO 81621

Meeting Date: August 23, 2016
Location: Town Council Chambers

TOWN COUNCIL MEETING MINUTES

1. Call to Order

The regular meeting of the Basalt Town Council was called to order by Mayor Whitsitt at 6:02 PM.

2. Roll Call

Council members present were Mark Kittle, Gary Tennenbaum, Auden Schendler, Katie Schwoerer and Bernie Grauer.

Appointment of Temporary Town Manager

M/S COUNCILORS GRAUER AND SCHENDLER THAT THE TOWN COUNCIL APPOINT JUDI TIPPETTS AS TEMPORARY TOWN MANAGER UNTIL A MORE PERMANENT APPOINTMENT IS MADE. THIS MOTION IS BEING MADE BASED ON THE ACTION OF TOWN MANAGER MIKE SCANLON WHO EXERCISED HIS RIGHTS IN HIS CONTRACT TO TERMINATE HIS CONTRACT WITH THE TOWN OF BASALT ON FRIDAY, AUGUST 19, 2016. THE MOTION CARRIED 6-0

Remarks by Mayor

Brief remarks were made by the Mayor prior to taking citizen comments on the Town Manager transition.

Citizen Comments on Town Manager Transition

Citizens speaking on the Town Manager transition (not all comments were limited to the Town Manager transition; some comments dealt with the Pan and Fork, potential ballot issue, community civility, etc.) At approximately 6:30 pm, Deb Morrison was recognized for her years of commitment to the community and Cam Chip A Tooth.

Tracy Bennett
 Denise Latousek
 Stacey Craft for Larry Yaw
 Stacey Craft for herself

Patti Lecht
Heather Kent
Gerry Terwilliger
Mark Kweiceinski
Ted Guy
Patrice Becker
Deb Morrison and Camp Chip a Tooth Acknowledgment
Charlie Spickert
Herschel Ross
Kathy Hegberg
Cathy Markle
Doug MacDonald
Kathleen Cole
Dave Borchers for himself and Cara Borchers
Robin Waters
Rob Leavitt
Laura Dows
Jacque Whitsitt
Greg Shugars

Gary Tennebaum said he would like council to develop a policy on executive sessions.

Executive Session:

M/S COUNCILORS GRAUER AND TENNENBAUM THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION FOR THE PURPOSES OF:

- Determining positions relative to matters that are or may become subject to negotiations in accordance with C.R.S. 24-6-402(4)(e); specifically the purchase of property owned by the Roaring Fork Community Development Corporation; and
- For the purpose of a conference with the Town Attorney and outside counsel to receive legal advice regarding the Mike Scanlon personnel matter, in accordance with CRS 24-6-402(4)(b).

THE MOTION CARRIED 5-1 WITH COUNCILOR KITTLE EXCUSING HIMSELF FROM THE EXECUTIVE SESSION STATING HE WAS NOT CLEAR ON THE SPECIFICS OF THE CRS TITLES.

Council entered executive session at 7:10 pm. Council adjourned the executive session and reconvened the council meeting at approximately 8:20 pm.

A short recess was called.

3. Consent Agenda (Mayor Whitsitt)

3A. Minutes: August 2, 2016

3B. Continue to September 6 - Public Hearing and First Reading of Ordinance No. 21, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment (Susan Philp)

M/S COUNCILORS KITTLE AND GRAUER THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA AS PUBLISHED. THE MOTION CARRIED 6-0.

4. Council Comments, Reports, Disclosures and Other Reports

4A. Citizen Acknowledgment – Deb Morrison Camp Chip-a-Tooth (presented during Citizen Comments)

4B. Council Comments

Mayor Whitsitt indicated she was going to Denver to accompany Rhonda Weybright of Real America to a CHAFA (Colorado Housing and Finance Authority) meeting.

Bernie Grauer requested staff maintain an open ended to do list that would appear on every agenda with Council's requested or directed items and the action that has been taken toward each. It was suggested this come back to council for discussion and a motion at a future meeting.

4C. SGM – Engineer's Report: No formal presentation was made, though an updated report was included in the Council's packet.

5. Citizen Comments: for Items Not on the Agenda and Items Added to the Agenda After the Deadline

5A. Carolyn Kane of the Basalt Regional Library Board made a presentation to Council concerning the Basalt Regional Library District Ballot Issue

Diana Cordova Elliot discussed the annual fried chicken dinner scheduled for tomorrow night at Lions Park in conjunction with the final concert of the season; the 115th year of Basalt party to take place October 7 with an opening of the Arbaney Barn museum. Diana requested a couple of council volunteers for the 115 year celebration. Diana commented on the Basalt Charity Classic, that it was not the exclusive privilege of the Basalt Education Foundation; it was an event that is reviewed every two years.

6. ITEMS FOR COUNCIL CONSIDERATION

6A. Approve Special Event Activity Permit for Fireworks Display at the Roaring Fork Club

Assistant Planning Director James Lindt explained this was an event of low level fireworks to celebrate a private wedding at the Roaring Fork Club.

M/S COUNCILORS KITTLE AND GRAUER TO APPROVE THE SPECIAL EVENT ACTIVITY PERMIT FOR THE ROARING FORK CLUB.

Discussion followed with Councilor Schwoerer expressing concern for staff time being spent on permitting a private special events, and the lack of fee structure for same. Katie also expressed concern for animals – domestic and wild – who can be very agitated by fireworks. Katie requested a policy discussion be put on the list for after November for special event application fees.

THE MOTION CARRIED 5-1 WITH COUNCILOR SCHWOERER OPPOSED.

Mayor, I move that the Town Council Approve the Special Event Activity Permit for the Fireworks Display

6B. Basalt River Park Bond: Council discussion on Information presented at Open Houses and for September 6th Resolution (Judi Tippetts and Susan Philp)

Planning Director Susan Philp and Acting Town Manager/Finance Director Judi Tippetts highlighted points in the ballot question and discussed the possibility of a special meeting at which Council would hear public comments that have been made at the open houses, and work toward a final question for the September 9 ballot language deadline.

An open house and worksession was scheduled for Tuesday, August 30 beginning at 6 pm.

Margot Pendleton was present to encourage council to think about splitting the question by property, or doing only the park piece. She did not want to see the ballot issue go down, but she felt the proposed numbers were shocking.

7. SECOND READING OF ORDINANCES:

7A. Public Hearing and Second Reading of Ordinance No. 20, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Utilizing the Uniform Election Code of 1992 in Lieu of the Municipal Election Code of 1965 in Order to Participate in a Coordinated Election with Eagle and Pitkin Counties on November 8, 2016.

Mayor Whitsitt opened the public hearing at 8:56 pm. There were no comments and the hearing was closed.

M/S COUNCILORS SCHENDLER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 20, SERIES OF 2016 ON SECOND READING. THE MOTION CARRIED 6-0.

7B. Public Hearing and Second Reading of Ordinance No. 22, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Chapter 4, Article IV of the Basalt Municipal Code, Entitled Sales Tax, to Permit not more than 20% of the Fund Generated by the 1% Sales Tax Rate Dedicated to Capital Improvements Projects for Parks, Open Space Acquisition and Trail Projects, to be used for the Maintenance of Parks, Open Space and Trails, and Submitting this Ordinance to a Referendum Election.

Planning Director Susan Philp offered a brief background of the ordinance, and the recommendation to take public comment this evening, but continue the item to the September 6 Council meeting.

Mayor Whitsitt opened the public hearing at 9:00 p.m. There were no comments and the public hearing was closed.

M/S COUNCILORS KITTLE AND GRAUER TO CONTINUE THE PUBLIC HEARING AND ITEM 7B TO THE SEPTEMBER 6, 2016 COUNCIL MEETING. THE MOTION CARRIED 6-0.

8. RESOLUTIONS

8A. Public Hearing and Resolution No. 35, Series of 2016: A Resolution of the Town Council of Basalt, Colorado Approving the Elice R-4 MD Sketch Site Plan for the Property Known as 150 W. Homestead Drive, Basalt, Colorado (James Lindt)

Assistant Planning Director James Lindt described the resolution and project, and introduced Mark and Chris Elice, applicants.

Mark Elice made brief comments about his concerns with the approvals.

The public hearing was opened at 9:12 pm. There were no comments and the hearing was closed.

M/S COUNCILORS TENNENBAUM AND KITTLE THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 35, SERIES OF 2016. THE MOTION CARRIED 6-0.

9. FIRST READINGS OF ORDINANCES:

9A. Ordinance No. 23, Series of 2016: An Ordinance of the Town Council of Basalt, Colorado, Approving a Contract for the Purchase from the Roaring Fork Development Corporation Real Property Identified as Lot 1 of the Basalt Community Campus and Basalt Park Minor Subdivision

Town Attorney Tom Smith explained the ordinance. David Myler, attorney for the CDC, spoke to the Ordinance and explained their concerns with the election contingency and need to think it through.

Mark Kwecisenski spoke to the contract noting that it would be impossible to exercise the purchase price of \$2.9 million by the September deadline, and asked about the appraisal provision.

M/S COUNCILORS GRAUER AND TENNENBAUM TO APPROVE ORDINANCE NO. 23, 2016 ON FIRST READING AND SET THE SECOND READING AND PUBLIC HEARING TO SEPTEMBER 6, 2016, AS AMENDED BY THE CONTINGENCY OF A NOVEMBER 8 ELECTION PASSAGE. MOTION CARRIED 6-0.

9B. MOVED TO CONSENT AGENDA TO CONTINUE: Public Hearing and First Reading of Ordinance No. 21, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment
Mayor, I move that the Town Council Approve Ordinance No. 21, Series of 2016, on first reading and continue and set the second reading and public hearing for September 6, 2016

10. RECOMMENDATIONS FROM THE FINANCE COMMITTEE

10A. Removed from the Agenda

10B. Amended Council Policy 110 related to the Town Council Finance Committee

M/S COUNCILORS GRAUER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE THE AMENDED POLICY 110 RELATED TO THE TOWN COUNCIL FINANCE COMMITTEE WITH THE AMENDMENT ADDING THAT ALL VOTES SHALL BE BY ROLL CALL, AND THE FINANCE COMMITTEE SHALL APPROVE ALL MINUTES. THE MOTION CARRIED 6-0.

**11. INFORMATION AND CORRESPONDENCE:
NO ACTION REQUIRED BY THE TOWN COUNCIL**

- A. Accounts Payable
- B. Advanced Agendas
- C. August 15, 2016, letter from Basalt Childcare Coalition
- D. Minutes from August 12 Kitchen Cabinet Meeting

12. ADJOURNMENT

M/S COUNCILORS TENNENBAUM AND SCHENDLER TO ADJOURN THE TOWN COUNCIL MEETING AT 9:30 PM. THE MOTION CARRIED 6-0.

The Minutes of the August 27, 2016 Meeting were read and approved this 13th day of September, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk

***NOTE** – No significant changes have been made to the packet materials originally presented for the Council's August 9th meeting. The meeting dates in the ordinance were updated to reflect that the Council continued the item on August 9th and September 6th without discussion. Correspondence received after the August 9th packet was sent out (Attachment K) is included.*

**TOWN OF BASALT
ACTION ITEM**

Date: September 13, 2016
From: Susan Philp, AICP, Planning Director

SUBJECT: Public Hearing and 1st Reading on Ordinance No. 21 Series of 2016, Amending the CSC Zone District and other Changes to the Zoning Code to Implement the Our Town Planning Master Plan Amendment

RECOMMENDATION: Approve Ordinance No. 21, Series of 2016 at 1st Reading and set 2nd Reading for September 27, 2016

DETAIL:

The purpose of this agenda item is for the Council to adopt an ordinance amending the Zoning Code by revising the Community Serving Commercial Zone District (CSC) Zone District, adding and revising definitions used in the Amended CSC Zone District, and changing the language which outlines the intent of the CSC Zone District.

This is an important step in implementing the Town's goals for the 4 Our Town Planning Area Parcels. The principles for the four Our Town Planning Area parcels are incorporated in the Our Town Subarea Plan: An Amendment to the 2007 Town of Basalt Master Plan ("Our Town Planning Area Master Plan Amendment").

The P&Z has developed an amended CSC Zone District as directed by the Town Council. On June 14th the Council gave the P&Z additional direction regarding the zoning code amendments. See Staff's take aways from the Council's input at that meeting summarized on in the attachment entitled "Staff's Take Aways from the Council's Input to P&Z on June 14th" (and also appear starting on page 3 of the July 5th Memorandum from Staff to the P&Z).

Questions for Council Consideration:

1. Is the Council comfortable with the anchor uses and thresholds as recommended by the P&Z?
2. Does the amended definition for "condominium hotel" provide sufficient assurances that the condominium hotel would be providing "hot beds" as compared to free-market condominium units?
3. Dimensional requirements – Does the Council agree with the P&Z's recommended standards?
4. The current regulations encourage combining and re-organizing property lines on the BCC parcel rather than significantly more intense development on current building footprints (i.e. lot ownership). Is the Council ok with this strategy?
5. *New question re CDC parcel* - The CSC Zone District as recommended by P&Z included affordable housing units as a permitted secondary use for the CDC parcel while the language in the ballot question includes public purpose buildings but not residential uses. What is the Council's intent?

Nothing restricts an owner from applying for a different zone district, a PUD, an amendment to this District or proposing a new District to be created as the CDC did earlier.

Board Recommendations: The P&Z recommended approval of the Zone District changes on July 5th. **The attached draft zoning code amendments reflect the P&Z's recommendations.** The P&Z minutes of the meeting are attached. The P&Z had several Worksessions on the Code Amendments leading up to its public hearing. The P&Z also provided updates and checked in with the Town Council. The amended CSC Zone District ~~is subject to~~

allows the POST committee to review a specific development plan at sketch plan level and final plan to minimize conflicts and encourage vitality consistent with adjacent parks where appropriate.

Related Town Statute and or Town Actions: DAAC Report, 2014 Town of Basalt "Our Town" Planning Survey; See list of OTP Resolutions included on page 8 of the document Entitled "Our Town Planning – this is where we are: Prior Direction from Town Council; *Our Town Subarea Plan: An Amendment to the 2007 Town of Basalt Master Plan* ("Our Town Planning Master Plan Amendment)

Attachments:

- A. Staff's Takeaways from the Council's Input to P&Z on June 14th
- B. Draft Ordinance No. 21, Series of 2016
- C. July 5 Staff Memorandum to P&Z on the Amended CSC Zone District
- D. P&Z July 5th Minutes
- E. Excerpts from document entitled "Our Town Planning – This is where we are: Prior Direction from Town Council"
- F. OTP Master Plan Map
- G. Excerpts from Our Town Planning Survey
- H. Correspondence received by the P&Z;
- I. Current definition for condominium hotel;
- J. Current CSC Zone District;
- K. Correspondence received by the Council

Other information: Additional information can be obtained by reviewing the P&Z packet materials for its January 19, February 2, February 23 and May 3rd, June 21st and July 5th meetings found on the Basalt website <http://www.basalt.net/AgendaCenter> and on the OTP project website www.ourtownplanning.org.

Staff's Take Aways from the Council's Input to P&Z on June 14th

See excerpts from the Council Packet materials provided for the June 14th meeting for the questions posed to the Council.

Building and Park Line

- A. Council had general agreement on building line and area shown as a park. Council members recognized that the polygon area potentially could be part of the private development if that development included the vitality ideas advocated by POST's River Park Plan.

Building Heights

- B. Councilors expressed some concern with the allowed heights, particularly for the 2 ½ story building bordering Two Rivers Road and the river park area. Concern expressed by Councilors included that buildings, if constructed to the maximum height, could potentially be out of character with downtown and adjacent development and that the 38 feet height could actually be fully 8 feet higher or 46 feet with the parapet and underground parking allowances.

Staff added language in the 5th Draft of the Amended CSC Zone District presented at the P&Z's June 21st meeting to clarify that the Council could approve lower heights than the maximum and that allowances to exceed permitted heights could only be made after certain findings.

Uses

- C. Individual Councilors expressed concern with hotels and condominium hotels being allowed on the CDC Property while other Councilors supported hotels and different methods of financing them.

Staff made minor modifications to the condominium hotel definition in the 5th Draft.

- D. Councilors, recognizing the importance of day care, seemed satisfied that day care uses were permitted as a secondary uses.

Process and Summary

- E. Council seemed supportive of the overall direction of the Amended CSC District at this stage of the review and agreed that the P&Z could hold public hearings and continue the adoption process.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, APPROVING AMENDMENTS TO CHAPTER 16, ZONING, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO, AMENDING THE COMMUNITY SERVING COMMERCIAL (CSC) ZONE DISTRICT, ADDING AND REVISING DEFINITIONS AND OTHER CHANGES TO CHAPTER 16, ZONING, IN ORDER TO IMPLEMENT THE OUR TOWN PLANNING MASTER PLAN AMENDMENT

Ordinance No. 21, Series of 2016

RECITALS

1. The Town of Basalt ("Town") acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to state statutes, Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

2. The Planning and Zoning Commission (Commission) adopted the Our Town Subarea Plan: an amendment to the 2007 Town of Basalt Master Plan ("Our Town Planning Master Plan Amendment") on October 20, 2015 and the Town Council adopted the Our Town Planning Master Plan Amendment on November 24, 2016.

3. The Basalt Town Council has directed the Commission to prepare zoning for the Our Town Planning Properties.

4. The Commission recommended using the Community Serving Commercial (CSC) Zone District as the best tool for achieving the desired goals of the Our Town Planning Master Plan Amendment. The Commission then had several Worksessions where it refined the amendments to the CSC Zone District and other supporting revisions to Chapter 16, Zoning.

5. At a public hearing on July 5, 2016, the Planning and Zoning Commission heard evidence and testimony from the Town Staff, and members of the public. The Commission recommended approval of the code amendments on July 5, 2016.

6. The Council continued the public hearing on the ordinance at its meetings on August 9, August 23 and September 6, 2016 without discussion. At a public hearing on September 13, 2016, the Town Council considered this ordinance for first reading. The Council approved the ordinance on first reading and continued and scheduled a public hearing and second reading of this Ordinance for September 27, 2016, at a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

7. At a public hearing and second reading on September 6, 2016, the Town Council heard evidence and testimony from the Town Staff, and members of the public.

8. The Town Council finds and determines that it is in the best interests of the Town to amend the Town Code as provided herein.

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

A. Findings. The Town hereby conclusively finds and concludes as follows:

1. The Town has adopted the following core values from the Our Town Planning Master Plan Amendment as included in the Downtown Area Advisory Committee Report:

- a) Don't lose our Small Town charm
- b) Bring the Rivers to the forefront of the Town's identity
- c) Promote Vitality and Sustainability (Physical & Economic)

2. The Our Town Master Plan amendment concentrates around a set of five guiding principles:

- a) Connect the Town to the Rivers
- b) Preserve significant physical and visual access to the Rivers
- c) Improve Lions Park
- d) Allow density to drive revitalization
- e) Provide a "There-There" destination for residents and guests alike

3. The Our Town Planning Master Plan Amendment included a revised Future Land Use Map and revised Typology Map and Typology Descriptions to apply to the four Our Town Planning Area Parcels.

4. The Town Council wishes to adopt a zone district which property owners can request to apply to the four Our Town Planning Area parcels in order to further implement the Our Town Planning Master Plan Amendment.

B. **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of Basalt Colorado that the following amendments are adopted to the Town Code of the Town of Basalt.

1. Section 16-30, in Article II, of Chapter 16 of the Town Code entitled CSC Zone District is hereby deleted and is replaced with the language shown in **Exhibit "A"**.

2. Section 16-4, Definitions in Article I, Chapter 16 of the Town Code is amended as shown in **Exhibit "B"** to add definitions to the Zoning Code, and to delete the current definition for a condominium hotel and to replace it with the language included in **Exhibit "B"**.

3. Section, 16-21. The language in the section entitled, Intent of individual districts, Article II, Chapter 16, of the Town Code is amended to read as follows (language underlined is added and language struck-through is deleted).

(10) Community Serving Commercial Zone District. The intent of the CSC zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 zone district to produce tailored zoning controls for four key redevelopment parcels in downtown Basalt in order to implement the results of the Our Town Downtown planning process. The scale and character of development authorized in this zone district may allow buildings that are larger and more multi-faceted than areas zoned C-2 (Downtown Business) or P (Public). ~~The zone district offers certain incentives to encourage qualifying non-profit organizations to create projects that might not occur through pure free market development. These incentives include reductions in certain mitigation standards and a review process that is better tailored to non-profit applicants. The goal is to foster partnerships between non-profit organizations and private entities to address important community goals.~~

C. Applicability. The regulations shall take affect according to law.

D. 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.

E. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON September 27, 2016 by a vote of ___ to ___ on September 13, 2016.

READ ON SECOND READING AND ADOPTED, by a vote of ___ to ___ on September 27, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

Pamela K. Schilling, Town Clerk

Ord21- Amended CSC Zone District and other changes

First Publication: Thursday, _____, _____
Final Publication: Thursday, _____, _____
Effective Date: Thursday, _____, _____

EXHIBIT A

PROPOSED AMENDED CSC ZONE DISTRICT – 6th Draft

Sec. 16-30. CSC Zone District

(a) Intent and applicability.

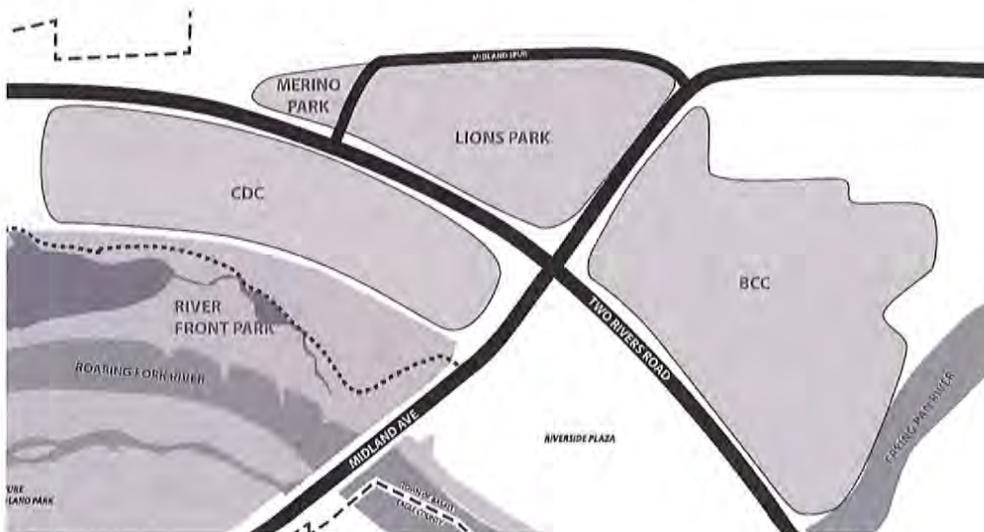
(1) Statement of intent. The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 Zone District to produce tailored zoning controls for four key redevelopment parcels in downtown Basalt in order to implement the results of the Our Town downtown planning process. The scale and character of development authorized in this zone district may allow buildings that are larger and more multi-faceted than areas zoned C-2 (Downtown Business) or P (Public).

(2) Applicability.

This district is intended to apply to four specific parcels of land commonly known as:

- a. The CDC parcel;
- b. The BCC parcel;
- c. The Lions Park parcel; and
- d. The Merino Park parcel.

The general boundaries of these 4 parcels are shown on the following map. The exact boundaries of each parcel shall be established at the time the CSC Zone District is applied to that parcel.



(b) Threshold Requirements

(1) Development must be community serving. Since the intent of the CSC Zone District is to encourage social entrepreneurship in the development of community serving commercial projects, new development shall only be permitted to occur in the CSC Zone District if it is determined to be community serving. New development shall be considered to be community serving if it includes an anchor use or uses listed in Subsection 16-30(c)(1) below for the specific parcel indicated, and that anchor use or uses meets the applicable minimum size standard for that use in Subsection 16-30(c)(1) below.

PROPOSED AMENDED CSC ZONE DISTRICT – 6th Draft

- (2) Qualifying organizations. In order to be eligible for rezoning to the CSC Zone District, the owner of the land to be rezoned must be a non-profit Community Development Organization, a similar non-profit organization where development activities are a stated part of its 501(c)(3) tax status, or a for-profit entity engaged in construction of a building or facility that is a community-serving anchor facility, as listed in Section (c)(1) below. A qualified Community Development Corporation is an entity which satisfies the requirements of Section 16-4 applicable to a "Public non-profit Entity, Community Development Corporation." A for-profit entity may include a group of owners which have agreed to be represented in the entity engaged in constructing the community-serving anchor facility.
- (3) Consistency with Master Plan. In reviewing whether a parcel is appropriate for CSC zoning, the Town will consider the future land use designation, neighborhood typology, and goals and objectives of the then current Master Plan, including but not limited to the Our Town Master Plan amendments.

(c) Permitted uses

(1) Permitted anchor uses.

- a. Subject to Subsections (1)b. and (1)c. below, at least one of the following anchor uses must occur on the CSC Zone District parcels indicated in the table below.

Table 16-30-1: Anchor Use Table					
	CDC Parcel (West)	CDC Parcel (East)	BCC Parcel	Lions Park	Merino Park
Arts Center [1]				●	
Community Housing [2]					●
Brewpub/Distillery [1]	●		●		
Entertainment [3]	●		●		
Grocery Store [3]			●		
Hotel or Condominium	●		●		
Hotel [4]					
Park/Open Space		●			
Small Business Incubator [2]					●
Sports/Youth Center [1]			●	●	
Town Hall				●	●
Community Center [1]	●		●		
[1] Must contain at least 6,500 sq.ft. of total floor area. [2] Must occupy at least 70% of the occupied total floor area developed on that CSC parcel. [3] Must contain at least 9,000 sq. ft. of total floor area. [4] Must contain at least 30 guest rooms. Includes condominium hotel					

- b. The Town Council may approve an anchor use designated for one CSC parcel as an acceptable anchor use for a different CSC parcel not indicated in the table above, with the exception that no anchor use other than a park or open space shall be designated for the eastern portions of the CDC and Lions Park parcels.
- c. If an approved anchor use begins operation but later discontinues operation for a period of 3 months or more, or if the portion of the building in which the anchor use is located is destroyed by fire or any other cause, the property owner may apply to change the approved anchor use to any other anchor use that meets the minimum size requirements listed in the table above. Any change to a substitute anchor use or another use permitted in the CSC

zone district shall require review and recommendation by the Planning Commission following a public hearing, and shall require approval by the Town Council.

(2) Required Community Vitality Uses

On each CSC parcel, land uses in the designated Vitality Zone for that parcel are required to be Community Vitality Uses subject to exceptions included in Section 16-29(c) and the design guidelines for buildings included in Section 16-30(d)(7).

(3) Permitted Secondary Uses

The following secondary uses are permitted on each CSC parcel, provided that one or more of the anchor uses designated in the table above (or approved by the Town Council) has already been established on same CSC parcel, or will be established on the same CSC parcel as part of the development containing the permitted secondary use.

- a. An anchor use listed above in table 16-30-1, regardless of whether it satisfies the minimum size requirements, unless prohibited elsewhere by this section (C)(3).
- b. Uses and activities conducted by a government entity or by a public non-profit entity that meets the requirements of Sections 16-4 or 16-21(8) of this Chapter. Such uses include including but not limited to administrative offices and meeting rooms for non-profit and educational oriented organizations, transit facilities, museum, community center, educational facilities, performing arts center, and theater.
- c. A local business chamber.
- d. Community Vitality Uses as shown on Table 1 in Section 16-29 as Community Vitality Uses (in areas of the parcel other than the designated Vitality Zone).
- e. Other commercial, office and retail uses allowed in the C-2 Zone District.
- f. Fully-deed restricted community housing units meeting the requirements of this Chapter.
- g. Free-market multifamily residential uses (only on BCC and Lions Park parcels) where no unit exceeds 1,400 total square feet.
- h. Makerspace/Craft Industry.
- i. Public parking garage (on the BCC parcel only).
- j. Public or private open space and park uses.
- k. Day care that complies with state requirements regulating day care.
- l. Accessory uses approved pursuant to CSC Development Plan Review Process
- m. Temporary outdoor uses and vendors, subject to the provisions of Chapter 6, Section 6-13 of the Town of Basalt Code.

(4) Limitations on permitted uses. Through the CSC Development Plan Review process, the Town Council may place reasonable restrictions or limitations on any use or activity in the CSC Zone District. The Town Council may also determine that a specific use is not appropriate based on the intent of the zone district, consistency with the Town Master Plan and compatibility with adjoining areas. The Town Council may establish conditions allowing for subsequent review by the Town Planner or Technical Review Committee to avoid unnecessary additional meetings before the Planning and Zoning Commission and Town Council.

(d) Dimensional requirements.

- (1) The dimensional requirements applicable to developments within the CSC Zone District shall be established through the CSC Development Plan review process, and shall be subject to the limitations listed in Table 16-30-2, below.

Table 16-30-2: Dimensional Requirements					
Dimension	Standard				Comments
	CDC Parcel	BCC Parcel	Lions Park Parcel	Merino Park Parcel	
Minimum Lot Area					
Maximum Building Height to Top of Parapet or Pitched Roof	2.5 stories; 38ft. [1]	4 stories; 45 ft. [2] [3] [4]	2 stories; 25 ft.	4 stories; 45 ft.	2.5 stories means a third story is allowed if it is set back as required in applicable table notes.
Front Yard Setback (along Two Rivers)					Overhangs and other building features may encroach into the public-right of way if approved through the CSC development plan review process and a Town encroachment license is obtained
	Min. 0 ft.	0 ft.	0 ft.	0 ft.	
	Max. 10 ft.[6]	10 ft. [5] [6]	10 ft.[6]	N/A	
Front Yard Setback (along Midland Avenue and Midland Spur)					Overhangs and other building features may encroach into the public-right of way if approved through the CSC development plan review process and a Town encroachment license is obtained
	Min. N/A	0 ft.	0 ft.	0 ft.	
	Max. N/A	N/A	10 ft.[6]	10 ft.[6]	
Min. Side Yard Setback	Per Building and Fire Code				
Min. Rear Yard Setback	Per Building and Fire Code				
Min. Setback from Rivers and other Environmentally Sensitive Areas	See Article XXI				
Min. Landscaped Open Space	10%			N/A	Open space credit may be given for pedestrian improvements per Section 16-30(e)(5)(b)
<p>[1] A 2.5 story building is allowed if the third story is set back at least 10 ft. from the lower façade facing Two Rivers Road street frontage, from Riverfront Park, and from the park on the east portion of the CDC parcel.</p> <p>[2] Any portion of the building containing a grocery store may have a maximum height of 49 ft.</p>					

Table 16-30-2: Dimensional Requirements					
Dimension	Standard				Comments
	CDC Parcel	BCC Parcel	Lions Park Parcel	Merino Park Parcel	
					<p>[3] Each building shall not exceed 2.5 stories or 38 ft. in height within 50 ft. of Two Rivers Road or Midland Avenue, or within 100 ft. of the Frying Pan River.</p> <p>[4] No new building shall exceed 2.5 stories or 38 feet in height until (a) at least 150 linear feet of the Two Rivers Road frontage is occupied by buildings meeting the minimum and maximum setbacks, or (b) the Town Council has approved a development plan showing that at least 150 linear feet of the Two Rivers Road frontage will be occupied by buildings meeting the minimum and maximum setbacks.</p> <p>[5] Maximum building setback shall not apply to the 150 ft. of the BCC parcel along the Two Rivers Road frontage closest to Midland Avenue, measured from the light pole existing on March 31, 2016 at the intersection of the Two Rivers Road and Midland Avenue.</p> <p>[6]. At least 80% of any street facing building must be built between the minimum and maximum front setbacks except for building located behind another street facing building or as provided in Note [5] above.</p>

- (2) Town Council can reduce or waive in its entirety the requirement for a full 10 foot third floor setback on the park sides of the CDC parcel after a recommendation of the Planning and Zoning confirming that at least one of the following findings has been made.
 - a. An equivalent setback is provided on the first floor to provide a porch or deck that lessens the visual massing of the building by park users;
 - b. Requiring the setback would require the first floor of the building to be so large that it would negatively impact views required by Section 16-30(e)(1)
 - c. There is sufficient fenestration in the building to reduce the visual mass of the building so that the full top floor setback is not necessary
 - d. The third floor setback is in an area not seen by park users because of vegetation, terrain change, intervening structures, or other factors
 - e. The second floor of the building is set back from the first floor façade at least 10 feet or more on those frontages where a third floor setback is required in the table above.

- (3) A land use application must demonstrate to the satisfaction of the Town Council that the height requested is compatible with or complements the adjacent uses and heights of adjacent structures. The Town Council can allow a building height to exceed the maximum height requirements by no more than 8 feet after a recommendation of the Planning and Zoning confirming that at least one of the following additional findings has been made.
 - a. Permitting the additional height allows for greater views or wider pedestrian-through connections to the river than otherwise would be achieved or the Applicant is willing to grant wider views to the river in exchange for the additional height;
 - b. The height is the minimum necessary to hide mechanical equipment that must be on the roof;
 - c. The additional height is necessary to allow underground parking. However no more than 4 feet of underground parking structure height above approved grade may be exempted from the maximum height limitations.

- d. The additional height will permit the addition of a feature improving the architectural interest of the building. However, no more than 6 feet of additional height to accommodate the feature may be approved.
- (4) The approved grade from which maximum height will be measured and first floor elevation(s) for the buildings within any CSC parcel will be proposed in the sketch plan application and established at Final Plan review based on each building's relationship to any adjacent street, sidewalk, public area or buildings, while factoring in other environmental considerations such as the water table.
- (e) Other Site Development Standards.¹
 - (1) Openings to the river.

The following openings shall be preserved for views to Roaring Fork River and for pedestrian passage by employees, occupants, or patrons of adjacent properties, and no new building shall be constructed in the areas designed as a view protection/pedestrian access zone.

- a. Required View/Pedestrian Opening 1: On the Lions Park parcel and CDC parcel, buildings shall be sited so as to preserve views and pedestrian access from the corner of Midland Avenue and the Midland Spur to the Roaring Fork River as shown on the following map.
- b. Required View Opening 2: On the CDC parcel, a view and pedestrian access from Two Rivers Road to the Roaring Fork River shall be provided along the western edge of the property, as shown on the following map.
- c. Additional View Opening: To the maximum extent practicable, at least one additional view from Two Rivers Road to the Roaring Fork River should be provided somewhere west of the intersection of Two Rivers Road and the Midland Spur. This view opening shall be located so that building frontages along Two Rivers Road comply with the building façade articulation standard in Section 16-30(f)(4) below.



- (2) Pedestrian through-connections. Development on the BCC parcel shall incorporate at least one pedestrian through-connection from the Midland Avenue frontage to the Frying Pan River

¹ Content of current CSC "Other Development Standards" have been significantly reorganized for logical flow and to better separate site and building design requirements.

frontage. The required pedestrian through-connection shall be located internal to the site (at least 50 feet from the Two Rivers Road frontage).

- (3) Vitality zone. Each CSC parcel except the Merino Park parcel shall include a designated vitality zone that shall be established by the Town in the sketch plan process. The permitted uses in the vitality zone are shown on Table 1 in Section 16-29 as Community Vitality Uses and the buildings are subject to the building design standards contained in Section 16-30(f) for buildings within the vitality zone. The Town Council will establish the vitality zone considering the following:
 - a. The pedestrian and connectivity goals of the area;
 - b. The nature of the desired streetscape;
 - c. Existing and proposed adjacent uses;
 - d. The then current Master Plan, including but not limited to the Our Town Master Plan amendments; and
 - e. The goals advocated by any non-profit applicant.
- (4) Parking. Development in the CSC Zone District shall provide parking as follows:
 - a. Minimum requirements
 1. Hotel/Condominium Hotel —1 space per hotel room, plus 2 for management and operations.
 2. Residential—1 space per bedroom to a maximum of 2 spaces per unit, where an efficiency unit is counted as 1 bedroom.
 3. All other uses—1 space per 400 square feet of floor area. With the exception of handicap spaces and car share spaces, parking spaces may not be reserved for individuals or private businesses.
 - b. Additional on-street parking constructed as part of the development will count for non-residential parking included in the calculation of parking spaces to be provided. The applicant shall be permitted to purchase non-residential parking spaces pursuant to the requirements of Section 16-94.
 - c. The Town Council may apply a reduction of the non-residential parking requirements following a recommendation of the Planning and Zoning Commission based on hours of operation, mixed-use, access to on-street parking, availability of local public transit, availability of parking spaces in a public parking lot or garage, expected use of WE-Cycle or other bicycle sharing programs, contribution to or participation in a car share program that serves the community, creation of a Transportation Demand Management (TDM) plan to reduce traffic volumes and parking demands below expected levels, or contribution to other desired public improvements, necessary infrastructure, or other basic Town service requirements. The Town Planner may require a recommendation from a parking consultant as outlined in Section 16-92 in order for the staff and Planning and Zoning Commission to make a recommendation and the Town Council to make a decision on the appropriate parking reduction for the development.
 - d. The visual impacts of off-street parking and loading areas shall be minimized. The design of parking and loading areas shall ensure that they support and do not detract from the Town's vitality goals for the CSC Zone District. This shall be accomplished by:
 1. Constructing structured parking primarily underground where such construction is feasible;
 2. Prohibiting surface parking between any building on the CDC, Lions Park, and Merino Park parcels and the right-of-ways of Two Rivers Road, Midland Avenue, or the Midland Spur;

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3. Locating parking and loading areas, or the access to such areas, along the rear facade or side of the building whenever feasible; or
 4. Wrapping the facades of any structured parking within other permitted uses that have a minimum depth of 18 feet or wrapping the facades with building material, grading or landscaping to break up the view of the parking and parking structure lighting from public open spaces and other activity areas. When this design option is employed the access to the structured parking shall be designed with the same attention to detail and materials as the primary façade and the access shall be integrated into the building's design and wrapping.
 5. Designating 1 or more loading zones on the site plan and regulations to govern loading.
- e. Except as described in subsections (a) through (d) above, parking areas and structures in the CSC Zone District shall comply with the requirements of Article V, Off-street Parking and Loading.
- (5) Open spaces.
- a. To the extent possible the areas between each building with a ground floor nonresidential primary use and the adjacent street shall be visible space that is useable by customers of on-site business uses or pedestrians. These areas, and the required open space areas on the site shall:
 1. Abut and be level with the public sidewalk;
 2. Be open to the sky (except for awnings, covered walkways, areas under a porch and covered outdoor seating);
 3. Be directly accessible to the public; and
 4. Be provided with appropriate ground cover treatment and landscaping.
 - b. Placement of street furniture and public art in required open space is encouraged, as long as a 5 foot minimum pedestrian walkway width is maintained. Items such as street furniture, educational and interpretive displays, small play features and public art that are attractive and appropriate for use by young children are encouraged. The Town may give credits towards minimum open space requirements for street furniture, fountains and similar improvements in a public right of way or other public spaces in the downtown.
 - c. At least 50 square feet of private usable open space shall be provided for each dwelling unit. Private open space may include balconies above ground and lawn areas and patios behind the building. Private open space areas shall not be located in front of or adjacent to any portion of a building's vitality zone. The Town may reduce or waive a private open space requirement if the Town determines that the private open space area would interfere with the intent of the CSC Zone District.
 - d. Building design and landscape features for the CSC development must take into consideration adjacent public park uses. CSC development shall complement but not detract from public park activities. Development outside of any designated vitality zone adjacent to a public park shall be designed to minimize the intrusion of the CSC development activities or impacts from private lands onto public parks and trails. Development within any designated vitality zone should be designed to optimize integrated public and private uses and activities.
- (6) Signage. The sign restrictions of the C-2 District will apply to non-residential uses unless modifications to those standards are approved through the CSC Development Plan Review process. However, nothing shall prevent the Town Council from adding conditions and restrictions on signage to protect adjacent properties and to further the goals of the adopted Town's Master Plan, including without limitation the Our Town Master Plan amendments.

- (7) Lighting. The lighting requirements of Section 16-431 shall apply to development within the CSC Zone District unless modified through the Exemption process outlined in Section 16-438 of the Town Code, Article XX, Exterior Lighting.
 - (8) Utility and trash facilities. Utility boxes and trash/recycling facilities servicing the building shall be located outside of the public right-of-way, along the rear or side façade of the building. To the extent possible, these facilities shall be located to avoid or minimize any negative impacts on residential uses on the parcel and on adjacent parcels and to avoid interfering with pedestrian movement and experience. This requirement shall not be construed to prohibit the placement of street furniture, such as public trash containers, within the public right-of-way.
 - (9) Environmentally sensitive areas. Development within the CSC Zone District shall comply with Article XXI (rivers, wetlands and environmentally sensitive areas), provided that the environmentally sensitive area review shall be conducted simultaneously with the CSC Development Plan Review if the Town Planner makes a finding that the development is within the development line established by the River Master Plan.
 - (10) Community Priority Scoring System. Development within the CSC Zone District shall be exempt from the requirements of Article XXII.
 - (11) Land dedications. The land and improvements, or fees in lieu, required to be provided under the provisions of Section 17-15 (Parkland Dedication) shall be calculated at one-half (½) the requirement for any deed restricted community housing units; and the provisions of Section 17-16 (School Land Dedication) shall apply at the same discounted rate for deed restricted community housing units. The Town Council may exempt or further reduce such fees for free-market and community housing during the CSC Development Plan review process pursuant to Section 16-419. Any reduction or elimination of school impact fees will require approval by the school district.
 - (12) Development in the CSC Zone District shall meet or exceed the accessibility requirements of the Americans with Disabilities Act.
 - (13) Landscaping in the public right-of-way. Landscaping that is to be installed in the public right-of-way shall comply with the applicable provisions of the Public Works Manual.
 - (14) Curb Cuts. Development in the CSC Zone must satisfy the design criteria of the C-2 Zone District in Section 16-29(e)(4)c. regarding curb cuts.
 - (15) Street and Streetscape Improvements. All street and streetscape improvements shall comply with the Town of Basalt Complete Streets Design Manual.
 - (16) Community Housing. Development within the CSC Zone District shall comply with Article XIX (Housing Mitigation)
- (f) Building design. All buildings shall comply with the following requirements, if applicable:
- (1) Building Typologies and Guiding Principles. The typologies from the Our Town amendments to the Town of Basalt Master Plan that the Town determines are most applicable to the type of development proposed in the project, as well as other building design standards and guidelines contained in the Our Town Master Plan amendments. Those guiding principles include:
 - Building scale compatible with historic downtown;
 - Variety of western roof forms;
 - Street level interest; and
 - Contemporary reinterpretations.
 - (2) Buildings within the portion of the site designated as the vitality zone (as that term is defined in Section 16-29 of this Code) shall incorporate a store-front design at the street level, with windows suitable for retail goods display that are designed to attract pedestrian interest at the street level. The storefront windows along the façade of the vitality zone shall be transparent so

as to permit the activities within the building to be visible to pedestrians along the adjacent street. Commercial spaces at street level should have a ceiling height consistent with those within the historic downtown.

- (3) Any new buildings constructed at prominent corners shall contain both ground floor and upper floor elements that reflect timeless design and visually emphasize the importance of the corner through vertical elements, changes in materials or color, changes in articulation patterns, or entryways, or similar features.
 - (4) Building facades along streets shall be designed to reflect the general 20-30 ft. width of street facing building facades in older areas of downtown Basalt. Building facades wider than 30 ft. shall include vertical projections or insets from grade level to the eave of a pitched roof or the top of a flat roof or parapet at a linear spacing of no less than 20 feet and no greater than 30 ft. unless waived or modified by the Town Council after recommendation by the Planning and Zoning Commission. This standard shall not prohibit the extension of an awning across the vertical projection or inset.
 - (5) Building facades along pathways that connect buildings to public spaces, and along alleys or other frontages with pedestrian traffic shall contain projections from or insets into the wall plane, windows, doors, or changes in material to ensure that no section of building wall longer than 30 feet is of uniform materials, color, and appearance unless waived or modified by the Town Council after recommendation by the Planning and Zoning Commission.
 - (6) The ground floor of any new structure in the vitality zone shall be at grade with adjacent sidewalks or passageways, and there shall be no steps between the sidewalk and the primary building entry. However, in order to satisfy grade issues, steps may be included between the sidewalk and the street if the applicant demonstrates that providing steps is the best way to address grades on the site.
- (g) Zone District review procedures and submission requirements.
- (1) CSC Development Plan review procedures. No new development shall occur in the CSC Zone District without CSC Development Plan review and approval. CSC Development Plan review shall be conducted in 2 stages, these being Sketch Plan review and Final Plan review.
 - a. Sketch Plan review. Sketch Plan review is intended to provide the Town with a general overview of the project including a description of existing conditions, proposed mix of uses, height, floor area and parking, as well as its relationship to neighboring properties and consistency with the Town's Master Plan, the River Master Plan and applicable Code provisions. Sketch Plan review shall involve the following procedural steps:
 1. The initial step in Sketch Plan review shall be a determination of whether the proposed project is community serving and is eligible for rezoning to the CSC Zone District. This determination may be made administratively by the Town Planner or the Town Planner may refer this matter to the Planning Commission and Town Council. If the determination is referred, then the Planning Commission and Town Council consideration may occur at a jointly held public hearing. Any project that is determined to be community serving and eligible for rezoning to the CSC Zone District may then proceed through Sketch Plan review.
 2. With the exception of proposals for the Merino Park parcel, Sketch Plan review shall require a review by the Town's Parks, Open Space and Trails Committee. The Committee shall make recommendations on how the project satisfies Section 16-30 (e)(1)(2) and (5) along with the Committee's findings of the project's consistency with the parks, open space and trails sections of the Town's master plan and the project's impact on any other adopted park plans.
 - a. Sketch plan review will then require review by the Planning Commission. The Commission is authorized to recommend approval, approval with conditions, or denial of the Sketch Plan application following a duly noticed public hearing. The Planning Commission review shall be followed by a review by the Town Council at a duly

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noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application.

- b. Final Plan review. Final Plan review is intended to provide the Town with a more detailed description of the proposed development program, to respond to issues raised in the sketch plan review and to present additional information required in the Sketch Plan review. With the exception of proposals for the Merino Park Parcel, the initial step in the Final Plan review will be a review by the Parks, Open Space and Trails Committee. The Committee shall make recommendations on how the project satisfies Section 16-30 (e)(1)(2) and (5) along with the Committee's findings of the project's consistency with the parks, open space and trails sections of the Town's master plan and the project's impact on any other adopted park plans. Final Plan review shall require a review by the Planning Commission. The Commission is authorized to recommend approval, approval with conditions, or denial of the Final Plan application following a duly noticed public hearing. The Planning Commission review shall be followed by a review by the Town Council at a duly noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application. The Town Planner may schedule a joint meeting of the Planning Commission and Town Council prior to the initial Final Plan review by the Commission.
 - c. Community Serving Subdivision. A property which is zoned CSC is eligible to be subdivided as a Community Serving Subdivision pursuant to the provisions of Section 17-84.5 of this Code provided no more than four initial lots are created by the Owner. The Community Serving Subdivision shall be processed concurrently with the CSC Development Plan. However, nothing herein requires the qualifying non-profit organization to use the Community Serving Subdivision process if the owner would rather utilize another eligible subdivision process in the Code at the time of the subdivision.
- (2) Sketch Plan submission contents. The application for the Sketch Plan stage of CSC Development Plan review shall include the following:
- a. Completion of standard application forms and authorization from the owner for the filing and processing of the application and fees.
 - b. Description of existing conditions.
 - c. A legal description of the property, an ALTA survey and a copy of any easement or recorded document referenced on the ALTA survey.
 - d. A list with addresses of all property owners within 300 feet of the property.
 - e. A description of the development program including: major objectives of the development; proposed mix of uses with approximate square footages of each use and number of any free-market and community housing units and allowed locations; parking capacity, location and types; access locations and vehicle and pedestrian circulation; proposed phasing and timing; and plan for satisfying the goals of the development plan. Numbers can be provided in a range.
 - f. Schematic development plan (at a scale of at least 1 inch per 100 feet) showing horizontal relationships of the proposed development with property boundary, setbacks and proposed uses.
 - g. Information and drawings providing a schematic level description and illustration of the height, scale and mass of proposed structures from important perspectives, as well as proposed open spaces narrative and graphic descriptions of the character and style of architecture by the end of Sketch Plan review.
 - h. Narrative addressing relationship of the project to neighboring properties and consistency with the Town's Master Plan, the River Master Plan; Streetscape Plan and any other long range planning documents as deemed appropriate by the Town.

- i. Narrative description of how utilities are to be provided to and through the site by a licensed professional engineer along with an assessment as to the feasibility of the applicant's proposal. Describe whether any existing utilities or easements will need to be relocated or vacated, and generally the plan for accomplishing this. The engineer's assessment at a minimum must address potable water, sanitary sewer, drainage and storm sewer, electrical power, natural gas power, and flood protection where applicable. Describe whether the power lines will be below ground or overhead. The applicant may include maps depicting the alignment of utilities but it is not required at Sketch Plan. The engineer's assessment shall outline any known engineering and utility issues and generally describe how they will be addressed in the final site plan review.
 - j. Proof of ability to apply the CSC Zone District.
 - k. General statements describing how the elements of the development will satisfy the criteria required for the CSC Zone and explanation for any reductions in requirements allowed through the site plan process.
 - l. Statements addressing how the development intends to satisfy requirements that apply to the development found in other sections of the Code applicable to the type of development being proposed, including but not limited to: any annexation requirements; school and parkland dedication; floodplain development permit and regulations, and community housing, including any need for relocation housing.
 - m. Description of how the development addresses the Town's goals toward sustainable building, energy efficiency and waste reduction.
 - n. A study of the shading or shadow impacts that the proposed buildings may cause on public or private rights-of-way or other public spaces within or surrounding the project.
 - o. Additional information. Any additional information reasonably required by the Town to review the application and to verify compliance with the provisions of this Code.
- (3) Final Plan submission contents. The application for the Final Plan stage of CSC Development Plan review shall include the following
- a. Same as above along with such additional or refined information and analysis as may be required by the Town Council in order to address issues raised in the Sketch Plan review or to verify compliance with the provisions of this Code.
 - b. Off street parking and loading areas, including the location, type and capacity of proposed parking areas, and written justification for any proposed reductions or fee-in-lieu of parking proposals
 - c. The location of all ways for ingress and egress to all buildings and parking areas.
 - d. Service and loading areas and refuse and recycling collection areas.
 - e. Site/building program.
 - f. Development plan which meets the requirements of Section 16-66(3)b. Following Final Plan approval the applicant shall record a development plan containing the elements of the Town Council's approval.
 - g. Reserved.
 - h. Proposed schedule and phasing.
 - i. Identification of potential construction and maintenance easements needed for zero-lot line development and plan for obtaining such easements.
 - j. Draft Master Development Agreement which generally describes the public improvements to be constructed in connection with the project, the timing of such construction, the parties responsible for completion of the public improvements and the financial security to be provided.

- (4) Building, engineering and site design review. Building, engineering and site design review is intended to provide the Town with the final architectural, engineering, landscaping and other technical documents that are a precursor to the actual construction of the project. Following approval of the final CSC Development Plan and any other associated land use actions and prior to issuance of a building permit for each lot or development site, the then-owner of a lot or development site shall comply with the following submission requirements and review procedures:
- a. The owner shall prepare and submit architectural drawings, elevations and perspective drawings of all proposed structures and improvements intended to show the relationship of the proposed structures to the surroundings. Such drawings shall depict proposed building materials, fenestration, mechanical equipment (and screening of such equipment) and similar architectural details but need not be the result of final architectural design.
 - b. The owner shall submit final engineering documents, including plans and specifications for streets, water, sewer and drainage and the engineers' cost estimates for all public improvements to be installed on the lot or building site within dedicated land areas, rights-of-way or easements.
 - c. Following construction, the owner shall provide as-built mapping and diagrams for utility installations in an electronic computerized format of a type approved by the Town Engineer or Public Works Director.
 - d. The owner shall describe the character and type of landscaping, lighting and signage to be provided. The landscaping shall be indicated in tabular form, showing the type of plant material, minimum size and quantity. The approximate location of landscaping shall be indicated on a site plan. The lighting description shall describe how the lighting complies with the final site plan approval and any exemptions that will be necessary pursuant to Section 16-438 of the Town Code, Article XX, Exterior Lighting. The signage plan shall provide detailed information sufficient to determine whether the location, size, number and character of the proposed signs comply with the requirements of the Town Code, Article VII, Signs.
 - e. The owner shall provide an anticipated time table for completion of development including the anticipated dates for completion of any phase.
 - f. The owner shall provide a title insurance policy indicating that the property is free and clear of all ownership disputes, liens or encumbrances which would impair the property to be utilized for the uses approved. The title policy shall provide verification that all owners and lien-holders have approved the final subdivision plat.
 - g. The owner shall demonstrate compliance with Article II, Chapter 17, Design Standards and Requirements for Subdivisions.
 - h. The owner shall demonstrate compliance with Article V, Chapter 17, Public Improvements Acceptance and Guarantees.
 1. The owner shall provide a Subdivision Improvement Agreement for public or quasi-public improvements to be constructed by the owner and other draft agreements and conveyances that apply to the development as whole or to community housing or other restrictions or requirements.
 2. The owner shall provide a Construction Management Plan and shall submit a request for the use of any of the Town's property for construction or construction management purposes.
 3. The owner shall demonstrate compliance with the Final CSC Development Plan approval applicable to the application and any other Town approval.
 - i. The owner shall submit the information necessary to satisfy the foregoing requirements for review by the Technical Review Committee. TRC review shall take into consideration the project's compliance with the approval documents applicable to the development, relevant

standards applicable to buildings, final subdivision plats and other Town code requirements for approval before building permit. The TRC may refer any portion of its review to the Planning Commission or Town Council for final action. In addition, in its final approval the Town Council may require that the Planning Commission or Council review specific items of the approval.

- (5) Amendments to a Sketch Plan or Final CSC Development Plan. Amendments to a Sketch Plan approval or Final Plan shall be processed as follows:
- a. Sketch Plan approval. After Sketch Plan approval an applicant may make insubstantial amendments to the approved sketch plan before submitting a Final CSC Development Plan for review. Substantial amendments shall be processed under the same procedures as used for the original adoption. "Substantial" shall have the same meaning as in Section 16-65(d)(2). The initial determination of whether an amendment is insubstantial or substantial shall be made by the Town Planner.
 - b. Final CSC Development Plan approval. After Final Development Plan approval, the TRC may review and approve of minor amendments to the approval documents necessary to effectuate the intent of the Final Plan Approval. The applicant shall have the ability to appeal a TRC decision on a minor amendment to the Town Council at a public meeting in which 15 days written notice of the public meeting has been provided to the appellants.
 - c. Substantial amendments and amendments which the Town Planner determines are not minor amendments but are consistent with the Sketch Plan approval shall processed pursuant to the Final Plan submission and review procedures. Substantial amendments and any amendments which the Town Planner determines are not minor amendments and are not consistent with the Sketch Plan approval shall be processed pursuant to the Sketch Plan and Final Plan submission and review procedures.
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EXHIBIT B

PROPOSED AMENDED CSC ZONE DISTRICT

Sec 16-4 Definitions – *the following definitions are added to the Town Code except for the definition of condominium hotel, which is revised by deleting the current definition and replacing it with the definition for condominium hotel as shown below.*

Brewpub/Distillery – A facility licensed as a brewpub or distillery by the state that annually manufactures and sells in the facility not more than 5,000 barrels of beer, or not more than 25,000 gallons of distilled spirits, only for consumption on the premises.

Community Center – A facility available for public activities, including but not limited to events, performances, entertainment, celebrations, meeting rooms, public classrooms and indoor gardens. The space is intended to be available for use by the public. However, the space may be rented by one or more parties at any time.

Condominium Hotel (or condotel or condo-hotel) – A hotel or motel operated under a condominium form of ownership. A condominium hotel must satisfy the following requirements:

- a. Be advertised and marked with signage as a hotel or motel and be subject to the complete control and management of a single hotel or motel operator for operation as a hotel or motel.
- b. Be created, sold and maintained under documentation, including condominium declaration, bylaws, sales brochures and pre-construction agreements, in form and content approved by the Town Attorney that adequately discloses and ensures that the facility will in all respects be permanently and exclusively operated as a hotel or motel and will not be occupied as a dwelling.
- c. Except for dwelling units to be used by a manager or employees or any deed-restricted affordable housing, condominium hotels shall contain only individual sleeping units that are sold as a condominium hotel unit and are permanently dedicated to rental to the public for transient occupancy. Individual sleeping units may contain small kitchen facilities.
- d. Be managed to ensure that:
 - (i) At least fifty (50) percent of the units are available for rental to the general public at all times; and
 - (ii) That no unit owner may occupy their unit for more than sixty (60) days out of a calendar year; and
 - (iii) That no owner may occupy their unit more than twenty-nine (29) consecutive days; and
 - (iv) That no owner may store an automobile on site when they are not occupying a unit.
- e. Contain and maintain standardized furniture, furnishings and decor in all individual sleeping units.

If a proposed development does not meet requirements a through e above, the Town Council may determine that a proposed development nevertheless qualifies as a Condominium Hotel if it finds that the proposed development, together with any related covenants, conditions, restrictions, or agreements between the developer and the Town, will ensure that at least the same number or a greater number of the condominium hotel units will be occupied for the same or a greater number of days each year as a Condominium Hotel that meets all of the requirements in subsections a through e above.

Entertainment -- A facility providing entertainment or recreation activities, including but not limited to theaters, bowling alleys, nightclubs, game centers, gymnasiums, health clubs, and climbing wall centers or rooms that can be rented for parties or events, where all activities take place within enclosed structures. This use does not include a conference center, adult arcade, adult bookstore, adult video store, adult novelty store, adult cabaret, adult entertainment establishment, sexually oriented business, adult motel, adult motion picture theater, or adult theater.

Makerspace/Craft Industry – a facility that contains one or more artists or craft industries. A makerspace is a community center that includes manufacturing equipment, community and education for the purposes of enabling individuals to design, prototype and create manufactured works. A craft industry encompasses goods that are handmade by artisans or those skilled in a particular trade, including but not limited to art galleries, handmade textiles, food, beverages, and culinary products. Products made on site may also be sold on site. No such individual facility shall be larger than 6,500 total square feet.

Small Business Incubator -- A facility operated to encourage and support the growth and success of entrepreneurial companies by providing a variety business support resources and services, including but not limited to physical space, coaching and mentoring services, access to financing, networking connections, shared supply purchasing, or shared data systems and resources.

Memorandum

To: Chair and Planning and Zoning Commission
From: Susan Philp AICP, Planning Director
Date: July 5, 2016
Re: Public Hearing: Zoning for Our Town Planning Parcels – Amended CSC Zone District and other changes to the Zoning Code

I. Purpose

The purpose of this agenda item is for the P&Z to hold the public hearing and receive public comments before the P&Z makes its recommendation to the Town Council on the zoning changes.

II. Background of Our Town Planning Process

The Council has taken several actions on the Our Town Planning Area starting in February of 2014 when the Council began the Our Town Planning process after the successful voter approval of the bond allowing for the removal of the mobile homes and the construction of the river and park improvements. The P&Z was charged with adopting an amendment to the master plan and to prepare zoning for the Our Town Planning properties. The Town Council has taken several actions directing the P&Z to move forward with zoning for the Our Town Planning Area, which have been summarized in prior P&Z memorandums and most recently in the packet materials for the Council's June 14th Worksession.

In 2015 and early 2016 the P&Z evaluated various alternative ways of zoning the four parcels in the Our Town Planning area with Don Elliott from Clarion Associates. Ultimately the P&Z recommended using the Community Serving Commercial (CSC) Zone District as the best tool for achieving the desired goals of the *Our Town Subarea Plan: An Amendment to the 2007 Town of Basalt Master Plan* ("Our Town Planning Master Plan Amendment"). The P&Z has continued to hold worksessions to refine the proposed revisions to the zoning code.

Town Staff had a model prepared by Vision Design Inc. to show options for development for the Our Town Planning parcels. The model was helpful to the Council, P&Z and the public in understanding the massing that could be built under the regulations and by the citizen's petition. The P&Z subsequently made some changes to

the proposed regulations (for example further limitations on the 3rd story adjacent to the River Park).

On June 14th the Council had a Worksession discussion with P&Z members and provided input on the zoning changes. (See Section V.) Subsequently on June 21st, the P&Z had a site visit and Worksession and made additional changes to the Amended CSC Zone District. (See Section VI.)

III. Key Ideas of the Amended CSC Zone District

There are some key ideas behind the P&Z's Amended CSC Zone District.

First, it was established to further the goals, typologies and vision statements and future land use map included in the Our Town Planning Master Plan Amendment which was adopted by the P&Z and Town Council in late 2015 based on a report created by the Downtown Area Advisory Committee (DAAC).

Second, by requiring anchor uses on these parcels the Town will see the vitality and uses it desires in the downtown area.

Third, the Town currently does not plan on rezoning property it does not own to CSC. Nothing restricts an owner from applying for a different zone district, a PUD, an amendment to this District or creating another District.

Fourth, the Amended CSC Zone District is aimed at giving direction to owners, developers, and citizens about what the Town would like to see in the Our Town Area and what would be successful in the development review process. It encourages an owner to apply for this District by having a 2-step land use process and by allowing more density than permitted for other areas of the downtown.

Fifth, the District allows for a wide variety of uses. For-profit uses are permitted as well as non-for-profit uses.

Sixth, the Amended CSC Zone District does not include a specific floor area limitation. It contains volumetric limitations and other restrictions to arrive at the level of development that could be permitted.

IV. Highlights of the P&Z's Amended (CSC) Zone District

Highlights of the P&Z's Amended Community Serving Commercial (CSC) Zone District are provided below:

1. The CSC Zone District is proposed to be modified to apply to all 4 OTP parcels: CDC, Lions Park, Merino Park and Basalt Center Circle (BCC).

The original district was prepared by the CDC for the CDC parcel although it could be used by other "Public non-profit Entity, Community Development Corporations."

2. The definition of what is considered to be Community Serving is proposed for modification. The P&Z determined that Community Serving meant that each of the properties would include an "**anchor use**". An anchor use is a use or activity that the Town desires which was supported by the OTP Master Plan Amendment.
3. Anchor uses for each of the 4 parcels were identified by the P&Z. Anchor uses include such uses as a grocery store, hotel, brewpub/distillery, and also include a community center (to address the uses desired by the Petition Committee on the CDC parcel).
4. **Secondary uses** are identified for each of the parcels. Secondary uses are other uses which could occur once the anchor use was guaranteed for the parcel.
5. Buildings adjacent to Two Rivers Road may only be **2 ½ Stores**. 2 ½ stories means the third floor is pulled back from the front building façade by at least 10 feet.
6. **4 stories are allowed on the BCC** parcel but only in the interior of the parcel, away from the Fryingpan River, and after buildings are confirmed along Two Rivers Road.
7. Buildings adjacent to the Basalt River Park may also be only 2 ½ stories although the Council may grant relief based on findings.
8. **View openings as shown on the OTP Master Plan Amendment must be protected.**
9. Pedestrian through connections to the rivers as defined in the code language must be preserved.
10. **Definitions** are added (for example, what is a "Community Center"?) or amended (for example "**condominium hotel**").

V. **Council Discussion following P&Z's June 14th Discussion**

Staff's take aways from the Council's input following P&Z's June 14th Discussion are provided below.

Building and Park Line

- A. Council had general agreement on building line and area shown as a park. Council members recognized that the polygon area potentially could be part of the private development if that development included the vitality ideas advocated by POST's River Park Plan.

*
Council
Direction

Building Heights

- B. Councilor's expressed some concern with the allowed heights, particularly for the 2 ½ story building bordering Two Rivers Road and the river park area. Concern expressed by Councilors included that buildings, if constructed to the maximum height, could potentially be out of character with downtown and adjacent development and that the 38 feet height could actually be fully 8 feet higher or 46 feet with the parapet and underground parking allowances.

Staff added language in the 5th Draft of the Amended CSC Zone District presented at the P&Z's June 21st meeting to clarify that the Council could approve lower heights than the maximum and that allowances to exceed permitted heights could only be made after certain findings.

Uses

- C. Individual Councilors expressed concern with hotels and condominium hotels being allowed on the CDC Property while other Councilors supported hotels and different methods of financing them.

Staff made minor modifications to the condominium hotel definition in the 5th Draft.

- D. Councilors, recognizing the importance of day care, seemed satisfied that day care uses were permitted as a secondary uses.

Process and Summary

- E. Council seemed supportive of the overall direction of the Amended CSC District at this stage of the review and agreed that the P&Z could hold public hearings and continue the adoption process.

VI. Additional P&Z Changes from June 21st meeting.

The P&Z had a site visit before its June 21st meeting on the BCC property for the purpose of checking in on some of the dimensional requirements included in the current draft. Later in the regular meeting the P&Z suggested additional changes to the 5th Draft of the Amended CSC Zone District as presented for that meeting. These changes included:

- Increasing the area where 4 stories on the BCC parcel can be located by reducing the buffer which restricts 4 stories from the Frying Pan River from 150 to 100 feet.
- Allowing 2 ½ stories and 38 feet in height (in place of 2 stories and 35 feet of height) in the center of the BCC property unless buildings are to be built adjacent to Two Rivers Road.

- Stating that that providing wider pedestrian walkways could be a reason for allowing a higher building.
- Revisions to clarify POST's role in the review process.
- Establishing the location of where height is to be measured from and the first floor elevation in relation to adjacent streets and what is around the building must be part of the development approval process.

VII. P&Z Discussion and Recommendation for the Meeting

At this meeting, Planning Staff and Don Elliott, Clarion Associates, will give a presentation and the P&Z will take comments from the public. The P&Z will then discuss the Amended CSC District and other changes being proposed to the Zoning Code. Depending on public comment and the P&Z's discussion, the P&Z may either continue the public hearing or make a motion and forward the code amendments on for Council consideration.

Attachments

6th Draft of amended Zoning Regulations

- Note: not attached
as 6th Draft is incorporated into the
Draft Ordinance

TOWN OF BASALT
PLANNING AND ZONING COMMISSION
PUBLIC HEARING and WORK SESSION
JULY 5, 2016

SITE VISIT

At 5:15 p.m. members of the Planning and Zoning Commission met with Town Staff at 309 Sopris Drive for a site visit.

APPOINT TEMPORARY CHAIR

Town Planner, Susan Philp, noted that the Chair had not yet arrived but the meeting needed to get underway. She suggested that the Commissioners appoint a temporary Chair to serve in that position until Dylan Johns arrived.

M/S GARY WHEELER AND PATRICK MCALLISTER TO APPOINT ERIC VOZICK AS TEMPORARY CHAIR. THE MOTION CARRIED BY A VOTE OF 5-0.

CALL TO ORDER

At 5:37 p.m. the Planning and Zoning Commission was called to order. Commissioners answering roll call were Gary Wheeler, Gino Rossetti, Patrick McAllister, Eric Vozick and Alternate, Tracy Bennett. Staff present was Basalt Town Planner, Susan Philp; Assistant Planning Director, James Lindt; and Recorder, Denise Tomaskovic.

APPROVAL

Minutes of June 21, 2016

M/S WHEELER AND BENNETT TO APPROVE THE MINUTES OF JUNE 21, 2016 AS READ. THE MOTION CARRIED BY A VOTE OF 5-0.

CONTINUATION

Consent Agenda - Continue Public Hearing to August 2, 2016 on the Application submitted by "The Arts Campus at Willits" (TACAW) for Sketch Site Plan Review for the proposed Arts Campus at Willits. The proposal sets the site plan limitations at the sketch plan level for construction of the Arts Campus at Willits in two (2) phases.

M/S ROSSETTI AND MCALLISTER TO CONTINUE THIS ITEM TO AUGUST 2, 2016. THE MOTION CARRIED BY A VOTE OF 5-0.

At this time Dylan Johns arrived and assumed his role as Chair.

AGENDA ITEMS

Public Hearing on Code Amendments for the purpose of considering amendments to the Basalt Municipal Code to implement the Our Town Subarea Plan: an Amendment to the 2007 Town of Basalt Master Plan. Includes but is not limited to: Amended Community Serving Commercial (CSC) Zone District; new definitions and amended definitions.

Philp stated that zoning consultant, Don Elliott, was on the conference telephone for this agenda item. She reviewed the history of this code amendment and then, referring to a Staff Memo dated July 5, 2016 explained the changes that have been made to the draft language since the previous discussion.

Philp asked Elliott if he had any additional comments. He said that this zone district offers property owners a variety of redevelopment options while providing convergence of the community's goals for downtown Basalt. The main challenge has been to establish zoning regulations that still allow flexibility in both use and design. He thought this zoning language had turned out well and was interested to hear what the public had to say.

Commissioner Rossetti asked for clarification regarding the Town Council's concerns about building heights. Philp responded that her understanding of the comments made by the Council at the June 14th meeting were about the proposed 2.5 story allowable height limits on the CDC parcel only, not the other parcels included in the Our Town Planning Area.

Public Hearing

The public hearing was opened at 5:57 p.m.

Chris Sczelina, owner of the Aspenalt Hotel, said that he felt an arbitrary number had been chosen to establish the setback from the Fryingpan River. His property is one of three along the Fryingpan River. The 100' setback lands in the commonly held portion of the Basalt Center Circle (BCC) parcel and doesn't include his hotel, essentially preventing him from any further development above two stories. He wondered why that setback had to be established and why a project couldn't be judged on its own merits rather than running the risk of not even being considered unless it's this many feet back from the river, regardless of its worthiness and necessity. Chair Johns said that questions will be addressed after all the public comments are made.

Tim Belinski, Independence Ventures, expressed his appreciation for all the work done by the Commissioners and Staff in getting to this point, with an end product that's supportable, noting that this is the sixth draft of the CSC Zone District language. Referring specifically to the BCC parcel and its complex ownership issues, he asked the Commissioners to reconsider the area 150 feet from the light pole, currently held in common ownership (along Two Rivers Road), that establishes where the first building would be located. However, nobody owns that part of the parcel and that begs the question of who would want to develop anything that's located on commonly-held property. That's his major concern and he would like this issue addressed, if not now, then at a later level of review.

Cathy Click thanked the Commissioners for including the citizen's petition group in this process and for all their work on a zone district that is entirely optional. She reiterated that the citizen's petition group's proposal doesn't include a hotel or condotel on the CDC parcel and that is still their preference.

Patrice Becker stated that she would rather see building height limits start at a lower elevation because developers are most likely going to ask for higher limits anyway. She also expressed concern about the notification of this meeting being limited to the Town's website and maybe the in the newspaper – she wasn't sure which media had been used. Perhaps the meetings should be noticed more.

Seeing as there were no further public comments, the public hearing was closed at 6:03 p.m.

Discussion

Referring to a PowerPoint presentation, Philp addressed the questions/comments made by those who spoke up during this public hearing. She noted that there is already a requisite 50' river setback in the Town Code. She reviewed the setback requirements included in these zone district amendments.

Don Elliott noted that it's very unusual to try to align proposed building height limits to existing property lines. Regarding the setback from the Fryingpan River, he said that the purpose of zoning is to set

numbers which are based on planning principles and they aren't arbitrary. He didn't know whether this proposed 100 foot setback was the right number but whatever that number ends up being, a number does need to be stated.

Commissioner Comments

Commissioner Rossetti said that there has been a lot of discussion about how the public will access the Roaring Fork River through the CDC parcel but the same amount of attention hasn't been given to public access to the Fryingpan River on the BCC parcel. He would be more comfortable knowing that there are mechanisms that can be used to provide that public access, perhaps via a land swap or some other type of transaction.

Philp pointed out in the draft language where the CSC Zone District includes a pedestrian link on the BCC parcel between Midland Avenue and the Fryingpan River frontage, said connection being set back from Two Rivers Road by a distance of 50 feet. Also, the DAAC Plan shows an area along the Frying Pan River as future open space.

Commissioner Wheeler asked if the current language would suffice in a development review process. In reply, Chair Johns said that the current language is "should" but perhaps it needs to say "shall." Philp asked the Commissioners if they would like to add language ensuring another access point on the Frying Pan River. Johns said that the purpose of this entire endeavor is to celebrate our rivers.

Commissioner Rossetti was of the opinion that a redeveloped BCC parcel would be a retail success and providing access and open space along the Frying Pan River would be an added attraction for everyone. He didn't know what mechanism would be the most appropriate to use to make this happen, but he would like to have a way for the Town to obtain even a small park along the river in exchange for some development concessions to a future developer/property owner.

Commissioner Vozick pointed out that item 5b includes verbiage saying that the Town may give credit to a developer for providing open space and/or other community amenities in public downtown space.

Commissioner McAllister pointed out that, first of all, the public right of way needs to be established. Philp then offered some alternative language suggestion on how to phrase this.

Commissioner McAllister said that having a master plan for this parcel that shows trails and other public amenities along the river could be helpful for the Town and developers. He wasn't comfortable relying on a zoning document to accomplish this. Philp said that the master plan map does show part of the area along the [Frying Pan] river as open space.

Philp asked Elliott for his opinion on this issue. She explained that even though the adopted DAAC Plan map depicts the area as containing open space, there seems to be some question about mandating that to happen in the zoning. Elliott replied that the proposed zone district language acknowledges and requires a variety of open space types, adding that even though a plan indicates an area of open space, it's difficult to always mandate a certain amount that must be open to the public, due to Federal court cases. The current proposed language covers this issue to the extent possible.

Chair Johns questioned whether or not the language was clear enough in stating that open space is a requirement versus a suggestion. Elliott replied that the P&Z and BTC will have ample opportunity to examine any redevelopment proposals during the review process. The documents that will be referred to in that process, both the plan and the proposed zoning language, include requirements for pedestrian access and open space. Johns said he felt reassured by the fact that there will be many levels of

review before development is finally approved. He thinks that the building heights and setbacks are necessary because we don't want to create canyons around the streets and rivers.

Commissioner McAllister said he's ready to move this item along to the Town Council for review.

Chair Johns acknowledged that the Commissioners aren't able to foresee every eventuality for this zone district and he anticipated that the Town Council would probably make some changes.

M/S VOZICK AND ROSSETTI TO APPROVE THE CSC ZONE DISTRICT LANGUAGE AS WRITTEN AND REFER THE AMENDMENT TO THE TOWN COUNCIL FOR REVIEW. THE MOTION CARRIED BY A VOTE OF 6-0.

At this time the conference call with Don Elliott was ended.

Public Hearing on Roaring Fork Conservancy River Center and Old Pond Park Application - for the purpose of considering a land use Application submitted by the Roaring Fork Conservancy (Conservancy) and the Town of Basalt for the construction of the Conservancy's River Center and improvements to Old Pond Park and Two Rivers Road. The Application is for a Site Plan Review Approval and Environmentally Sensitive Area (ESA) Environmental and Floodplain Review in Reach II of the Roaring Fork River and includes several amendments to various Town approvals for the River Center and Old Pond Park and related infrastructure.

Philp noted that some members of the Roaring Fork Conservancy staff and board were present. Referring to a Staff Memo dated July 5, 2016 she briefly reviewed the history of this application, adding that the Town is very interested in seeing that the River Center gets built. The Town entered into a predevelopment agreement with the Conservancy to buy back the property it had previously sold to the Conservancy, thus freeing up funds for the structure to be built and allowing RFC to lease that land.

Philp explained that the Town and the Conservancy are co-applicants on this project with the Conservancy obligated to build the River Center and the parking while the Town is responsible for making the Old Pond Park and the Two Rivers Road ROW improvements. Philp referred to a posted site plan while making her explanatory remarks, adding that it's also included in the packet materials.

Philp said that the RFC application is consistent with both the Town Master Plan and the Two Rivers Road Greenway Master Plan. She explained the revisions to the parking plan that have been made since the original approvals. A wetland garden is planned but until it's built that area will be grass. The accessible fishing pier on the pond will be a major improvement. The zoning for this parcel is Public (P) and parking in publicly zoned areas usually includes a reduction in parking and what is shown on this plan is similar to what was used for RMI and the library. Staff has calculated 13 parking spaces for this first phase and if/when the second phase is built additional parking will be considered.

Philp noted that Police Chief Greg Knott submitted referral comments and a drawing asking for more parking spaces but the Town's traffic engineers determined that the area is very tight due to the flood plain and the adjacent wetlands so trying to fit in more parking spots is not feasible.

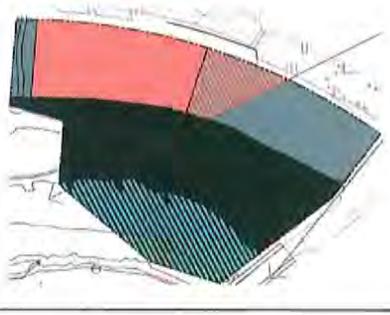
Rick Lofaro, Executive Director of the Roaring Fork Conservancy, introduced Don Schuster from the Conservancy's Board, Rob Morey who is the project manager and owner's rep, and Matt Armentrout, architect. Lofaro noted that the River Center's size has been reduced in order to create more outdoor area to provide interaction opportunities and outdoor classroom activities.

Our Town Planning – This is where we are

Prior Direction from Town Council

1. How much of the Pan and Fork Property is Park and how much is left for Building Development?

Building Line and Park

 <p>LEGEND: - CDC OWNED (Potential Building Area) - TOWN OWNED (Potential Building Area) - PROPOSED PARK</p> <p>Town of Basalt COLORADO SCALE: 1"=200' 001.5424</p> <p>Proposed Downtown Planning Map</p>	<p>BASALT RIVER PARCEL AREAS</p>  <p>CDC OWNED 2.32 ACRES TOTAL BUILDING PARCEL 1.08 ACRES POLYGOON / EVENT AREA .34 ACRES FUTURE PARK .90 ACRES (1.14 ACRES + .78 ACRES)</p> <p>CURRENT TOWN OWNED 2.96 ACRES TOTAL LAND 2.02 ACRES WATER .89 ACRES</p>
<p>1A. Source: Council voted that Proposed Downtown Planning Map is a potential building and park plan [1]* on April 28, 2015.</p>	<p>1B. Source: Council directed POST to continue preparing Park plans and construction documents and the Developer to prepare development plans for the areas shown on the map on November 24, 2015 [2]; February 9, 2016 [3]; and February 23, 2016 [4]</p>

2. Direction to Owner and Developer - How much development on the "Building Parcel" should they submit an application for?

55,000 square feet of Building Space

Source: On February 23, 2016, The Council voted to encourage Lowe Enterprises (Developer), which has the option to purchase the property from the CDC (Owner), to prepare and submit a land use application that includes up to 55,000 total square feet of building space (not including parking) on the area shown as building the Exhibit shown as 1 B above. [4]

[#] * Refers to a Council resolution approved on that date. See Page 8 of this portion of the packet.

3. What does the adopted Master Plan show for the 4 Our Town Planning Parcels?

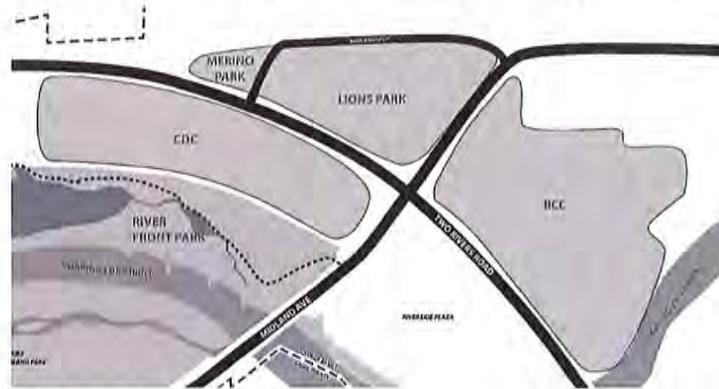
	<p>Major Components of OTP Master Plan Amendment</p> <ol style="list-style-type: none"> 1. Future Land Use Map shows DAAC Concept Map with Some Changes 3. Big “V” is expanded to reflect Council Building Line 4. Incorporates DAAC Report 5. New Land Use Typologies and Vision Boards 6. Eliminated the significant mixed-use development shown by the 2007 Master Plan on the “Big V” and area shown as Park on the Building and Park Plan
<p>Source: The P&Z adopted the OTP Master Plan Amendment on October 20, 2015 and the Council adopted it on November 24, 2015 [5]</p>	<p>Note: State Law and the Town’s Home Rule Charter govern the procedures for adoption and amendment of the Town’s Master Plan. Development has to be generally consistent with the Master Plan</p>

4. What zoning is being proposed for the Our Town Planning Properties?

Amended Community Serving Commercial District (CSC) Zone District

Source: Council accepted the P&Z recommendation to modify the Community Serving Commercial (CSC) Zone District for application to all four Our Town Planning (OTP) Parcels generally as described by the P&Z and presented in the packet materials for the February 9, 2016 Council meeting. [4]

5. What are the Highlights of the CSC Zone District?



Highlights of the P&Z's Amended Community Serving Commercial (CSC) Zone District are provided below

1. The CSC Zone District is proposed to be modified to apply to all 4 OTP parcels: CDC, Lions Park, Merino Park and Basalt Center Circle (BCC).

The original district was prepared by the CDC for the CDC parcel although it could be used by other "Public non-profit Entity, Community Development Corporations."
2. The definition of what is considered to be Community Serving is proposed for modification. The P&Z determined that Community Serving meant that each of the properties would include an "anchor use". An anchor use is a use or activity that the Town desires which was supported by the OTP Master Plan Amendment.
3. Anchor uses for each of the 4 parcels were identified by the P&Z. Anchor uses include such uses as a grocery store, hotel, brewpub/distillery, and also include a community center (to address the uses desired by the Petition Committee on the CDC parcel).
4. **Secondary uses** are identified for each of the parcels. Secondary uses are other uses which could occur once the anchor use was guaranteed for the parcel.
5. Buildings adjacent to Two Rivers Road may only be **2 ½ Stores**. 2 ½ stories means the third floor is pulled back from the front building façade by at least 10 feet.
6. **4 stories are allowed on the BCC** parcel but only in the interior of the parcel, away from the Fryngpan River, and after buildings are confirmed along Two Rivers Road.
7. Buildings adjacent to the Basalt River Park may also be only 2 ½ stories although the Council may grant relief based on findings.
8. **View openings as shown on the OTP Master Plan Amendment must be protected.**
9. Pedestrian through connections to the rivers as defined in the code language must be preserved.
10. **Definitions** are added (for example, what is a "Community Center"?) or amended (for example "condominium hotel").

Questions to Council

P&Z and POST:

1. Does the Council generally agree at this stage with proposed park boundaries and area shown for development as represented in the OTP Master Plan Amendment and by several votes of the Town Council. (See Question 1 on page 1.)

P&Z:

2. Does Council agree at this stage with the number of stories and height that are recommended for the 4 Our Town planning parcels?
3. Does the Council agree at this stage with the uses that are recommended for the 4 Our Town Planning Parcels?
4. Given the direction heard on Items No. 1, 2 and 3 can the P&Z precede to public hearing with the P&Z has presented?
5. If the answer is no on No. 4 above, what is the Council direction to Staff and the P&Z?

POST:

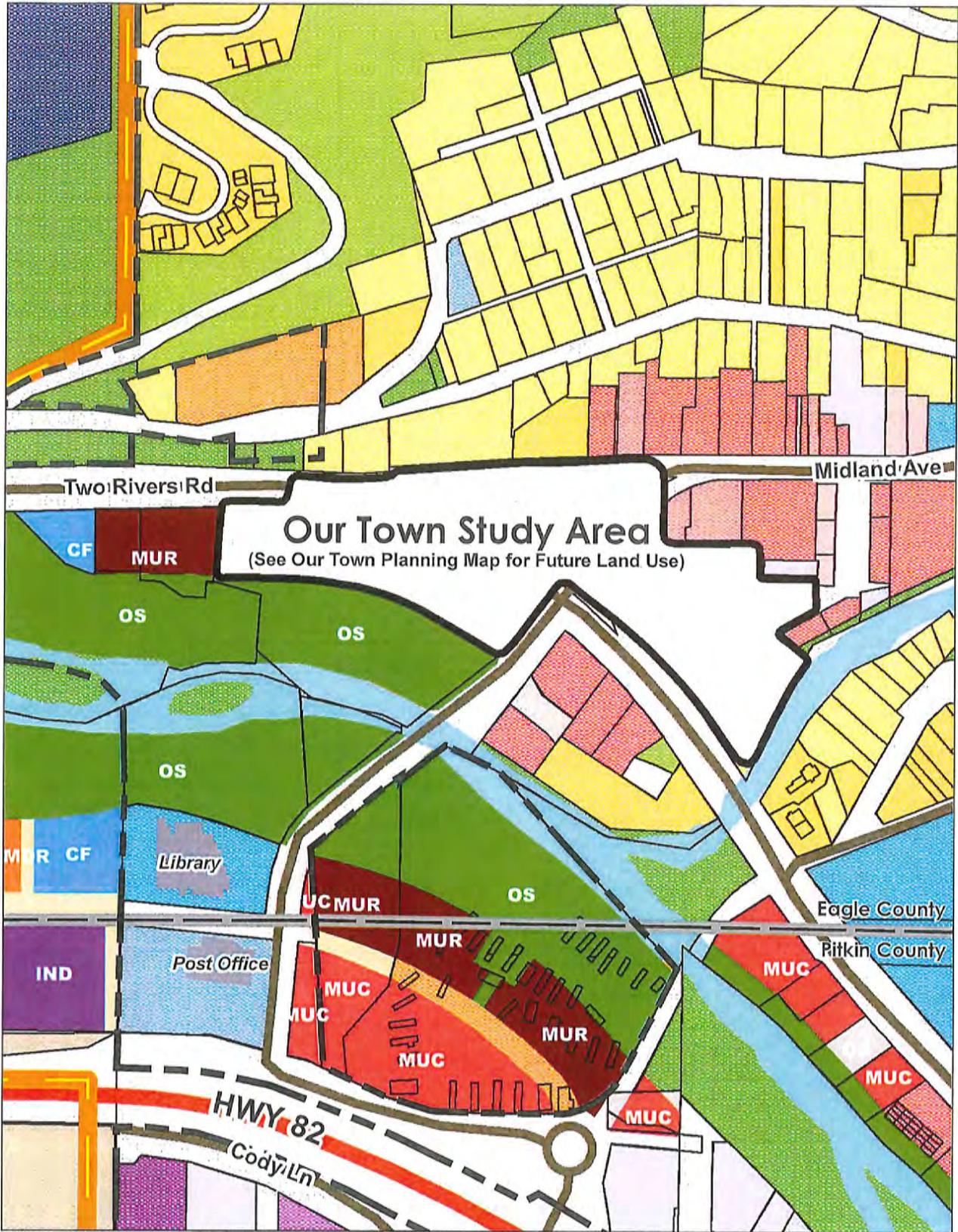
6. Is the Council supportive of the major elements that are currently identified in the POST planning efforts
7. Assume yes on No. 6 is the July 12th presentation deadline still appropriate?

OTP Resolutions Referred to in this Document

[1]	Resolution No. 19, Series of 2015 adopted on April 28, 2016 after the Council discussed various options for the Building and Park Line at a Breakfast Meeting on Friday, April 24 th .
[2]	Resolution No. 55, Series of 2015 adopted on November 24, 2015 provided additional direction to P&Z, POST, Staff and CDC
[3]	Resolution No. 04, Series of 2016 adopted on February 9, 2016 Responded to the Citizen Petition Reviewed by the Council at its January 26, 2016 Council Meeting Concerning Purchase of the CDC Property
[4]	Resolution No. 09, Series of 2016 adopted on February 23, 2016 Providing Direction to P&Z, LOWE, and the CDC
[5]	Resolution No. 54, Series of 2015 approved on November 24, 2015 Adopted the Our Town Subarea Plan: An Amendment to the 2007 Town of Basalt Master Plan (OTP Master Plan Amendment)

Other important OTP Resolutions

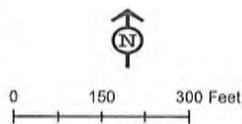
2014	Resolution No 05, Series of 2014 adopted on February 11, 2015 approved a framework and budget calendar for the Our Town Planning Process
	Resolution No. 32, Series of 2014 adopted on June 24, 2015 directed Staff to continue the Community Survey Work with the Our Town Planning Process
	Resolution No. 37, series of 2014 Directed Staff to develop and implement the necessary steps for the creation and adoption of an Urban Renewal Authority to Financially Aid in the Redevelopment of the Basalt Downtown District
	Resolution No. 54, Series of 2014 adopted on August 26, 2014 established DAAC It also directed Staff to continue the community survey work to obtain scientific responses to how the community would like the downtown developed.
2015	Resolution No. 03, Series of 2015 adopted on January 27, 2015 accepted the DAAC report and identified the next steps in the "Our Town Planning Process – Included Exhibit A which assigned tasks to P&Z, POST, Financial advisor and Staff
	Resolution No. 34, Series of 2015 adopted on July 28, 2015 made additional findings and directed additional activities for the OTP Planning effort
	Resolution No. 43, Series of 2015 adopted on August 25, 2015 as a reconsideration of an earlier tied voted, approved a Pre-development agreement with LOWE and the Roaring Fork CDC (unsigned)
	Resolution No. 49, Series of 2015 adopted on September 29, 2015 clarified the status of the Council's decision on development intensity for the potential building area identified in Resolution No. 19, Series of 2015



Mapping by Denise Tomaskovic & TGMalloy Consulting

Town Boundary	SERV Service	LDR Low Density Residential
Urban Growth Boundary	CF Community Facility	MDR Medium Density Residential
MUC Mixed Use Commercial	POS Private Open Space	HDR High Density Residential
IND Light Industrial	OS Public Open Space	MUR Mixed Use Residential

- Notes:
- 1) Bold colors and white labels indicate future land use and stippled colors show existing or committed land use (see Figure 5 and Table 2.7.1).
 - 2) See typologies and text for additional guidance on desired land uses.
 - 3) Affordable housing to be included throughout all land use categories.

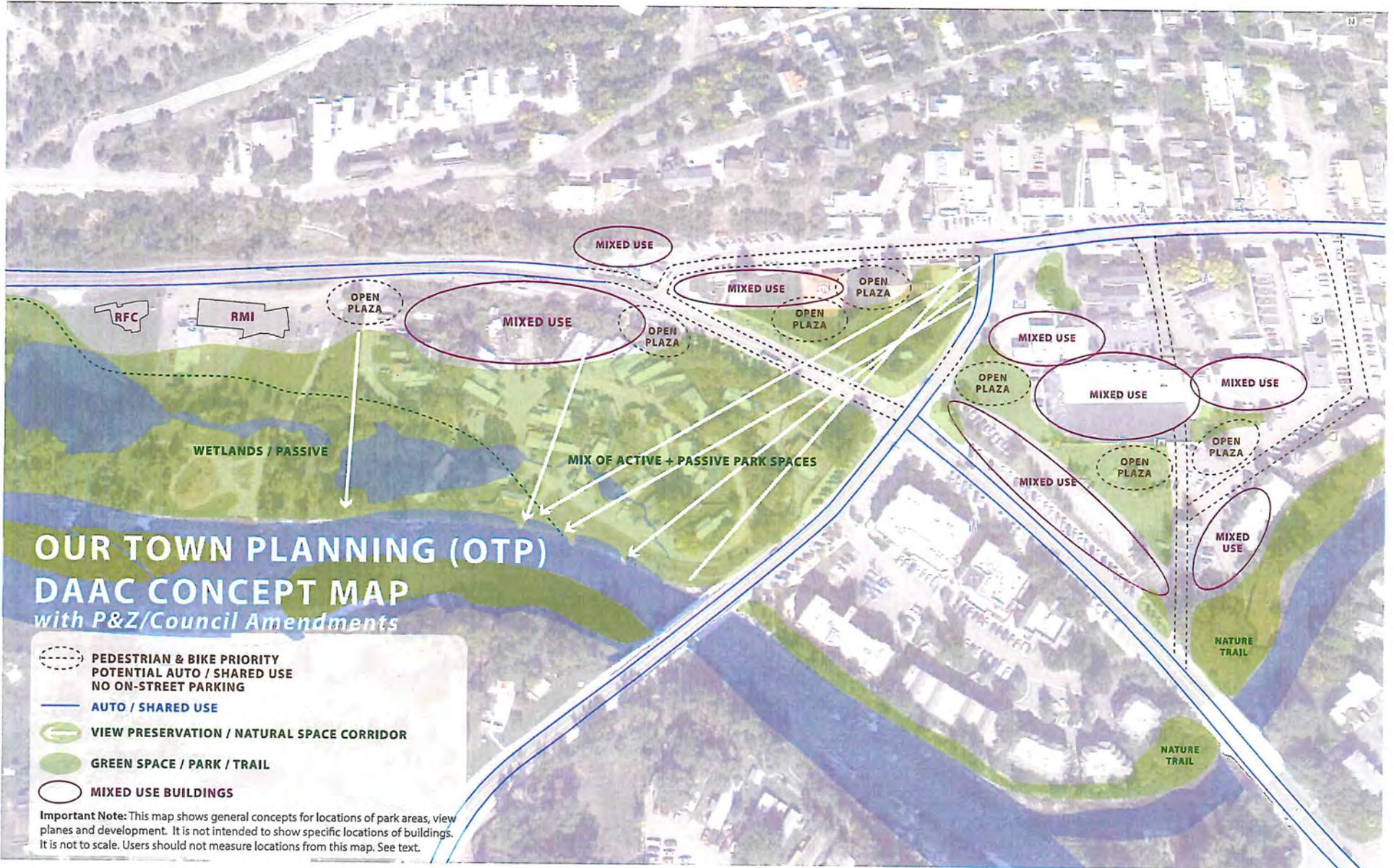


Our Town Master Plan Amendment



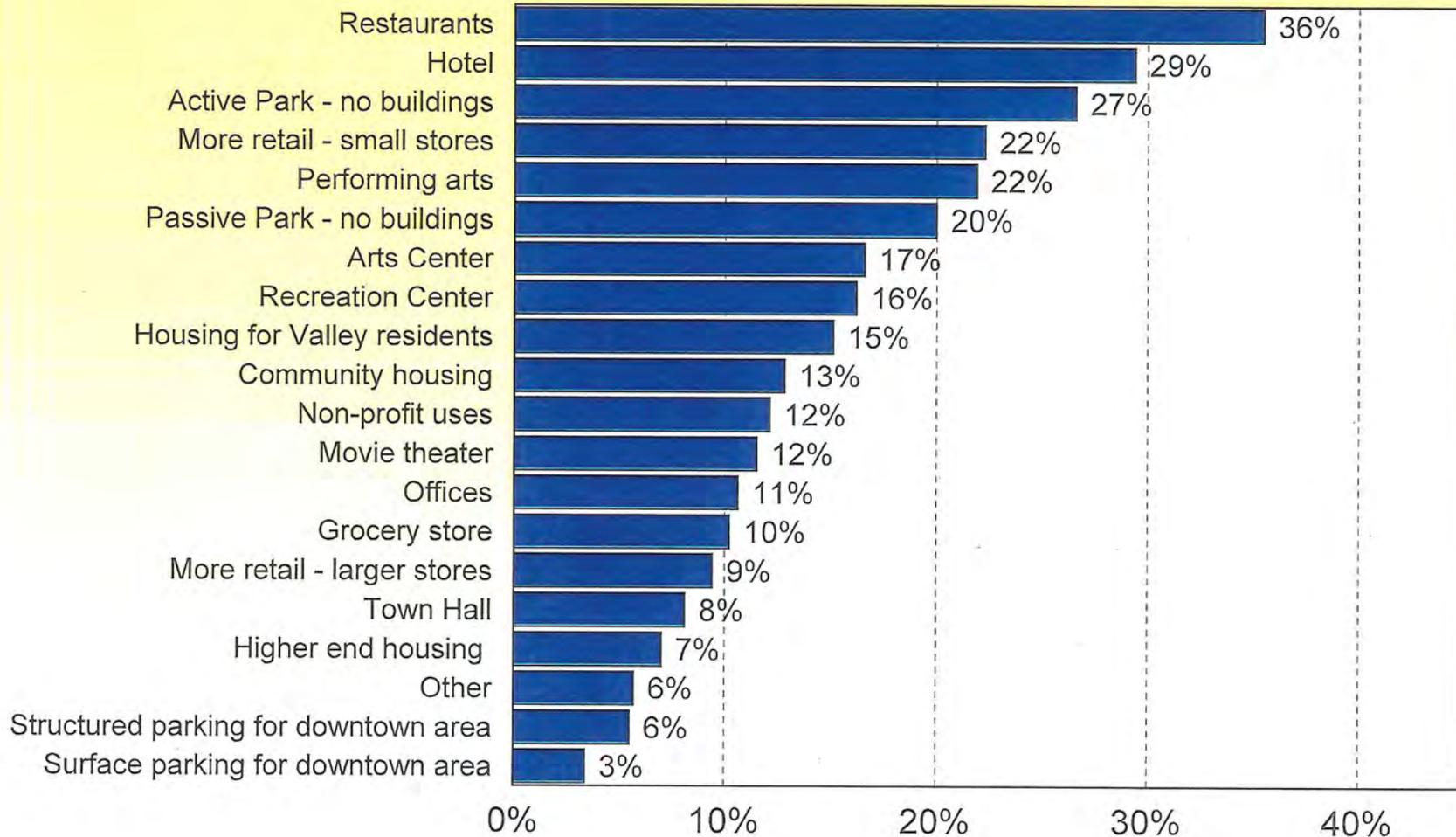
Figure 2 Page 214 of 298 Amended Future Land Use Map

OTP Master Plan Map



Q4. Which of the following would you like to see on the developable portion of the Pan and Fork Property?

by percentage of respondents (excluding "none chosen" - multiple selections could be made)

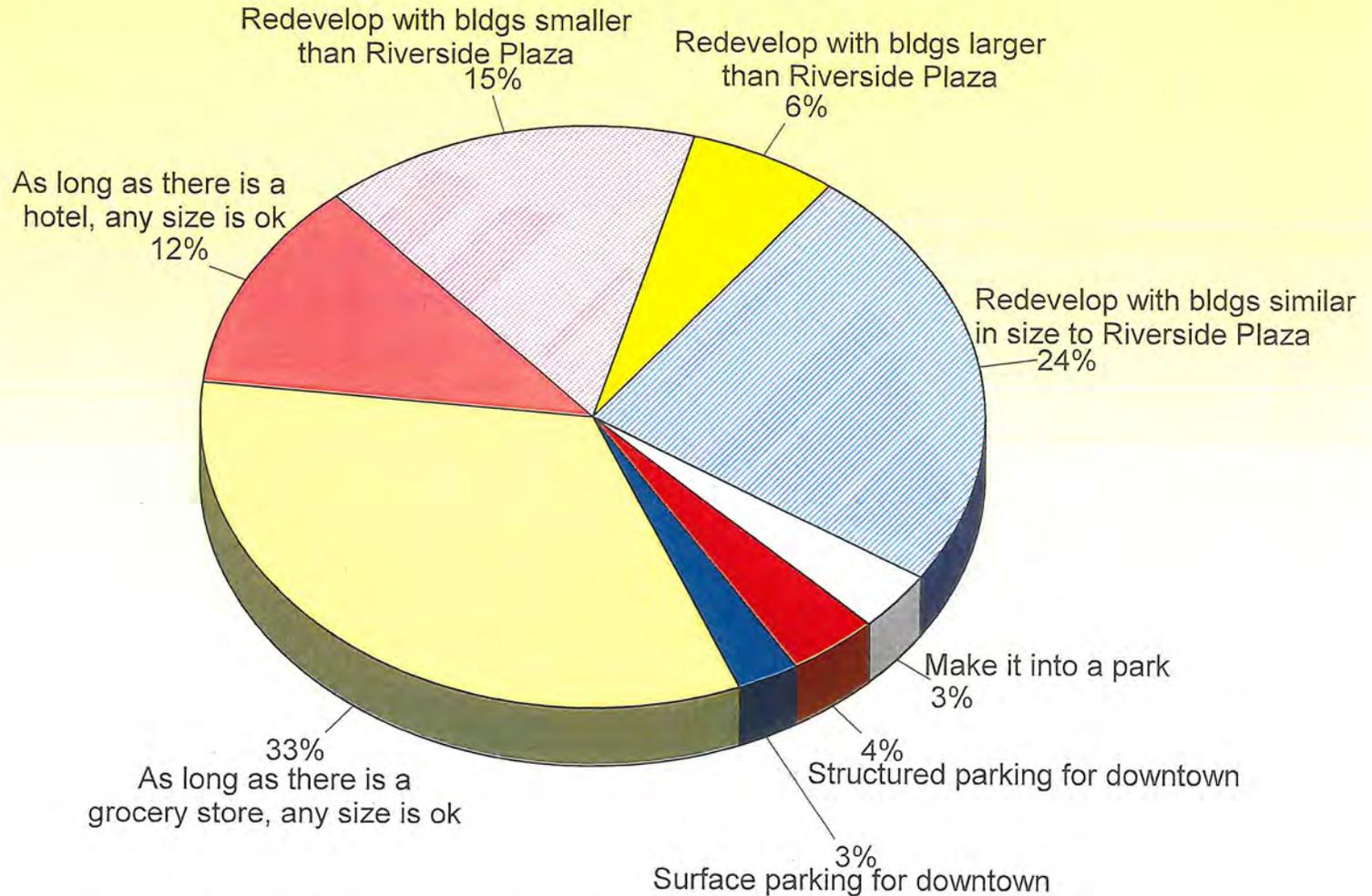


Source: ETC Institute (2014 - Basalt, CO "Our Town" Planning Survey)

ETC Institute (2014)

Q2. Which one of the following best describes how you would like to see the Clark's Market Property developed?

by percentage of respondents (excluding "don't know")

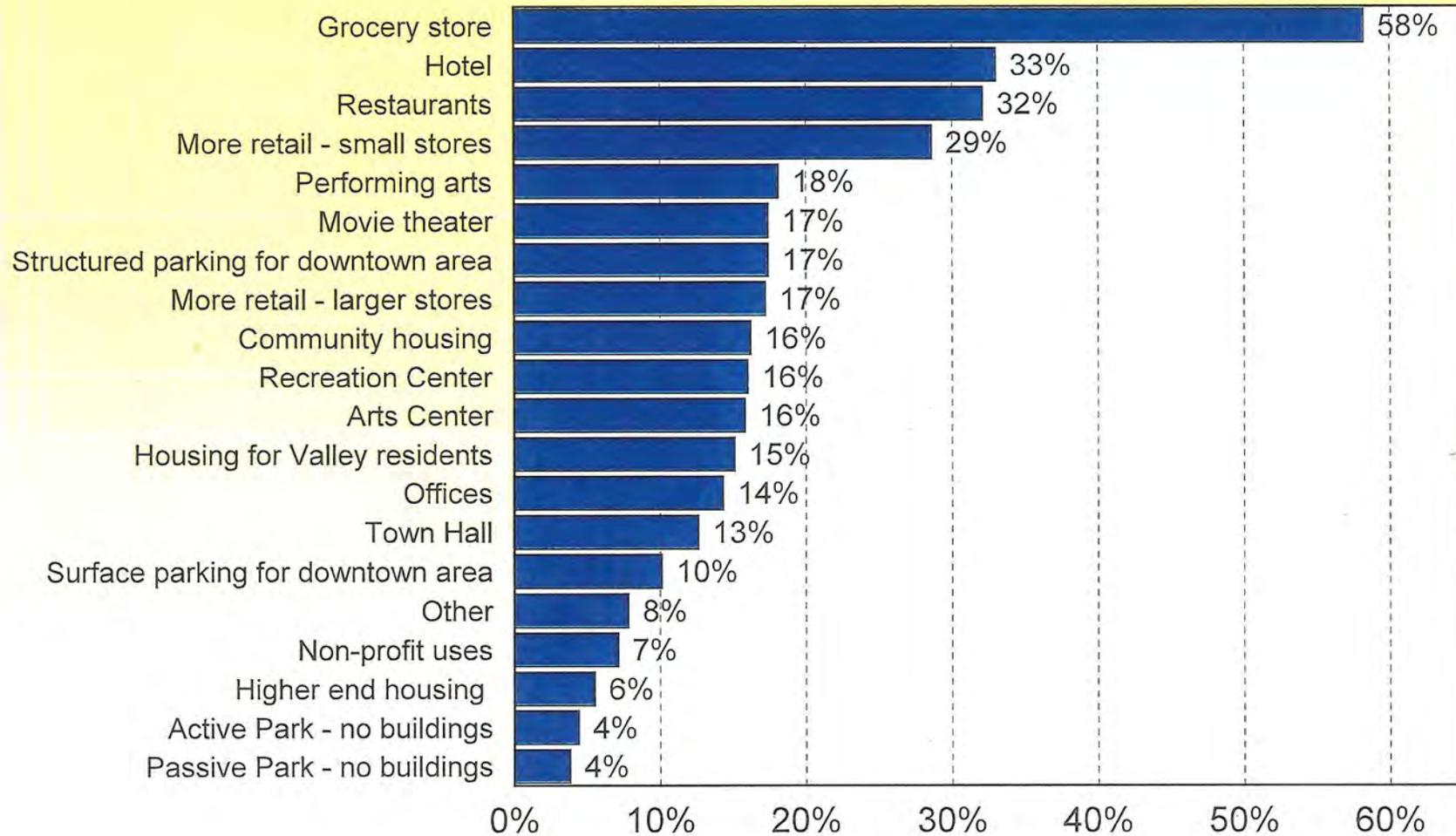


Source: ETC Institute (2014 - Basalt, CO "Our Town" Planning Survey)

ETC Institute (2014)

Q5. Which of the following would you like to see on the developable portion of the Clark's Market Property?

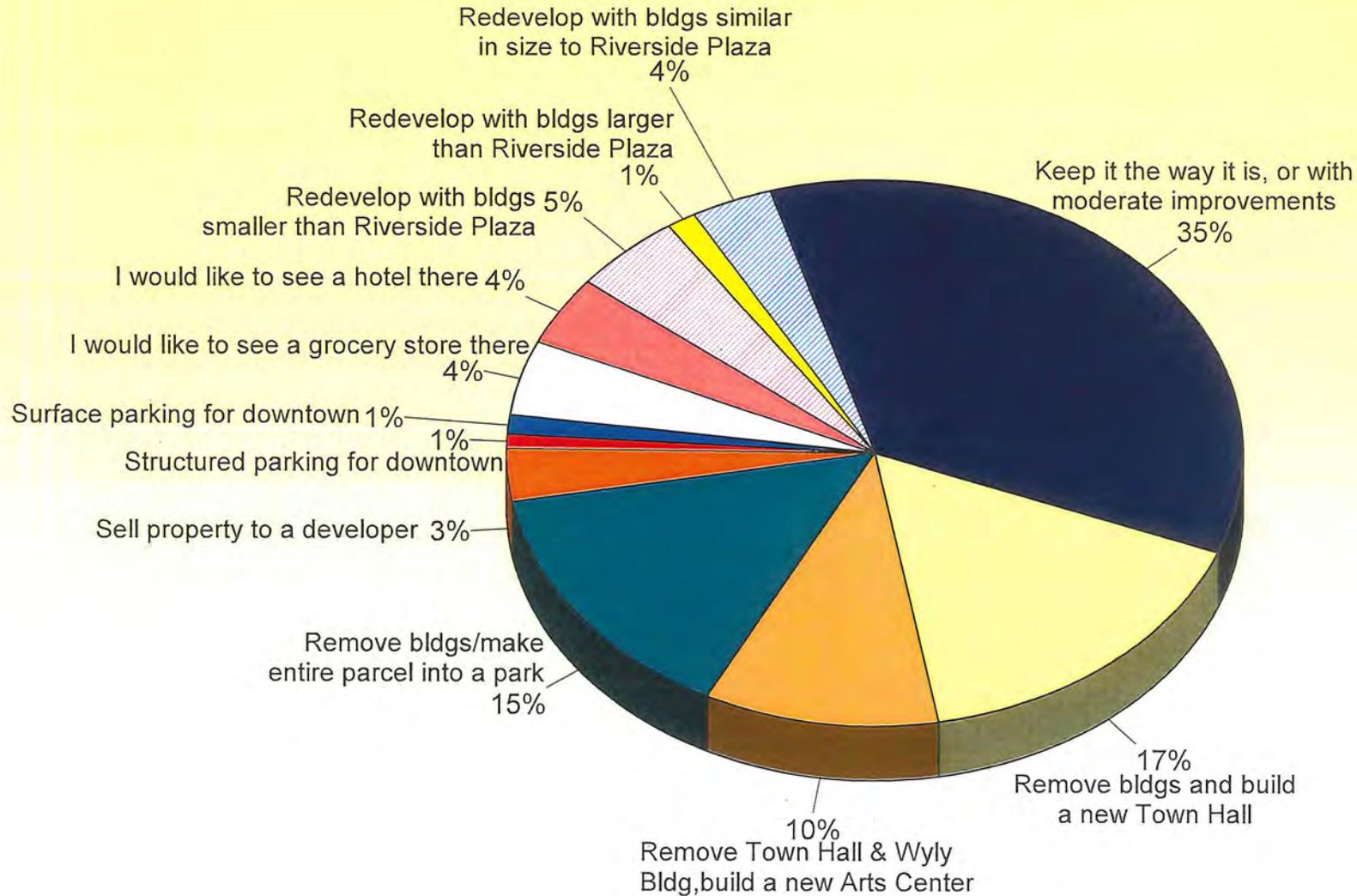
by percentage of respondents (excluding "none chosen" - multiple selections could be made)



Source: ETC Institute (2014 - Basalt, CO "Our Town" Planning Survey)

Q3. Which one of the following best describes what you think the Town should do with the Lions Park Property?

by percentage of respondents (excluding "none chosen")



Source: ETC Institute (2014 - Basalt, CO "Our Town" Planning Survey)

Handed out at mtg. 5/3/16

For P+Z mtg - Some changes were made
Subsequent to this meeting

H

Basalt Center Partnership
1042 Main St.
Carbondale, Co. 81623
970-963-2800

May 2, 2016

Town of Basalt
Susan Philp Planning Director
101 Midland Ave.
Basalt, CO 81615

Dear Susan,

Thank you for your updates on the new zoning for the Our Town Planning Parcels which includes my property as shown as part of the "BCC Parcel".

Needless to say, a tremendous amount of planning by the Town Staff and citizens has gone into the CDC parcel and the BCC parcels starting with the "Our Town" efforts in 2014.

The "BCC Parcels" represent an opportunity for the Town and property owners to redevelop these sites into something reflective of the needs of the Town of Basalt and its citizens and will bring some vitality to downtown Basalt through the new "Community Serving Commercial" zoning goals. Part of that zoning intent is to encourage certain anchor uses such as grocery store, hotel, brewpub, community center, sports/youth center and other uses. The BCC area is an integral part of revitalizing downtown Basalt, including the accommodation and appropriate location for uses that would otherwise be inappropriate uses if were they developed alongside the Roaring Fork River and a possible future park as proposed for the CDC parcel.

One item that caught my eye, which was not included in previous drafts, was the setbacks mentioned from Two Rivers Road and the Frying Pan River. The 150 foot setback, with varying height limitations, severely limits any future development on the BCC parcels. I see it as a handicap and too restrictive. The BCC parcels are all under separate ownership

and this proposed setback requirement severely challenges an owner's flexibility in a re-development design. Other commercial properties, including the Willits Development, do not have these restrictions. And certain existing buildings in downtown Basalt do not have these limitations.

I hope you will reconsider this requirement.

Very truly yours,

Frank X. Taverna

cc: Mike Scanlon

For P&Z MTO - Some changes were made
Subsequent to this meeting
Susan Philp

Handed out at mtg. 5/3/16

From: Chris Szczelina <chrisszczelina@aol.com>
Sent: Tuesday, May 03, 2016 4:55 PM
To: Susan Philp
Cc: Mike Scanlon
Subject: CSC zoning revisions

Susan,

I appreciate you meeting with me personally a few weeks ago to bring me up to speed with all the work that you and the P&Z committee have been doing with the new CSC zoning and thank you for continuing to keep me in the loop and trying to get my input as well since this all has such a great impact on our business and our family. After being a part of this community for twenty years now, it is nice to know that we are able to begin to work together to come up with something that would be mutually beneficial for the town and our family. My hope is that together we can create a redevelopment plan that can offer a clear path that we as small business owners can work through what seems to be an otherwise complex process. As far as our needs go, we have to first and foremost consider what would make a new hotel viable and successful. Most important in that regard, is the hotel's riverside location, the visibility to potential guests, and a sufficient enough room count to be able to operate efficiently.

After reviewing the P & Z agenda packet you forwarded onto me, I wanted to express my very real concerns with some of the language in the proposed amended CSC Zone District. There are several key restrictions that I am strongly opposed to that will have a severe impact on our property.

Firstly, in the requirements in Table 16-30-2, I am strongly opposed to the footnote #3 that states that no building shall exceed 2.5 stories or 38 ft. in height within 150 ft. of the Frying Pan River. This severely limits our options on this very crucial piece of our property and can preclude any future redevelopment of the hotel. While the Town has clearly had positive intentions in the zoning overlay work to use the BCC area as a revitalization area for downtown, the complexities of the BCC site absolutely warrant a more flexible process if redevelopment is ever going to occur. And the 150 foot setback issue simply ignores the inherent complexities of the site, and is perceived by my family as a complete deterrent to any enthusiasm and creative planning than what the underlying zoning provided, which as you know, was already a non-starter. I do not think that such wording should be included in any zoning ordinance as it would immediately prevent any exploration of many redevelopment ideas for this parcel.

Secondly, I have a concern with footnotes #4 and #5. As I understand this, four story buildings would only be allowed along the first 150 linear feet frontage of Two Rivers Road starting from the light post at the Midland Avenue intersection. This limitation would also disqualify many potential redevelopment scenarios of our property. Any limitation such as this should also not be included in this new zoning. If four stories are acceptable within that 150 feet, then why not along the whole street frontage?

In regards to the other notes:

The most efficient way for Sopris Engineering to reach me is to call me on my cell phone which is 618-5044. Then we can arrange a time to meet and do a walk through for the locations of the wells.

Also, I am sure I can meet with the members of P & Z for a site visit any time this month that works for them. Just let me know.

Thank you for taking the time to consider my perspective,

Chris Szczelina
Aspenalt Lodge

Current Definition of Condominium hotel

I

Zoning — General Provisions

§16-4



Condominium hotel (or condotel or condo-hotel) means a hotel or motel operated under a condominium form of ownership. As used in this definition, the term *unit* or *sleeping unit* means the sleeping unit to be sold as a condominium hotel unit. A condominium hotel must satisfy the following requirements:

a. Be subject to the complete control and management of a single hotel or motel operator for operation as a hotel or motel.

b. Except for dwelling units to be used by a manager or employees or any deed-restricted affordable housing, condominium hotels shall contain no dwelling units and contain only individual sleeping units that are permanently dedicated to rental to the public for transient occupancy on a full-time basis by the hotel operator. A unit owner(s) may not occupy their unit for more than sixty (60) days out of a calendar year and may not occupy their unit more than twenty-nine (29) consecutive days.

c. Contain and maintain standardized furniture, furnishings and decor in all individual sleeping units.

d. Be advertised and appropriately marked with signage as a *hotel* or *motel*.

e. Be served by singly metered utility services, and with a central telephone system and central cable television system installed in all individual sleeping units.

f. Contain no individual sleeping unit that contains washer/dryer equipment or connections.

g. Be created, sold and maintained under documentation, including condominium declaration, bylaws, sales brochures and pre-construction agreements, in form and content approved by the Town Attorney that adequately discloses and ensures that the facility will in all respects be permanently and exclusively operated as a hotel or motel and will not be occupied as a multi-family dwelling.

h. Fifty percent (50%) of the units in a condominium hotel development shall be available for rent or occupancy to the general public at all times.

i. A unit owner(s) shall notify the operator or management company at least sixty (60) days in advance of an intent to occupy their unit. Availability shall not be guaranteed for a unit owner(s) in the absence of such a reservation and in that event the unit shall remain available to the public. Until fifty percent (50%) of the units are reserved by unit owners, a unit owner may reserve his or her unit for occupancy as long as the unit owner notifies the operator at least sixty (60) days in advance of occupancy. After the sixty-day advance period, a unit owner may reserve his or her unit if it is available and the fifty percent (50%) requirement outlined in Subsection h. above is not exceeded.

j. Upon commencing operations as a condominium hotel, the operator or management company shall submit a quarterly report to the Finance Department containing information reasonably necessary to indicate compliance with the Town's lodging tax provisions.

k. A unit owner(s) shall not store automobiles on the site when they are not occupying a unit.

Construction waste compacting facility means any business involved in the separation and compaction of construction waste materials including sheet rock/dry wall, concrete, wood products, metal products (including nails, fittings and plumbing elements), carpet, tile, insulation material, roofing material and plastic fittings. *Construction waste* shall not include organic material, hazardous or chemical materials, medical waste, liquid petroleum products or any material which ferments or which biodegrades over a short period of time. Such facilities are prohibited from stockpiling materials for longer than two (2) business days. These facilities are to comply with all applicable code sections for the IN zone, including Section 16-24, Supplemental requirements for the Industrial Zone District, along with all other applicable state and federal regulations.

Day care means a facility which is maintained for a whole or part of a day for the care of two (2) or more persons not related to the owners, operator or manager thereof, which facility is operated with compensation for such care. Care provided by the caretaker is for more than two (2) consecutive days on a regular basis. A *small day care home* is for less than seven (7) individuals. A *large day care home* is for seven (7) or more individuals.

Dental clinic means a professional business providing general or special dental services employing three (3) or more dentists.

Dental office means a professional office providing general or special dental services employing fewer than three (3) dentists.

Developable area means the number of square feet included within a lot as measured within the boundaries of the lot measured on a horizontal plane upon which the boundaries have been vertically projected. Calculation of the *developable area* shall exclude the entire width of the right-of-way or easements for streets and alleys to be dedicated for public use and the entire width of the right-of-way or easements for private road easements other than a private drive serving a single residential dwelling unit. The *developable area* of lots adjacent to the river shall be calculated excluding that portion of the lot lying below the line highest in elevation on the shore established by the fluctuations of the water indicated by physical characteristics, such as a clear natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas. Calculation of the *developable area* shall also exclude thirty percent (30%) or greater slopes or natural hazards unless development is permitted pursuant to Section 17-32.

District means a section of the Town for which regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of the use are uniform, as outlined on the adopted Zoning Map of the Town.

Dwelling means a permanent building or portion thereof which is used as a private residence or sleeping place of one (1) or more human beings, but not including temporary structures such as tents, railroad cars, streetcars or similar structures. A dwelling is to include mobile homes or trailer homes that are located in accordance with the provisions of Article XVI of this Chapter. Dwellings are intended to be occupied for long-term

CURRENT CODE BEFORE RECOMMENDED CHANGES

J

Sec. 16-30, - CSC Zone District.

(a) Intent and applicability.

(1) Statement of intent. The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 Zone District. The scale and character of development authorized in this zone district may allow buildings that are larger and more multi-faceted than areas zoned C-2 (Downtown Business) or P (Public). The zone district offers certain incentives to encourage qualifying non-profit organizations to create projects that might not occur through pure free market development. These incentives include reductions in certain mitigation standards and a review process that is better tailored to non-profit applicants. The goal is to foster partnerships between non-profit organizations and private entities to address important community goals.

(2) Applicability.

- a. Minimum land area. Any parcel of land that is at least one (1) acre in size, or any parcel of land that is less than one (1) acre but is immediately adjacent to an area zoned CSC and that is appropriate for community serving uses under the parameters of this section may be zoned to the CSC Zone District.
- b. Development must be community serving. Since the intent of the CSC Zone District is to encourage social entrepreneurship in the development of community serving commercial projects, new development shall only be permitted to occur in the CSC Zone District if it is determined to be community serving. New development shall be considered to be community serving if at least seventy percent (70%) of the total permitted square footage is devoted to a use or uses listed in Subsections 16-30(b)(1) a., b. and c. below and if at least thirty percent (30%) of the total permitted square footage is devoted to governmental or non-profit uses as described in Section 16-30 (b)(1)a. Nothing herein shall preclude a use from satisfying both the seventy percent (70%) and thirty percent (30%) requirements. The Council may reduce or eliminate the requirement that at least thirty percent (30%) is devoted to governmental or non-profit uses through the CSC Development Plan approval process if it would result in more than seventy percent (70%) of the total square footage being devoted to deed restricted community housing units including replacement housing units.
- c. Qualifying non-profit organizations. In order to be eligible for rezoning to the CSC Zone District, the owner of the land to be rezoned must be a non-profit Community Development Organization or a similar non-profit organization where development

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

activities are a stated part of its 501(c)(3) tax status. A qualified Community Development Corporation is an entity which satisfies the requirements of Section 16-4 applicable to a "Public non-profit Entity, Community Development Corporation." Provided that the new development satisfies the criteria of Section 16-30(a)(2)b. above, a qualifying non-profit organization shall not be disqualified if portions of the new development proposed in the CSC Zone District are to be sold to and used by for-profit businesses in accordance with these regulations and any adopted conditions of approval.

- d. Master Plan. In reviewing whether a parcel is appropriate for CSC zoning, the Town will consider the future land use designation and neighborhood typology in its then current Master Plan, the goals and objectives of the Master Plan, and whether the designation will help the Town to implement specific goals, such as economic development, or plans, such as the Town's adopted 2002 River Master Plan.
- (b) Schedule of uses.
- (1) Permitted uses. The following mixture of public, non-profit, quasi-public and private uses is permitted in the CSC Zone District:
 - a. Uses and activities conducted by a government entity or by a public non-profit entity that meets the requirements of Sections 16-4 or 16-21(8) of this Chapter. Such uses include administrative offices and meeting rooms for non-profit and educational oriented organizations, transit facilities, museum, community center, educational facilities, performing arts center, and theater.
 - b. Fully-deed restricted community housing units meeting the requirements of this Chapter.
 - c. Community Vitality Uses as shown on Table 1 in Section 16-29 as Community Vitality Uses. In addition, uses in the designated Vitality Zone are required to be Community Vitality Use subject to exceptions included in Section 16-29(c) and the design guidelines for buildings included in Section 16-30(d)(7).
 - d. Temporary outdoor uses and vendors, subject to the provisions of Chapter 6, Section 6-13 of the Town of Basalt Code except that uses and vendors are not subject to the limitation on number of days placed on these activities on public property.
 - e. Free-market multifamily uses.
 - f. Other commercial, office and retail uses allowed in the C-2 Zone District or approved through the site plan approval process.
 - g. Day care if approved in the site plan review and in conformance with State

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

- Requirements regulating day care.
 - h. Accessory uses as approved pursuant to site plan review.
 - i. Public open space and park uses.
 - j. Private open space and park uses.
 - k. Parking for the allowed uses within the development.
- (2) Limitations on permitted uses. Through the CSC Development Plan Review process, the Town Council may place reasonable restrictions or limitations on any use or activity in the CSC Zone District. The Town Council may also determine that a specific use is not appropriate based on the intent of the zone district, consistency with the Town Master Plan and compatibility with adjoining areas. The Town Council may establish conditions allowing for subsequent review by the Town Planner or Technical Review Committee to avoid unnecessary additional meetings before the Planning and Zoning Commission and Town Council.
- (c) Dimensional requirements. The dimensional requirements applicable to developments within the CSC Zone District shall be established through the CSC Development Plan review process, and shall be subject to the limitations listed in Table 1, below.

TABLE 1
SCHEDULE OF DIMENSIONAL REQUIREMENTS IN THE CSC ZONE DISTRICT

Standard	Dimensional Requirement	Notes
Minimum lot area	No requirement	
Maximum building height or height to the highest point of a pitched roof.	45 feet for a hotel. 38 feet for all other uses.	Town Council may approve a greater number of stories or a greater height through the CSC Development Plan review process if the Council finds that:

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

<p>Maximum height to top of parapet</p>	<p>45 feet for a hotel. 38 feet for all other uses.</p>	<p>1. The addition is reasonably necessary for the use allowed in the CSC zone district; and 2. The addition would not injure the value or use of, or prevent the proper access of, light and air to adjacent properties, nor be out of harmony with the intent and purpose of the Master Plan and this Chapter; and 3. The addition satisfies the special review standards included in <u>Section 16-44(e)</u>.</p>
<p>Maximum number of building stories</p>	<p>4 stories for a hotel. 3 stories for all other uses.</p>	<p>See also note 1 below. The maximum floor area ratio shall be applied to the master parcel only. Individual parcels within the master parcel shall receive their floor area allocations from the total floor area authorized for the master parcel during the CSC Development Plan review process. See also note 2 below</p>
<p>Maximum floor area ratio</p>	<p><u>1.5</u> times the gross lot area of the master parcel.</p>	<p>See also note 1 below. The maximum floor area ratio shall be applied to the master parcel only. Individual parcels within the master parcel shall receive their floor area allocations from the total floor area authorized for the master parcel during the CSC Development Plan review process. See also note 2 below</p>
<p>Minimum front yard setback</p>	<p>0 feet</p>	<p>See note 3 below</p>
<p>Minimum side yard setback</p>	<p>0 feet</p>	<p>See note 3 below.</p>
<p>Minimum rear yard setback</p>	<p>25 feet</p>	<p>If adjoining property is zoned residential; or;</p>

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	0 feet	In all other cases. See also note 3 below.
Minimum setback from rivers and other ESA's	See Article XXI concerning development in and around rivers, wetlands and environmentally sensitive areas.	
Minimum percent landscaped open space	10%	Open space credits may be given for pedestrian improvements, street furniture, etc., in a public right-of-way. See <u>Section 16-29(e)(4)(g)</u> .

Note 1: Structured parking which is located primarily underground and is below other permitted uses shall not be counted towards maximum height and story measurements.

Note 2: Structured parking which is located primarily underground and mechanical or non-residential storage located in said structured parking shall not count towards maximum floor area calculations.

Note 3: Parts of the structure, such as overhangs, may encroach into the public right-of-way if approved to do so through the CSC Development Plan Review process, provided the applicant obtains an encroachment license from the Town.

(d) Other Development Standards.

(1) Vitality zone. All areas zoned CSC shall include a designated vitality zone which shall be established by the Town in the sketch plan process. The permitted uses in the vitality zone are shown on Table 1 in Section 16-29 as Community Vitality Uses and the buildings are subject to the building design standards contained in Section 16-30(d)(7) for buildings within the vitality zone. The Town Council will establish the vitality zone considering the following:

- a. The pedestrian and connectivity goals of the area;

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

- b. The nature of the desired streetscape;
 - c. Existing and proposed adjacent uses;
 - d. The then current Master Plan; and
 - e. The goals advocated by the non-profit applicant.
- (2) Parking. Development in the CSC Zone District shall provide parking as follows:

Hotel—One (1) space per hotel room, plus two (2) for management and operations.

Residential—One (1) space per bedroom to a maximum of two (2) spaces per unit, where an efficiency unit is counted as one (1) bedroom.

All other uses—One (1) space per four hundred (400) square feet of floor area. With the exception of handicap spaces and car share spaces, parking spaces may not be reserved for individuals or private businesses.

Additional on-street parking constructed as part of the development will count for non-residential parking included in the calculation of parking spaces to be provided. The applicant shall be permitted to purchase non-residential parking spaces pursuant to the requirements of Section 16-94.

The Town Council may apply a reduction of the non-residential parking requirements following a recommendation of the Planning and Zoning Commission based on hours of operation, mixed-use, access to on-street parking, availability of local mass transit, contribution to a car share program that serves the community or contribution to other desired public improvements, necessary infrastructure, or other basic Town service requirements. The Town Planner may require a recommendation from a parking consultant as outlined in Section 16-92 in order for the staff and Planning and Zoning Commission to make a recommendation and the Town Council to make a decision on the appropriate parking reduction for the development.

The visual impacts of off-street parking and loading areas shall be minimized. Special attention shall be given to the design of parking and loading areas to ensure that they support and do not detract from the Town's vitality goals for the CSC Zone District. This shall be accomplished by:

- a. Constructing structured parking primarily underground where such construction is feasible;
- b.

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

- Locating such areas, or the access to such areas, along the rear facade or side of the building whenever feasible (off-street parking shall not be permitted between the front facade of the building and the abutting street); or
- c. Wrapping the facades of any structured parking within other permitted uses that have a minimum depth of eighteen (18) feet or wrapping the facades with building material, grading or landscaping to break up the view of the parking and lighting contained therein from public open spaces and other activity areas. When this design option is employed the access to the structured parking shall be designed with the same attention to detail and materials as the primary façade and the access shall be integrated into the building's design and wrapping.
 - d. Designating one (1) or more loading zones on the site plan and regulations to govern loading. Except for the foregoing, including parking rates, parking areas in the CSC Zone District shall comply with the requirements of Article V, Off-street Parking and Loading.
- (3) Signage. The sign restrictions of the C-2 district will typically apply to non-residential uses zoned CSC with modifications permitted through the CSC Development Plan Review process. However, nothing shall prevent the Town Council from adding conditions and restrictions on signage to protect adjacent properties and to further the goals of the Town's Master Plan.
- (4) Lighting. The lighting requirements of Section 16-431 shall apply to development within the CSC Zone District unless modified through the Exemption process outlined in Section 16-438 of the Town Code, Article XX, Exterior Lighting.
- (5) Community housing. New development within the CSC Zone District shall satisfy the requirements of Article XIX (Housing Mitigation), except as follows:
- a. The community housing requirements for the commercial mitigation requirements for public/non-profit uses shall be reduced by fifty percent (50%). However nothing shall prevent the applicant from requesting a further reduction as permitted by Section 16-412.
 - b. No housing mitigation shall be required in connection with commercial spaces which are deed restricted such that they can only be sold in commercial units of two thousand five hundred (2,500) net square feet or less which cannot be combined with adjacent units and that occupancy is limited to uses identified as "community vitality" uses in the C-2 Zone District; and
 - c.

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

Three (3) or fewer new attached residential units located on the second or third story of the project to be built and owned in separate ownership from other property in the CSC District and containing one thousand four hundred (1,400) total square feet or less per unit shall be exempt from the housing mitigation requirements or the attached residential units qualify for some other exception in Article XIX of this Chapter.

- (6) Environmentally sensitive areas. Development within the CSC Zone District shall comply with Article XXI (rivers, wetlands and environmentally sensitive areas), provided that the environmentally sensitive area review shall be conducted simultaneously with the CSC Development Plan Review if the Town Planner makes the finding that the development is within the development line established by the River Master Plan.
- (7) Building design. All buildings shall comply with the following requirements, if applicable:
 - a. The Town of Basalt Complete Streets Design Manual and the typologies from the Town of Basalt Master Plan that the Town determines are most applicable to the type of development proposed in the project.
 - b. To the extent possible the areas between a building and the adjacent street shall be visible space that is useable by customers of on-site business uses or pedestrians. These areas, and the required open space areas on the site shall: (a) abut and be level with the public sidewalk; (b) be open to the sky (except for awnings, covered walkways, areas under a porch and covered outdoor seating); (c) be directly accessible to the public; and (d) be provided with appropriate ground cover treatment and landscaping. Placement of street furniture and public art in required open space is encouraged, as long as the four-foot minimum pedestrian walkway width is maintained. Items such as street furniture, educational and interpretive displays, small play features and public art that is attractive and appropriate for use by young children are encouraged.
 - c. Buildings within the portion of the site designated as the vitality zone (as that term is defined in Section 16-29 of this Code) shall incorporate a store-front design at the street level, with windows suitable for retail goods display that are designed to attract pedestrian interest at the street level. The storefront windows along the façade of the vitality zone shall be transparent so as to permit the activities within the building to be visible to pedestrians along the adjacent street. Commercial spaces at street level should have a ceiling height consistent with those within the historic downtown.

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

- d. Special attention shall be given to any new building at a prominent corner in the CSC Zone District, including but not limited to, the corner of Two Rivers Road and Midland Avenue, which is a prominent corner at the entryway to the Midland downtown business district. Although it is not the intention of these provisions to require that the building be of a historic or period architecture, it should present a timeless design that makes a statement while maintaining an appropriate scale and mass to the Town. Special attention shall be given not only at the street level but also to the upper floors of the building.
 - e. Attention shall also be given to the design of building facades within the development to ensure that there are not blank walls or empty facades along pathways that connect buildings to public spaces or along alleys or other frontages where pedestrian traffic might be anticipated.
 - f. Development in the CSC Zone must satisfy the design criteria of the C-2 Zone District in Section 16-29(e)(4)c. regarding curb cuts.
 - g. The ground floor of any new structure in the vitality zone should be at grade with adjacent sidewalks or passageways, and there shall be no steps between the sidewalk and the primary building entry. However, in order to satisfy grade issues, steps may be included in the portion of the sidewalk closest to the street if the applicant demonstrates that providing steps is the best way to address grades on the site.
 - h. The Town desires to have development in the CSC Zone not just meet, but exceed the accessibility requirements of the ADA Code.
 - i. Utility boxes and trash/recycling facilities servicing the building shall be located outside of the public right-of-way, along the rear or side façade of the building. To the extent possible, these facilities shall be located in a way that avoids or minimizes any negative impacts on residential uses on the parcel and on adjacent parcels and does not interfere with pedestrian movement and experience. This requirement shall not be construed to prohibit the placement of street furniture, such as public trash containers, within the public right-of-way.
 - j. Landscaping that is to be installed in the public right-of-way shall comply with the applicable provisions of the Public Works Manual.
- (8) Community Priority Scoring System. Development within the CSC Zone District shall be exempt from the requirements of Article XXII.
- (9)

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

Land dedications. The land and improvements, or fees in lieu, required to be provided under the provisions of Section 17-15 (Parkland Dedication) shall be calculated at one-half (½) the requirement for any deed restricted community housing units; and the provisions of Section 17-16 (School Land Dedication) shall apply at the same discounted rate for deed restricted community housing units. The Town Council may exempt or further reduce such fees for free-market and community housing during the CSC Development Plan review process pursuant to Section 16-419. Any reduction or elimination of school impact fees will require approval by the school district.

- (10) Master Plan consistency. Development within the CSC Zone District shall be determined to be generally in conformance with the Town Master Plan and consistent with the Town's River Master Plan where that plan applies.
- (e) Zone District review procedures and submission requirements.
- (1) CSC Development Plan review procedures. No new development shall occur in the CSC Zone District without CSC Development Plan review and approval. CSC Development Plan review shall be conducted in two (2) stages, these being Sketch Plan review and Final Plan review.
- a. Sketch Plan review. Sketch Plan review is intended to provide the Town with a general overview of the project including a description of existing conditions, proposed mix of uses, height, floor area and parking, as well as its relationship to neighboring properties and consistency with the Town's Master Plan, the River Master Plan and applicable Code provisions. Sketch Plan review shall involve the following procedural steps:
1. The initial step in Sketch Plan review shall be a determination of whether the proposed project is community serving and is eligible for rezoning to the CSC Zone District. This determination may be made administratively by the Town Planner or the Town Planner may refer this matter to the Planning Commission and Town Council. If the determination is referred, then the Planning Commission and Town Council consideration shall occur at a jointly held public hearing.
 2. Any project that is determined to be community serving and eligible for rezoning to the CSC Zone District may then proceed through Sketch Plan review. Sketch Plan review shall require a review by the Planning Commission. The Commission is authorized to recommend approval, approval with conditions, or denial of the Sketch Plan application following a duly noticed public hearing. The Planning

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

Commission review shall be followed by a review by the Town Council at a duly noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application.

- b. Final Plan review. Final Plan review is intended to provide the Town with a more detailed description of the proposed development program, to respond to issues raised in the sketch plan review and to present additional information required in the Sketch Plan review. Final Plan review shall require a review by the Planning Commission at a regular meeting. The Commission is authorized to recommend approval, approval with conditions, or denial of the Final Plan application. The Planning Commission review shall be followed by a review by the Town Council at a duly noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application. The Town Planner may schedule a joint meeting of the Planning Commission and Town Council prior to the initial Final Plan review by the Commission.
 - c. Community Serving Subdivision. A property which is zoned CSC is eligible to be subdivided as a Community Serving Subdivision pursuant to the provisions of Section 17-84.5 of this Code provided no more than four initial lots are created by the Owner. The Community Serving Subdivision shall be processed concurrently with the CSC Development Plan. However, nothing herein requires the qualifying non-profit organization to use the Community Serving Subdivision process if the owner would rather utilize another eligible subdivision process in the Code at the time of the subdivision.
- (2) Sketch Plan submission contents. The application for the Sketch Plan stage of CSC Development Plan review shall include the following:
- a. Completion of standard application forms and authorization from the owner for the filing and processing of the application and fees.
 - b. Description of existing conditions.
 - c. A legal description of the property, an ALTA survey and a copy of any easement or recorded document referenced on the ALTA survey.
 - d. A list with addresses of all property owners within three hundred (300) feet of the property.
 - e. A description of the development program including: major objectives of the development; proposed mix of uses with approximate square footages of each use and number of any free-market and community housing units and allowed locations;

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

- parking capacity, location and types; access locations and vehicle and pedestrian circulation; proposed phasing and timing; and plan for satisfying the goals of the development plan. Numbers can be provided in a range.
- f. Schematic development plan (at a scale of at least one (1) inch per one hundred (100) feet) showing horizontal relationships of the proposed development with property boundary, setbacks and proposed uses.
 - g. Information and drawings providing a schematic level description and illustration of the height, scale and mass of proposed structures from important perspectives, as well as proposed open spaces narrative and graphic descriptions of the character and style of architecture by the end of Sketch Plan review.
 - h. Narrative addressing relationship of the project to neighboring properties and consistency with the Town's Master Plan, the River Master Plan; Streetscape Plan and any other long range planning documents as deemed appropriate by the Town.
 - i. Narrative description of how utilities are to be provided to and through the site by a licensed professional engineer along with an assessment as to the feasibility of the applicant's proposal. Describe whether any existing utilities or easements will need to be relocated or vacated, and generally the plan for accomplishing this. The engineer's assessment at a minimum must address potable water, sanitary sewer, drainage and storm sewer, electrical power, natural gas power, and flood protection where applicable. Describe whether the power lines will be below ground or overhead. The applicant may include maps depicting the alignment of utilities but it is not required at Sketch Plan. The engineer's assessment shall outline any known engineering and utility issues and generally describe how they will be addressed in the final site plan review.
 - j. Proof of ability to apply the CSC Zone District.
 - k. General statements describing how the elements of the development will satisfy the criteria required for the CSC Zone and explanation for any reductions in requirements allowed through the site plan process.
 - l. Statements addressing how the development intends to satisfy requirements that apply to the development found in other sections of the Code applicable to the type of development being proposed, including but not limited to: any annexation requirements; school and parkland dedication; floodplain development permit and regulations, and community housing, including any need for relocation housing.
 - m. Description of how the development addresses the Town's goals toward sustainable

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

- building, energy efficiency and waste reduction.
- n. A study of the shading or shadow impacts that the proposed buildings may cause on public or private rights-of-way or other public spaces within or surrounding the project.
 - o. Additional information. Any additional information reasonably required by the Town to review the application and to verify compliance with the provisions of this Code.
- (3) Final Plan submission contents. The application for the Final Plan stage of CSC Development Plan review shall include the following
- a. Same as above along with such additional or refined information and analysis as may be required by the Town Council in order to address issues raised in the Sketch Plan review or to verify compliance with the provisions of this Code.
 - b. Off street parking and loading areas, including the location, type and capacity of proposed parking areas, and written justification for any proposed reductions or fee-in-lieu of parking proposals
 - c. The location of all ways for ingress and egress to all buildings and parking areas.
 - d. Service and loading areas and refuse and recycling collection areas.
 - e. Site/building program.
 - f. Development plan which meets the requirements of Section 16-66(3)b. Following Final Plan approval the applicant shall record a development plan containing the elements of the Town Council's approval.
 - g. **Reserved.**
 - h. Proposed schedule and phasing.
 - i. Identification of potential construction and maintenance easements needed for zero-lot line development and plan for obtaining such easements.
 - j. Draft Master Development Agreement which generally describes the public improvements to be constructed in connection with the project, the timing of such construction, the parties responsible for completion of the public improvements and the financial security to be provided.
- (4) Building, engineering and site design review. Building, engineering and site design review is intended to provide the Town with the final architectural, engineering, landscaping and other technical documents that are a precursor to the actual construction of the project. Following approval of the final CSC Development Plan and any other associated land use

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

actions and prior to issuance of a building permit for each lot or development site, the then-owner of a lot or development site shall comply with the following submission requirements and review procedures:

- a. The owner shall prepare and submit architectural drawings, elevations and perspective drawings of all proposed structures and improvements intended to show the relationship of the proposed structures to the surroundings. Such drawings shall depict proposed building materials, fenestration, mechanical equipment (and screening of such equipment) and similar architectural details but need not be the result of final architectural design.
- b. The owner shall submit final engineering documents, including plans and specifications for streets, water, sewer and drainage and the engineers' cost estimates for all public improvements to be installed on the lot or building site within dedicated land areas, rights-of-way or easements.
- c. Following construction, the owner shall provide as-built mapping and diagrams for utility installations in an electronic computerized format of a type approved by the Town Engineer or Public Works Director.
- d. The owner shall describe the character and type of landscaping, lighting and signage to be provided. The landscaping shall be indicated in tabular form, showing the type of plant material, minimum size and quantity. The approximate location of landscaping shall be indicated on a site plan. The lighting description shall describe how the lighting complies with the final site plan approval and any exemptions that will be necessary pursuant to Section 16-438 of the Town Code, Article XX, Exterior Lighting. The signage plan shall provide detailed information sufficient to determine whether the location, size, number and character of the proposed signs comply with the requirements of Section 16-131 et seq. of the Town Code, Article VII, Signs.
- e. The owner shall provide an anticipated time table for completion of development including the anticipated dates for completion of any phase.
- f. The owner shall provide a title insurance policy indicating that the property is free and clear of all ownership disputes, liens or encumbrances which would impair the property to be utilized for the uses approved. The title policy shall provide verification that all owners and lien-holders have approved the final subdivision plat.
- g. The owner shall demonstrate compliance with Article II, Chapter 17, Design Standards and Requirements for Subdivisions.
- h. The owner shall demonstrate compliance with Article V, Chapter 17, Public

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

Improvements Acceptance and Guarantees.

1. The owner shall provide a Subdivision Improvement Agreement for public or quasi-public improvements to be constructed by the owner and other draft agreements and conveyances that apply to the development as whole or to community housing or other restrictions or requirements.
 2. The owner shall provide a Construction Management Plan and shall submit a request for the use of any of the Town's property for construction or construction management purposes.
 3. The owner shall demonstrate compliance with the Final CSC Development Plan approval applicable to the application and any other Town approval.
- i. The owner shall submit the information necessary to satisfy the foregoing requirements for review by the Technical Review Committee. TRC review shall be limited to a consideration and review of the project's compliance with the approval documents applicable to the development, relevant standards applicable to buildings and final subdivision plats. Following such review and after all necessary additions or corrections are made, the building, engineering and site design information shall be forwarded to the Town Council along with the recommendation of the Technical Review Committee. In its final development plan review approval the Council can delegate this review to the Planning and Zoning Commission.
 - j. The building, engineering and site design information submitted by the owner, together with the recommendation of the Technical Review Committee, shall be considered by the Town Council (or the Planning and Zoning Commission if the Council refers the approval to the Planning and Zoning Commission in the final approval) at a noticed public hearing. The board's review shall be limited to a consideration and review of the project's compliance with the applicable approval documents and relevant standards applicable to buildings and final subdivision plats. The Town Council shall make a final decision to approve the building, engineering and site design proposal subject to modifications or conditions, or to deny such proposal. Nothing eliminates the requirement to comply with the Building Code. The Town's approval shall be considered the Site Specific Development Plan.
- (5) Amendments to a Sketch Plan or Final CSC Development Plan. Amendments to a Sketch Plan approval or Final Plan shall be processed as follows:
- a.

CURRENT CSC ZONE DISTRICT - PROPOSED TO BE DELETED AND REPLACED WITH EXHIBIT A OF ORDINANCE

Sketch Plan approval. After Sketch Plan approval an applicant may make insubstantial amendments to the approved sketch plan before submitting a Final CSC Development Plan for review. Substantial amendments shall be processed under the same procedures as used for the original adoption. "Substantial" shall have the same meaning as in Section 16-65(d)(2). The initial determination of whether an amendment is insubstantial or substantial shall be made by the Town Planner.

- b. Final CSC Development Plan approval. After Final Development Plan approval, the TRC may review and approve of minor amendments to the approval documents necessary to effectuate the intent of the Final Plan Approval. The applicant shall have the ability to appeal a TRC decision on a minor amendment to the Town Council at a public meeting in which fifteen (15) days written notice of the public meeting has been provided to the appellants.
- c. Substantial amendments and amendments which the Town Planner determines are not minor amendments but are consistent with the Sketch Plan approval shall be processed pursuant to the Final Plan submission and review procedures. Substantial amendments and any amendments which the Town Planner determines are not minor amendments and are not consistent with the Sketch Plan approval shall be processed pursuant to the Sketch Plan and Final Plan submission and review procedures.

(Ord. 10 §B.3(Exh. B), 2012)

K. Correspondence from Cathy Click - Aug 9, 2016

Susan Philp

From: Cathy Moffroid <cathyclick@me.com>
Sent: Tuesday, August 09, 2016 12:16 PM
To: Jacque Whitsitt
Cc: Katie Schwoerer; Jennifer Riffle; Auden Schendler; garrytennenbaum@yahoo.com; Bernie Grauer; Mike Scanlon; Susan Philp
Subject: CSC Zoning

Dear Mayor—

I read with interest in the packet for the August 9 2016 meeting.

It is my understanding that one of the most pressing issues facing the mid-valley and Basalt is affordable housing. The Permitted anchor uses of the CSC Amended Zone District provides that only in Merino Park is “Community Housing” a recommended priority, or anchor. Merino Park is the smallest of the 4 parcels included in the redevelopment parcels at roughly .7 acres. In addition, Merino Park is also the only parcel in which “Small Business Incubators” is an anchor.

In the language of the Ordinance itself, referencing the Our Town Planning Master Plan Amendment and the DAAC Report, one of the five guiding principles is to “Improve Lions Park”. However, as per the anchor uses, Lions Park anchors are Town Hall, Arts Center, and Sports/Youth Center. Aren’t Town Hall and the Art Base already on Lions Park? How does keeping them there “improve” Lions Park?

Further, the definition of a Condominium Hotel, condotel or condo-hotel blurs the line between private housing and traditional hotel occupancy by allowing that a “if a proposed development does not meet [requirements a through e above]... nevertheless qualifies as a Condominium Hotel” etc. And allows a potential developer to build a Condominium Hotel on the CDC parcel regardless, which has been and continues to be a highly divisive use.

To wit: the opportunity to set Basalt on a course of exciting, sustainable, entrepreneurial growth is not being met in this document. Paying lip service to affordable housing while shoving it off to the smallest available parcel is distressing. Expecting young people and families to locate their businesses in Basalt without offering any kind of space for them to have a business sends them packing (especially when combined with a lack of housing). Privatizing what is left of river frontage with a “Condotel” next to a park with a bandshell seems counterintuitive at best, and at odds with what a significant part of this community wants for that property.

The document is more of the same. Is that what vitality looks like?

Cathy Click
Basalt

Email from Councilor Grauer dated August 19, 2016

Susan Philp

From: Bernie Grauer
Sent: Friday, August 19, 2016 1:58 PM
To: Pam Schilling; Deb Pattison
Cc: Susan Philp
Subject: 3 D model requirement

Please circulate this memo to the Council & Staff

I suggest we add wording to the CSCD Zone District that the: CDC, Lions, Merino & BCC, areas, require a 3-D, 1/8-scale model for all new structures by at least the conceptual review. The model structure should be placed in architectural and geographic context with others at the direction of the staff.

I believe that the overall Pan and Fork 3D model has provided planners, the council and the public, tremendous additional information by which to evaluate structural proposals on the land forms in the urban context.

Bernie Grauer

SUBJECT:

- 6B. Public Hearing and 1st Reading on Code Amendments to Chapter 16, *Zoning*, regarding retail marijuana stores and medical marijuana centers
- 6C. Public Hearing and 1st Reading on Code Amendments to Chapter 6, *Business Licenses and Regulations*, regarding license provisions for marijuana facilities.

RECOMMENDATION:

- 6B. Approve Ordinance No. 24, Series of 2016 on 1st Reading and continue and set the public hearing and 2nd Reading for September 27, 2016
- 6C. Approve Ordinance No. 25, Series of 2016 on 1st Reading and continue and set the public hearing and 2nd Reading for September 27, 2016

DETAIL:

The Council passed Resolution No. 27, Series of 2016 on July 12, 2016. The Resolution asked that the P&Z be directed to expand the allowable zoning districts where marijuana businesses will be allowed and that Staff be directed to rewrite the current Town Marijuana regulations to allow for four (4) licenses of any type of marijuana business. The proposed amendments attached to this memorandum were developed in response to the Town Council's direction.

Town Manager, Mike Scanlon, presented extensive backup to the Town Council on the background and history of marijuana regulations in the Town of Basalt. The packet materials for the Council's July 12th meeting are attached.

Currently Medical Marijuana Centers and Marijuana retail stores are permitted by the Zoning Code in areas zoned Industrial. Additionally, marijuana centers are allowed in areas zoned C-3 and P within medical centers, hospitals, or a hospice facility.

The locations where retail marijuana stores and medical marijuana centers can be located are also restricted by the buffers outlined in Chapter 6, Business Licenses and Regulations. This section of the code states that these facilities cannot be located within 1,000 feet of a school; 500 feet of day care facilities and 500 feet of major parks (the measurement now uses "direct pedestrian access") and along a designated school routes. Covenants and specific provisions in PUDs may also restrict the location of these facilities.

The P&Z recommended approval. P&Z asked Staff to prepare maps to help Council and applicants understand how the buffers affect the availability of property for retail marijuana stores or medical marijuana centers. Staff has prepared some mapping which we will share with the Council at the meeting. It is more difficult to map these areas now because of the amendments the Council made in 2015 to use "direct pedestrian access" instead of "as the crow flies" as the method of measuring the buffers. The reason for the difficulty in mapping the buffers is that there are so many direct pedestrian access ways to get from an individual property to a park, school or daycare facility.

Currently the C-2 downtown district does not allow for marijuana facilities. Simply allowing marijuana facilities in the C-2 zoned area does not substantially open up the area allowed for facilities because of the buffers from Lions Park and the School.

Board Recommendations: The P&Z recommended approval of the amendments on August 16, 2016. The P&Z recommended that Staff prepare a buffer map

Related Town Statute and or Town Actions: Town Code Article V, Chapter 6, Medical Marijuana Centers and Retail Marijuana Stores; Town Code Section 16-190, Medical Marijuana Facilities and Retail Marijuana Establishments; Resolution No. 27, Series of 2016

Attachments:

- A. Draft Ordinance No. 24 Series of 2016 amending Chapter 16 Zoning
- B. Draft Ordinance No. 25, Series of 2016 amending Chapter 6 Business Licenses and Regulation
- C. Draft P&Z Minutes
- D. Staff August , 2016 memorandum to P&Z

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, APPROVING AMENDMENTS TO PORTIONS OF CHAPTER 16,
ZONING, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT,
COLORADO, PRIMARILY CONCERNING MARIJUANA STORES**

**Ordinance No. 24
Series of 2016**

RECITALS

1. The Town of Basalt ("Town") acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to state statutes, Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

2. At a public meeting held on August 16, 2016 the Planning and Zoning Commission considered the proposed code amendments. At the public meeting, the Planning and Zoning Commission heard evidence and testimony as offered by the Town Staff. The Planning and Zoning Commission recommended approval of the code amendments.

3. At a public hearing on September 13, 2016, the Town Council approved this Ordinance on first reading and continued and set a public hearing and second reading for this Ordinance for September 27, 2016, for a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

4. At a public hearing and second reading on _____, 2016, the Town Council heard evidence and testimony as offered by the Town Staff, the Applicants, and members of the public.

5. The provisions of Colorado Constitution Article XVIII § 16 and C.R.S. § 12-43.3-101 *et seq.* authorize operation of licensed retail marijuana facilities and provides municipalities with the authority to prohibit or regulate marijuana establishments within their respective jurisdictions. Marijuana is considered an illegal drug under Federal Law. The Town seeks to allow state licensed marijuana establishments to exist in the Town in accordance with applicable state laws and regulations as well as the additional requirements set forth herein. However, the Town does not in any way endorse or take a position on the use of retail marijuana.

6. The Basalt Town Council finds, determines and concludes that it has a legitimate public purpose in regulating retail marijuana establishments to protect the health, safety, welfare and quality of life for the citizens of the Town.

7. The Town Council finds and determines it is in the best interests of the Town to amend the Town Code as provided herein.

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

1. Chapter 16, Zoning, is hereby amended as shown in **Exhibit A**.

2. 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.

3. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON September 27, 2016 by a vote of __ to __ on September 13, 2016.

READ ON SECOND READING AND ADOPTED, by a vote of __ to __, on _____, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

Pamela K. Schilling, Town Clerk

First Publication: Thursday, _____
Final Publication: Thursday _____
Effective Date: Thursday, _____

EXHIBIT A

Language underlined is being added to the current code and language ~~struck through~~ is being deleted.

Schedule of Uses in C-1 and C-3

Sec. 16-22.	<i>Use</i>	<i>C-1 Neighborhood</i>	<i>C-3 Community</i>
	Retail business/ commercial uses	P	P
	Wholesale business commercial	X	S
	Personal services	P	P
	Automobile sales and services	X	S
	Gas stations	X	S
	Parking lots	S	P
	Fast-food and drive-in restaurant	X	S
	Restaurants	X	P
	Commercial recreation facilities, including pool halls, bowling alleys, clubs, theaters, skating rinks	X	S
	Professional and business offices	S	P
	Hotels and motels	X	P
	Temporary multi-family or lodge	X	S
	Dental or medical clinics	X	P
	Churches	X	S
	School	X	S
	Private education or instructional facility	X	P
	Transportation facilities, terminals	X	P
	Campgrounds	X	S
	Public and governmental facilities	S	S
	Single-family residential units or apartments in conjunction with a business	S	P
	Community centers	X	S
	Banking, savings and loan with drive-up window	X	S
	Multi-family dwellings	X	S
	Mobile home parks	X	S
	Mobile home sales	X	S
	Extraction, processing and transportation of natural resource materials	X	S
	Park and recreation areas	P	P
	Child care and day nurseries	S	P
	Lumberyards	X	P
	Small day care	S	X
	Large day care	S	S
	Small total care	X	X
	Large total care	S	S
	Bed & breakfast establishment	X	X
	Small animal veterinary clinic	X	P
	Adult entertainment establishments	X	X
	Medical center (may include a medical marijuana center or marijuana store if it satisfies the definitions included in the Code and the special review approval)	X	S
	<u>Medical Marijuana Center Premises</u>	<u>X</u>	<u>S6</u>
	<u>Retail marijuana store</u>	<u>X</u>	<u>P6</u>

Add note 6 below to the notes under the table.

6. See Requirements in Section 16-190 and Article V, Chapter 6

P = Permitted use S = Permitted by special review
X = Prohibited

NOTES:

1. For C-2, see Section 16-29, C-2 Downtown Business District.

Table 1
Schedule of Uses in the C-2 Zone District

Use	Use-Specific Standards
Permitted uses	
Retail business	Community vitality use; see Subsection 16-29(c)
Restaurant	Community vitality use; see Subsection 16-29(c)
Hotel and motel	Community vitality use; see Subsection 16-29(c)
Personal services	Community vitality use; see Subsection 16-29(c)
Movie and other theaters, pool hall and game room	Community vitality use; see Subsection 16-29(c)
Professional offices	
Business offices	See Note 2, below, for real estate offices
Banking and mortgage lending	
Offices for public and nonprofit uses	See Paragraph 16-28(3)
Parking garage	See Subparagraph 16-29(e)(4)d.2.
One or two apartments in conjunction with a business	Permitted only on the upper floor(s) of the building; limited to no more than 1,400 sq. ft. per unit ³ . Apartments shall not be separated in ownership from the business use and may be used to satisfy community housing requirements for the business use with appropriate deed restrictions.
Single-family residential units	Permitted only where the residential unit fronts along Homestead Drive; limited to no more than 2,500 total sq. ft. per unit ³
Small day care or small total care	
Parks and recreation areas	
Temporary outdoor uses and vendors	See Sections 6-14 and 16-181
Retail marijuana store	Community vitality use; see Subsection 16-29(c); See Note 4.
Uses permitted by special review	
Bed and breakfast establishment	Community vitality use; see Subsection 16-29(c)
Bowling alley and skating rink	
Clubs	
Gas station with or without food market	
Banking with drive-up window	
Dental or medical clinic	
Medical Marijuana Center Premises	See Subsection 16-29(c); See Note 4.
Temporary multi-family or lodge	
Multi-family dwellings	Permitted only on the upper floors of the building; limited to no more than 1,400 sq. ft. per unit

Mobile home park	
Church	
School, public or private	
Public and nonprofit facilities, other than those typically occurring within an office building	See Paragraph 16-28(3)
Community center	
Large day care or large total care	
Transportation facilities, terminals	
Prohibited uses	
Wholesale business	
Automobile sales and services	
Campground	
Mobile home sales	
Extraction, processing and transportation of natural resource materials	
Lumberyard	
Small animal veterinary clinic	
Adult entertainment establishment	
Drive-in restaurant	
Medical center	
Medical marijuana facilities and Retail Marijuana Stores	

NOTES:

1. See Subsection 16-29(b) which states that any use that is not specifically listed as permitted by right or special review shall be deemed to be a prohibited use.
2. A real estate office that exclusively markets a single real estate development is prohibited to be located in the vitality zone.
3. Total square feet is defined in Section 16-4. For the purposes herein, total square feet also includes any common storage space that is assigned to an individual unit but excludes any parking space that is assigned to the unit.
4. Subject to compliance with the requirements set forth in Section 16-190 and the licensing requirements in Article V, Chapter 6.

Sec. 16-190. Medical marijuana facilities and Retail Marijuana Establishments.

A medical marijuana facility or retail marijuana establishment is prohibited unless specifically permitted by this section and by the zoning district regulations applicable to the subject property.

The premises for a medical marijuana center operating under the provisions of Colorado Constitution Article XVIII § 14, Section 18-18-406.3, C.R.S., Section 25-1.5-106, C.R.S., the Colorado Medical Marijuana Code and 1 CCR 212-1 (Permanent Rules Related to the Colorado Medical Marijuana Code, Marijuana Enforcement Division, Colorado Department of Revenue) is permitted in the Town subject to the requirements included in this Code, including but not limited to Chapter 6 and this Chapter. In addition a premise for a retail marijuana store operating under the provisions of Colorado Constitution Article XVIII § 16, C.R.S. 12-43.4-101 *et seq.*, and 1 CCR 212-2, each as amended, is likewise permitted in the Town subject to the requirements included in this Code including but not limited to Chapter 6 and this Chapter.

(1) Location limits for medical marijuana centers and retail marijuana stores. The premises for a medical marijuana center or the premises for a retail marijuana store permitted under State Law may be approved provided they satisfy the licensing requirements outlined in Chapter 6 and are located within areas zoned for that use as outlined in subsections (a) and (b) below and the schedule of use requirements outlined in Section 16-22.

(a) Located within areas zoned C-3 and P, and within the following premises:

- a. A medical center;
- b. A hospital building; or
- c. A hospice facility.

(b) Located in areas zoned **C-2, C-3 and Industrial**

(3) Additional limitations. Medical marijuana facilities and retail marijuana stores shall be subject to these additional requirements and restrictions:

a. The maximum signage shall be limited to the more restrictive of the otherwise applicable sign regulations for that property or the following: 1) only one (1) sign is permitted per premises, inclusive of any signage located in a window or on the exterior doors, roof and walls of the facility; and 2) no sign shall be larger than six (6) square feet. No temporary signage is permitted, including but not limited to sandwich boards, signs in or on windows and signs on cars parked in the Town limits. No off-premises signage is permitted.

b. All medical marijuana dispensing and retail products sales shall be conducted indoors within the approved premises.

c. All product storage shall be maintained indoors within the approved premises. Products, accessories and associated paraphernalia shall not be visible from a public sidewalk or way.

d. A medical marijuana dispensing facility or retail marijuana store may not include areas for testing or using the product within the facility, or medical center, or store and such testing or use is prohibited within such premises.

e. A medical marijuana dispensing facility cannot be colocated with a medical marijuana cultivation or infused products manufacturing facility.

f. The authorized growing of marijuana plants by a caregiver or patient and the conversion of them into medical marijuana must take place in an approved greenhouse or other structure that is enclosed on all sides, including the roof, regardless of location.

g. A medical marijuana center or retail marijuana store shall be required to meet any special venting, waste, and byproduct disposal requirements as determined to be reasonably necessary by the Town Building Official.

h. A medical marijuana center or retail marijuana store may not be colocated with food preparation facilities producing or assembling food.

i. A medical marijuana center may not sell nonmedical food products which are similar to the medical marijuana food products being sold in the center, including but not limited to brownies or lollypops. This prohibition does not include medicinal products such as tinctures.

j. A medical marijuana facility or retail marijuana store shall satisfy all licensing and permitting requirements of the State of Colorado and the Town prior to operation.

k. The Town may impose additional requirements through its land use review process as deemed necessary in order to protect the health, safety and residents of the Town and surrounding area.

ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, AMENDING ARTICLE V TO CHAPTER 6, BUSINESS LICENSES AND REGULATIONS, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO AMENDING LICENSE REQUIREMENTS FOR RETAIL MARIJUANA STORES AND AMENDING THE LICENSE REQUIREMENTS FOR MEDICAL MARIJUANA CENTERS AND FACILITIES

**Town of Basalt, Colorado
Ordinance No. 25
Series of 2016**

RECITALS

A. The Town of Basalt ("Town") acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

B. At a public hearing of the Basalt Town Council held on September 13, 2016 the Town Council considered the following amendments to the Town Code on first reading and continued and set the public hearing and second reading for this ordinance at a public meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado on Tuesday, September 27, 2016.

C. At a public hearing held on _____, 2016, the Town Council considered the following amendments to the Town Code on second reading and heard comments from Town Staff and the public.

D. The Town Council finds and determines the amendments contained herein are reasonable and necessary to promote the legitimate public purposes of the public health, safety and welfare.

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

A. Findings. The Town Council hereby conclusively finds and concludes as follows.

1. The Town is authorized and empowered to enact this Ordinance by the Town Home Rule Charter.

2. The provisions of Colorado Constitution Article XVIII § 14; C.R.S. § 18-18-406.3, and C.R.S. § 25-1.5-106 and Article XVIII § 16 and C.R.S. § 12-43.3-101 et seq. authorize the use of marijuana. Marijuana is considered an illegal drug under

Federal Law. The Town is merely acknowledging medical and retail marijuana as authorized under State law and is no way endorsing or taking a position on the use of medical or retail marijuana.

3. The Basalt Town Council finds, determines and concludes that it has a legitimate public purpose in regulating licenses for marijuana establishments to protect the health, safety, welfare and quality of life for the citizens of the Town.

B. Revisions to Town Code.

Article V, Chapter 6 of the Basalt Municipal Code entitled Medical Marijuana Centers & Retail Marijuana Stores is hereby amended as provided in **Exhibit A.**

C. Miscellaneous

1. This ordinance shall be effective fourteen days after final publication.

2. 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 September 27, 2016, by a vote of ___ to ___ on September 13, 2016.

READ ON SECOND READING AND ADOPTED by a vote of ___ to ___ on _____, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

Pamela K. Schilling, Town Clerk

First Publication on: Thursday, _____, 2016
Second Publication on: Thursday, _____, 2016
Effective on: Thursday, _____, 2016

Chapter 6, Business License and Regulations as included in the Basalt Town Code is being amended as shown on this Exhibit. Underlined language is being added to the code and ~~struck-through~~ language is being deleted from the code.

Exhibit A

1. Delete Section 6-123 as it only applied to the transition provisions in 2014 and replace it with "Reserved".

Sec. 6-123. ~~Transition provisions.~~ Reserved.

~~(1) Between June 26, 2014 and August 26, 2014, only medical marijuana center license holders that are currently licensed by the Town and under the CMMC and that are operating in good standing may apply for licensing of a retail marijuana store. Any such application must either propose to:~~

~~(a) Surrender the existing medical marijuana center license upon receipt of a retail marijuana store license, thereby entirely converting an existing medical marijuana center into a retail marijuana establishment; or~~

~~(b) Retain the existing medical marijuana license while locating a retail marijuana establishment under common ownership and exercise the option for either co-located or coterminous licensed premises, to the extent allowed by the Colorado Retail Marijuana Code and applicable state rules and regulations.~~

~~(2) Until September 30, 2014, the temporary wholesale sales and purchase limitation imposed on retail marijuana stores pursuant 1 CCR 212-2 Rule 402 shall remain in place in the Town.~~

2. *Revise Sec. 124 (c) to include Carbondale:*

(3) Residency. The applicant seeking licensure must provide the Town with the name of an owner or partial owner of the proposed medical marijuana center or retail marijuana store who shall have a primary home (as the term is defined in this Article V) within the following Colorado zip codes: 81611 – Aspen; 81615 – Snowmass Village; 81654 – Old Snowmass; 81656 – Woody Creek; 81642 – Meredith and Thomasville; 81621 – Basalt; 81623 – Basalt/Carbondale; and 81601 – Glenwood Springs.

3. Amend Section 6-125 including:

A. Changes from 2 medical marijuana licenses and 2 retail marijuana licenses to a total of 4 of whatever combination.

B. Adding additional limitations so that no one area, like downtown Basalt can have more than two such facilities

C. Adding Triangle Park and Basalt River Park to the list of Buffer areas.

Sec. 6-125. Requirements for obtaining licensing of medical marijuana centers and retail marijuana stores.

(1) No more than a total of two ~~two (2)~~ ~~four (4)~~ medical marijuana centers and ~~no more than two (2)~~ retail marijuana stores of whatever combination shall be licensed within the Town limits with no more than two (2) such facilities within each of the following locations:

(a) Historic Downtown Area within that portion of Town lying west of the Frying Pan River, north of the Roaring Fork River, east of the Homestead Drive/Two Rivers Road Intersection, and south of the Sopris Drive/Midland Avenue Intersection.

(b) Willits Town Center PUD and Old Orchard Plaza; or

(c) Any area of a circumference of 1,000 feet

(2) Any person, partnership, or corporation must have a separate license for each medical marijuana center or retail marijuana store, including those that are co-located or coterminous.

(3) Neither medical marijuana centers nor retail marijuana stores shall be permitted within any of the following locations:

(a) 500 feet of the following major parks: Arbaney Park, Lions Park, Southside Park, Willis Linear Park, ~~and Willits Soccer Field,~~ Triangle Park, and Basalt River Park;

(b) 500 feet of a licensed child care facility;

(c) 1000 feet of an elementary school, middle school or high school;

(d) in a building where the use would abut the following school routes: Two Rivers Road from Homestead Drive to Elk Run Drive; Southside Drive from the High School Property to Fiou Lane; Fiou Lane from Southside Drive to Basalt Avenue; Basalt Avenue from Fiou Lane to Two



No.



Location

Restrictions



Rivers Road; or Cottonwood Drive from Two Rivers Road to Riverside Drive; or

(e) any location that is not permitted by the CMMC or the CRMC.

The distances referred to in the above subparagraphs (a), (b), and (c) are to be computed by direct measurement from the nearest property line of the land used for a school, park, or child care facility to the nearest portion of the building in which medical or retail marijuana is to be sold, using a route of direct pedestrian access. The above provisions shall not affect the renewal or reissuance of a license once granted by the Town, nor shall the provision apply to an existing licensed premises on land owned by the state or apply to a license in effect and actively doing business before said facility listed above was constructed.

4. *Amend Sec. 6-128 (9) Operation of licensed medical marijuana centers and retail marijuana stores to address items requested by the Police Department regarding surveillance, security and monitoring.*

(9) The licensed premises shall be monitored and secured twenty-four (24) hours a day including, at a minimum, the following security measures:

(a) Installation and use of digital security cameras, capable of recording and duplicating color video and still images that are identifiable in all lighting conditions twenty-four (24) hours per day, to monitor all areas of the licensed premises where persons may gain or attempt to gain access to marijuana, marijuana products, paraphernalia, or monies maintained by the center or store. Security surveillance cameras shall also monitor the main entrance along the interior and exterior of the premises to discourage crime and to facilitate the reporting of criminal acts as well as nuisance activities. Security camera surveillance recordings, from all security cameras at the licensed premises, shall be preserved for at least one hundred eighty (180) days, by the business, and be made immediately available law enforcement officers upon request in a format that can be viewed and duplicated by the Basalt Police Department.

(b) Access to online web-based live monitoring of all video surveillance cameras shall be provided to the Police Department.

(bc) Exterior lighting shall illuminate all exterior windows and doors of the center or store which are accessible from the exterior of the building during non-daylight hours. All exterior lighting must be in compliance with the Town Code. This requirement may be waived upon concurrency by the Police Chief and Town Planner.

(ed) All exterior windows shall not be covered by window shades or other material and shall be of sufficient size to permit observation of the interior of

the licensed premise by law enforcement officers standing outside the center or store.

(d) Installation and use of a locking burglary safe for storage of all marijuana, marijuana products, and /or monies on the licensed premises during non-business hours. The safe shall be incorporated into the building structure or securely attached thereto. Edible products must stored in a locking refrigerated container incorporated into the building structure or securely attached thereto.

(e) Written documentation of security measures, video surveillance systems, and drawings of licensed premises shall be included with the application for a medical marijuana center license or retail marijuana store.

5. *Amend Sec. 6-128 Operation of licensed medical marijuana centers and retail marijuana stores to add required training as the Town currently does for liquor establishments.*

(10) Every owner and manager of a medical marijuana center or retail marijuana store shall ensure that every owner and manager, and all employees responsible for the sale of the product has successfully completed an approved educational seminar.

6. *Sec. 6-130. Unlawful acts. is proposed to be amended by adding a new subparagraph 8 as shown below.*

(7) Operating a medical marijuana center or retail marijuana store to refuse to permit any lawful inspection of the licensed premises.

(8) Violating any of the provisions contained in this article.

Excerpt from Draft Minutes

Town of Basalt Planning and Zoning Commission

August 16, 2016

Page 4 of 6

onus has to fall on this development. This application consists of 156 of a potential 350 units that could occur in a total Southside buildout scenario. The developer is trying to address a need in the valley. Vozick wants to make sure that this development is considered within the larger context of other development in the mid-valley.

Commissioner Rossetti asked if the tennis center's final court count was three or four. Staff responded that three courts are in the current plan. Rossetti said that having four courts would be better. Having only three courts might be a financial mistake.

Commissioner Wheeler said he likes the project and there's a huge need for this type of development. He thanked the developer for sticking with the proposal.

Chair Johns agreed that there is clearly a need for this type of project, it's within the UGB, and the Commission is not in a position to determine how the funding mechanisms would work. He was glad that the engineers were talking to each other and there seems to be some consensus around the short-term solution. He was comfortable that Staff and the applicant could find a solution for the cost-share mechanism – he can understand both sides of the argument. He supports whatever works best for the daycare provider and was less concerned about making the lot amenable to conversion to SF use. Regarding Rossetti's comment about the indoor tennis center, John said that we need to make sure it's a workable plan and not designed to fail.

Commissioner Rossetti said that they all want this to be a win-win for everyone. It's a much-needed project.

MOTION BY ROSSETTI TO RECOMMEND THE STOTT'S MILL APPLICATION TO THE BASALT TOWN COUNCIL FOR THE NEXT LEVEL OF REVIEW PER STAFF'S RECOMMENDATIONS.

Discussion: Commissioner Wheeler suggested including Staff's revised conditions as well and Commissioner Vozick suggested including that Staff will continue to work with the applicant on a traffic mitigation funding mechanism.

Commissioner Rossetti agreed to the amendments to his motion.

MOTION SECOND BY VOZICK. THE MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM

Consideration of Amendments to the Municipal Code, Chapter 16, Zoning and Chapter 5, Business License and Regulation. The Amendments include, but are not limited to, changes to allow medical marijuana centers and retail marijuana stores in additional zoning districts and changing other restrictions on locations and number of facilities.

Philp referred to Staff's memo dated August 16, 2016 to review the proposed changes to the Town Code regarding expansion of locations for medical and retail marijuana establishments. The major change is to amend the current allowance for two medical and two retail licenses to allow up to four marijuana general (medical or retail) businesses (of whatever combination) within the Town boundaries and expanding the allowed areas to include the C-2 and C-3 Zone Districts. The licensing provisions have been updated to further clarify surveillance and security monitoring requirements and owner/employee training needs. Also, the buffer area now includes Triangle Park and Basalt River Park in the list of parks, not just on the maps. Finally, the code amendments limit the number of marijuana

establishments in the commercial areas around town. Philp noted that while this is not a public hearing, the Commissioners may want to hear public comments.

Commissioner Questions

Commissioner Vozick asked for clarification about making sure that the buffers still apply to the same areas as previously represented; and that there will be more location opportunities because other zone districts will be available.

Chair Johns asked if there is a map showing the locations of additional sites available within the C-2 and C-3 zone districts. Philp replied that is not yet a map but Staff could work on creating one.

Commissioner Wheeler asked if having such a map would make Planners' lives easier. Philp said that the buffers are now based on the most direct route of pedestrian access and things get complicated due to multiple potential pedestrian routes.

Public Comment

At 7:48 p.m. Chair Johns opened the floor for public comment.

Pete Tramm said that he is a partner of Roots RX in the Basalt Business Center West [Southside] industrial park. Two years ago they invested about a quarter of a million dollars in their space. His understanding is that there are still places available to locate a marijuana business within the current zoning areas and he is not sure why there is a need for these code amendments or why other location areas are being considered. He asked if the Town really would want to see a gun shop, massage parlor, and two marijuana shops on Midland Avenue.

Since there were no further comments, Chair Johns closed the comment period at 7:50 p.m.

Commissioner Comments

Commissioner Rossetti said he found Scanlon's memo a great help in understanding this issue.

Commissioner Wheeler had no comments.

Commissioner Vozick said he found it interesting that there has been a location available in the currently zoned areas and nobody has jumped on it. He wasn't necessarily against the code amendments, just wondered if there were some other reasons for wanting/needing them.

Commissioner Rossetti added that he has noticed an increased level of dialogue between adults, teenagers and pre-teens about drug use and that's a good thing.

Chair Johns asked for clarification about why this change is coming up now. Philp said that the Town Council is more receptive to loosening the regulations after seeing how things have been going since marijuana was legalized in Colorado. Johns said that it would be important before changing the Code to do a study on what areas would be left over after the Code is amended in order to establish a better understanding of the intentions/reasons for making the changes. School and park buffers and pedestrian travel routes should be included in the study.

Commissioner Vozick agreed that having a map showing these things would be helpful.

David Schoenberger, present in the audience, offered to provide some clarity on the need for the Code amendments. He said that he had one of the first marijuana licenses and helped author the ordinances

and resolutions with the Town Manager. There are many challenges in Basalt that make establishing a marijuana business difficult. Right now there is big a real estate deal brewing that involves a Basalt parcel and these Code amendments would help make it a reality. In addition to zoning, there are PUD regulations and individual property owners with their own ideas that are limiting the establishment of more retail marijuana businesses. Schoenberger said that Mr. Tramm is very fortunate that he was able to establish his business in the Southside. Expanding the location areas will bring in more competition, more tax revenues and maybe put 200 more people per day on Midland Avenue without having to build a hotel. Staff is very protective of the community but other people seem to recognize that the restrictions are too tight. Getting out the permits is a good thing. The potential new marijuana business owner would welcome competition and will set up a non-profit to benefit the community. Schoenberger agreed with Philp that maps have proven to be tricky because what is shown on the map is different from the actual on-the-ground measurements. He implored the Commission to move these amendments forward and thanked the Commissioners for their time and consideration.

Commissioner Vozick asked where the C-2 and C-3 Zone Districts are located. Philp complied with a brief explanation and added that major parts of downtown Basalt and Willits get caught in the park and/or school buffer zones.

Commissioner Wheeler said that it sounded like the map might not be necessary after all.

Chair Johns said he was making the case for a better understanding of the business need for expanding the marijuana business locations.

M/S VOZICK AND WHEELER TO APPROVE THE CODE AMENDMENTS ACCORDING TO THE RECOMMENDATIONS CONTAINED IN THE STAFF MEMO DATED AUGUST 16 WITH THE ADDITIONAL SUGGESTION THAT STAFF SHOULD CREATE A MAP FOR USE IN CONVERSATIONS WITH POTENTIAL MARIJUANA BUSINESS APPLICANTS. THE MOTION CARRIED BY A VOTE OF 4-0.

COMMISSIONER AND STAFF UPDATES

Philp said she had no updates.

The Commissioners had nothing else to add.

ADJOURN

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

The Planning and Zoning Commission adjourned at 8:08 p.m.

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION**

By: _____
Dylan Johns, Chair

Attest: _____
Denise Tomaskovic, Recorder

MEMORANDUM

To: Chair and Basalt Planning and Zoning Commission
From: Susan Philp, AICP Basalt Planning Director
Date: August 16, 2016
RE: Municipal Code Amendments Concerning Retail Marijuana Stores and Medical Marijuana Centers

I. Purpose

The purpose is for the P&Z to make recommendations on code amendments concerning the location and number of retail marijuana stores and medical marijuana centers which could be licensed in the Town of Basalt.

II. Background

The Council passed Resolution No. 27, Series of 2016 on July 12, 2016. The Resolution asks that the P&Z be directed to expand the allowable zoning districts where marijuana businesses will be allowed and that Staff be directed to rewrite the current Town Marijuana regulations to allow for four (4) licenses of any type of marijuana businesses. The proposed amendments attached to this memorandum were developed in response to the Town Council's direction.

Town Manager, Mike Scanlon, presented extensive backup to the Town Council on the background and history of marijuana regulations in the Town of Basalt. The packet materials for the Council's July 12th meeting are attached.

Currently Medical Marijuana Centers and Marijuana retail stores are permitted by the Zoning Code in areas zoned Industrial, and also in areas zoned C-3 and P within medical centers, hospitals, or a hospice facility.

The locations where retail marijuana stores and medical marijuana centers can be located are also restricted by the buffers outlined in Chapter 6, Business Licenses and Regulations. This section of the code states that these facilities cannot be located within 1,000 feet of a school; 500 feet of day care facilities and 500 feet of major parks (the measurement now uses "direct pedestrian access") and along a designated school routes. Covenants and specific provisions in PUDs may also restrict the location of these facilities.

III. Proposed Code Amendments.

Exhibits 1 and 2 attached contain the amendments prepared by the Planning Staff and the Police Department.

Exhibit 1 contains amendments to Chapter 16, Zoning to allow retail marijuana stores and medical marijuana centers in areas zoned C-2 Downtown Business District, and C-3 Community Commercial District. Because the Amended Community Serving (CSC) Zone District as recommended by the P&Z allows C-2 uses it is not necessary to amend the CSC Zone District. The licensing provisions in Chapter 6 additionally restrict locations.

The proposed changes to Chapter 6, Business License and Regulations are included in Exhibit 2. The amendments would allow a total of 4 retail marijuana stores or medical marijuana centers to be located within the Town of Basalt of whatever combination (e.g. 4 retail marijuana stores; 3 retail marijuana stores and 1 medical marijuana center; etc.) Staff added additional limitations in order to ensure that any area of Town would not be overly concentrated with marijuana stores/centers, particularly historic downtown or Willits/Orchard Plaza. Other amendments to the licensing provisions are based on lessons learned to date.

IV. Staff Recommendation

Staff recommends that the P&Z consider the proposed amendments drafted by Staff and make recommendations to the Town Council.

Attachments

Exhibit 1 - Amendments to Chapter 16 Zoning) *

Exhibit 2 - Amendments to Business License and Regulations *

Council's July 12th packet materials

* NOTE - The Exhibits are Attached to the proposed Ordinances and are not Attached here

TOWN OF BASALT ACTION ITEM SUMMARY ADMINISTRATION	Item Number: 7a Date: July 7, 2016 From: Mike Scanlon, Town Manager
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SUBJECT: Resolution 27, Series 2016 – Direction to Staff related to expansion of zoning districts where marijuana could be sold and to consider the Town's four license locations to be either retail or medical.

RECOMMENDATION:
That the Town Council approve Resolution 27, Series 2016 giving direction to staff.

DETAILS:
See attached memo from the Town Manager.

Related State Statute and/or Town Actions: Multiple Colorado State Laws and Ordinances of the Town of Basalt

Amount Requested: None



TOWN MANAGER MEMO

Date: June 24, 2016
To: Mayor and Town Council
From: Mike Scanlon, Town Manager
Re: Marijuana Laws and Town Regulations

As I stated in my Memo to the Town Council in November, 2013 and I'm paraphrasing in parts, I said

....."in my over 30 years of working in local governments I've encountered several issues that mirror the discussions we're about to have regarding marijuana and town regulations. What I have found, is that these issues require us as staff and the Town Council to do three things,

1. Understand the history of the issue. Understanding the evolution of marijuana in Colorado and our community is helpful in understanding the past and current social acceptance of marijuana.
2. Take a moment and step back a bit and look at what we're trying to accomplish in regulating marijuana businesses. What are we attempting to regulate and why. It's either subjective or objective biases that influences how regulations are developed. What's real and what's not real in our biases?
3. Take what you understand about the history and where you're at and turn it into meaningful regulation."

As a community I think we've done that. We have been very pragmatic in allowing it in our community. Along the way we've loosened some of our regulations so that those businesses that undertake the sale of marijuana can be successful. Where appropriate we've changed our regulations.

What is clear now is that our zoning restrictions when overlayed with our current buffering requirements makes it almost impossible to locate a marijuana business in our community. Was that our intent?

Except for the one approved license we have at 165 Southside (Roots RX) we have through a combination of buffers and zoning restrictions created a virtual moratorium on marijuana businesses in Basalt.

Additionally, we've created an impression that by having a list and getting your name on it you will one day have the ability to have a marijuana business in Basalt. But nobody on the current list can find a location. So how long do I keep them on the

list? And when they attempt and fail at securing a location do they go to the bottom of the list or maintain their position? What is the point of the list if there are no possible locations?

Because our zoning and buffers are so rigid we as staff are constantly put in the position of people reinterpreting our codes or asking for rewrites of the code (Ordinance 3, Series 2015, Ordinance 12, Series 2015). Those two ordinances addressed ways to make it easier to locate a marijuana business by allowing a "portion of the building to be considered" and changing the measurement of a buffer by "direct pedestrian access." A year has gone by and still no locations have been identified.

We as Town Staff are asking that the Town Council consider two additional changes to our current marijuana regulations. The reason we're asking for these considerations is we don't believe by either the vote of the people of Basalt or by past actions of the Town Council that we as a community intended to ban marijuana businesses from our community.

The two changes we recommend if you want to allow for additional marijuana businesses are these.

1. A change in total number of licenses from two (2) Medical Marijuana Licenses and two (2) Retail Marijuana Licenses to four (4) total Licenses for marijuana businesses regardless of the type.
2. That we increase the number of zoning districts where marijuana businesses may be located. Acknowledging that our buffers are sufficient in nature to limit the risk/exposure to the youth that some people in our community feel are important.

If the Town Council feels conversely, I would recommend us to simply ban it entirely from the community with the exception of the one store location that has already been approved. Either action would greatly reduce our staff time applied to discussing possible locations with marijuana business owners that will never happen.

To continue this discussion I have crafted a very simple resolution identifying the two items above and directing staff and the Planning Commission to suggest additional zoning districts in which marijuana businesses can exist.

Additionally I've provided the following,

1. A table showing the various Ordinances/Resolutions passed by the Town Council related to marijuana businesses in Basalt.
2. The Memo I sent to Town Council in November, 2013.
3. **I'm having Pam place a link on the Town's website for the full application Roots RX had to submit to be considered. You need to**

can't ban

understand the level of regulation currently in place to ensure that our collective public interests are protected.

Basalt Town Council Actions - Marijuana Businesses

Resolution/Ordinance	Subject	1 st Reading /2 nd Reading
Ordinance 28, Series 2013	Ordinance extending the moratorium on retail marijuana businesses	11/17/2013 12/10/2013
Ordinance 30, Series 2013	Ordinance establishing the Zoning Districts where medical marijuana business could be established	12/10/2013 01/14/2014
Ordinance 31, Series 2013	Ordinance establishing licensing and regulations for medical marijuana businesses and lifting the moratorium on medical marijuana (the moratorium had been in place roughly 37 months)	12/10/2013 01/14/2014
Ordinance 8, Series 2014	Ordinance relates to the Town's Criminal Code, Title 10, regulation of marijuana	02/25/2014 03/11/2014
Ordinance 9, Series 2014	Ordinance relates to the Town's Criminal Code, Title 10, regulation of drub paraphernalia	02/25/2014 03/11/2014
Ordinance 14, Series 2014	Ordinance establishing the Zoning Districts where retail marijuana business could be established	05/13/2014 05/27/2014

Resolution/Ordinance	Subject	1 st Reading /2 nd Reading
Ordinance 17, Series 2014	Ordinance establishing licensing and regulations for retail marijuana businesses	05/27/2014 06/10/2014
Resolution 34	Resolution directing staff to develop the necessary language for an Ordinance for placing a ballot issue before the voters for consideration of a sales tax on marijuana	06/24/2014
Ordinance 24, Series 2014	Ordinance of the Town Council calling for an election on 11/4/2014 to authorize a Municipal Sales Tax of up to 5% upon the sale of retail marijuana and retail marijuana products	08/12/2014 08/26/2014
Public Hearing Retail Marijuana Application	Public Hearing and approval of an application to allow for a retail marijuana store located at 165 Southside (Roots RX)	09/23/2014
Ordinance 3, Series 2015	Ordinance relating to the definition of buffers and application to a building. Originally it said , ".....the nearest portion of the building in which medical or retail marijuana is to be sold." Changed to, ".....the nearest portion of <u>the section</u> of the building in which medical retail marijuana is to be sold."	04/14/2015 04/28/2015 - <i>failed</i>

Resolution/Ordinance	Subject	1 st Reading /2 nd Reading
Ordinance 12, Series 2015	<p>Ordinance changed these items in the regulations</p> <p>Measurement: Measuring of buffers now defined as "using a route of direct pedestrian access."</p> <p>Days of Sales: Changed from: Monday - Saturday To: <u>Monday - Sunday</u></p> <p>Hours of Sales: Changed from 9:00 a.m. to 7:00 p.m. To: <u>8:00 a.m. to 12:00 a.m.</u></p>	07/14/2015 07/28/2015
Public Hearing Retail Marijuana Application	Public Hearing and approval of the renewal of the marijuana license located at 165 Southside (Roots RX)	11/10/2015

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, RELATED TO
CONSIDERING AN EXPANSION OF ZONING DISTRICTS WHERE MARIJUANA
COULD BE SOLD AND TO CONSIDER THE TOWN'S FOUR ALLOWED LICENSE
LOCATIONS TO BE EITHER RETAIL OR MEDICAL MARIJUANA BUSINESSES.**

**Town of Basalt, Colorado
Resolution No. 27
Series of 2016**

RECITALS

1. The Town of Basalt has carefully crafted regulations to address marijuana businesses in our community.
2. The Town's residents through the various elections held state-wide on the issue of marijuana businesses and the Town Council by various actions related to the regulation of marijuana businesses have supported the establishment of marijuana businesses in our Town.
3. Through the evolution of regulation it appears that our current requirements on buffers and zoning districts creates a virtual moratorium on these businesses.

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

Section 1. The Town Council directs the following action,

- A. That the Planning and Zoning Commission be directed to expand the allowable zoning districts where marijuana businesses will be allowed.
- B. That staff be directed to rewrite the current Town Marijuana regulations to allow for four (4) licenses of any type of marijuana business.

READ AND ADOPTED by a vote of ___ to ___ on July 12, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pam Schilling, Clerk



TOWN MANAGER MEMO

Date: November 19, 2013
To: Mayor and Town Council
From: Mike Scanlon, Town Manager
Re: Marijuana Laws and Town Regulations

Over my 30 years working in local governments I've encountered several issues that mirror the discussions we are about to have regarding marijuana and town regulations.

What I have found is that these issues require us as staff and the Town Council to do three things,

1. Understand the history of the issue. You will find attached a history of Marijuana in the State of Colorado, Towns and Cities in Colorado, and the Town of Basalt (BLUE). See attached History.
2. Take a moment and step back a bit and look at what we're trying to accomplish. What are our Town, Town Council and Staff goals? Similarly, what are our biases and why? What have the voters said in past elections?
3. How do we take what we've learned in #1 add it to what we understand about #2 and turn it into a meaningful set of regulations.

What I'm proposing is that we take a very pragmatic approach to the discussion of marijuana regulations and our role in regulating the industry. I would propose that we would rescind our moratorium on medical marijuana and rewrite our regulations to be simpler and easier to enforce and leave it to the will of the people if we got it right. We need to let the initiative and referendum portions of our laws play out. We would at the same time extend our moratorium on recreational marijuana to two years. The recreational marijuana area of law and regulation is still evolving and we should give ourselves time to understand the issues on the recreational side.

Medical Marijuana

The Election Results:

The medical marijuana vote in Eagle and Pitkin County on November 7, 2000 was a follows,

Eagle County (69% Yes / 31% No)

Pitkin County (81% Yes / 19% No)

It wasn't until 2010 and the passage of SB 109 and HB 1284 that there was a state-wide licensing program

We have had a Medical Marijuana Ordinance on our books since September 8, 2009. The actual ordinance was only in effect from November 11, 2009 (accounting for the first moratorium) through October 26, 2010. Since that time we have had a moratorium on Medical Marijuana Facilities. Our second moratorium was for two years and was from October 26, 2010 through October 26, 2012 (Ordinance 18 - 2010). Our third moratorium was from October 23, 2012 through October 23, 2014 (Ordinance 17 - 2012). **We have had a moratorium for 37 of the 48 months (or 77% of the time) since we passed our medical marijuana regulations.**

Our two moratoriums state the following,

Ordinance 18 - 2010: and Ordinance 17 - 2012:

Section 3. Staff and Attorney to Investigate and Prepare Proposed Regulations. Before the expiration of the effective period, the Town Staff, working with the Town Attorney, shall carefully review the legal authority of the Town to regulate the growth, production, distribution, and sale of medical marijuana pursuant to Article 18, Section 14 of the Colorado Constitution and the regulations adopted by the Colorado Department of Revenue pursuant to the Medical marijuana Code. Such investigations shall be completed promptly and with due diligence. The Town Attorney shall prepare appropriate new regulations for consideration by the Town Council.

It would appear that we've simply "kicked the can" down the road over the last 37 months.

If you look at other communities in Colorado and the positions they've taken on medical marijuana as of May, 2013 this is what it looks like,

Elections		Number of Towns/Cities	
Prohibit MM		40	
Allow MM		7	
Council Action		Number of Towns/Cities	
Prohibit MM		70	
Allow MM		36	

We are the only Colorado Town or City that currently has a moratorium on medical marijuana. (per Colorado Municipal League (CML) Database)

Our proposed new Medical Marijuana Ordinance would create a regulatory framework based on these four areas

- Time
- Place
- Manner
- Number

Time: We regulate the times that a medical marijuana facility can be open. *(We would recommend 9:00am - 4:00 pm).*

Place: We regulate the place that a medical marijuana facility can be established. *(Map to be provided at meeting- primarily industrial zoned areas)*

Manner: We augment State regulations with a set of "common sense" enforceable regulations that we can monitor. *(Regulations that the Chief will provide tonight)*

Number: We limit the number of medical marijuana facilities that can be established. *(The number we recommend is two)*

We then rely primarily on the State of Colorado to regulate the licenses of the Medical Marijuana facilities, this would be no different than the enforcement of State Liquor laws.

Marijuana's History (State, Cities and Towns, Town of Basalt)

1919:

Colorado makes marijuana illegal, one of the first states to do so. Concern had been growing in the western states because pot was associated with Mexicans moving into the region, an influx that fueled racial tensions.

1929:

After it is reported that a young girl was murdered by her marijuana-smoking stepfather, a man who happens to be Mexican, Colorado governor William Adams signs a bill increasing penalties for sale, possession and production of marijuana.

1937:

The Marihuana Tax Act leads to the federal criminalization of marijuana.

1975:

The Colorado General Assembly downgrades the penalty for possessing an ounce or less of marijuana, following in the footsteps of similar measures passed in Oregon two years earlier.

1997:

Local and national marijuana advocates begin preparing an initiative to legalize medical marijuana in Colorado, patterned after the medical marijuana law passed in California the year before.

1998:

Coloradans vote on Amendment 19, which would legalize medical marijuana -- but Secretary of State Vicki Buckley refuses to count the votes after determining that proponents collected an insufficient number of signatures to put the measure on the ballot.

2000:

After the Colorado Supreme Court rules that Buckley had erred in not counting the votes in 1998, the medical marijuana measure is once again put in front of voters as Amendment 20 -- and passes with 53 percent of the vote.

May 2001:

Then-attorney general Ken Salazar warns doctors that they could face federal charges if they participated in the state's medical marijuana program.

June 2001:

The Colorado Department of Public Health and Environment (CDPHE) launches the Medical Marijuana Registry Program, which licenses patients to use medical marijuana. The program grows slowly; in the first four years, just over 500 people apply for a license.

2004:

The CDPHE's Board of Health institutes a rule limiting each medical marijuana caregiver to a maximum of five patients.

2004:

Denver residents Thomas and Larissa Lawrence open the Colorado Compassion Club, possibly the state's first marijuana dispensary.

2005:

With the help of the newly founded marijuana-reform organization SAFER, students at the University of Colorado at Boulder and Colorado State University pass initiatives that call for the penalties for marijuana violations to be no harsher than those for alcohol. Neither school's administration has yet to change its policies.

November 2005:

54 percent of Denver voters approve a measure decriminalizing adult possession of up to an ounce of marijuana, making Denver the first major city in the country to do so. At the same time, a ballot measure in Telluride that would have made marijuana the lowest law-enforcement priority loses with 49 percent of the vote.

November 2006:

A statewide attempt to decriminalize adult possession of up to an ounce of marijuana fails at the polls with 41 percent of the vote.

July 2007:

Chief Denver District Judge Larry Naves suspends the Board of Health's five-patients-per-caregiver rule on the grounds that the board lacked public input on the matter. Now caregivers are allowed to take on as many patients as they want.

November 2007:

57 percent of Denver voters approve a new city ordinance designating adult marijuana possession the city's lowest law-enforcement priority and calling for the creation of a city review panel on the issue.

December 2007:

Mayor John Hickenlooper appoints the Denver Marijuana Policy Review Panel to study marijuana prosecutions in the city.

May 2008:

The Denver Marijuana Policy Review Panel recommends that the Denver City Attorney's Office no longer prosecute cases of private adult marijuana possession, a change the City Attorney's Office has yet to implement.

January 2009:

The number of patients on the state's medical marijuana registry crests at 5,000, twice what it was a year earlier; in the same amount of time, the number of dispensaries statewide explodes from two to about thirty.

March 2009:

U.S. Attorney General Eric Holder announces new policy changes that would end federal raids on medical marijuana dispensaries.

July 2009:

The Board of Health considers reinstating the five-patients-per-caregiver rule. But at the end of a packed, day-long hearing, the board votes against implementing the limit, and instead broadens the definition of who can be considered a marijuana caregiver.

AUGUST 11, 2009:

Ordinance 12, 2009 – Approved on first reading:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, APPROVING AMENDMENTS TO PORTIONS OF CHAPTER 16, ZONING, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO, CONCERNING MEDICAL FACILITIES, INCLUDING OFFICES, CLINICS, CENTERS, AND MEDICAL MARIJUANA FACILITIES

Ordinance 13, 2009 – Approved on first reading

ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, ADDING A NEW ARTICLE V TO CHAPTER 6, BUSINESS LICENSES AND REGULATIONS, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO CONCERNING LICENSE REQUIREMENTS FOR MEDICAL MARIJUANA FACILITIES

Ordinance 14, 2009 – Approved Emergency Ordinance

Section 1. Imposition of Temporary Moratorium on Applications for Permits, Licenses, and Land Use Approvals Related to Persons that Grow, Produce, or Sell Medical Marijuana. Upon the adoption of this ordinance, a moratorium is imposed upon the submission, acceptance, processing, and approval of all applications for permits, licenses, and land use approvals by the Town of Basalt related to a person that grows, produces or sells, or proposes to grow, produce or sell medical marijuana pursuant to the authority granted by Article 18, Section 14 of the Colorado Constitution. The Town Staff, is directed to refuse to accept for filing, and not to process or review any such new applications during the moratorium period.

Section 2. Effective Dates of Moratorium. The moratorium imposed by this ordinance shall commence as of the date of the adoption of this ordinance, and shall expire ninety (90) days thereafter, unless sooner repealed and the period of effectiveness of this Ordinance is referred to herein as the "Effective Period".

AUGUST 25, 2009:

Continued Ords 12 and 13 to September 8, 2009

SEPTEMBER 8, 2009:

Executive Session on Marijuana legislation and medical marijuana zoning, licensins and regulation.

Ordinance 12: Adopted as amended (not including 8,000 square foot amendment)

Ordinance 13: Adopted as amended (to reflect CBI background checks)

September 2009:

Since the July hearing, the state's medical marijuana registry has swelled to more than 10,000 applicants, with the state receiving more than 400 new applications each day. To meet demand, at least seventy Colorado dispensaries are opened, forty in the metro area alone.

OCTOBER 27, 2009:

First reading of Ordinance 17:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, REVISING THE MUNICIPAL CODE OF THE TOWN OF BASALT, CHAPTER 10, GENERAL OFFENCES, SECTION 10-27 "UNLAWFUL POSSESSION OF MARIJUANA" AND SECTION 10-28 "UNLAWFUL POSSESSION OF DRUG PARAPHERNALIA," TO ACCOMMODATE LAWFUL USE AND POSSESSION OF MEDICAL MARIJUANA AND REVISING THE SCHEDULE OF FINES, PENALTIES, AND ADMINISTRATIVE FEES FOR THE POLICE DEPARTMENT

October 2009:

A new Justice Department policy instructs federal prosecutors to not charge people who use or provide medical marijuana if they are in compliance with state laws.

NOVEMBER 10, 2009:

Second reading of Ordinance 17. Adopted.

November 2009:

- In response to a Court of Appeals decision that a caregiver has to do more than provide a patient with marijuana, the Board of Health strikes the definition of a marijuana caregiver from state rules at a last-minute contentious hearing, throwing the medical-marijuana industry into turmoil.
- Chief Denver District Judge Larry Naves voids the Board of Health's rule change a week after it is implemented, finding that the board once again did not solicit enough public input. The Board of Health has yet to reconsider the issue.
- A ballot measure in Breckenridge to legalize adult possession of up to an ounce of marijuana passes with 71 percent of the vote.

January 2010:

While some municipalities ban dispensaries altogether, Denver passes broad new regulations that allow the businesses as long as they aren't within 1,000 feet of one another or schools; their owners pass background checks; and the operations pay the city several thousand dollars in licensing fees.

CDPHE's vital statistics department is receiving more than 1,500 medical marijuana applications a day.

February 2010:

- The Denver City Attorney's Office announces that 1,694 adults were prosecuted for marijuana possession in 2009, slightly higher than the

number prosecuted the year before the city's decriminalization measure went into effect.

- DEA agents raid a suburban grow operation in Highlands Ranch run by Chris Bartkowicz after they learn about it from a television news story.

March 2010:

- 235 businesses apply for the new Denver dispensary license before the deadline expires for existing dispensaries, providing the city with more than a million dollars in new fees in three weeks.
- SAFER executive director Mason Tvert files preliminary language to place a measure on the November ballot that would legalize and regulate adult use of marijuana statewide.

April 2010:

- By a vote of 259 to 218, Nederland voters remove all criminal penalties for anyone 21 or older for buying, selling, possessing, consuming, growing or transporting marijuana.
- Having received between 60,000 and 70,000 medical marijuana applications and getting thousands more each week, the CDPHE's vital statistics department acquires new budget funding to increase its staff, from three permanent and three temporary employees to ten permanent and ten temporary workers.
- Students at Fort Lewis College in Durango overwhelmingly pass a referendum calling on university marijuana penalties to be no greater than those for alcohol.

May 2010:

Legislators pass Senate Bill 109, which regulates medical-marijuana doctor-patient relationships, as well as House Bill 1284, making Colorado the first state in the country to formalize a statewide medical marijuana dispensary system.

June 2010:

- Eagle County Board of Commissioners adopts more restrictive temporary regulations to control cultivation and production of medical marijuana in effect until December 2010.
- Gov. Bill Ritter signs a bill that gives local governments the right to regulate or ban dispensaries.

July 2010:

- Town of Avon bans medical marijuana dispensaries.
- Town of Vail bans medical marijuana dispensaries.
- City of Glenwood Springs passes a one-year moratorium on new medical marijuana dispensaries. Nine medical marijuana centers had already opened within the city.

AUGUST 10, 2010:

Work session on Amendments 60, 61 and Proposition 101.

SEPTEMBER 14, 2010:

Public Hearing and Appeal of Medical Marijuana License for Basalt Alternative Medicine. Council directed staff to work with BAM in the amendment of the original DHC license and subject to all the requirements thereof. License was denied on August 25, 2010.

September 2010:

- Town of Gypsum passes an ordinance banning medical marijuana dispensaries.

OCTOBER 26, 2010:

Ordinance 18: Request for Emergency Ordinance re: Licensing of Medical Marijuana Facilities.

M/S COUNCILORS TEAGUE AND FREEDMAN TO ADOPT ORDINANCE NO. 18, SERIES OF 2010 BY TITLE AS AN EMERGENCY MEASURE: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, IMPOSING A TWO-YEAR MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND REVIEW OF APPLICATIONS FOR APPROVAL OF MEDICAL MARIJUANA FACILITIES. THE MOTION CARRIED UNANIMOUSLY – 4 TO 0.

November, 2010:

- Majority of voters in Eagle County confirm that a properly regulated medical marijuana industry should be allowed to operate in unincorporated Eagle County.
- Town of Minturn residents vote to allow medical marijuana shops in town, but the town cites federal law in not allowing business applications.

July 1, 2011:

- Colorado HB11-1043, “an act concerning medical marijuana, and making an appropriation therefor,” amending Colorado medical marijuana code, becomes effective.

March 27, 2012:

- Breckenridge Town Council adopts an ordinance that amends its local medical marijuana policies on licenses and regulations in response to changing state medical marijuana laws. New state laws include changing the application fee from a two-year permit to a one-year permit; increasing the setback from schools and daycare centers from 500 feet to 1,000 feet and establishing application fees for changes of ownership, location or corporate structure.

June 2012:

- Town of Minturn passes an ordinance banning medical marijuana businesses.

July 1, 2012:

- All preexisting medical marijuana dispensaries, cultivation operations and production of medical marijuana-infused food products need to become licensed through the state by this date.

Nov. 6, 2012:

- Colorado voters approve Amendment 64, legalizing the recreational use of marijuana by adults 21 and older and permitting the retail sale, cultivation, manufacturing and testing of marijuana. The amendment makes legal the growing and possession of marijuana for personal use and authorizes local jurisdictions to regulate marijuana businesses.

April 2013:

- Summit County commissioners vote to allow recreational marijuana sales and cultivation.

May 2013:

Governor John Hickenlooper signs three bills into law that address Amendment 64.

July 1, 2013:

- Colorado's State Licensing Authority passes emergency rules and a deadline of Oct. 1, 2013 for local jurisdictions to either ban retail marijuana businesses or adopt regulations for such businesses. Many jurisdictions choose to put moratoriums in place as a way to extend the deadline on making a decision.

August 2013:

- City of Glenwood Springs extends its moratorium on retail marijuana applications through Dec. 31.
- Garfield County commissioners ban all commercial marijuana operations for recreational purposes in unincorporated areas of the county.
- Town of Red Cliff approves future retail marijuana businesses to open.

September 2013:

- Town of Frisco passes rules for retail marijuana establishments, allowing them in town but under strict zoning requirements.
- Town of Silverthorne passes regulations for retail marijuana establishments.
- Town of Dillon extends a moratorium on retail marijuana establishments with a sunset date of Oct. 1, 2014.
- Town of Breckenridge votes for no new medical or retail marijuana shops in the downtown overlay district. The lone downtown store already open can continue to operate until its lease expires in September 2014.
- Town of Carbondale approves an ordinance that will allow marijuana businesses — including retail, cultivation, manufacturing and testing — to open in town.
- Town of Eagle passes a temporary moratorium on retail marijuana shops and creates ballot language for the upcoming November election that asks

voters whether the town should allow retail marijuana operations.

- Colorado State Licensing Authority adopts permanent rules for retail marijuana and revised rules for medical marijuana.

October 2013:

- City of Aspen set to vote Oct. 15 on whether the number of recreational marijuana retailers in Aspen should be no greater than the number of medical dispensaries that were established by Oct. 1, 2013.

November 2013:

Colorado citizens will vote on Proposition AA, which, if approved, would:

- Impose a 15 percent state excise tax on the average wholesale price of retail marijuana when the product is first sold or transferred by a retail marijuana cultivation facility, with public school construction to receive the first \$40 million of any annual tax revenues collected;
- Impose a 10 percent state sales tax on retail marijuana and retail marijuana products, in addition to the existing 2.9 percent state sales tax, to increase funding for the regulation and enforcement of the retail marijuana industry and to fund related health, education and public safety costs; • Direct 15 percent of the revenue collected from the 10 percent state sales tax to cities and counties where retail marijuana sales occur
- Allow the state legislature to increase or decrease the excise and sales taxes on retail marijuana so long as the rate of either tax does not exceed 15 percent.

Jan. 1, 2014:

Once approved by state and local jurisdictions, medical marijuana

business owners will be allowed to open retail marijuana businesses on or after this date.

- Direct 15 percent of the revenue collected from the 10 percent state sales tax to cities and counties where retail marijuana sales occur
- Allow the state legislature to increase or decrease the excise and sales taxes on retail marijuana so long as the rate of either tax does not exceed 15 percent.

Jan. 1, 2014:

Once approved by state and local jurisdictions, medical marijuana business owners will be allowed to open retail marijuana businesses on or after this date.

Town of Basalt
Accounts Payable
September 14, 2016

GENERAL FUND**Reimbursable**

Total Reimbursable	4,896.87
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Non-reimbursable

Payroll 9/9/16, Vision, Dental and Health	139,760.37
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Other Expenditures	265,983.74
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Sub Total General Fund Non-reimbursable	405,744.11
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TOTAL GENERAL FUND	410,640.98
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Bond Fund:	18,292.82
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Total Bond Fund	18,292.82
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Conservation Trust Fund:	0.00
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Total Conservation Trust Fund	0.00
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Water Fund:	32,959.12
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Total Water Fund	32,959.12
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TOTAL ALL FUNDS	461,892.92
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Report Criteria:

Report type: GL detail
 Check Detail.Amount = {<->} 0

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/13/2016	38579	ALL PHASE ELECTRIC	2675-4	10-50-430	117.68
09/16	09/13/2016	38579	ALL PHASE ELECTRIC	2675-4	10-50-600	73.30
09/16	09/13/2016	38580	ALPINE BANK	HSA 9/	10-22775	667.47
09/16	09/13/2016	38580	ALPINE BANK	HSA 8/	10-22775	799.30
09/16	09/13/2016	38581	ASPEN DAILY NEWS	B01034	10-24209	19.00
09/16	09/13/2016	38581	ASPEN DAILY NEWS	B01034	10-24128	20.25
09/16	09/13/2016	38581	ASPEN DAILY NEWS	B01034	10-45-540	286.00
09/16	09/13/2016	38581	ASPEN DAILY NEWS	B01034	10-24210	64.75
09/16	09/13/2016	38581	ASPEN DAILY NEWS	910687	10-41-675	2,701.70
09/16	09/13/2016	38581	ASPEN DAILY NEWS	910687	10-45-540	822.40
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	309941	10-50-600	268.79
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	309511	10-66-405	357.80
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	309928	10-66-405	331.80
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	310214	10-50-600	56.38
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	309941	10-50-600	68.74
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	307285	10-66-405	331.80
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	307285	10-66-430	45.76
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	308927	10-66-405	331.80
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	308927	10-66-600	236.05
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	309144	10-66-405	331.80
09/16	09/13/2016	38582	ASPEN MAINTENANCE SUPPLY	309291	10-66-405	331.80
09/16	09/13/2016	38583	ASPEN RENT ALL	30842	51-73-430	194.80
09/16	09/13/2016	38584	BASALT PRINTING	001608	10-45-600	5.25
09/16	09/13/2016	38584	BASALT PRINTING	001608	10-75-700	119.00
09/16	09/13/2016	38584	BASALT PRINTING	001608	10-24209	13.00
09/16	09/13/2016	38584	BASALT PRINTING	001608	10-66-600	38.75
09/16	09/13/2016	38584	BASALT PRINTING	001621	10-64-550	680.00
09/16	09/13/2016	38585	BELINSKI TREE CARE, INC.	888860	10-70-710	2,250.00
09/16	09/13/2016	38586	BIG HORN TOYOTA	2016 T	10-61-700	29,228.26
09/16	09/13/2016	38587	BILL'S LOCK REPAIR	500064	10-54-370	105.00
09/16	09/13/2016	38588	BLUE LAKE PRESCHOOL, INC.	CHILD	10-41-670	4,200.00
09/16	09/13/2016	38589	BUREAU OF LAND MANAGEME	ROW	51-71-420	9,120.00
09/16	09/13/2016	38590	CENTURY LINK	970927	51-45-530	263.62
09/16	09/13/2016	38590	CENTURY LINK	970927	10-66-530	61.47
09/16	09/13/2016	38591	CHRISTINE NEWCOMB	9/4/16	10-41-675	550.00
09/16	09/13/2016	38592	CITY OF ASPEN	KIDS FI	10-41-670	2,925.00
09/16	09/13/2016	38593	JOHN COLLINS, ESQ.	SEPT 2	10-42-310	800.00
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-45-230	3,737.95
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-47-230	3,249.95
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-50-230	3,288.90
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-54-231	14,113.65
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-58-230	1,745.95
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-61-230	24.70
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-60-230	1,405.30
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-62-230	2,126.95
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-64-230	1,428.95
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	10-70-230	528.00
09/16	09/13/2016	38594	COLO. EMPLOYER BENEFIT TR	SEPT 2	51-45-230	1,480.35
09/16	09/13/2016	38595	COLORADO MTN. NEWS MEDIA	100335	10-45-540	2,430.00
09/16	09/13/2016	38596	COLORADO SOIL SYSTEMS	1097	10-41-675	550.00
09/16	09/13/2016	38597	COMCAST	849750	10-70-530	179.96
09/16	09/13/2016	38598	CONNECT ONE DESIGN, LLC	1334	10-75-700	9,450.00

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/13/2016	38599	D & R TANK COMPANY	28541	51-71-420	10,982.00
09/16	09/13/2016	38600	DANA KEPNER CO	143342	51-73-600	1,468.08
09/16	09/13/2016	38601	DHM DESIGN CORPORATION	32747	10-24209	230.00
09/16	09/13/2016	38601	DHM DESIGN CORPORATION	32745	10-75-700	2,892.79
09/16	09/13/2016	38601	DHM DESIGN CORPORATION	32769	10-75-700	10,325.38
09/16	09/13/2016	38601	DHM DESIGN CORPORATION	32768	10-75-700	3,053.75
09/16	09/13/2016	38601	DHM DESIGN CORPORATION	32713	10-75-700	1,400.00
09/16	09/13/2016	38601	DHM DESIGN CORPORATION	32717	10-75-700	1,589.51
09/16	09/13/2016	38602	DPC INDUSTRIES, INC	737003	51-72-405	11.30
09/16	09/13/2016	38603	DIANA ELLIOTT	PRIVAT	10-64-350	297.00
09/16	09/13/2016	38604	FAMILY SUPPORT REGISTRY	MARTI	10-22770	200.00
09/16	09/13/2016	38604	FAMILY SUPPORT REGISTRY	SANTI	10-22770	54.16
09/16	09/13/2016	38604	FAMILY SUPPORT REGISTRY	BLEVI	10-22770	240.00
09/16	09/13/2016	38605	FEDEX	5-458-5	10-24488	21.28
09/16	09/13/2016	38605	FEDEX	5-525-1	10-45-615	28.50
09/16	09/13/2016	38606	FLORIDA DEPARTMENT OF RE	SANTI	10-22770	271.20
09/16	09/13/2016	38607	FURLONG PLUMBING & HEATIN	7792	10-66-430	1,264.10
09/16	09/13/2016	38608	GEORGE T SANDERS CO	136826	10-66-430	9.90
09/16	09/13/2016	38609	GRASSROOTS TELEVISION INC	8440	10-41-681	376.00
09/16	09/13/2016	38610	GREAT AMERICA FINANCIAL SE	192445	10-50-530	596.66
09/16	09/13/2016	38611	GROWING YEARS SCHOOL	CHILD	10-41-670	3,328.00
09/16	09/13/2016	38612	HOLY CROSS ENERGY ASSOC.	SEPT 1	10-50-410	413.33
09/16	09/13/2016	38612	HOLY CROSS ENERGY ASSOC.	SEPT 1	10-60-412	19.56
09/16	09/13/2016	38612	HOLY CROSS ENERGY ASSOC.	SEPT 1	10-70-410	39.15
09/16	09/13/2016	38612	HOLY CROSS ENERGY ASSOC.	SEPT 1	51-71-410	517.73
09/16	09/13/2016	38612	HOLY CROSS ENERGY ASSOC.	SEPT 1	51-71-410	517.73
09/16	09/13/2016	38613	HONEY TREE, LLC	CHILD	10-41-670	2,914.00
09/16	09/13/2016	38614	HP GEOTECH	011860	51-71-700	2,124.90
09/16	09/13/2016	38615	KILGORE COMPANIES	341780	10-70-430	37.80
09/16	09/13/2016	38615	KILGORE COMPANIES	341371	10-70-430	306.38
09/16	09/13/2016	38615	KILGORE COMPANIES	341640	10-70-430	84.70
09/16	09/13/2016	38615	KILGORE COMPANIES	341303	51-73-430	53.53
09/16	09/13/2016	38615	KILGORE COMPANIES	341156	51-73-430	103.85
09/16	09/13/2016	38616	LAKESIDE TOWNHOMES AT WI	7406	10-50-435	1,200.00
09/16	09/13/2016	38617	LAND TITLE GUARANTEE CO.	EARNE	10-41-670	50,000.00
09/16	09/13/2016	38618	LEAF	674473	10-54-740	276.00
09/16	09/13/2016	38619	LESLIE T. GRAY	16-19	10-75-700	2,000.00
09/16	09/13/2016	38619	LESLIE T. GRAY	16-19	10-41-670	2,000.00
09/16	09/13/2016	38620	LEWAN & ASSOCIATES	IN2629	10-47-330	175.00
09/16	09/13/2016	38621	MICHAEL J. KINSLEY	131	10-45-390	3,900.00
09/16	09/13/2016	38622	MID VALLEY METRO	SEPT 1	10-50-410	177.10
09/16	09/13/2016	38622	MID VALLEY METRO	SEPT 1	10-70-410	1,274.27
09/16	09/13/2016	38623	MINION HYDROLOGIC	JULY 2	51-71-400	304.80
09/16	09/13/2016	38624	MOUNTAIN WASTE & RECYCLI	111161	10-75-700	130.00
09/16	09/13/2016	38624	MOUNTAIN WASTE & RECYCLI	111048	10-70-420	135.00
09/16	09/13/2016	38624	MOUNTAIN WASTE & RECYCLI	111022	10-70-608	135.00
09/16	09/13/2016	38624	MOUNTAIN WASTE & RECYCLI	111056	10-70-420	175.00
09/16	09/13/2016	38624	MOUNTAIN WASTE & RECYCLI	111058	10-70-420	135.00
09/16	09/13/2016	38624	MOUNTAIN WASTE & RECYCLI	109581	10-50-435	79.33
09/16	09/13/2016	38625	NAPA AUTO PARTS	179344	10-61-580	41.26
09/16	09/13/2016	38625	NAPA AUTO PARTS	176927	10-61-580	24.62
09/16	09/13/2016	38625	NAPA AUTO PARTS	176920	10-61-580	66.69
09/16	09/13/2016	38625	NAPA AUTO PARTS	176918	10-61-580	242.88
09/16	09/13/2016	38625	NAPA AUTO PARTS	178480	10-60-600	6.33
09/16	09/13/2016	38626	PAUL NEILSON	CDL	51-45-590	18.66
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GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/13/2016	38627	NJS HOBBY FARM, LLC	CHILD	10-41-670	2,424.00
09/16	09/13/2016	38628	NORTHERN SAFETY CO.	902069	10-50-600	102.89
09/16	09/13/2016	38629	OLSSON ASSOCIATES	259949	10-59-330	2,777.50
09/16	09/13/2016	38630	PATTY KOHLER OVERSTREET	GRACE	10-24505	489.95
09/16	09/13/2016	38631	PETTY CASH	REC P	10-64-350	94.89
09/16	09/13/2016	38632	PETTY CASH - RECREATION	POSTA	10-64-615	180.56
09/16	09/13/2016	38633	PINNACOL ASSURANCE	182045	10-45-520	6,003.00
09/16	09/13/2016	38634	Pitkin County Treasurer	35442	10-75-700	139.08
09/16	09/13/2016	38634	Pitkin County Treasurer	35442	10-70-600	318.99
09/16	09/13/2016	38634	Pitkin County Treasurer	35442	10-60-432	22.21
09/16	09/13/2016	38634	Pitkin County Treasurer	35442	10-50-435	183.00
09/16	09/13/2016	38635	POTABLE DIVERS, INC.	9/1/201	51-71-420	4,700.00
09/16	09/13/2016	38636	PRO VELOCITY	16139	10-54-370	335.00
09/16	09/13/2016	38637	RISING SUN ENT., INC.	26172	10-60-411	275.00
09/16	09/13/2016	38637	RISING SUN ENT., INC.	26185	10-60-411	50.00
09/16	09/13/2016	38638	RIVER VIEW PLAZA HOA	4713	10-54-410	2,639.83
09/16	09/13/2016	38639	ROARING FORK RENTALS	231991	10-70-435	35.00
09/16	09/13/2016	38639	ROARING FORK RENTALS	231972	10-60-432	230.00
09/16	09/13/2016	38639	ROARING FORK RENTALS	231791	10-70-430	34.50
09/16	09/13/2016	38639	ROARING FORK RENTALS	231821	51-73-390	165.10
09/16	09/13/2016	38640	ROARING FORK VALLEY CO-OP	137792	10-70-600	543.74
09/16	09/13/2016	38641	ROBERT GEORGI	POOL	10-66-590	504.00
09/16	09/13/2016	38642	ROCKY MOUNTAIN CUSTOM LA	20172	31-40-315	18,085.82
09/16	09/13/2016	38643	SAF-T-FLO WATER SERVICES	16-119	51-72-430	58.11
09/16	09/13/2016	38644	SAN JUAN SWEEPING & STRIPI	4772	10-60-432	1,095.90
09/16	09/13/2016	38644	SAN JUAN SWEEPING & STRIPI	4779	10-75-700	520.00
09/16	09/13/2016	38644	SAN JUAN SWEEPING & STRIPI	4779	10-60-432	1,159.30
09/16	09/13/2016	38645	SCHMUESER GORDON MEYER	90040E	10-59-330	4,216.00
09/16	09/13/2016	38645	SCHMUESER GORDON MEYER	90040E	10-59-330	2,327.00
09/16	09/13/2016	38645	SCHMUESER GORDON MEYER	90040E	10-59-330	895.00
09/16	09/13/2016	38645	SCHMUESER GORDON MEYER	03125A	10-47-330	69.00
09/16	09/13/2016	38645	SCHMUESER GORDON MEYER	03125A	31-40-315	207.00
09/16	09/13/2016	38646	Screenvision	LOC_0	10-64-540	192.00
09/16	09/13/2016	38647	SDS CONSTRUCTION	1010	10-50-350	2,400.00
09/16	09/13/2016	38648	SKID STEER SOLUTIONS, INC.	E30105	10-61-700	20,000.00
09/16	09/13/2016	38648	SKID STEER SOLUTIONS, INC.	E30105	10-70-710	5,090.00
09/16	09/13/2016	38649	SNOWMASS CUSTOM BUILDER	B-15-1	10-24510	1,000.00
09/16	09/13/2016	38650	STAPLES BUSINESS ADVANTA	804075	10-45-600	353.94
09/16	09/13/2016	38650	STAPLES BUSINESS ADVANTA	804064	10-45-600	58.99-
09/16	09/13/2016	38650	STAPLES BUSINESS ADVANTA	804064	10-45-600	51.73
09/16	09/13/2016	38650	STAPLES BUSINESS ADVANTA	804064	10-47-600	106.39
09/16	09/13/2016	38651	SUMMIT PAINT & DECORATING	AP642	10-50-430	49.55
09/16	09/13/2016	38651	SUMMIT PAINT & DECORATING	AP643	10-75-700	175.91
09/16	09/13/2016	38652	TAMERREL EXCAVATION	STREE	10-24520	800.00
09/16	09/13/2016	38652	TAMERREL EXCAVATION	90040B	10-60-432	49,553.90
09/16	09/13/2016	38653	WOLFGANG TAYLOR	UMP	10-64-350	55.00
09/16	09/13/2016	38654	THE ARTWORKS UNLIMITED, IN	976631	10-54-690	33.83
09/16	09/13/2016	38655	THREE BEARS INN LTD	3028	10-41-670	2,000.00
09/16	09/13/2016	38656	TIMBER LINE ELECTRIC & CON	19156	51-45-325	534.50
09/16	09/13/2016	38657	JUDITH TIPPETTS	UNDER	10-45-600	260.34
09/16	09/13/2016	38658	TOWN OF SNOWMASS VILLAG	2016-0	10-60-590	225.00
09/16	09/13/2016	38659	UNCC	216080	51-73-390	37.18
09/16	09/13/2016	38660	UNILINK	143022	10-45-740	160.00
09/16	09/13/2016	38660	UNILINK	100667	10-45-740	668.56
09/16	09/13/2016	38660	UNILINK	100668	10-45-740	90.19
09/16	09/13/2016	38660	UNILINK	100938	10-45-740	3.97

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/13/2016	38660	UNILINK	100937	10-45-740	220.55
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-45-230	300.54
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-47-230	226.58
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-54-231	48.08
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-58-230	78.46
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-61-230	32.50
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-60-230	16.25
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-50-230	76.73
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-62-230	194.68
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-70-230	41.56
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	10-64-230	51.83
09/16	09/13/2016	38661	UNION SECURITY INSURANCE	SEPT 1	51-45-230	105.98
09/16	09/13/2016	38662	US Bank	311423	10-45-740	224.04
09/16	09/13/2016	38663	VALLEY COLLISION	16281	10-61-700	483.65
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77609	10-41-670	25.09
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76754	10-50-430	11.48
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76893	10-50-430	283.36
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77359	10-70-600	14.98
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77283	51-73-600	29.99
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77121	51-73-600	44.96
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76815	10-70-430	68.48
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77301	10-64-665	71.27
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76165	10-60-411	23.98
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76016	10-70-600	14.99
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76329	10-70-600	12.98
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76307	10-60-600	15.98
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	75728	51-73-430	13.27
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76008	10-50-435	11.98
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	75689	10-75-700	67.36
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	75492	10-75-700	42.00
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	75393	10-70-430	13.98
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76996	10-63-430	102.95
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77286	10-60-600	14.99
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77618	10-70-600	48.12
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76883	10-70-600	5.99
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76777	10-70-430	16.97
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76966	10-70-600	53.98
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76955	10-70-430	10.60
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76179	10-75-700	16.36
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76237	10-70-430	4.95
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76195	10-75-700	23.45
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76986	51-73-600	14.57
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76761	51-73-600	1.83
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	78477	51-73-600	23.90
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	76225	10-50-600	49.86
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77200	10-50-435	35.97
09/16	09/13/2016	38664	VALLEY LUMBER COMPANY	77940	51-73-600	11.97
09/16	09/13/2016	38665	VALLEY PINES CONDO ASSOC.	6170	10-50-435	810.42
09/16	09/13/2016	38666	VERIZON WIRELESS	977041	10-54-530	475.92
09/16	09/13/2016	38666	VERIZON WIRELESS	977039	51-45-530	33.79
09/16	09/13/2016	38666	VERIZON WIRELESS	977039	10-36-650	6.51
09/16	09/13/2016	38666	VERIZON WIRELESS	977039	10-58-530	40.01
09/16	09/13/2016	38666	VERIZON WIRELESS	977039	10-45-530	19.85
09/16	09/13/2016	38667	VILLAS @ ELK RUN HOMEOWN	SEPT A	10-50-435	302.69
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-45-230	35.64
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-47-230	36.84

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-54-231	183.78
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-58-230	20.82
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-61-230	2.01
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-60-230	3.00
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-62-230	39.24
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-64-230	11.61
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-50-230	20.82
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	51-45-230	22.62
09/16	09/13/2016	38668	VISION SERVICE PLAN	SEPT 1	10-70-230	8.01
09/16	09/13/2016	38669	WASTE MANAGEMENT	090773	10-50-415	54.60
09/16	09/13/2016	38669	WASTE MANAGEMENT	090771	10-45-395	3,888.83
Grand Totals:						356,820.78

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
1020200	58.99	356,879.77-	356,820.78-
10-22770	765.36	.00	765.36
10-22775	1,466.77	.00	1,466.77
10-24128	20.25	.00	20.25
10-24209	262.00	.00	262.00
10-24210	64.75	.00	64.75
10-24488	21.28	.00	21.28
10-24505	489.95	.00	489.95
10-24510	1,000.00	.00	1,000.00
10-24520	800.00	.00	800.00
10-36-650	6.51	.00	6.51
10-41-670	69,816.09	.00	69,816.09
10-41-675	3,801.70	.00	3,801.70
10-41-681	376.00	.00	376.00
10-42-310	800.00	.00	800.00
10-45-230	4,074.13	.00	4,074.13
10-45-390	3,900.00	.00	3,900.00
10-45-395	3,888.83	.00	3,888.83
10-45-520	6,003.00	.00	6,003.00
10-45-530	19.85	.00	19.85
10-45-540	3,538.40	.00	3,538.40
10-45-600	671.26	58.99-	612.27
10-45-615	28.50	.00	28.50
10-45-740	1,367.31	.00	1,367.31
10-47-230	3,513.37	.00	3,513.37
10-47-330	244.00	.00	244.00
10-47-600	106.39	.00	106.39
10-50-230	3,386.45	.00	3,386.45
10-50-350	2,400.00	.00	2,400.00
10-50-410	590.43	.00	590.43
10-50-415	54.60	.00	54.60
10-50-430	462.07	.00	462.07
10-50-435	2,623.39	.00	2,623.39
10-50-530	596.66	.00	596.66
10-50-600	619.96	.00	619.96
10-54-231	14,345.51	.00	14,345.51

GL Account	Debit	Credit	Proof
10-54-370	440.00	.00	440.00
10-54-410	2,639.83	.00	2,639.83
10-54-530	475.92	.00	475.92
10-54-690	33.83	.00	33.83
10-54-740	276.00	.00	276.00
10-58-230	1,845.23	.00	1,845.23
10-58-530	40.01	.00	40.01
10-59-330	10,215.50	.00	10,215.50
10-60-230	1,424.55	.00	1,424.55
10-60-411	348.98	.00	348.98
10-60-412	19.56	.00	19.56
10-60-432	52,061.31	.00	52,061.31
10-60-590	225.00	.00	225.00
10-60-600	37.30	.00	37.30
10-61-230	59.21	.00	59.21
10-61-580	375.45	.00	375.45
10-61-600	7.04	.00	7.04
10-61-700	49,711.91	.00	49,711.91
10-62-230	2,360.87	.00	2,360.87
10-63-430	102.95	.00	102.95
10-64-230	1,492.39	.00	1,492.39
10-64-350	446.89	.00	446.89
10-64-540	192.00	.00	192.00
10-64-550	680.00	.00	680.00
10-64-615	180.56	.00	180.56
10-64-665	71.27	.00	71.27
10-66-405	2,016.80	.00	2,016.80
10-66-430	1,319.76	.00	1,319.76
10-66-530	61.47	.00	61.47
10-66-590	504.00	.00	504.00
10-66-600	274.80	.00	274.80
10-70-230	577.57	.00	577.57
10-70-410	1,313.42	.00	1,313.42
10-70-420	445.00	.00	445.00
10-70-430	578.36	.00	578.36
10-70-435	35.00	.00	35.00
10-70-530	179.96	.00	179.96
10-70-600	1,013.77	.00	1,013.77
10-70-608	135.00	.00	135.00
10-70-710	7,340.00	.00	7,340.00
10-75-700	31,944.59	.00	31,944.59
31-40-315	18,292.82	.00	18,292.82
51-45-230	1,608.95	.00	1,608.95
51-45-325	534.50	.00	534.50
51-45-530	297.41	.00	297.41
51-45-590	18.66	.00	18.66
51-71-400	304.80	.00	304.80
51-71-410	1,035.46	.00	1,035.46
51-71-420	24,802.00	.00	24,802.00
51-71-700	2,124.90	.00	2,124.90
51-72-405	11.30	.00	11.30
51-72-430	58.11	.00	58.11
51-73-390	202.28	.00	202.28
51-73-430	365.45	.00	365.45
51-73-600	1,595.30	.00	1,595.30

GL Account	Debit	Credit	Proof
Grand Totals:	356,938.76	356,938.76-	.00

Report Criteria:

Report type: GL detail

Check Detail.Amount = {<>} 0

TOWN OF BASALT Information Item	Date: September 13, 2016 From: James Lindt AICP, Assistant Planning Director
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SUBJECT: Update on Whitewater Park Construction

DETAILS: Pitkin County received their 404 Permit extension from the Army Corps of Engineers for the Whitewater Park and mobilization for construction is about complete. Additionally, the contractor is in the beginning stages of creating a rural access path from the end of Emma Road to the Roaring Fork River in order to get the necessary construction equipment to the river. Following the installation of a rural access path to the river, the contractor, Diggin It River Works, Inc. will be damming the river to do the in-river work.

Staff wanted to give Council the heads up that the Roaring Fork River through the stretch from Fisherman's Park through the Streamside area will be closed beginning September 12th. Additionally, it should be noted that there could be a slight bit of turbidity in the water downriver of the Whitewater Park site from approximately September 20th through September 27th. The contractors are doing their best to limit the amount of turbidity created as a result of the construction. Best management practices including turbidity curtains are being installed to minimize disturbance downriver.

Lisa McDonald in the Pitkin County Attorney's Office is the Town's main contact person with regards to issues or concerns that come up in relation to the Whitewater Park. Lisa may be reached at 920-5191 or at lisa.macdonald@pitkincounty.com. Pitkin County has been proactive in communicating with the property owners along Emma Road and the owners within the Basalt River Lofts Building that is located at the end of Emma Road adjacent to the construction staging area. Town Staff is also meeting weekly with the contractor and Pitkin County Staff overseeing the project to address issues as they come up.

2016 ADVANCED AGENDAS

Tuesday September 27, 2016 WORKSESSION AND LEGISLATIVE

WORKSESSIONS

- Southside Traffic (45-60 min)
- Green Team - Basalt’s Greenhouse Gas Inventory (20 min)

ORDINANCES

- 1st Reading Recycle Ordinance (20 min)
- 1st Reading RFCD Lease for Red Brick for Day Care and 1st Reading Lease with Growing Years (15 min)
- 1st Reading on Stott’s Mill (1 hr)
- 1st Reading – Amendments to Chapter 18 Building to incorporate 2015 Codes (15 min)
- 2nd Reading on Marijuana Ordinances – Land Use and License (15 min)
- 2nd Reading on CSC District Amendments (45 min)

RESOLUTIONS

- Pre-Application Agreement with Habitat for Humanity and School District (1/2 hr)
- Agreement with TACAW to make progress on performing arts center in Willits (1/2 hr)
- Resolution supporting Library District (5 min)
- Resolution supporting County ballot initiatives
- Resolution supporting Town ballot questions

Tuesday October 11, 2016 WORKSESSION AND LEGISLATIVE

WORKSESSION

- 2017 Budget Worksession (3 hr)

ORDINANCES

- 2nd Reading Recycle Ordinance (10 min)
- 2nd Reading on Stott’s Mill (35 min)
- 2nd Reading – Amendments to Chapter 18 Building to incorporate 2015 Codes

PARTIAL LIST OF COUNCIL PRIORITIES TO BE SCHEDULED

- 1 Child Care and Regional Child care
- 2, 1 Community Survey
- 3 Economics of Special events
- 1, 2 Regional healthcare
- 2 Arts and performing arts related to the economy
- 2 Presentations to Council from these committees:
BPAC, POST, CHAMBER, Etc./Council Members to sit on
- 2 Urban renewal at Clarks-updates from Tim B
- 3 Willits intersection
- 3, 3 Way finding –urban trails and connections (part of POST update)
- 3 Changing big boxes to small businesses at Willits

2016 ADVANCED AGENDAS

- 1, 1 Single Track trails on public lands connected to Town of Basalt
Zero waste/compost effort in Basalt/Willits

OTHER DISCUSSION ITEMS IDENTIFIED BY STAFF

Adopting the 5 Yr. Capital Improvements Plan
Valley Rd/El Jebel Road Alignment
Traffic Calming on East Valley Rd and Throughout Town
Safe Routes to School
Code amendment Chapter 8 – Parking rules
Public Works Manual
Worksession – BDBA& Chamber
Presentation Colorado Parks and Wildlife – Bear Aware
Green Team Update
Flood plain regulations
Two Rivers Road Master Plan
Master Plan Update
Art Base Expansion
TACAW Feasibility

LAND USE APPLICATIONS

Arbaney Kittle PUD Amendment- Pursuant to pre-development agreement
Town Park Arts Parcel – TACAW Approvals
Stott's Mill PUD Amend and Reinstate & Sketch Plan
132 W. Sopris Dr. Special Review
Habitat for Humanity School District Housing