

**TOWN OF BASALT  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING & WORK SESSION  
MARCH 29, 2016**

**CALL TO ORDER**

Chair Johns called the meeting to order at 6:07 p.m. Commissioners answering roll call were Gary Wheeler, Eric Vozick, Gino Rossetti, Patrick McAllister, Dylan Johns and Alternate Tracy Bennett.

Staff present was Susan Philp, Town Planner; James Lindt, Assistant Planning Director; and Denise Tomaskovic, Recorder. A sign-in sheet for public attending the meeting is available for review at Town Hall.

**APPROVALS**

**Minutes of February 16, 2016**

**M/S ROSSETTI AND WHEELER TO APPROVE THE MINUTES OF FEBRUARY 16, 2016 AS READ. THE MOTION CARRIED BY A VOTE OF 4-2-0 WITH THE ABSTENTIONS DUE TO NON-ATTENDANCE OF THE MEETING.**

**Minutes of February 22, 2016**

**M/S WHEELER AND ROSSETTI TO APPROVE THE MINUTES OF FEBRUARY 22, 2016 AS READ. THE MOTION CARRIED BY A VOTE OF 4-2-0 WITH THE ABSTENTIONS DUE TO NON-ATTENDANCE AT THE MEETING.**

**Minutes of March 1, 2016**

**M/S VOZICK AND BENNETT TO APPROVE THE MINUTES OF MARCH 1, 2016 AS READ. THE MOTION CARRIED BY A VOTE OF 6-0.**

**AGENDA ITEMS**

**Eagle County Referral:** El Jebel Mobile Home Park Expansion Application by Crawford Properties, LLC for additional 46 manufactured homes on a site adjacent to the existing mobile home park (MHP) located on the south side of JW Drive. All units will be rental units and six of them are designated as deed-restricted affordable housing.

Lindt reviewed a posted site plan as well as the draft referral letter to Eagle County. He pointed out that Robert Hubbel, applicant, was present as well as the land planner, Doug Pratte.

Pratte, addressing items in Staff's draft referral letter, noted that the AMI calculations for two bedroom units are based on an annual salary of about \$77,000 while three bedroom units are targeting annual incomes of \$89,000. The units will be rented at 100% AMI. Already, with no formal advertising, 100 families have indicated interest in renting the units.

Regarding traffic issues, Pratte said that both Lindt and Philp have represented the Town on a task force with Crawford Properties representatives and Eagle County Staff that was convened to resolve traffic flow issues in El Jebel via a new roundabout on El Jebel Road. Crawford Properties will be contributing right-of-way, funding for the roundabout and traffic impact fees.

Regarding childcare comments in the draft referral letter, Pratte pointed out that Crawford Properties leases two parcels to childcare facilities and has sold part of their property to the school district for bus storage and a school to be built in the future. Also, the applicant will be paying cash-in-lieu of school land dedication for mitigation to the school district.

Pratte noted that the applicant has been working with the WE-cycle Program to locate bike rental units in El Jebel.

Regarding Staff's comments about law enforcement mitigation fees, Pratte read a statement saying that Crawford Properties supports the multi-jurisdictional law enforcement efforts in the mid-valley but doesn't want this neighborhood to be singled out to make payments for law enforcement. This should be a community-wide effort. Staff responded that similar comments to this effect have been included in referral letters regarding other proposed developments in the mid-valley.

Commissioner Wheeler asked about law enforcement needs in El Jebel. Staff referred to the calculations page in their explanation of this fee. Currently, Eagle County doesn't reimburse the Town to the extent necessary for law enforcement costs incurred by Basalt for coverage in the unincorporated areas.

The Commissioners thought it important that the Town receive adequate compensation for sending its officers to respond to calls outside Basalt's boundaries due to the fact that the counties don't supply the necessary coverage in the outlying areas.

Pratte suggested changing the letter's wording so it doesn't seem like this neighborhood is being singled out as a place where law enforcement will be responding.

Philp said that the County, the Town and the Basalt Police Chief have been working on a mechanism whereby the Town will be more equitably reimbursed for law enforcement costs outside Basalt town boundaries.

It was pointed out that the proposed MHP extension is across JW Drive from the El Jebel Fire Station. Pratte noted that the fire department appreciates the multiple egress points for residents.

In response to a question from the Commissioner Vozick, Hubbel said that the new roundabout on El Jebel Road is slated for construction in 2017.

Chair Johns asked about parking plans and Pratte, referring to the site plan, provided an explanation. Johns also had a question regarding water/sewer service and Hubbel explained that Mid Valley Metro District is considering installing a looped service line to connect the Wendy's area with Blue Lake Subdivision. Johns then asked about public transportation access and was told that the nearest RFTA BRT station is between one quarter and one half mile away while the local bus service has two stops within closer proximity. Philp added that WE-cycle station locations will be determined in conjunction with bus station locations. Chair Johns concluded his questions by receiving clarification from Pratte on how the AMI calculations vary between 80% and 100%.

Commissioner Wheeler asked about the status of the mobile home park's private sewer system. Hubbel said that two years ago they joined the Mid Valley Metro District.

### **Public Hearing**

The Public Hearing was opened at 6:42 p.m.

Chair Johns noted that there was no public in attendance.

Lindt, for the record, said that Patrice Becker had submitted an email containing mostly questions about the proposed MHP expansion.

The Public Hearing was closed at 6:43 p.m.

### **Commissioner Comments**

Chair Johns reviewed suggested changes to the draft referral letter.

Commissioner Wheeler said he was in agreement with amending item 5 to reflect that the applicant is already working with WE-cycle and, he added, he also supported the language in option 4B regarding affordable housing. Wheeler said that it was important to stay consistent with the law enforcement reimbursement for services but state that they are provided within the entire mid-valley outside the Town boundaries.

Chair Johns suggested clarifying the cost breakdown for police calls outside the Town.

**M/S MACALLISTER AND ROSSETTI TO APPROVE THE DRAFT LETTER AS AMENDED TO INCLUDE SUPPORT OF OPTION 4B, ACKNOWLEDGE THAT DISCUSSIONS WITH WE-CYCLE ARE ALREADY UNDERWAY, AND THAT THE LAW ENFORCEMENT REIMBURSEMENT PROVISION APPLIES TO ALL AREAS SERVED OUTSIDE THE TOWN BOUNDARY, NOT JUST SPECIFICALLY TO THIS PROPOSED EXPANSION AREA. THE MOTION CARRIED BY A VOTE OF 6-0.**

Chair Johns stated that the Planning Commission was moving into a work session at 6:48 p.m.

### **Work Session: Zoning for Our Town Planning Properties**

Philp called Don Elliott of Clarion Consulting, zoning code consultant, to participate in a telephone conference with the Commissioners.

Philp reviewed the schedule, noting that the Town Council had decided to wait until after the upcoming election to review the amended zoning code. Also, Staff wanted to check in with the other Commissioners to make sure everybody is on the same page with the zoning code changes since there were only two Commissioners at the previous P&Z meeting.

Elliott reviewed the changes that have been made since the last meeting.

- Actual zoning boundary will be established when development proposals are submitted.
- Clarification on condominium hotel definition.
- Possible to change anchor use if space is still vacant after 9 months but the changed use would require review by P&Z and approval by Town Council.
- Dimension table setbacks and height limits.
- Pedestrian openings between buildings.
- Façade treatments to echo the rhythm of the historic structures in downtown Basalt.

Commissioner Rossetti thought the secondary uses should be more clearly stated in conjunction with the anchor uses. He also suggested a change to the setback map that was generated for this evening's discussion purposes.

In response to a question from Chair Johns, Philp further explained the setback requirements for the BCC parcel. She acknowledged that there needs to be further refinement on this language and Staff will continue to work on it.

Chair Johns asked if the physical model could have a section to illustrate what the setbacks could look like.

Commissioner Rossetti was concerned about overly prescribing the zoning code. He was also of the opinion that it didn't make sense to spend more money on changes to the model until after the upcoming election.

Commissioner MacAllister asked why an anchor space would have to be vacant for nine months before the anchor use could be changed. Elliott said that there is no magic in the number 9 but that amount of time should allow another operator to be found for the same anchor use before another use could be substituted. Elliott added that the same use by a different provider can be implemented any time before nine months.

Lindt added that the nine months language was borrowed from the C-2 zoning language on vitality zone uses.

Elliott offered a few suggestions on ways to change the language and the Commissioners eventually agreed on changing the language to read three months instead of nine months before an anchor use can be changed.

Chair Johns asked if the definition of dwelling unit in a condominium hotel includes a kitchen. Philp suggested clarifying that kitchen facilities can be included in the condo hotel. Johns also questioned whether this is a hotel or a fractional ownership situation. Elliott said that the purpose of the condominium hotel definition is to make sure that if the owner isn't there then the unit should be made available in the hotel's rental pool. Ensuing discussion and questions from the Commissioners indicated that more information needs to be provided in order to clarify the definition and ensure compliance.

Commissioner Rossetti asked how the existing Aspenalt hotel owners could redevelop their hotel to add two more stories. Philp responded that under the CSC Zone District they would have to go through a Sketch Plan and Final Review. They couldn't add two more stories to their existing hotel structure due to the location of two of its buildings within the 50 ft. river setback and the CSC buffer zone which only allows three stories if the third story is set back 10 feet from the facade. Alternatively, the owners could apply for a PUD process (complying with river and road setbacks).

Elliott offered further explanation on the definition of a condohotel. Ownership can't be controlled through zoning. Items a through k in the document address the performance function that could help create the desired vitality levels downtown. There isn't a concise way to define the operational aspect of the zoning code. Elliott said that he could continue to wordsmith the definition but it may be better to concentrate on clarifying minimum standards.

Philp said that the challenge is to ensure that condohotel units aren't sold as securities. Some of the verbiage may apply to preventing that and can be removed since it doesn't pertain to zoning and land use impacts. Elliott will revise and give to Philp to recirculate for approval.

The Commissioners agreed to have one more discussion about the zoning amendments on April 19<sup>th</sup>. The public hearing is scheduled to be held on May 3<sup>rd</sup>.

Chair Johns expressed the group's appreciation for Elliott's help. He said that the concern is whether or not this proposal follows the intent. That's where the clarity needs to lie.

**COMMISSIONER COMMENTS/STAFF UPDATES**

Philp outlined the upcoming review schedule and Lindt supplied some proposed review dates.

**ADJOURN**

**M/S BENNETT AND ROSSETTI TO ADJOURN. THE MOTION CARRIED BY A VOTE OF 6-0.**

The Planning and Zoning Commission adjourned at 7:55 p.m.

**TOWN OF BASALT  
PLANNING AND ZONING COMMISSION**

By:   
Dylan Johns, Chair

Attest:   
Denise Tomaskovic, Recorder