

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION
REGULAR MEETING and PUBLIC HEARING
Tuesday, June 5, 2018**

CALL TO ORDER

The Planning & Zoning Commission was called to order by Philp at 6:15 pm. Commissioners present were Acting Chair Eric Vozick, Joan Keefe, Gino Rossetti, Pat McAllister, and Alternate Tracy Bennett.

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

APPROVAL OF MINUTES

M/S BENNETT AND KEEFE TO APPROVE THE MINUTES OF MAY 15, 2018. MOTION CARRIED BY A VOTE OF 4 TO 0. PAT MCALLISTER ABSTAINED.

AGENDA ITEMS

Public Hearing for Butch's Lobster Shack Site Plan Review

Lindt introduced the proposal as one that would install two buildings on the Kelly Building property at 144 Midland Avenue. A 290-square foot commissary facility for food preparation would be in the back of the property, and a 160-square foot building would be on the grassy area to which people would walk up and buy their food. There would be 30 seats on the grassy area. Food service would be 7 days a week, Monday-Friday from 4:00 pm to 9:30 pm, Saturday and Sunday from 11:30 am to 9:30 pm. Lindt said that a site plan review is required by the P&Z because it is proposed to install facilities on a historic property. Lindt said the Kelly Building is a designated historic building and was the post office at one time. He said that this is a unique application because the proposed buildings are mobile. The P&Z is the final reviewing authority, unless the application is denied and the Applicant appeals the decision to the Town Council. Lindt said that a draft resolution has been provided.

Lindt outlined the following discussion items.

1. Proposed Use

The proposed restaurant use is allowed in the C-2 zone district. Facilities will be hooked up to the Town's water and sewer system.

2. Consistency with Master Plan

Staff believes that the proposal is consistent with the Master Plan's goals. Town Council has discussed Butch's Lobster Shack during past reviews, and it was determined that the vitality generated by it was beneficial in the downtown area, and satisfies some Master Plan goals, including "Supporting small-town business character," "Retaining funkiness of Town," and "Promoting vitality through the proliferation of outdoor gathering spaces."

3. Parking and Affordable Housing Mitigation

Because the Kelly Building is a historic property, no new parking and no affordable housing mitigation is required. Affordable housing mitigation is not required because the proposed expansion is under 3,000 square feet on a historic landmarked property.

4. Mitigation of Impacts

The conditions of approval include limits on the hours of operation and odor exhaust. A condition would require operations to end at 9:30 pm. Other conditions prohibit amplified music. A condition suggested by the Eagle County Environmental Health Department would require an exhaust hood.

5. Portable Toilets

The Applicant plans to satisfy the Environmental Health Department's restroom facilities through portapotties in the back of the facilities near the commissary. A handwashing station would also be required.

6. Other Items

Lindt said that the Applicant is not proposing to serve alcohol. The Applicant plans to pay water and sewer tap fees commensurate with other restaurants. A condition of approval would allow operation until September with an extension allowable by the Technical Review Committee (TRC). Another condition would allow the TRC to approve the Lobster Shack in future years. If concerns arise this summer, the TRC would be able to elevate the review back to the P&Z for next year.

Butch Darden added no additional comments.

Commissioner Rossetti asked if potential problems with hardscaping versus landscaping had been addressed. He noted that previous operations conducted by Mr. Darden had been conducted on pavement, and that there are likely to be a lot of people who might be dropping things. Lindt replied that it would be required that the site be kept clean. There are sprinklers that could water the grass in the area when Butch is closed.

Commissioner Keefe asked if the building currently in the back of the property would stay and if the building on the side would be removed each year. Mr. Darden said the commissary in the back would be removed at the end of the season, but the actual lobster shack on the grass would remain. Lindt explained that prior to operating, each year the TRC would need to approve the operations again, and could kick the review up to the P&Z if deemed necessary.

Commissioner Vozick asked if the Applicant planned to operate with environmentally sensitive practices like composting. Mr. Darden said that he had not thought about it, but said it would be fine. He asked what service providers there are that could help him. Commissioner Vozick said Evergreen Events could be an option. Philp offered to provide a list of providers who offer compost services. Mr. Darden said that he would be willing to do that if they could provide what he needs. In the past he used paper or cardboard receptacles.

Public comment

Public comment was opened at 6:30 pm.

Lee Leavenworth introduced himself. He said he has eaten in all of Butch's restaurants over the years and that he serves great food and attracts people from out of town. He said that Butch

went out of his way to meet with the Sanitation District's board to install a grease trap. Mr. Leavenworth said that other food trucks in the valley are not hooked up to water and sewer, unlike Butch plans to do.

Lindt stated that comments had been received electronically from Laura Maine asking that Butch have appropriate grease interceptors and water hookups.

Public comment was closed at 6:33 pm.

Commissioner comments:

Commissioner Keefe said that tables would obstruct the irrigation and might wear down the grass. She suggested incorporating hardscaping.

Commissioner Bennett suggested giving the Applicant a year to see how it turns out.

Commissioner Rossetti agreed with both Commissioners Keefe and Bennett, but wants to have the right to bring the project back to reexamine the impacts on the grass and landscaping. He identified damage, smell, and vermin as potential impacts. He likes the concept.

Commissioner McAllister said he likes the project.

Commissioner Vozick said he liked the project and would like to see Butch use a composting service.

Commissioner Rossetti made a motion to approve the project and Philp summarized the points of the motion: that the Applicant keep the grounds clear of debris, that Staff would monitor the situation to see if any changes are necessary in future approvals, and that Butch use compostable material and a composting service if possible.

M/S ROSSETTI AND KEEFE TO APPROVE THE RESOLUTION APPROVING THE SITE PLAN REVIEW FOR BUTCH'S LOBSTER SHACK BY A VOTE OF 5 TO 0 WITH THE ADDITIONS NOTED BY STAFF.

Preparation for Master Plan Update Worksession with Council

Philp reviewed the suggestions and comments that the P&Z has made for updates to the Master Plan. The list of suggestions and comments has included up to of about 30 items, and at the last meeting it was suggested that the P&Z organize them into three categories, which were regional growth items, big Master Plan concepts, and downtown issues. Staff has prepared that for today.

One of the discussion items at the last meeting was radical downtown concepts involving the Basalt Center Circle property, Philp noted. At that meeting the P&Z discussed being strategic about bringing up this topic so that it would not take over the discussion. To that end, regional growth items have been put first. This topic includes residential growth and relationships with neighboring jurisdictions.

Philp noted a number of items under the big Master Plan concepts category, such as looking at the land use designation of key parcels like Jadwin, Stott, Basalt Design District, Meyer Ranch property, KOA property, Roaring Fork Mobile Home Park, as well as trail and roadway

connectivity and visually enhancing the entrances to Basalt. Other concepts include accommodating young people and looking at things young people want, like childcare, biking and walking, and affordable homes. Then there are downtown issues, vitality, parking, improving the Midland Avenue streetscape, and looking at additional growth in downtown; regarding the Basalt Center Circle (BCC) parcel, Philp listed several radical actions that were discussed, like purchasing the BCC property, building a new road, providing legal services to help consolidate parcels and navigating CCIOA issues, and possibly doing a PIF. Philp said there is still time to submit more comments because the P&Z is scheduled for the second meeting in July. She said the reason that the P&Z is waiting is that Bill Maron wants to attend and wouldn't be able to before then. She reminded the P&Z again to send her their vacation schedules.

Commissioner Rossetti expressed his approval of what has been put together, but asked about putting language about connecting Southside to downtown through an underpass. Philp replied that this topic is covered under letter "B."

Commissioner Bennett commented that under downtown issues, she wanted it to be clear that there would be a commitment to watering flowers along Midland. Philp asked if it would work to make a general statement such as "installing infrastructure in streetlights to allow flowers and Christmas lighting." Commissioner Bennett approved. Philp added that having dimmable streetlights is important.

Commissioner Vozick asked if it would be a good idea to be specific under the transportation recommendations and recommend a bus circulator between Willits and downtown. Philp agreed to add that.

Commissioner Bennett asked where the Elk Run "enclave property" is. Philp pointed to it on a map.

Commissioner Rossetti asked if the meeting with Town Council on July 24th would be public. Philp replied that all meetings are public, and that this one would be televised. Commissioner Rossetti suggested putting together an outline of who would talk about or bring up the topics. Philp agreed, and said that it would be better if the material came from the P&Z and not staff.

Commissioner Bennett asked about the regional growth topic and expressed that it could be a big topic of conversation and could take over the meeting. Philp replied that regional growth wouldn't be discussed in detail, it would only be stated that this would be an important topic that should be addressed in the Master Plan update.

Philp added that the P&Z members should think about which items they individually would like to talk about. She said she would put copies in their boxes for them to mark up and discuss at future meetings.

Updates on Mid-Valley Area Community Plan

Philp said that the Roaring Fork Valley Regional Planning Commission (RFVRPC) was originally scheduled to have a meeting tomorrow to continue the discussions on updates to the Mid-Valley Area Community Plan, but it has been rescheduled. The update is scheduled for adoption on June 21, and the next meeting is currently scheduled for June 14. The schedule changes are due to the availabilities of the planning director and assistant county attorney, as well as to give

time to notice landowners whose land use designations have been proposed to be changed. Lindt noted that all of Blue Lake has been notified.

Philp explained how at the last P&Z meeting, they discussed the land use designation of many of the parcels covered by the plan. At the previous RFVRPC meeting, all the parcels were reviewed and recommendations were made.

The Urban/Suburban Residential designation has been split into two designations. In East Basalt the RFVRPC took the P&Z's suggestions. The P&Z had recommended keeping the densities the same for certain parcels like Jadwin, Stott, and the Homestead Mobile Home Park. Philp said that there had been support of changing the land use designation of the CDOT property to something liked Mixed Use that would support a restaurant. The owner of the McKelvey property would like to be able to have more dwelling units on her property. Its designation has been changed to Mixed Use. The Fitzsimmons property has been changed to Mixed Use. The Fields property has been designated a higher use designation than desired by the Town. The RFVRPC has followed the Town's suggestions to the Forest Service property, except on one portion of it that has been designated Moderate-Density Residential. Lindt said that the northern portion of the Tree Farm has been designated Rural Agricultural. This was the portion that had been planned to be under conservation easement. Commissioner Vozick summarized that the P&Z got some of the things it asked for but not everything. Philp said that the process has been interesting, because Eagle County has driven the process more like a zone change process. Lindt said that the Boyer property off of Willits Lane and inside the Urban Growth Boundary (UGB) has been designated Moderate-Density Residential.

STAFF UPDATES

Commissioner Rossetti asked about an approval for an area north of Eagle Crest Nursery. He said that it had been intended for light industrial and some housing. However, before the bridge closure at Glenwood Springs, something close to a hundred houses were trucked in. He wondered if that was what was approved. Lindt pointed to the area on a map. He discussed the El Jebel Sub-Area Plan, which intended to shift density from the north side of JW Drive to the south side. It was noted that the Town P&Z provided referral comments to Eagle County on the application. Philp said that there are rentals of about 50 units, and both the land and mobile homes are owned by the Crawfords. Lindt thought that around a fifth of them are deed-restricted, rent-capped units.

Commissioner Rossetti asked if anything further has developed regarding the Pan and Fork application. Philp said that it has been advertised for public hearing on June 19th, but anticipates doing a site visit at the P&Z meeting on the 19th and continuing the public hearing until July 17th, because some materials are still due.

Philp said that the permit for TACAW will be reviewed soon.

Philp said that it still needs to be decided if there will be a meeting on July 3rd, as it is so close to the holiday.

Habitat for Humanity has their land development permit, the mini storage buildings have been in pre-construction. Commissioner Vozick noted there is lots and lots of dirt, and asked for a timeline. Lindt said that they are making progress separating soil to bring some offsite, while some new soil will be brought in from the Habitat site. The bigger pile will be made into a berm and pushed to the west, as required. Lindt guessed that it would be a couple of weeks before

more progress is made. Philp noted that they had to make quick arrangements for the workers to not work during high school graduation.

Philp said that the Roaring Fork Apartments are ready for occupancy and will have a grand opening on June 25th. She said it is a successful project, with extra storage possibilities and a nice lobby. There are a variety of floor plans, extra storage, an exercise room, has more Basalt employees occupying it than other affordable housing projects, and there seem to be many little kids there.

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

The Planning and Zoning Commission adjourned at 7:13 p.m.

TOWN OF BASALT
PLANNING AND ZONING COMMISSION

By  _____
William C. Maron, Chair

Attest  _____
Susan Philp, Planning Director