

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION
REGULAR MEETING & PUBLIC HEARING
Tuesday, September 15, 2020**

CALL TO ORDER

The meeting called to order by the Chair at 6:03 pm.

Commissioners present included Bill Maron, Joan Keefe, Eric Vozick, Bernie Grauer, Rob Leavitt, and Alternate Tracy Bennett. Gino Rossetti joined the meeting before the discussion on the Tree Farm Solar panel.

Staff present included Susan Philp, Planning Director; James Lindt, Assistant Planning Director; and Sara Nadolny, Staff Planner.

APPROVAL OF MINUTES

M/S LEAVITT AND KEEFE TO APPROVE THE MINUTES OF AUGUST 4, 2020. MOTION CARRIED BY A VOTE OF 6 TO 0.

M/S VOZICK AND BENNETT TO APPROVE THE MINUTES OF SEPTEMBER 1, 2020. MOTION CARRIED BY A VOTE OF 6 TO 0.

AGENDA ITEMS

Proposed Amendment to R-4 MD Code Provisions

Gail Schwartz, President of Habitat for Humanity Roaring Fork Valley, was introduced by Lindt as the Applicant. Lindt said this is a request for a code amendment made by Habitat for Humanity to the R-4 MD zone district to add language to add a new category to allow a maximum unit size of 1,235 square feet for a two level, two-bedroom unit within a 100% affordable housing project. The Applicant is making the request as it relates to Basalt Vista affordable housing project.

Lindt indicated that within Basalt Vista there are fourteen units for employees of Pitkin County and thirteen for the RE-1 school district. The project is heading toward its final phase, which involves the construction of the final nine affordable housing units, seven of which are for the school district.

Lindt explained that the Applicant would like to change several three-bedroom units to two-bedroom units, an adjustment to the originally approved program. Lindt displayed the proposed code language on the screen. The Applicant has determined that the most cost-effective way to make this adjustment without having to change the structural or foundation design is to remove one of the upper floor bedrooms and push the other bedroom to the stairs. The resulting two-bedroom size would be 85 square feet over the maximum of 1,150 square feet currently allowed by the zone district for a two-bedroom deed restricted unit in a 100% affordable housing project.

Lindt said that the Applicant indicated difficulty in creating a livable two-bedroom unit on two levels as the stairs take up a considerable amount of livable area. He said Staff agrees that it could be difficult to get sufficient storage and to meet the 120 square feet of kitchen space the Livability Guidelines require in making units livable. Staff believes the applicability of the proposed amendment is limited, as it will be restricted to 100% affordable housing projects with two-level 2-bedroom units. Staff wants to continue to be a good partner and make the units as livable as possible. Lindt indicated that Staff is supportive of the request. He said the P&Z could make a recommendation of approval to Council if the P&Z is comfortable with the application.

Gail Schwartz introduced herself as well as Bo Blodgett and Jake Ezratty, who are also part of the applicant team. Schwartz made the correction that there are actually fourteen units for the RE-1 school district and thirteen units for Pitkin County. They are moving ahead with Phase 2.

Schwartz said that in the final Phase 3, seven of the nine units are for the school district. She said the Applicants are asking for some flexibility. Phase 3 is comprised of three and four bedroom units, which does not meet the needs of local teachers, who have expressed a desire for two-bedroom units as the more affordable option. Schwartz said that the most economic and efficient way to go about the conversion is to keep the foundation and to modify units. She said they are reducing the overall entitlements for the project by 538 square feet by changing two of the three-bedroom units to two-bedroom units, and exceeding the 1,150 sf limit by 85 square feet. The Applicant's desire is to maintain the quality, attractiveness, and livability of each unit, which is why they are asking the P&Z for consideration of the proposed code change.

Ezratty, as the Project Manager, said he looked at all possibilities to make most cost-effective decision about how to get the project finished for the school district. The preferred option was not a major design change. His goal was to provide enough livable space for the homeowners. He noted that the staircase is not usable space. Ezratty said he feels the amendment is a valid request and will produce minimal impacts, as it is proposed to be specific to two-bedroom, two level affordable housing units.

Schwartz said the concepts of affordability and efficiency were important in considering how to change the units. She also discussed reducing the cost from the current requirements of 80% AMI to 70% AMI to make the units more affordable to teachers.

Chair Maron opened the meeting to allow the Commissioner to ask questions of the Staff and Applicant.

Commissioner Vozick noted that there will be a few less people with fewer bedrooms, but the square footage will be the same. He asked if this is accurate. Ezratty said the square footage will go down. Teachers have expressed they have no need for a third bedroom.

Commissioner Keefe asked for clarification on the project intent. Schwartz explained the project would be losing two bedrooms by converting two of the three-bedroom units into two-bedroom units.

Commissioner Leavitt asked Schwartz the timing of the construction. Schwartz said the intent is to finish Phase 2 by May or June 2021, and to finish all of Phase 3 by spring 2022.

Chair Maron asked Staff why the size limitation per unit is there, since the units are affordable housing. Lindt replied that when Habitat was going through the land use process they had proposed amending the R-4 MD zone district to allow the affordable housing units to have higher square footages than the free market units, which was supported back in 2017 when the project was initially approved. At that point Staff and the board were not interested in changing the floor area allowance for all attainable housing within the zone district, including free market units.

Chair Maron asked if the change to the unit number of bedrooms was more about demand or more about cost. Blodgett said it is more about demand; that previous phases showed more demand for two-bedroom units. The Applicants interviewed teachers and looked into their incomes, and found two-bedroom units to be both more attainable and better fit the demand. Schwartz added they have greater demand for the Pitkin County units which has a much larger pool of employees, which is why they are being so sensitive to meeting RE1's needs. She said their goal is to provide a unit mix that is more attractive to teachers, particularly young new teachers that may not have families. Those teachers may have the opportunity to buy larger units over time. The Applicants want to be more responsive to the needs.

Chair Maron opened the meeting up to public comment at 6:28 pm. No comment were received, and Chair Maron closed the public comment portion of the meeting at 6:29 pm.

Commissioner Comments

Commissioner Leavitt said he believes this to be a fine project.

Commissioner Grauer said if it facilitates meeting Habitat's mission and market's needs, he has no problem.

Chair Maron echoed Commissioner Grauer's sentiment and stated that he supports the project. Chair Maron reiterated that he doesn't believe there needs to be a maximum size cap in the zone district as it is, by nature, intended to facilitate housing that is affordable.

KEEFE/LEAVITT MOTION TO RECOMMEND APPROVAL OF THE PROPOSED CHANGES TO THE R-4 MD ZONE DISTRICT. MOTION CARRIED BY A VOTE OF 5 TO 0. COMMISSIONER VOZICK ABSTAINED.

Commissioner Rossetti joined the meeting at 6:34 pm.

Eagle County Referral – Solar Project at Tree Farm

Lindt introduced Paul Spencer as the Applicant's representative, and the item as a referral from Eagle County for an application to install solar arrays on the Tree Farm property across from Willits Town Center. The Applicants are proposing to install a ground mounted solar array with 10 panels on the east side of the lake at the Tree Farm. Lindt said the solar is proposed to provide 200 kilowatts of energy. The Applicant has indicated that the solar array cannot be seen

from Highway 82. In drafting referral comments Staff has created a letter for the P&Z's consideration. Lindt shared the site plan, showing the solar on the east side of lake, at the far side from Highway 82.

Lindt outlined Staff's conditions in the draft letter. Comment #1 is that the P&Z supports the concept of the solar array at the Tree Farm and believes that it aligns with the environmental and renewable energy goals found in the 2020 Basalt Master Plan and the Mid-Valley Area Community Plan.

Comment #2 indicates that the P&Z feels that the proposed location of the solar farm will likely prevent it from being visible from Highway 82, but the P&Z recommends that Eagle County request the Applicant to provide a photo simulation to ensure the visual impacts are accurately understood.

Comment #3 recommends the County reinforce the Applicant's representations with conditions of approval that there will be no lighting associated with the project, and that the solar panel materials be non-reflective.

Lindt said the P&Z has the options to direct Staff to transmit letter as drafted, or to change letter and direct Staff on what those changes should be. Lindt asked the Applicant if he would like to add any information.

Spencer said he is there to answer any questions the P&Z may have. He said the solar fits in well in the midvalley and will provide clean energy to the area. Spencer said that in response to the letter's recommendations, there is no lighting. He also felt the simulation to be a waste of money, as the development is shielded by 25 to 30 foot trees from Highway, and there will be buildings between those trees and the array. Spencer said that simulations would result in a picture of a tree or a picture of a building.

Chair Maron opened the meeting to Commissioner questions at 6:41 pm. Philp identified that this is not a public hearing, but that they would take public comment.

Commissioner Vozick asked if the site can handle more panels that would allow it to provide more energy than just for the Tree Farm. Spencer replied the development is part of the Tree Farm PUD, but the site is owned by Woody Ventures. The lot is only large enough to support 200 kilowatts of solar. The energy will be owned by the Tree Farm metro district to provide energy and benefits to the Tree Farm PUD.

Commissioner Vozick questioned whether it is important to ask for the site simulation in the letter, noting that he doesn't see what the issue would be if it were visible, noting that the Mid Valley solar garden is visible from the highway. Lindt said that it is up to the P&Z to make a determination whether they want to include that recommendation in the letter. He said that it is consistent with prior Tree Farm solar proposals – as in the past proposal that would likely have been more visible. He noted Staff was interested in seeing a photo simulation at that time. Philp noted that the request for a photo simulation is for consistency and would be expected for any property in Town where a ground-mounted solar array was being proposed to determine the impact.

Commissioner Keefe asked if there is ten arrays, and Spencer replied that it is actually one array in 10 rows. Commissioner Keefe asked if Spencer could define the average of the solar array to the average public how many kilowatts are returned on a twelve month rotation. Spencer said that to quantify how much energy this produces, the average home uses between six and seven kilowatts. Spencer said the proposed array will power about thirty homes for next several decades, based on in-depth simulations in that location, twenty year weather patterns, etcetera.

Commissioner Rossetti said he doesn't think it will be visible, and is not sure what good the study would do.

Chair Maron asked who the actual owner is of the solar array. Spencer said it would be developed by the Tree Farm LLC and then handed over to the Tree Farm Metro District, as the owner.

Chair Maron asked whether the solar array would be used as future energy calculation for future building codes. Spencer said it will be a continual part of the Tree Farm. The Applicants intent is to create a sustainable aspect built into the design.

Commissioner Rossetti asked if the solar array would be phased. Spencer replied that it would be constructed all at one time. The plan is to begin its construction before the end of 2020, and that it would take approximately six weeks to complete.

Commissioner Vozick asked if the solar array would feed the grid if it is completed before the development. Spencer said that it would, and it is being constructed well in advance of any buildings within the PUD.

Chair Maron opened the meeting for public comment at 6:47 pm. No comments were provided. Chair Maron closed the public comment portion of the meeting at 6:49 pm.

Commissioner Comments

Commissioner Vozick supports the project, and said he is fine with requiring the simulation for the sake of consistency.

Commissioner Bennett said she didn't think the simulation is necessary due to the added cost, feeling that it is pretty obvious it will not be seen.

Commissioner Leavitt said he supports the project, but is also stuck on Condition #2. He asked under what condition the simulation is required. Lindt said that has been a condition of approval for all ground mounted arrays in Town. Commissioner Leavitt noted in that case he would keep the requirement in.

Commissioner Grauer voiced his approval of the project.

Commissioner Rossetti said he also approves of the project, but does not find the simulation to be necessary.

Chair Maron said he does not want to delay the project and does not think Condition #2 is necessary in this instance as it will not be visible from the highway.

Commissioner Bennett agreed, and given that it's a referral and not an in-Town project, a simulation is necessary when it is a house up on a hill. She said that if it is a big cost burden, it does not seem necessary.

Commissioner Leavitt noted the he doesn't disagree, but he doesn't want the next person who applies for a solar array to use the fact that it wasn't required for this project as a reason why it should not apply to their project.

ROSSETTI/BENNETT MOTION TO APPROVE STAFF'S LETTER OF RECOMMENDATION TO EAGLE COUNTY REGARDING THE PROPOSED SOLAR ARRAY AT THE TREE FARM WITHOUT CONDITION NO. 2. MOTION PASSED BY A VOTE OF 7 TO 0.

STAFF UPDATES AND COMMISSIONER COMMENTS

Philp said on October 6th there would be an informal pre-application discussion on an application for a lot on Sopris Drive. Lindt explained it is the large lot that looks like a big red barn on Sopris Drive. He said the lot also contains two small houses. Philp said this the first large lot subdivision that has come in for review in many years. She said that it is a tricky site, and the Applicant might benefit from some P&Z discussion before an application is submitted, but cautioned the importance of not prejudging the application. Lindt said the discussion will include Staff input and ways Staff believes the Applicant can improve the potential application, and would like to get initial P&Z feedback.

Philp said the P&Z will also be seeing a request for Site Plan review at 101 Tucker Lane. She noted this lot is one that previously received approval when owned by Mark Elice, but he has since sold the property and the new owner now needs site plan approval as changes are proposed. The property is zoned R-4 MD, attainable by design for smaller homes. She noted that none of the three lots need to be deed restricted.

Lot J, at the end of Emma Road, is in for a project that will be entirely residential. Lindt said that may come at the end of October or early November.

Stott's Mill will be going in front of the Town Council for an extension of vested rights, but the P&Z will not be seeing that.

Philp shared that Eagle County will be hosting a work session on September 16th to discuss updates to their affordable housing guidelines. She said there is no official referral process, which was explained to the Roaring Fork Regional Planning Commission. Philp noted that the Town may have some comments regarding structuring the regulations so they are more particular to the Roaring Fork Valley. The amendments currently being discussed by Eagle County could facilitate jurisdictional shopping.

Lastly, Philp said the Town Council had a recent retreat to discuss Strategic Framework and work plan for 2021. She noted there was a Lot of support for a Midland Avenue downtown improvement plan. There was also considerable discussion about climate action and the budget, which was encouraging.

The P&Z and Philp had a discussion about continuing to meet remotely.

M/S LEAVITT AND VOZICK TO ADJOURN THE MEETING. MOTION PASSED BY A VOTE OF 7 TO 0.

The meeting was adjourned at 7:08 pm.

TOWN OF BASALT
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By 

William C. Maron, Chair

Attest 

Susan Philp, Planning Director