

**TOWN OF BASALT  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING & PUBLIC HEARING  
Tuesday, January 5, 2021**

**CALL TO ORDER**

The meeting called to order by the Chair at 6:06 pm.

Commissioners present included Bill Maron, Kyle Oberkoetter, Gino Rossetti, Eric Vozick, Michelle Bonfils-Thibeault, Bernie Grauer, Rob Leavitt and Alternate Cindy Hirschfeld.

Staff present included Susan Philp, Planning Director and James Lindt, Assistant Planning Director.

Philp noted that since all seven of the Commissioners were in attendance that Alternate Hirschfeld could fully participate in the discussions but would not be voting on the items.

**APPROVAL OF MINUTES**

**M/S LEAVITT AND VOZICK TO APPROVE THE MINUTES OF DECEMBER 15, 2020. MOTION CARRIED BY A VOTE OF 7 TO 0.**

**AGENDA ITEMS**

**Continued Public Hearing on the Fork Front Basalt LLC Application - Lot J, Basalt Commercial Park**

Lindt introduced the continued public hearing for an application submitted by Fork Front Basalt LLC for Sketch Site Plan review, Sketch ESA, Sketch Floodplain Reach II ESA, and PUD Amendments to the Basalt Commercial Park Subdivision/PUD. He said the application is to construct a twelve-unit residential building on Lot J of the Basalt Commercial Park. Lindt reminded the Commissioners that this is a 12,000 square foot vacant lot located at the east end of Emma Road.

Lindt explained that the Applicant is requesting PUD amendments to permit the residential use on the first floor and to establish a building height of 32 feet for the subject lot. As noted at the prior meeting, the PUD does not permit residential on the ground floor of this lot and has a 30-foot height limit.

Lindt said that at the last meeting the P&Z heard a Staff presentation on the identified discussion items and a presentation on the proposal by the Applicant. Lindt noted that the P&Z also took public comment and engaged in Commissioner discussion.

Lindt said that since the last meeting the Applicant has adjusted three aspects of the proposal, including reducing the height to 32' by removing the parapet, making an adjustment to the Emma Road façade so that the colors are lightened, there is more articulation of the building, and there

is also a slight adjustment to the window pattern. Lastly, the Applicant has worked with Staff and the Fire District to adjust the proposed parking, moving all but two of the currently platted parking spaces from in front of the Basalt River Lofts building. Lindt explained that the parking spaces have been moved to the east of the fire turn-around adjacent to Lot J.

Lindt said that Staff has provided some analysis in P&Z's memo on the proposed adjustments. He said that at the last meeting the majority of the P&Z seemed supportive of the request for additional height to make the units more livable but didn't necessarily feel that the parapet was necessary for screening the solar panels on the building's rooftop. As a result, the Applicant removed the parapet, and the proposed height is now 32'. Lindt said that Staff has included a condition that the Applicant better define the height of the solar panels as part of their final application.

In terms of the Emma Road façade of the building, Lindt said the façade was adjusted per some of the P&Z's comments by lightening the material colors, adding a vertical element to provide more articulation, and providing a more consistent window pattern. Lindt noted that Staff has included a condition that the Applicant submit more information about the building materials as part of the Final Site Plan review application.

Lindt said that in terms of parking, the Applicant is required to provide 26 parking spaces for the twelve units. They had previously proposed six of those parking spaces across from the Basalt River Lofts building, which drew objections from some of the Basalt River Lofts owners. Lindt noted that as a result the Applicant has adjusted the parking plan with the assistance of Staff and the Fire District. He said they have now located 22 of the required 26 parking spaces to the east of the fire turn-around, adjacent to the subject lot. Two previously platted parking spaces have been maintained in their location across from the Basalt River Lofts. He said that the Applicant has requested a waiver of two parking spaces in order to preserve the existing significant Ponderosa pine tree. Staff is accepting of this scenario so long as the Applicant provides a parking management plan as part of the final application that will help to discourage private vehicle parking and has been represented as draft Condition No. 7 in the Conditions of Approval. Lindt said that if the P&Z is not accepting of the waiver of the two parking spaces from the guest parking an alternative condition has been drafted that would employ a requirement that the Applicant add two tandem parking spaces. Staff did not feel it was necessary as there is significant parking on the east end of the development.

Lindt explained that other conditions that were added since the last meeting include Condition No. 18, requiring the Applicant to meet with the Building Official prior to final plan review to ensure ADA requirements are met. Condition No. 21 requires the Applicant to submit a final lighting plan as part of the final plan application that strives for a balance with providing limited lighting that is still sufficient for safety purposes. Condition No. 22 requires the Applicant to meet with the post office and trash haulers prior to submission of the final plan to ensure their facilities for trash and mail are acceptable to those entities providing the service.

Lindt concluded that Staff recommends the P&Z take Applicant comments, allow for public comments, and provide P&Z discussion. He said that ultimately if the P&Z is comfortable, they can recommend approval with conditions to the Town Council on the Sketch Plan application.

Lindt introduced Aaron Ward (Applicant), and Ramsey Fulton and Jeff Dahl who are part of the Applicant's team.

Fulton noted that they have worked with the previous comments received from the P&Z. He said that he sees this as being four categories in terms of what was adjusted. Regarding the building height, Fulton noted that they wanted to maintain the quality of the interior space of the living units and have therefore removed the parapet to decrease the height without a decrease in the quality of the spaces.

Fulton shared an image of the building to illustrate the changes. He said the exterior material pallet has been refined, making the screen covering the stairway the same material that is found at the ground level with a natural blonde wood color. They further defined the upper-level materials and selected a lighter gray material as the product. In terms of the façade and massing, the upper-level zinc gray material was dropped to 30' in height to bring the building's massing down a little. He said the siding was also lessened by adding the vertical white element to break it up into smaller pieces. This is intended to create more verticality to the building. Fulton noted that there is a bit of an increase in the floor plate area associated with the affordable housing units by bumping out the vertical white area for articulation. Fulton showed this on the interior floor plan.

Fulton said to respect the concerns of the owners of the Basalt River Lofts they have addressed the parking. He said that by creating more compact parking spaces in the area in front of the building's eastern front façade, they were able to accommodate more parking. Fulton noted that they are committed to maintaining the Ponderosa pine.

The project is envisioned in response to the 2020 Basalt Master Plan and the need for affordable and attainable housing. Fulton noted that the adjustments were made by working with Town Staff, BACH, the Fire Department, and from the public comments and P&Z direction received at the last meeting. Fulton said that the product is the best effort to meet the Master Plan's vision with inclusive, affordable housing that is transit oriented.

Dahl added that the project team has reached out to solar design companies and will be studying the height of the solar panels more closely.

Chair Maron asked the Commission for questions of Staff or the Applicant. Commissioner Rossetti asked whether the changes to the materials along the bottom are wood or a wood-appearing laminate. Fulton said the desire is for the material to be actual wood, but that he would need to further study the long-term sun exposure to see if that is the right solution, as well as the Fire District about wood in that location. Commissioner Rossetti noted there may be issues with irrigation.

Commissioner Oberkoetter asked what the Code maximum allowance is for compact vehicle spaces. Lindt said that maximum is 20% of the required parking spaces. Commissioner Oberkoetter noted that Staff is requiring a parking management plan if the reduced parking is approved for recommendation to Council. Commissioner Oberkoetter questioned whether the green ride surcharge is on the onus of the tenant for payment. Lindt said this is similar to what has been done at Block 11 at Willits Town Center through a parking management plan, noting that there are other items the Applicant will need to contribute to. Commissioner Oberkoetter asked whether there would be the need for a parking management plan if all of the required 26 parking spaces were accounted for on-site, barring any additional charges to the tenants. Lindt said that if the 26 spaces were created there would be no requirement for a parking management plan. Commissioner Oberkoetter asked if there is another solution that would prevent the tenant from needing to pay for what the Applicant is asking to not have to include on the site. Lindt said the parking management plan could be adjusted so that the requirement falls on to the Applicant rather than having the tenant pay additional fees through their rent. Commissioner Oberkoetter asked for an explanation of the Code's storage requirements. Lindt replied there is no minimum storage requirement, but that within the Affordable Housing Guidelines there is a requirement to provide sufficient storage for the affordable housing units. He said there is no hard number, but rather is at the discretion of BACH who felt what was proposed was acceptable.

Commissioner Hirschfeld asked for the projected selling price of the units. Ward replied that these will be for rent, with the larger units renting for around \$2,400-\$2,500, and the one-bedroom units projected to rent for around \$1,750-\$1,800. Ward said that the three affordable housing units will be set at a Category 2 rental rate.

Commissioner Vozick asked if there was any further discussion regarding the traffic flow through the area, as was discussed at the previous meeting. Philp said there was a discussion with Pitkin County regarding the traffic flow through the area. The conclusion was that if the Roaring Fork Mobile Home Park were ever redeveloped the entrance to Emma Road would likely be altered and the area may see some change in the traffic flow at that time. She said that the issue is that the commercial businesses rely on the parking available, and no real physical improvements could be currently made without interfering with the commercial businesses' needs and parking requirements. Lindt added that Staff did explore the concept of creating an alleyway in the back of River Park Center but found that it would interfere with significant wetlands and would require significant fill to get enough room for that scenario to work; it did not seem feasible.

Commissioner Leavitt asked Fulton to address the conditions related to parking as included in the memo from Staff. Fulton said he is in support of the site plan that was developed by Staff, as well as supportive of the tandem parking if the P&Z wished to see that option. Ward said that there is a lot of parking within the PUD between the Roaring Fork Apartments and the Basalt River Lofts, around 50 spaces, that are largely unused. He said that he is unsure of which development those spaces are dedicated to but wants to make a note of what he sees as being unused parking in the area.

Commissioner Leavitt asked for clarification in the December meeting minutes regarding the typology being the same as what was being asked for approval. Philp said that the Basalt

Commercial Park was a very old approval with its own set of guidelines. The buildings at the eastern end were shorter than the buildings at the western end. Most of the lots were found to be undevelopable due to new floodplain and floodway mapping. She said as a result the Town of Basalt paid to have all of the lots re-subdivided to get developable parcels. The Town was actively working with the property owners. The buildings at the eastern end were smaller buildings with a lower height. Philp said that when they were in discussions with the property owner, Harry Teague, he expressed a desire to have a higher first floor plate height and the ability to have architectural features. She noted the Town was anxious to work with the property owners as they were anxious to implement the River Master Plan, and therefore Teague was granted additional height, up to 30'. The underlying C-3 zoning allows for three stories, and this made sense for the mixed-use building proposed. She said that when Teague came in for review, they did not find anything in the files indicating the building would have to appear as two stories. Philp said there were many discussions regarding the grow wall on Teague's building and on sound proofing. At the time, the Town was under the 1999 Master Plan with its typologies. As newer plans were adopted (2007, 2020) there has been an incremental bump in density allowed in the typologies of the Master Plan.

Philp also noted that regarding the wood on the building, there may be more to it than understanding how the material weathers. Lindt said there is a condition that the Application needs to comply with the Wildfire Mitigation requirements as part of the final review application.

Commissioner Oberkoetter noted that the easternmost parallel parking space on the southside of the property seems it would be difficult to use if someone is parked already in the westerly parking space.

Chair Maron opened the meeting up to public comment at 6:49 pm.

Jeff Stoerner introduced himself as the president of the Basalt River Lofts HOA. He said that he purchased his unit in 2015, which overlooks the subject property. Stoerner said that he appreciates the adjustments to the parking but is disappointed about the discussion on the height variance. He noted that granting a height variance will bring greater density. He said that at a height of 30' there would be no discussion as to where the parking was going to go. Going back to the zoning restrictions was about maintaining Basalt's small-town character. This end of the street was not intended to become the size of the buildings at Willits Town Center. He said he understands that the Town desires more density and attainable housing. Keeping the 30' height limit will lower the ceilings in the apartments and will suppress the rent that is able to be charged. Stoerner does not think that the rents proposed to be charged are actually attainable for most people.

John Helm said that he bought his unit in 2010 and appreciates the mixed-use parking for his building. There is always parking available when he gets home from work and it is not crowded at night; it is quiet. He said that with the proposed 12 apartments, with around 30 people and 26 cars, will make this a much larger community and it will lose the quiet feel of this area. He noted this area will begin to feel more like Willits Town Center.

Chair Maron closed the public comment portion of the meeting at 6:56 pm and opened up to Commissioner comments.

Commissioner Thibeault thanked the Applicant for the changes to the building's materials and articulation. She said she is curious about the treatment and protection for the Ponderosa pine. Commissioner Thibeault said she is in favor of the parking as proposed rather than the alternative tandem parking scenario. She said she appreciates the condition regarding understanding the height of the solar panels prior to final review.

Commissioner Rossetti expressed support for the newly proposed parking plan and building height.

Commissioner Grauer said the Applicant's changes and Staff's recommendations have improved the project. The property is within the Town of Basalt and within the 2020 Master Plan the importance of densifying what is within the Town will prevent encroachment on open space or ranch land. He does not find this to be a large residential project and does not think the height increase is too much of an ask. Commissioner Grauer said he is against the tandem parking, as he does not want more asphalt near the river. He also said that the additional height will improve the livability of the units, particularly the smallest sized units. Commissioner Grauer said that he supports the project with the amendments, particularly with the changes made to the building's exterior.

Commissioner Oberkoetter returned to his question about the ability to use the easternmost parallel parking space if the westerly parking space is occupied. He said that he is in favor of the proposed parking plan, but not in favor of the green ride surcharge, which he said may be a discussion for the final approval.

Commissioner Hirschfeld said that she does not have a strong feeling on the parking one way or another but that she appreciates the project aesthetically. She wanted the two residents that spoke to understand that she heard them and understands their desire to maintain the end of Emma Road as a rural street. However, she said that she does not believe that the infrastructure will not be able to handle the additional traffic. Overall, Commissioner Hirschfeld said that she is in favor of the project.

Commissioner Vozick said that he would like to expand Condition No. 22 to address not only mail and trash, but also recycling and composting. Regarding the green transportation fees, he favors them, but does not want to put the onus on the renters. Commissioner Vozick said that he agrees with the amended parking plan and does not favor the plan with the tandem parking. He also said that an opportunity is being missed for potential office and commercial space within town with this project. He said he likes the project, but thinks it is a lost opportunity.

Commissioner Leavitt commended the Applicant on the proposed changes of the façade. Regarding the parking, he said Condition No. 7 is onerous on both the developer and the residents there. He has no concern with the tandem parking, as it sounds like a cleaner, easier way to go, and therefore supports Alternative Condition No. 7. Commissioner Leavitt said he has struggled with the height, noting the rules are in place for a reason and everyone wants to make buildings

taller and higher ceiling; he supports staying with the 30' height limitation. Commissioner Leavitt echoed Commission Vozick's concern that the Town may be missing an opportunity for job creation within this project by not requiring any commercial space.

Chair Maron asked for a motion as written.

**M/S GRAUER AND ROSSETTI TO SUBMIT A RECOMMENDATION OF APPROVAL TO THE BASALT TOWN COUNCIL FOR THE SKETCH PLAN REVIEW AND PUD AMENDMENT REQUEST FOR LOT J OF THE BASALT COMMERCIAL PARK SUBDIVISION/PUD WITH THE CONDITIONS OUTLINED IN STAFF'S MEMO AND INCLUDING ITEMS TO ADDRESS AT FINAL REVIEW, INCLUDING A PLAN TO PROTECT THE PONDEROSA PINE TREE, EXPANDING CONDITION NO. 22 TO INCLUDE RECYCLING AND COMPOSTING, AND FURTHER DISCUSSION REGARDING WHO IS RESPONSIBLE FOR PAYMENT OF THE GREEN FEE. MOTION PASSED BY A VOTE OF 6 TO 1, WITH COMMISSIONER LEAVITT DESENTING.**

### **COMMISSIONER COMMENTS AND STAFF UPDATES**

Philp reported that work is still being done on the Arbaney Pool and Basalt River Park projects. The Town Council voted at its December 22<sup>nd</sup> meeting to proceed with the purchase of Lot 4 of the Mid Valley Center, near TAC fitness, which will become a Town Public Works facility. Staff is working on the closing documents.

Staff is also working on title paperwork for Parcel 9, located near the Public Works and rugby field along East Valley Road, which was gifted to the Town. The parcel is zoned R-4 PUD and it cannot be used as a Public Works facility or yard. Past ideas for the site have included affordable housing and childcare.

Stott's Mill is still not ready for construction and is in the financing process.

Lindt added that Staff has prepared several pre-applications and has been dealing with citizen complaints of various types, including signage.

Commissioner Grauer asked about the silver structure located off Elk Run Drive that, he reports, is upsetting many Elk Run residents. He asked if this is in Eagle County, which Philp confirmed. The owner has indicated a desire to go for a Special Review use. Eagle County staff has responded to a citizen complaint that the owner is in full compliance with Eagle County permits, etc. The Town Attorney is currently reviewing the matter. Philp said this highlights a need for the Town to discuss use of the Town's right-of-way. Before commercial activity on the property can commence it will need a Special Review Use permit to allow commercial. P&Z asked Staff to work with the Town Attorney to see if there is anything that can be strengthened to prevent this type of incompatible development. Chair Maron asked if a letter can be drafted to Eagle County.

A discussion ensued regarding annexation, as this property is not in town. However, the property in question does benefit from the Town's water rights. The Sanitation District provided an out of district tap and limited it to a single-family home. The owner would need to return to the Sanitation District board to increase the intensity of use beyond a single-family home on the property.

Building permit for a single-family house. Staff will take the P&Z's comments to the Town Manager, Mayor and Town Attorney and the P&Z will discuss more about how to address this at the next meeting.

**M/S GRAUER AND ROSSETTI TO ADJOURN THE MEETING. MOTION PASSED BY A VOTE OF 7 TO 0.**

The meeting was adjourned at 7:29 pm.

TOWN OF BASALT  
PLANNING AND ZONING COMMISSION

By  \_\_\_\_\_  
William C. Maron, Chair

Attest  \_\_\_\_\_  
Susan Philp, Planning Director