

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION
REGULAR MEETING
Tuesday, March 15, 2022**

CALL TO ORDER

The meeting called to order by Chair Vozick at 6:05 pm.

Commissioners present included Gino Rossetti, Eric Vozick, Michelle Thibeault, and Rob Leavitt.

Staff present included James Lindt, Interim Planning Director.

APPROVAL OF MINUTES

M/S THIBEAULT AND ROSSETTI TO APPROVE THE MINUTES OF MARCH 1, 2022. MOTION CARRIED BY A VOTE OF 3 TO 0. COMMISSIONER ROSSETTI ABSTAINED FROM VOTING AS HE WAS NOT PRESENT AT THE MEETING.

AGENDA ITEMS

PUBLIC HEARING ON A SPECIAL REVIEW APPLICATION TO CONSIDER VARYING A FRONT YARD SETBACK FOR THE CONSTRUCTION OF AN ATTACHED GARAGE AT 143 WEST HOMESTEAD DRIVE.

Lindt introduced the item as a public hearing for an application submitted by Pete McBride for Special Review to vary the front yard setback to four feet on the construction of a new garage at 143 Homestead Drive in the R-3 TN zone district.

Lindt showed an image of the site and explained the site conditions. The parcel currently contains a small single-family house that was constructed in the late 1800s. The lot has no off-street parking spaces and contains significant landscaping such as a pine tree and a rare black locust tree. The property is raised above street grade and there is a retaining wall separating the street from the property.

Lindt explained that the process requires Special Review to vary the front yard setback which requires the P&Z to make a recommendation to the Town Council with public hearings at both the P&Z and Council levels.

Lindt noted this is not a typical hardship variance as properties within the R-3 TN zone district have more ability to vary setbacks as compared to properties within other zone districts. The request to vary the front yard setback is requested to accommodate the proposed garage, which is proposed to be constructed to meet the retaining wall which is approximately four feet from the property line.

Lindt introduced the discussion items identified by Staff for the P&Zs consideration. The first is compliance with the standards of the R-3 TN zone district. Lindt shared a rendering depicting the

retaining wall and garage. Lindt said the garage is proposed to be 480 square feet with storage on the second floor.

Lindt said there is a unique set of review criteria for the R-3 TN zone district that speak to unreasonable hardship, exceptional circumstances and consistency with the spirit of the R-3 TN zone district. He indicated that the Applicant has answered the criteria indicating exceptional circumstances to exist on the property in that the parcel does not have any off-street parking. The Applicant has also indicated that there are several trees on the site that are rare and required by the Town Arborist to be maintained which dictates the location of the garage.

Lindt said that Staff agrees there are exceptional circumstances, and the Police and Public Works Departments are supportive of the Applicant creating additional parking off street due to plowing issues and on-street parking conflicts. Lindt said Staff is also supportive of the Applicant maintaining the 1800s house and making the site work. Staff believes this to be consistent with the spirit of the zone district on West Homestead as a number of other houses have garages that front onto the street in close proximity to this property.

Lindt explained the Applicant's compliance with the dimensional requirements of the zone district, with the garage lower in height than the main house and under the 24' height requirement. Lindt explained that by adding off-street parking the property is coming more into conformance with the zone district.

Lindt outlined the additional draft conditions, including a requirement to meet the Wildfire Mitigation requirements and Sustainable Building Regulations. Referral comments were received from the Fire District who indicated they had no issues with the application, and the Police Department, who indicated support for the off-street parking. Lindt noted that the Town Engineer required the Applicant to provide a turning radius diagram which was accepted.

Lindt recommended the P&Z take Applicant comments, open the public hearing to public comments, provide Commissioner discussion, and if comfortable, make a recommendation to the Town Council.

Applicant, Pete McBride, expressed that during the winter the snow piles up on the north façade of the parcel, making it difficult to park his vehicle on his site. He said his intent is to complement the historic vernacular on the site and save as much yard as possible, as well as the black locust trees. McBride indicated that the proposed structure is a one-car garage.

Commissioner Leavitt asked if there is a sidewalk by the rock wall. He was concerned with a car pulling out across the sidewalk. McBride indicated there is no sidewalk in this location.

Chair Vozick opened the public hearing at 6:15 pm. Lindt provided the instructions to those who may want to provide comments via Zoom or by phone. No public indicated a desire to make a comment. Chair Vozick closed the public hearing at 6:17 pm.

Commissioner Comments

Commissioner Leavitt said this is an eclectic neighborhood and the garage seems to fit in with the style of the neighborhood. He said he'd like to see adequate protection of the trees during the excavation for the garage and believes the off-street parking will benefit the neighborhood.

Commissioner Rossetti asked if there would be issue with plowing the streets and its impact on getting in and out of the garage given its proximity to the street. Lindt replied that the rock retaining wall protects the property and garage area from the plows.

Commissioner Thibeault felt the garage fits the character of the neighborhood and would like to see the Applicant explore a deed restricted ADU above the garage in the future. McBride said he is happy to explore a deed restriction and would go on record to say he would be happy to deed-restrict his home for future generations. Lindt said there is a Code amendment that will be discussed next that actually deals with deed restricting homes.

Chair Vozick said he would also like to see additional precautions taken to protect the trees on the site.

Commissioner Rossetti said he thinks the garage really fits in with the character of the neighborhood.

M/S ROSSETTI AND LEAVITT TO PROVIDE A RECOMMENDATION TO THE TOWN COUNCIL FOR APPROVAL OF THE PROJECT WITH THE DRAFT CONDITIONS. MOTION PASSED 4 TO 0.

PUBLIC HEARING ON TOWN CODE AMENDMENTS TO CONSIDER MISCELLANEOUS AFFORDABLE HOUSING TOPICS.

Lindt introduced the item as a public hearing to consider Code amendments related to miscellaneous affordable housing topics. The topics are those that the Basalt Affordable Community Housing (BACH) Commission were working on, and the P&Z had a work session in February on these items. Topics include removal of the exemption from the affordable housing mitigation requirements to allow a 1.5% real estate transfer assessment (RETA), changing the off-street parking requirements for affordable housing to be consistent with the R-4 MD parking requirements, and establishing a voluntary deed-restriction process for free market units.

Lindt began with the topic of the removal of the option to reduce the affordable housing mitigation requirements by 10% for dedicating a 1.5% RETA. BACH had expressed support for the Code amendment. The P&Z also initially supported the concept at the work session, and therefore the P&Z packet contains a draft Code amendment that removes the exemption.

The proposal to change the affordable housing off-street parking requirements to the R-4 MD zone district's requirements would reduce the parking requirements for a three-bedroom affordable housing unit from three parking spaces to two parking spaces. The intent is to remove the barriers to creating three-bedroom units which are lacking in Basalt's affordable housing inventory.

Lindt explained that Staff looked at the Roaring Fork Apartments as a case study, as their tenant parking is managed by passes. Staff was able to understand the number of cars registered for the project, which lined up well with the R-4 MD parking requirements. Lindt said that at the previous work session the P&Z was generally supportive of the idea of the parking reduction but asked for more examples. Staff performed additional research on Truscott affordable housing, which requires one parking space per unit regardless of the number of bedrooms within the unit. The Aspen Pitkin County Housing Authority (APCHA) indicated that they are having issues with parking at Truscott.

Lindt clarified that the parking requirement being proposed is one space for a one-bedroom unit, and two spaces for two or three-bedroom units. He referenced a chart that was included in the P&Z's packet that includes information from other municipalities, and indicated Staff spoke with Planners from Aspen and Telluride, which have the least restrictive parking requirements of one space per multi-family unit regardless of the size. Lindt reported that Planners from those communities agreed that the limited parking acts as a disincentive for vehicles, and the low parking ratio actually works better when there is a lot of on-street parking in the vicinity. Staff is supportive of looking more toward the requirements of the R-4 MD zone district and seeing what can be done to encourage more three-bedroom units by reducing the three-bedroom parking requirements. Lindt indicated that if it works, Staff can explore more of a parking disincentive in the future.

Lindt suggested taking public comments and providing Commission discussion. He said ultimately a recommendation could be made if the P&Z is comfortable with the adjustments to the Code being proposed.

Commission Rossetti asked if there are any properties that are adjacent to the Town but are in one of the Counties, where the Town has no say in the design, and if so, what teeth can be put into the Code that would allow the P&Z to review the design and the intent. Lindt replied that there are other properties in Eagle County outside of the Town's limits but are inside the Town's urban growth boundary that could develop with a single-family house that the P&Z would not be able to provide referral comments. Generally, Lindt said, the Town gets the opportunity to provide referral comments on the County's development review applications. Single-family homes would likely not be referred to the Town. Regarding Code language, Town Staff would probably need to confer with the Town Attorney on this possibility. Other Commissioners agreed, but it would need to come back in another discussion.

Commissioner Leavitt asked how the parking requirements would be changed for studio and one-bedroom units. Lindt replied that it would not change the requirements for those units. Commissioner Leavitt indicated that the Roaring Fork Apartments are uniquely located adjacent to transit, and he has a difficult time using that project as an example for other projects that may not be as close to transit.

Commissioner Leavitt asked what the benefit is for a self-imposed deed restriction, and if it would change who could rent the unit. Lindt replied that there is not really a benefit for the property owner; possibly a property tax reduction, and the property would be rented to a full-time resident.

Lindt explained that a property owner could, today, voluntarily deed restrict a unit if desired. There is not a process within the Town Code currently, and BACH felt it would be beneficial to establish that process. Lindt added that this would be the process if the Town was interested in a buy-down of deed restricted units.

Commissioner Vozick asked if Staff looked into the parking requirements for affordable housing in Glenwood Springs. Lindt said Staff did not talk with planners in Glenwood, but he did speak with planners from Telluride, Aspen, Dillon and Estes Park. Staff could speak with Glenwood if the P&Z desires.

Commissioner Leavitt expressed a desire to maintain a more restrictive parking requirement with the ability to negotiate to a lower parking requirement instead of codifying the less restrictive.

Chair Vozick opened the public hearing at 6:43 pm. No public indicated a desire to comment. Chair Vozick closed the public hearing at 6:45 pm.

Commissioner Comments

Commissioner Leavitt asked for clarification regarding the proposed Code amendment related to parking. Lindt indicated he had misspoken earlier, and that what is proposed for one-bedroom units is a reduction from 1.5 spaces to one space. Two bedrooms maintain the same two parking spaces, and three-bedroom units will see a reduction from 2.5 parking spaces to two parking spaces. Commissioner Leavitt indicated he did not see a reason for one-bedroom units to go down to one parking space. He indicated support the change for three-bedroom units.

Chair Maron asked if Commissioner Leavitt could support a reduction for one-bedroom units to 1.25, in line with Carbondale and Aspen's requirements. Commissioner Leavitt said he would not support that through a Code amendment but would consider it during negotiation with a developer. Lindt indicated that parking could be negotiated through a PUD process, or Special Review for a mixed-use parking model with a mixed-use building.

Chair Vozick noted Commissioner Oberkoetter's interest in the parking matter and asked if the P&Z would consider continuing the public hearing until more P&Z members could provide input. Lindt suggested the P&Z make recommendations on the other items if they are comfortable.

Commissioner Thibeault said she supports the Code amendment related to the three-bedroom units, but additional reductions would require proximity to a RFTA bus stop. She said there is a difference between trip-reduction and parking reduction.

Commissioner Rossetti proposed an idea of requiring every project to provide a certain percentage of parking. He expressed an interest in providing guest parking. Lindt said the Code requires .25 spaces for every unit over six multi-family units.

M/S LEAVITT AND ROSSETTI TO PROVIDE A RECOMMENDATION OF APPROVAL FOR THE DRAFT CODE AMENDMENTS RELATED TO THE REMOVAL OF THE RETA EXEMPTION AND ADDITION OF VOLUNTARY DEED RESTRICTION PROCESS, AND APPROVAL OF THE PARKING REDUCTION PROPOSED FOR ONLY THREE-BEDROOM AFFORDABLE HOUSING UNITS. MOTION PASSED 4 TO 0.

COMMISSIONER COMMENTS AND STAFF UPDATES

Lindt said that he expects the Sopris Meadows Parcel 5 application to come before the P&Z in April, as well as a proposal for a single-family home on a vacant lot in the Broughton Subdivision.

On March 29th there will be a meet and greet at 5:00 pm at the Basalt Library to hear presentations from the four Planning Director candidates. Lindt explained that all Town boards will be invited, and candidate Interviews are planned for March 30th.

Phase 2 of the Basalt River Park is currently out to bid, with proposals due end of March. Lindt said the hope is to begin the installation of the landscaping early spring. Architects are also currently working on the design of the bandshell and restroom and bus station facilities.

Lindt provided an update on the Basalt Forward 2030 project. Council is currently in discussions on how to spend the affordable housing funding and have held executive sessions on property negotiations and deed buy-downs. Regarding the solar project Lindt reported that McKinstry was selected as the consultant, and their team will be coming to Town to tour the identified sites including Basalt schools and some of the Town parks for the potential to install solar pv in these locations. Regarding the Midland Avenue Streetscape project, Lindt said the design firm for that project is Connect One and they are partnering with Cushing Terrell and Sopris Engineering. Lindt indicated that there will be a lot of public outreach on the design.

The Fields application (Eagle County) has been continued to April 7th with the Roaring Fork Regional Planning Commission. Staff plans on attending that meeting.

The P&Z engaged in a discussion around advertising for a new P&Z member.

M/S ROSSETTI AND LEAVITT TO ADJORN THE MEETING. MOTION PASSED 4 TO 0.

The meeting adjourned at approximately 7:10 pm.

TOWN OF BASALT
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By 
Eric Vozick, Chair

Attest 
James Lindt, Interim Planning Director