

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION
REGULAR MEETING & PUBLIC HEARING
Tuesday, August 3, 2021**

CALL TO ORDER

The meeting was called to order by Chair Vozick at 6:38 pm.

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

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

Philp noted that as there were not seven Commissioner in attendance that Alternative Hirschfeld could vote on all items.

AGENDA ITEMS

Public Hearing on BCC Application

Lindt introduced the item as a continued public hearing for CSC Sketch Plan review and rezoning to the CSC zone district to construct a grocery store and 70 apartments on the Basalt Center Circle (BCC) property that formerly housed Clark's Market as well as Restore. Lindt said the site currently contains Jimbo's Liquors, BLT, and Decorative Materials.

Lindt explained that, as noted at previous meetings, this is a Sketch Plan phase in which the P&Z makes a recommendation to Town Council. After Sketch a Final Review will be required which entails a review by the P&Z and the Town Council. He noted this is the third meeting before the P&Z on this item. Since the last meeting the Applicants have made additional site plan changes, which includes removing an exit point to the parking garage area which makes additional flex space within the building possible, an expansion of the private open space amenity, and made adjustments to the plaza area.

Lindt said that the Applicants are proposing that 11 rent-capped units be occupied by tenants as their primary residence. 60% of the units will have a minimum six-month lease. Lindt noted that the draft conditions in the memo have been adjusted accordingly, including the addition that it is recommended the Town explore the possibility that the Town participate in increasing the affordability for the residential tenants consistent with the motion considered at the last meeting.

The draft conditions include a requirement that the Applicant study the most beneficial use of the flex space that was created and report back at Final Plan review as to what that use would be. Another condition requires the Applicant to provide more information on the project's green aspects including providing parking for future carshare, incentives to limit residential vehicles, and infrastructure for vehicle charging.

Lindt said it has been reiterated in the conditions that details on the residential composting will be provided as part of the Final Plan application.

Lindt introduced Tim Belinski and Andrew Light. Light introduced Heather Henry and Scott McHale. Light said the Applicants met with the property manager for the One10 Harris Street building, which was owned initially by the Willits Developer and represented by Belinski, to get a sense of the residents of the apartment building. He confirmed that the units were all occupied by local workers, such as hospital and restaurant employees.

Light said they have committed to creating all-electric residential units. Gas will likely be needed for the commercial portion. The design aspects are more pedestrian friendly and making the streetscape more lively, more urban and less suburban.

Henry showed the view from the Two Rivers Road entry. She said there was a focus on how to circulate through the plaza with adequate shading, and a redesigned common open space for the residential that flows to the parking area. Henry said the plaza space has been simplified and made to feel like a place that is not in a parking lot. She called attention to the string lighting above the plaza to increase the liveliness into the evening.

Henry said they have included colored walkways to highlight the pedestrian areas through the site and drawing that same color into the plaza. She showed the reconfiguration of the site plan. The plaza was moved back to allow for a wider turning radius and drive aisle from the area with the gas pumps. Henry noted that will help with service circulation and for those utilizing the gas station.

McHale highlighted how the auto entry to the parking garage was moved so there is less potential conflict with pedestrians. The middle landscape area was increased. He said they increased the bicycle parking at the main residential entrance. McHale indicated where the entry to the building was moved to, and how it provides the additional room to create the 400 square foot flex space. He also indicated the area of the trash room and where the trucks would access that space.

McHale said the main vestibule entry to the commercial space increased in size. Henry showed how the plaza was pulled back at the northern end while still maintaining landscaping in this area for some relief from the parking area. She said this area still maintains the bicycle parking and has good pedestrian flow. Henry also showed the area where the grocery can spill out into the plaza, activating the space further.

McHale noted they have changed the building's façade with brick at either ends, and respecting the 20-30' historic segment building modules, and added a larger trellis canopy that provides more of an impactful main entry to the building. Centered on this are movable wall panel doors that can open up to allow for that indoor/outdoor interface that could allow for more flex use.

Henry showed how the landscaped open spaces were enhanced on the site for the residential use with landscaping, borders, seating and circulation. She said it feels pedestrian and welcoming. They are still considering whether to install grills, outdoor games, etc. Henry indicated that they are looking to create a sense of space and a place where people want to

gather. McHale showed how additional shade structures such as sail shades and a trellis are planned for the residential open space area adjacent to the residential entryway.

Commissioner Questions

Commissioner Rossetti asked what string lighting is and where it will be. Henry said these are lights that are strung overhead between buildings, such as on Market Street in Willits Town Center. Commissioner Rossetti asked if snow removal on the patio and raised sidewalks being considered. Belinski said it has, and the Applicants have consulted with a local snow removal company. Commissioner Rossetti asked if there was any consideration to outdoor fire pits. Henry said this is generally not something that can be done in Basalt. Philp said Staff is considering amendments to the Town Code that would make it difficult to install gas fireplaces.

Commissioner Rossetti asked if the colored paving will be pavers or just painted. Henry said they foresee this being a combination with complimentary tones to the architecture. They have considered pavers but want to ensure grocery carts and strollers can easily roll across. The residential area may be softened with porcelain type pavers or wood alternative that are sustainable and hearty.

Commissioner Rossetti asked if it is too costly to have the patio heated. Henry said they have not yet considered that. Belinski noted this could be considered if it can be accomplished with solar panels.

Alternate Hirschfeld asked for clarification on the lease terms and having lease terms at least six months. The overview in the application said there would be a standard 12-month lease. Light replied they are committed to having no lease less than six months. He said they are trying to be clear that they will not support short-term rentals. Philp directed the P&Z to look at the actual conditions rather than the memo and that would be enforceable over time, particularly if the residential portion sold.

Alternate Hirschfeld asked what happens with the requirement for some units being a tenant's primary residence. She asked specifically if a company were the renter of the unit could they change employees who reside within the unit. Belinski indicated they would need to work out those details.

Alternate Hirschfeld noted that the Town would not receive any benefit from the RETA until the building was sold. Light agreed that the RETA would become available only when the building was sold.

Commissioner Maron asked how the loading/unloading works for the grocery store and residential units. Belinski indicated the grocery store loading area will remain the same as exists today, which includes the trash area. The liquor store will share that loading area, which is a big improvement from today's operation. Belinski said the residential portion of the building includes an oversized garage and front doors. He said the area will continue to be enhanced as the plans are further developed. Henry said that the parking for move-in/move-out will be the pull through spaces that are also available for boat/trailer traffic and are centrally located.

Commissioner Oberkoetter asked if the residential outdoor space is required to meet Code. Henry said it is necessary to meet Code by breaking up the parking with landscape islands. It is not part of the building's calculation.

Commissioner Oberkoetter asked if the project is still feasible if the three handicapped parking spaces are removed from the front of the lot. Henry said the location of the spaces are critical to the function of the grocery store. She noted some issues with having various property owners and requires a shared conversation. Henry said it is important for everyone to not erode the parking already on-site, as there is an issue with finding parking downtown.

Commissioner Thibeault asked what the purpose is of the faux entry to the grocery store on the corner. McHale replied that due to the irregularity of the site there was a desire to soften the corner.

Commissioner Thibeault if there was thought about the HOA, whether there will be a separate HOA for the housing, how will the affordable housing units be protected. Belinski said there is a different dynamic as the units are within a rental program. Lindt noted that the Code has restrictions on assessments for affordable housing units, which can be no more than 80% of those paid by free-market unit owners and are based on a comparison of the value of the free-market units and affordable housing units.

Commissioner Thibeault asked if there are any restrictions on outdoor merchandising. Philp said that the plaza is on Town property. There are rules on vending. This will need to be an issue that is worked on during Final Plan review.

Commissioner Leavitt said he has been getting feedback from the public asking why a Willits-style building is being dropped into downtown Basalt. He questioned why the building is not being proposed elsewhere on the lot. Belinski responded that the proposed development is a response to one of the options listed in the 2020 Basalt Master Plan. He said the development brings a mix of uses to the property that is rehabilitated, the parking is improved, and it also brings residential density to downtown. Belinski noted that the site is complicated. Putting the development on Two Rivers Road would not work for the existing motel.

Chair Vozick said he'd like to go on the record that he ran into Belinski at Whole Foods and posed a question to him that was not answered at the time but was saved for this discussion. He asked if the Applicants would ever entertain an external food truck or entity in any of the parking spaces to entertain local vendors and contribute to the area vitality. Belinski said they are looking for the vibrant market vibe, and this is a possibility. There are options with the outdoor/indoor entry plaza area. He said he can also see vignettes within the grocery store. Belinski said they are drawn to these types of ideas and thinks they will get to that idea whether it is through food trucks or through other ways.

Chair Vozick asked the Applicants whether they would apply for a liquor license within the grocery store. Belinski said yes, and they are also working with Jimbo's Liquor to have them as part of the operation.

Chair Vozick asked for more explanation about the using the railroad history within the building's design. McHale said they are bringing together the history of Basalt. Historic Main Street is represented in the building's two-story modules, the brick, and the two-story store front. This is mixed in with the railroad architecture, which includes the screening element, steel canopy, elevator and stair tower, which reference railroad trellises. McHale said there are plans to cite those historic references and put pictures within the grocery store and on the grounds.

Commissioner Rossetti said this is an important site and wondered if there was any thought to the pedestrian access coming from Midland going to Two Rivers Road. He is concerned there is not a landing area for people to sit without just looking at cars. Henry explained they have talked through how to make the pedestrian access through the site safe and contiguous, and adding a landing space with a bench could be easily accomplished. She said the area is viewed much more as a circulation corridor rather than a destination.

Commissioner Maron asked if there is a way to get rid of the fence. There was an informal pedestrian connection there which was highly valued. Philp indicated that is part of the next steps. It was originally put up by the hotel. Belinski noted that is a larger HOA conversation but will look to address it before Final Plan review.

Chair Vozick opened the public hearing at 7:42 pm.

Philp indicated that an email from Deb Morrison came right before the meeting. Lindt paraphrased Morrison's comments. Morrison expressed concern with the project and bringing more people to Basalt, saying there is the potential to lose the sense of community for locals.

Philp indicated that there were a few other comment letters that were in the packet that have already been entered into public record.

Chair Vozick closed the public hearing at 7:44 pm.

Commissioner Comments

Commissioner Thibeault said she appreciated the changes to the residential space, which seems usable, inviting and connected. She expressed support for the retractable doors at the grocer. She feels there needs to be a greater nod to the railroad history without completely mimicking a historic building.

Commissioner Leavitt said rather than an urban feel, this is a western town and this should be highlighted in the design. The big picture is in relation to Midland Avenue. There is a bit of a disconnect with the circulation. He noted this is a very important project and want to make it as good as it can be.

Commissioner Rossetti said he appreciates the extra effort made since the last meeting. He says this is an important project on a difficult site.

Alternate Hirschfeld expressed concern about the 60% primary resident requirement. She said she did not understand why this condition needs to be made. Philp said there are other projects, such as Shadow Rock, that change over time and become less locally serving.

Alternate Hirschfeld questioned whether a grocery store is the best use for the site, and whether it will draw the people to the area that is expected. Commissioner Leavitt added that what is being proposed may not be the mix of what people truly want in a grocery store.

Commissioner Maron said this project has the potential to be something really great. He expressed appreciation for the renderings and how the project addresses the street on the western elevation. He said he was hoping for something more visionary on the site. He anticipates pushback from the community on the loss of small-town character and noted there could be some design work in how it responds to the street. He questioned whether the loading area will actually work, backing semi-trucks against the gas station. Chair Maron also expressed the need for more accessible/adaptable housing which is needed within the community.

Chair Vozick agreed that the architectural nod to Basalt's history should be increased. He noted that this parcel is the center of town, and everyone wants it to be perfect. He asked the Applicants to consider what the project will look like 20-50 years down the road and will this be a space where young people will want to be into the future.

M/S ROSSETTI AND THIBEAULT TO SUBMIT A RECOMMENDATION TO COUNCIL TO APPROVE SKETCH PLAN FOR THE BCC PARCEL WITH THE CONDITIONS INCLUDED IN THE STAFF MEMORANDUM. MOTION PASSED 6 TO 1 WITH ALTERNATE HIRSCHFELD CASTING THE DISSENTING VOTE.

Public Hearing for the Sopris Meadows Parcel 5 Sketch Plan Application

Lindt introduced the item as a continued public hearing on the Sketch Plan PUD application submitted by Possumco LLC to construct 155 dwelling units on Parcel 5 of Sopris Meadows. He explained that the parcel is approximately 12 acres, between the Park Modern development to the north and the Basalt Industrial Park to the South.

Lindt said the PUD requires three rounds of review between the P&Z and Town Council, and this is the initial round of the review. He explained that at the last meeting Staff and the Applicant provided an introduction of the application and discussion items to the P&Z. Staff has included draft conditions for consideration within the packet.

Lindt indicated Staff and the Applicant have responded to the discussion items highlighted by the P&Z at the prior meeting. The Applicants provided more detail showing that the surface parking for the affordable housing will be broken up with landscape islands, and there will be landscaping between the parking and building, as well as between the parking and the industrial park.

Lindt reported that the Basalt Affordable Community Housing Commission (BACH) has completed their referral of the Sketch Plan application, and recommended that the P&Z, BACH and the Town Council ultimately have some policy discussions outside of this application on affordable housing parking requirements. Lindt indicated there is a draft condition requiring the Applicant to provide

detail on first and last mile amenities. BACH envisioned these policy conversations to occur prior to Final Plan review.

Lindt explained that 28% of the units and 20% of the project's square footage was proposed to be deed-restricted affordable housing with a .75% RETA for the affordable housing development purposes. He noted that at the previous meeting the P&Z expressed interest in the timing and phasing of the affordable housing. The Applicants have proposed that the first building of 22 units to be constructed prior to certificate of occupancy (CO) on the third free-market building. Lindt said that Staff identified in the memo the desire to see the first affordable housing building expedited and constructed prior to the second free market CO. Temporary access may need to be provided to the affordable housing from Willits Lane to make that work.

Lindt said that at the previous meeting the P&Z seemed to agree with Staff on the need for traffic calming. Staff outlined options within the packet for traffic calming options, and Staff included a draft condition requiring the Applicant return with a plan for traffic calming as part of the Preliminary Plan application.

Lindt indicated that the Applicant's traffic study was provided to Charlier and Associates who made the suggestion that the Applicant perform a new traffic count in September to test the expected assumptions of former traffic studies. This has been included as a draft condition.

Lindt said that although the Code does not provide vested rights until the final project review, Staff felt it appropriate to provide some discussion of vested rights at the Sketch phase in order for the P&Z to provide some guidance moving forward. The Applicant is proposing pacing the development of the units similar to Park Modern, where the first permit would be required within three years, and they would need to file the final individual building plat within a ten-year period. Lindt indicated that Staff was generally happy with the pacing of Park Modern's development as it kept the impacts fairly contained. However, typically the Town desires a shorter vested rights period. He explained that the Code typically calls for three years, but that can be varied through the PUD process. Staff has included in the memo a range of options from three years to ten years. Staff is requesting P&Z feedback on the vested rights.

Applicant Michael Lipkin said the location of the affordable housing parking works well as it is screened by the buildings and landscaping. He said the location can handle the amount of parking required. Lipkin expressed a desire, if not with this project, then in the future, of how to reduce on-site parking and supplement transportation needs with alternative transit options.

Lipkin noted they would like to build to the market and not over-build and is requesting vesting that allows that flexibility.

Commissioner Questions

Commissioner Leavitt asked Staff what will happen with the results of the September traffic study. Philp said the P&Z will use those results in evaluation of the project. It may help to understand if additional improvements are needed.

Lipkin said the project would start with the recontouring of the lake, and the Applicants have been collecting soil to accomplish this. He noted the Applicants are looking to move through the process quickly to have the ability to work within the seasonal window that is practical.

Commissioner Thibeault asked how many free-market buildings the Applicant plans to construct in Phase 1. Lipkin replied that three buildings are planned for the first phase, and they are hoping to construct the first two free market buildings six months apart and move those along quickly, and then simultaneously build the affordable housing. He said it would be more efficient to build the buildings all at once, and if the demand is there, he sees no reason not to expedite the affordable housing. Lipkin said there will be considerable site development costs that he would like to recoup from the construction of the first two buildings before moving on to the affordable housing.

Commissioner Thibeault asked if the road would be graded all the way through, and Lipkin noted that it would be phased, requiring the temporary access from Willits Lane if the phasing of the affordable housing was moved forward.

Commissioner Oberkoetter asked if there are funds held in escrow for the lake improvements until its completion. Philp said that has not yet been discussed. Generally public improvements require a letter of credit or escrow agreements.

Commissioner Oberkoetter asked if the development is stopped after the construction of two free-market buildings and the affordable housing does not get built, how would this impact the RETA and project. Philp noted Staff has not gone through that yet. The P&Z could explore security as part of the Preliminary Plan review.

Commissioner Oberkoetter asked if there is a point in which the traffic street light pattern is considered, as there will be more traffic at the intersection of Original Road and Highway 82. Philp said that CDOT generally pushes back on more green time on side roads, but the Town can make a request for consideration. As Highway 82 gets more congested, the side roads get less green time. Philp said Staff can return with more information.

Commissioner Oberkoetter asked if the pedestrian/bike path is the reason why there is a desire to not have another curb cut onto Willits Lane, and Philp confirmed this.

Commissioner Rossetti asked Lipkin if he is the developer of Park Modern. Lipkin replied that he is. Commissioner Rossetti asked if this new project is a similar value as Park Modern, and Lipkin said it is. Commissioner Rossetti asked how one accesses the site. Lindt replied that the access points are along Lakeside Avenue or Evans Road. Commissioner Rossetti noted this is likely a reason why there is reluctance from the neighbors. He asked if this has been evaluated. Lindt said this has been the historically contemplated road connection off Evans Road. Philp added that it was approved by referral agencies, such as the Fire Department.

Commissioner Rossetti asked if the affordable housing would carry the same architectural pallet as the free-market units. Lipkin replied that is a detail to be worked out in the preliminary phase. He said the building will look like it belongs to the project.

Chair Vozick opened the public hearing at 8:50 pm. No public desiring to comment were present. Chair Vozick closed the public hearing at 8:51 pm.

Commissioner Comments

Commissioner Maron said that this is a continuation of Park Modern, which has been a fairly successful project. He was pleased with the schedule for the first affordable housing building, which he sees as a benefit for the Town. Commissioner Maron encouraged the developer to provide more accessible units than required within the affordable housing buildings. He said this benefits the community in a way that is not clearly seen and is an important consideration. Commissioner Maron said he supports the traffic calming measures.

Alternate Hirschfeld noted the amount of green space in this area and appreciates this amenity. She also expressed interest in the traffic study and seeing how it compares to the studies previously performed. Alternate Hirschfeld also appreciated the amount of affordable housing within the project as being more than required.

Commissioner Rossetti expressed appreciation for the project, however, he hoped to see more than a box for the affordable housing. He would like to see some improvements, such as small balconies for the affordable units.

Commissioner Leavitt said the parking lot is well shielded in some areas. He would like to see some plantings or berms between the parking lot and Willits Lane.

Commissioner Thibeault agreed with Commissioner Rossetti's comment. She said it feels a little rough. She does not like the large sea of parking lot and wants more design.

Commissioner Oberkoetter said he disagrees with the layout as the Applicant is placing the densest structure the farthest away from the two main streets. He noted the adjacent Lakeside Townhomes contain many families with kids who are biking and moving around the space, and this project will force more traffic into that area when there is another street that should be considered for access.

Chair Vozick said he would like to hear ideas to support the reduction of parking. Overall, he thinks the project is moving in a good direction.

Commissioner Oberkoetter noted he is in favor of vested rights option number 3.

M/S MARON AND HIRSCHFELD TO SUBMIT A RECOMMENDATION TO COUNCIL APPROVING SKETCH PLAN REVIEW FOR THE PROPOSED PROJECT AT SOPRIS MEADOWS PARCEL FIVE WITH THE CONDITIONS INCLUDED IN THE STAFF MEMORANDUM. MOTION PASSED 7 TO 0.

Staff and Commissioner Updates

Chair Vozick reported that the Capital Needs Committee voted to make a recommendation to Council on three projects, which are affordable workforce housing, green initiatives, and the construction of a new Town Hall. He said the Capital Needs Committee did not prioritize or attach

a monetary number to the projects. That will be presented to Council next Tuesday, and an Open House will be at the library from 5 pm – 7 pm tomorrow to present the projects.

Philp reported that framing can be seen going up on the River Park project for a restaurant, and the Applicant is working to get a building permit for the first residential building.


Stott's Mill construction is underway.

The Town hired a new building official who will start on August 16th.

M/S MARON AND LEAVITT TO ADJOURN THE MEETING. MOTION PASSED 7 TO 0.

Meeting adjourned at 9:22 pm.

TOWN OF BASALT
PLANNING AND ZONING COMMISSION

By: 
Eric Vozick, Chair

Attest: 
Susan Philp, Planning Director