

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm by Chair Schuman.

ROLL CALL

Mike Giller	Christie Leidal	Ron Schuman
Dan Schroder	Gretchen Dudney	Jim Lamb
Dave Pringle		

Mr. Schuman: Today is Mr. Pringle's final meeting. Thank you for all your years of service, 40 years, we will miss you here. You helped build this community. It has been great having you on the Commission.

Mr. Giller: Dave, thank you so much for your wisdom; you have been a great steward of the Town over the many years. Planning Commissioners echoed that sentiment.

APPROVAL OF MINUTES

With no changes, the October 4, 2016, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

Ms. Puester announced that there would be some items under other matters at the end of the meeting. With no other changes, the October 18, 2016, Planning Commission Agenda was approved.

CONSENT CALENDAR:

1) Continental Divide Winery Change of Use (CK) PL-2016-0495, 505 South Main Street

Commissioner Questions / Comments:

Ms Dudney: Where exactly is it located? (Mr. Kulick: In Main Street Station, in the same building as Christy Sports on the west side of the plaza.)

With no requests for call up, the consent calendar was approved as presented.

COMBINED HEARINGS:

1) 882 Shekel Lane Disturbance Envelope Re-Plat (MM) PL-2016-0429, 882 Shekel Lane

Mr. Mosher presented a request to modify the existing disturbance envelope to accommodate non-conforming additions to the property by a previous owner. The existing envelope and the proposed envelope will have the same square footage (no change in area). The current owner (there have been two previous owners) approached the Community Development Department with regard to a potential addition to the house. It was at that time it came to Staff's attention that there were improvements located outside the disturbance envelope. In order to bring these improvements (none of which were approved by the Town through a development permit) into compliance. The applicant is seeking to adjust the disturbance envelope to encapsulate the non-permitted improvements. A condition of approval is being added (new #8), which Mr. Mosher passed out for adjusting the existing trail easement on the property to match the existing flume trail. The owner is ok with the addition of the condition. The Town will pay for the survey in addition.

This subdivision proposal is in general compliance with the Subdivision Standards. Staff recommends approval of 882 Shekel Lane Building Envelope Re-Plat, PL-2016-0429, 882 Shekel Lane, with the presented findings and conditions.

Commissioner Questions / Comments:

Mr. Pringle: On condition number ten in the packet, shouldn't it read the "disturbance envelope" and not the "building envelope"? (Mr. Mosher: I will check the wording to confirm it is correct before this goes forward to Town Council.)

Ms. Dudney: Did this property recently change ownership? (Mr. Mosher: No, it has been about 12 years.)

There had been two previous owners.) So when they purchased the property, does the title report not show a difference between as built and purchased? (Mr. Mosher: Not necessarily. This has happened a few times with other sales. Staff sometimes has received calls from realtors that do their homework before the sale, but not always.) So, what can a purchaser do to protect themselves? (Mr. Mosher: They need to do their due diligence.) So, the precedent for the town when this happens is to redraw the disturbance envelope? (Mr. Mosher: Possibly, but it depends. I currently have one on my desk where a deck was built over a property line. If the owner comes in for any permit related to the deck, it must be changed to conform to the Code. But the specifics can vary from property to property.)

Mr. Lamb: Aren't you required by code to get a permit for a hot tub? (Mr. Mosher: Yes.)

The hearing was opened for public comment. There was no public comment and the hearing was closed.

Mr. Lamb: This looks good to me.

Mr. Pringle: I would just like to caution everyone that we do not get into a grant forgiveness mindset instead of grant permission.

Mr. Pringle made a motion to approve the 882 Shekel Lane Building Envelope Re-Plat, PL-2016-0429, with the presented findings and conditions as handed out this evening, adding new condition #8. Ms. Leidal seconded, and the motion was carried unanimously (7-0).

TOWN COUNCIL REPORT:

Ms. Puester presented. Last we week we toured around Lincoln Park with Town Council. Council also had a joint meeting with Breckenridge Creative Arts as well as a meeting between Council and Breckenridge Tourism Office, discussing budget. Under Planning Matters, we discussed the Entrada water agreement. Mr. Truckey?

Mr. Truckey: In the Entrada, there is a lot under review for a potential development proposal under county jurisdiction. The owner is looking to get water service despite the property being out of town. In the past, annexation would be required, but the Council is now willing to consider providing water out of the town, partially perhaps due to the new water treatment plant being planned. The owner is going through the county development process but has indicated a willingness to annex down the road (not now because he is hoping to break ground next year) and he is willing to construct within the majority of the town code. Engineering is currently looking at road issues there. One of the things they are proposing to do in return for water service is put a curb cut at the north end of the property which could help some of the traffic issues that have been there. Potentially having a curb cut on Highway 9, which CDOT has approved, would help that project. The town is undertaking a study of potential roundabouts of all key intersections starting there down to the intersection of Park and Main. We have spoken with the owner about leaving some space in case a roundabout is found to be advantageous there. The proposed use would be commercial retail, 21,000 square feet, retail on the bottom floor and potentially climate control storage and office space on the top. Council indicated that they would like there to be a covenant on it that precludes a marijuana dispensary there as well.

Ms. Puester: Lastly, we had Planning Commission interviews. Thank you so much, again Dave, for all your years of service. You have helped shape this town and we appreciate everything you have done. We also have a new Planning Commissioner, as well, Mr. Steve Gerard, who is here today. (Mr. Gerard: I am surprised to be appointed, I hate to take the spot of someone with the history and knowledge of Mr. Pringle, but I am excited to take on the work and I will work hard.) Ms. Puester: Thank you Steve, happy to have you on board.

OTHER MATTERS:

1) Class C Subdivisions Approved Q3, 2016 (JP)

Ms. Puester: There were 3 new applications this 3rd quarter.

2) Class D Majors Approved Q3, 2016 (JP)

Ms. Puester: 18 Class D majors processed this 3rd quarter; a 26% increase over the same quarter last year. 8 of those are Lincoln Park. Mr. LaChance has a visual of the Lincoln Park status he will walk you through.

Mr. LaChance: In Lincoln Park, as of this week, we have 13 deed restricted units that are CO'd and one market rate (there are 4 triplexes included in that). 17 units are under construction right now and 17 units are in the permitting phase. This is all of the units in phase one and phase two.

3) Other:

Ms. Puester: On November 8th at Town Council, there will be a proclamation for Dave's years of service, if anyone would like to attend, I think that would be great. Probably shortly after 7 pm. Our next meeting is November 1st and the Planning Commission retreat is November 3rd.

Mr. Schroder: I tried to register for the Saving Places conference, and missed the early registration deadline, so I called them to request an extension, and have yet to receive a call back, so I wanted to share that information with everyone. (Ms. Puester: That is okay, just let me know if you have problems registering. The CLG code will still get a big discount.)

ADJOURNMENT:

The meeting was adjourned at 7:28 pm.

Ron Schuman, Chair