

PLANNING COMMISSION MEETING

The meeting was called to order at 6:00 pm by Vice Chair Leidal.

ROLL CALL

Mike Giller Christie Leidal Ron Schuman
Gretchen Dudney Steve Gerard Jim Lamb (arrived at 7:02 p.m.)
Dan Schroder was absent.

APPROVAL OF MINUTES

Mr. Gerard: Please change Mr. Truckey's comment on Page 5 regarding the 40% deed restricted and 60% market rates; "reserved" should be changed to "reversed".

With no other changes, the March 7, 2017, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

With no changes, the March 21, 2017, Planning Commission Agenda was approved.

CONSENT CALENDAR:

- 1) Breckenridge Grand Vacations Owner Parties 2017 Temporary Tents (CL) PL-2017-0049, 1627 Ski Hill Road
- 2) Rounds Retreat (CL) PL-2017-0031, 53 Rounds Road
- 3) Shock Hill Overlook Lot 2 Duplex (MM) PL-2017-0061, 78 & 76 West Point Lode
- 4) Haddock Residence (MM) PL-2017-0062, 86 Victory Lane

Commissioner Questions / Comments:

Mr. Gerard: Are they building the retaining wall by the Gondola all at once so that it is cohesive? (Mr. Mosher: That is a retaining wall to be built by the developer at one time and it will match throughout. It will also have a separate ILC.)

Mr. Giller: On the Haddock Residence: Plans show a total of 48 exterior light fixtures. (Mr. Mosher: They do meet the code as full cut-off and are all LED but I can bring you the cut sheet on sconces.) There is a good chance some of the neighbors below could see the light source from above. It is too many lights. (Mr. Mosher: All the lights meet code. May be visible from downhill of the property, but staff has never prohibited lights based on this in the past.) Code 9-12-2 (E) states a negative impact to the neighbors should be considered. I think that is the case here for the neighbors. (Mr. Mosher: We could call this off the Consent Calendar at this point and move the issue to the next meeting.) (Ms. Darci Hughes, Architect for the Applicant: Staff and myself shared some concerns over the number of lights during the review. Would like the call up to go to the next hearing.)

Mr. Giller made a motion to call up the Haddock Residence, PL-2017-0062, 86 Victory Lane, to the April 4th meeting. Mr. Gerard seconded and the motion was carried unanimously (6-0).

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

TOWN COUNCIL REPORT:

Mr. Grosshuesch:

- Proposal to increase rates/rents: Water PIF by 20%. Detailed financial analysis reviewed by Finance Department.
- In context of transportation/parking study: Gondola alignment. Commissioned study. SE Group successful bidder. Kickoff meeting next week.
- Complaints regarding parking on French Street: As a result, Police will be holding open house.

- Review of request for out of town water service agreement for Entrada parcel: Instructions to staff by Town Council for negotiating for development. Climate controlled storage upstairs and retail below.
- Request from citizens to cause the Town to become 100% renewable (electrical consumption for organization): Target year to be discussed. Goal: 100% of electrical consumption to be generated by renewable sources. Staff to form an advisory committee.
- Discussion about E-bikes. Open Space Commission provided a recommendation regarding the use of E-bikes on the rec path. Currently USFS and Summit County do not allow E-bikes on bike path (because of easements and internal policies). The Town of Breckenridge has been allowing them within the Town limits. This has caused confusion for some bike shops in Town. Town Council did change policy and had a first reading of the ordinance to prohibit E-bikes on the rec path.
- Debate over tap fees for snack bar/deli: Snack bars and delis being charged lower fees than restaurants. Disposable vs. washing dishes. Came in conflict with sustainability goals. Came back to TC after research, merging categories, creating one definition for restaurants, to have something usable. Rate differential goes away. There will be a reduction for 1st year in PIF calculation. Brief PIF reduction to new restaurant coming in. Gradual 10%. Subject to upcoming ordinance.

Commissioner Questions / Comments:

Mr. Schuman: All renewable energy is required to be within Town limits? (Mr. Grosshuesch: Questions like that will come up. Looking at other jurisdictions, their answer was no. Theoretically, you could build a wind farm outside of Breckenridge.)

PRELIMINARY HEARINGS:

1) Lincoln Grill (CK) PL-2017-0030, 112 Lincoln Avenue

Mr. Kulick presented a proposal for a two-story building with basement containing a total of 2,678 sq. ft. of restaurant space. The consensus points from the January 17, 2017 work session were: sandstone used as the primary exterior material does not meet the intent of Design Standard 225; the overall height and openings on the metal cornice and trim do not comply with Design Standard 228; the solid to void ratio of the second story of the front façade, needs less glass and a taller height to width ratio for the windows, to comply with Priority Design Standards 95, 96 and 222.

Changes since the January 17, 2017 work session:

1. Wall materials: the upper level exterior finish has changed from sandstone to lap siding
2. Upper level windows: the windows have been revised to have a more historic profile
3. Upper level solid to void ratio: the upper level window area has been reduced 8%
4. Building height: the building height has been reduced by 6" on the side cornice and 10" on the center arch
5. Cornice height: cornice height has been reduced by 12" (from 36" to 24")
6. Cornice openings: cornice openings have been reduced from 12"H x 18"W (216 sq. in.) to 10"H x 14"W (140 sq. in.) which is a reduction of 54%

Staff believes that all absolute policies have been met and that the proposal warrants the following points for a total passing point analysis of positive one (+1) point.

Negative points are incurred for:

- Policy 21/R Open Space: Negative three (-3) points because only 6.9% of the site (195 sq. ft.) is designed as open space.

Positive points are awarded for:

- Policy 16/R Internal Circulation: Positive three (+3) points for providing a public mid-block crossing.
- Policy 18/R Parking: Positive one (+1) point because the onsite parking is accessed from shared access points.

Since the work session, Staff has met with the applicant to address the concerns expressed by the Commission. We feel the key issues have been well addressed. We have asked some questions for the Commission in the staff report.

Pending any substantial changes, Staff suggested this application return for a final hearing.

Commissioner Questions / Comments:

Mr. Giller: Would you speak to the steel elements? (Mr. Kulick: There is specific language within the Design Standard 228 that says that contemporary interpretations of historic features are acceptable. Looking at proportions, you don't have to copy exact materials, just be sympathetic to scale and style, that is where you can introduce new material. It is a balancing act: size, proportions, etc. Having something that is a little different but not so much that it will detract from everything else. We think the latest revision strikes the right balance, but looking for guidance from Planning Commission.)

Ms. Leidal: Can Mr. Kulick please discuss priority policy 90 that talks about using materials historically found in the area? (Mr. Kulick: Quoted the Code. I think this policy is primarily discussing the primary building materials and not so much the trim and ornamentation. If you look at Design Standard 228 it specifically address trim and ornamentation. We think what the Architect is proposing in terms of scale, character, unique product and high quality materials is an appropriate contemporary interpretation. We believe the design meets Policy 228.)

Mr. Schuman: Do you have a color rendering? We need to see this now, not at the final hearing. (Mr. Kulick: Presented a drawing before and after.) (Mr. Gunson: In response to comments, the cornice has been reduced by a 1/3 in height, same as the adjacent buildings (2'). That reduced the openings, per the request of the Planning Commission. The Planning Commission seemed to be accepting of the metal materials, and I planned to paint those so that they would look similar to wood, but a modern interpretation which is encouraged by the code. There is a specific guideline which addresses new buildings in the historic district. This diminishes the importance of our old buildings if they are not different, which can be confusing for guests. The safe way is to replicate old buildings. If I imitate old buildings, that is great. What I was trying to do is use materials of today as an interpretation of those elements that were part of historic buildings (columns, cornices, corbels, etc.) I was trying to give an up to date interpretation and I would ask you to consider that as an acceptable alternative. Mr. Giller's point was well taken; I would like to change some elements from metal to wood. Everything above the band would be wood siding, just a modest amount of stone at the base.) (Mr. Kulick: Quoted Design Standard 97, "*New buildings that can be interpreted as products the present, and not false interpretations of the past, are preferred*".) I don't think that is the issue. We need to see a color rendering of the building to really see if the metal will be appropriately used here. Hard to tell when everything in the plans is black and white. (Mr. Gunson: If I put wood there, it would come off in the same character. I would be happy to change the color pallet or the colors involved if that works for you to a darker wood like color.) I don't know that if works for me until I see the color rendering.

Mr. Giller: Is there another building that has this much steel on it? (Mr. Gunson: Yes, I designed it. We even received an award for it. It has steel columns, steel cornice, brick. Clint's Bakery is in that building. It was built in the late 90's. Present day interpretation of historic buildings. It is recognizably a new building, not a knock off of a historic building.) (Mr. Kulick: A picture of that building is actually in the handbook as a visual example to Design Standard 228.) (Mr. Gunson: Explained materials.)

Ms. Leidal: Ms. Leidal asked questions about specific material placements. (Mr. Gunson: Cornice metal, upper band metal, upper half of building is lap siding, wood trim around windows, only metal is cornice, columns, and horizontal band.) What is the width of the band? (Mr. Gunson: 10"

- and 12”.)
- Mr. Giller: Would you speak to design standard to 225? Are we seeing work like this now that has metal on the front? (Ms. Puester: The Haney building was approved pretty recently, houses the Mountain Goat, also the McAdoo restaurant being constructed.)
- Mr. Schuman: Those projects that featured metal that were reviewed by the Planning Commission were still heavily discussed by the Commission. (Ms. Puester: It has always been a discussion that the Planning Commission has had when we see metal introduced.)
- Mr. Lamb: Who knows the difference if it is painted? (Mr. Kulick: To address the question of staff’s interpretation, the previous design was larger and more substantial. We were told there needed to be more work done. If you look at the totality of the size, height, etc., staff’s interpretation is that it is appropriate but we still look to the Planning Commission in regard to Policy 228.)
- Mr. Giller: And Policy 225.
- Mr. Lamb: The building materials was more of the bulk of it, the trim work seems to fall under that policy. (There was discussion about the materials on the Haney building being on the first level only, not the second story.)
- Ms. Dudney: That is the one that the Applicants fall on to allow them to do more contemporary design. It seems there is contradiction between Policies 97, 90, 99, and 228. They all address it but say different things. It comes to interpretation as to which you think is more appropriate.
- Mr. Giller: It is compatibility vs. differentiation.
- Ms. Dudney: You can’t hang your hat exactly on the language in the Code.
- Mr. Schuman: I thought you said you were going to have one spruce tree in the back. (Mr. Kulick: There will be more than one.) (Mr. Gunson: I am proposing a patio but I am not allowed to call it open space. If I could, I would hit the open space requirement of 15%.) (Mr. Kulick: In this sense, it is a trade-off. I think it shows how the code offsets itself.)

Ms. Leidal opened the hearing to public comment. There was no public comment and the hearing was closed.

Mr. Gunson (closing statement): There were six distinct items at the last review that you brought up. I also came away with the understanding that the general use of steel or metal would be acceptable to you. Staff gave me a list of those six items that I needed to address, but the metal was not one of those. So, I addressed each of those and took them to heart and made a sincere effort to address those, and never thought for a moment that the use of metal (painted) would be an issue.

Planning Commission Final Comments and answers to staff questions:

1. Was the Commission comfortable with the solid void ratio on the second level?
 - a. Mr. Lamb: It is addressed.
 - b. Mr. Schuman: I am comfortable.
 - c. Ms. Dudney: I think colors are important aspect. Fine.
 - d. Mr. Giller: It is acceptable and improved.
 - e. Mr. Gerard: I am comfortable.
 - f. Ms. Leidal: I am comfortable.
2. Did the Commission believe Design Standard 228 has been met in regards with the changes to the metal cornice and trim detail?
 - a. Mr. Lamb: The metal cornice meets the intent of Design Standard 228.
 - b. Mr. Schuman: I support.
 - c. Ms. Dudney: It has been met.
 - d. Mr. Giller: I do not believe it meets 228 or 225. I think it has gone too far here.
 - e. Mr. Gerard: The metal cornice and trim is appropriate as presented, looks like it fits in, like the steel across the frontage.
 - f. Ms. Leidal: I have concerns. I know we don’t want exact replicas. I don’t think 228, 225 or 90 have

- been met in regards to the amount of steel proposed.
3. Was the Commission supportive of the preliminary point analysis?
 - a. Mr. Lamb: To apply open space to the core commercial part of downtown is kind of silly, but I understand the code. I support the point analysis.
 - b. Mr. Schuman: I support.
 - c. Ms. Dudney: I am fine.
 - d. Mr. Giller: I can't be supportive. I could be if you removed some metal elements. Color is going to be important. I don't think the colors in your renderings comply as shown. I am comfortable with your recommendation on the other points beyond the Handbook of Design Standard points I raised.
 - e. Mr. Gerard: I concur with the preliminary point analysis.
 - f. Ms. Leidal: I support the point analysis with the exception of my previously noted issues pertaining to Design Standards 90, 225 and 228.
 4. Did the Commission have any additional comments on the proposed project design?
 - a. Mr. Schuman: I think that it is ready for final, but would like a little more assurance on colors; they are so important here.
 - b. Mr. Gerard: I respectfully disagree with Mr. Giller. I think the code wants us to move on in terms of materials. I think Mr. Gunson did a nice job. The building looks thinner and taller. I think bringing down the cornice was an important step as well as the narrower windows. I think the color of the steel is going to be important. I think that people are going to see a line of steel going across and it is going to be attractive.
 - c. Ms. Leidal: I have no additional comments. I think we are ready for this to go to final.

COMBINED HEARINGS:

Commissioner Discussion:

Mr. Lamb: I am a paid employee of Vail Resorts and must step down. (Mr. Lamb left meeting.)

Mr. Schuman: I am a part time, unpaid volunteer for Vail Resorts and feel comfortable staying; I have no financial benefit from any signage variance here.

Mr. Gerard: I also work part time at Vail Resorts ticket office but would see no financial benefit or other benefits if I sat in on a sign variance. I can be impartial. (Mr. Grosshuesch: The standard is you need to benefit financially from the hearing. (To the audience) Can you all state if you have any issues with the members staying?) (The audience had no problem with them staying.) (The Commission unanimously had no problem with the members staying.) The Planning Commission agreed and the hearing opened.

1) VRDC Epic Discovery Wayfinding Signage and Variance (MM) PL-2017-0037, 1521 Ski Hill Road

Mr. Mosher presented a proposal to install various wayfinding and informational signage to be utilized during the summer seasons at the base of Peak 8. None of the signs will have any lighting as the activities occur during daylight hours. After the summer season, all of the signage and structures will be removed and stored and then returned the following summer season.

The variance request is for:

1. Providing Seasonal Signage which is not defined in the Sign Code as either permanent or temporary (8-2-3: Definitions)
2. Providing Directional Signage (8-2-3: Definitions) that is not associated with a "civic event" and will be displayed longer than four (4) consecutive days
3. Providing signage that will exceed 20 square feet in area (8-2-12: Maximum Sign Area)
4. Providing free standing signage that will be over 10-feet tall (8-2-13: Specific Regulations; Permanent Signs)

As Policy 12, Signs, is an absolute policy and there is no related relative policy, so no negative points were assigned in association with the variance request. If the Planning Commission supports the requested

variances from the absolute policies, the proposal would pass the point analysis with a passing score of zero (0) points.

The Epic Discovery (Fun Park) is a great addition to all of the summer events the guests of Breckenridge can enjoy in the summer months. Additionally, other local businesses benefit from the visitors to Peak 8.

The Planning Department recommended the Commission support the four variances from Absolute Policy 12 (Signs) requested by the applicants and approve the Breckenridge Epic Discovery (Peak 8 Fun Park) Master Sign Plan and Variance Request (PL-2017-0037) showing a passing score of zero (0) points along with the presented Findings and Conditions.

Ms. Dudney: A specific rationale for the variance? (Mr. Mosher: Special circumstances were due to the unique use and vast area of the land, not tied to any building. In the early 1990's it was only the stables for horseback riding. The popularity and the addition of the gondola have increased the use exponentially. The variance is in harmony with the provisions of the Sign Code. It doesn't depart from Chapter 4.)

Mr. Coy Carlstrom, Project Manager, Vail Resorts: Activity is increasing in summer time. Guest safety would be improved by this wayfinding. A larger sign area reduces the overall amount of signs. Cover two full buildings but stayed within lineal calculations. (Mr. Schuman: You don't think it will need to be rebuilt?) No, shouldn't need to be rebuilt any time soon. (Mr. Schuman: The gold run coaster is a year round event; will the sign stay out?) No. We will pack it away but hadn't thought about that. Special circumstance is to achieve distance. (Mr. Schuman: The coaster sign could benefit staying up in the winter.) (Ms. Puester: Can you address the material on the MDO board?) Yes. (Mr. Mosher: They have agreed, to be either wood, have a wood surface, or high density urethane; it will be a wood looking surface.) (Ms. Puester: Add that it will be a wood appearing material as a condition.) So I understand, we can use MDO with polyurethane? (Mr. Mosher: Explained how MDO with wood surface will work in this situation. The final drawings will indicate the surface.) (Ms. Leidal: How are the signs to be permitted now?) (Mr. Mosher: Individually with a Class D Minor sign application.) (Mr. Schuman: They will need to come back in three years to renew, right?) (Ms. Puester: No, they have three years with the Master Sign Plan and to put up the signs. The Commission could add a new condition to ensure that the signs appear to have wood grain on the exterior of the sign. It would be a new condition #8. That way, if they use MDO, it would just be in the center of the sign and wood would cover the sign surface.)

Ms. Leidal opened the hearing to public comment:

Mr. Richard Himmelstein, 19 Peak 8 Court and a unit at One Ski Hill Place: I support signage for winter signage at the coaster year round. It would improve safety in a congested area. Request that they add a condition to turn signage off at night near the gondola station. It's on all night for no reason. Also, require as a condition of approval they put in directional and parking signage now. There are a lot of lost drivers in the area of Peak 8. Who will pay for the signs? Breckenridge Master Mountain Association or Vail Resorts? It should be the resort.

Mr. Schuman: Asked about specific sign at the gondola station. (Mr. Mosher: None these signs suggested by Mr. Himmelstein are part of the application for the proposed Master Plan being reviewed this evening. They were done separately.)

Mr. Jeff Zimmerman, Director of Mountain Planning for Vail Resorts: Signage will be paid for by Vail Resorts. LED signs at the chairlifts were approved with gondola project and we can check to turn those off at night, not sure why they are on. Will look into and get back to Mosh. Additional signage with BGV directional is a separate owner and application and should be coming in with a separate a master sign plan. It

is a consistent sign plan for the guests.

There was no further comment and the hearing was closed.

Commissioner Questions / Comments:

Mr. Schuman: The variances are a big deal. I am concerned about the possible abuse. If we give it four variances it is a big deal and I see the ability for abuse. Let's make sure we do the right thing for the code.

Ms. Dudney made a motion to approve the VRDC Epic Discovery Wayfinding Signage and Variance, PL-2017-0037, 1521 Ski Hill Road, showing a passing point analysis of zero (0) points and with the presented findings and conditions with the addition of Condition #8 that the surface of the signs must be made of wood or have a wood appearance. Mr. Giller seconded, and the motion was carried unanimously (6-0).

OTHER MATTERS:

Mr. Schuman: Is the CML Conference at Beaver Run? Is the Town going to let us attend that? (Mr. Grosshuesch: Yes.)

Mr. Gerard: Change agenda to include public comments section to our agenda.

Mr. Schuman: Anything not on the agendas. (Mr. Grosshuesch: Let us get back to you on that.)

ADJOURNMENT:

The meeting was adjourned at 7:54pm.

Christie Mathews-Leidal, Vice Chair