

PLANNING COMMISSION MEETING

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

ROLL CALL

Christie Leidal Ron Schuman Gretchen Dudney
Steve Gerard Jim Lamb Dan Schroder
Mike Giller was absent.

APPROVAL OF MINUTES

Mr. Schuman: On Page 8, please change "I am a part time, paid employee of Vail Resorts" to "I am a part time, unpaid volunteer for Vail Resorts."

With no other changes, the March 21, 2017, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

Ms. Puester announced that there would be a Development Code Steering Committee update to be presented during Other Matters, which was to be added to the end of the Agenda.

With no other changes, the April 4, 2017, Planning Commission Agenda was approved.

CONSENT CALENDAR:

1) Breckenridge Ski Resort Temporary Offices (MM) PL-2017-0029, 1595 Ski Hill Road

Mr. Lamb: I am a paid employee of Vail Resorts. I'll leave it up to the Commission if I should stay. (Mr. Grosshuesch: Standards have changed and if you don't have any financial gain from the outcome then, you can stay.) (The Commission agreed to have Mr. Lamb stay.)

Ms. Dudney: What is the time line for Grand Lodge on Peak 8 completion? (Mr. Mosher/Mr. Stais: Three years from now.)

Mr. Schroder: The box containers are not appealing to the eye and I wish that they would have proposed something that looks better but as far as placement, they are perfect blocks for skier traffic coming off the gondola and big hole that will be there.

2) Arapahoe Architects Solar Panels (MM) PL-2017-0074, 322 North Main Street #3

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

CALL UP HEARINGS:

1) Haddock Residence (MM) PL-2017-0062, 86 Victory Lane

As noted by Ms. Puester, the project has been continued to the April 18, 2017, Planning Commission Meeting.

TOWN COUNCIL REPORT:

Mr. Grosshuesch:

- Surface Gondola study from Airport Rd parking lot to center of town and Peak 9 base and maybe to the ice arena. Study will begin and a presentation is expected in approximately 6 weeks. Overflow parking had been planned to move to McCain. It now very well could stay in Block 11.
- Cross-Tab agreement was approved. The home expansion near the ski back was limited in density and mass by the annexation agreement.
- Denison Placer 1 on Block 11 parcel request to convey to the Breckenridge Housing Authority was approved by the Council.
- Roundabouts will start construction in mid-April to coincide with the closure of the ski resort. Will remain closed until July 4th weekend. Work will continue but the road will be open after the 1st.

- McCain master plan update was removed from agenda and will be back on April 25th.
- Denison Placer 1. All units will be deed restricted and most income restricted as well. Plan to go vertical May 18th. Plan to hold a lottery. Business can purchase townhomes.
- Council approved request for contribution to BOEC on Wellington Rd. \$365,000.

Commissioner Questions / Comments:

Mr. Schroder: Can a business with more cash overshadow the individuals in the lottery? (Mr. Grosshuesch: Businesses will have a lower priority. It will be limited to two units for business and they would be required to remain rentals with deed restrictions.)

PRELIMINARY HEARINGS:

Ms. Leidal: I would like to excuse myself because I am working directly with the clients on this project. Commission agrees to excuse Ms. Leidal.

1) Broken Compass Brewery & Workforce Housing (CK) PL-2017-0051, 1910 & 1900 Airport Road

Mr. Kulick presented a proposal to construct a 9,712 sq. ft. brewery with seating, outdoor patio area, parking lot, solar array and 4 deed restricted workforce townhome units with one-car garages (4,986 sq. ft.) on 1.2725 acres.

The Planning Commission approved the Denison Placer Phase 1 master plan and site plan amendment on February 21, 2017. This approval included 6 workforce housing townhome units on Lot 2C, Rock Pile Ranch. Just prior to the February Planning Commission meeting, the owners of Broken Compass Brewing approached the Town about the possibility of acquiring Lot 2C to develop workforce housing that better integrated into the plans they were developing for a future brewery on the neighboring Lot 2B. The Town Council was receptive to the idea and has directed staff to work with the owners of Broken Compass to facilitate their request and see if their proposal fits.

Point Analysis (Section: 9-1-17-3): Staff is working with the applicant to address the lighting issues that currently do not comply with Absolute Policies of the Development Code. Additionally, staff is looking to the Planning Commission for direction on whether the proposed ground mount solar arrays comply with Policy 5/A. Several points have been also awarded under the Relative policies. Staff has prepared a point analysis with a recommended cumulative score of positive two (+ 2) points.

Negative Points recommended:

- Policy 2/R, Land Use (-4) for a deed restricted residential use in a commercial district.
- Policy 6/R, Building Height (-1) for a long unbroken ridgeline measuring 91' in length.
- Policy 7/R, Site and Environmental Design (-4) for inadequate site buffering along the north property line.
- Policy 7/R, Site and Environmental Design (-4) for functional parking issues caused by the orientation of the solar array on the north.
- Policy 9/R, Placement of Structures (-3) for a front relative setback not being met.
- Policy 13/R, Snow Removal and Storage (-4) for providing non-functional snow storage.
- Policy 33/R, Energy Conservation (-3) for 3 outdoor gas fire places.

Positive Points recommended:

- Policy 15/R, Refuse (+1) for integrating refuse storage into a primary building.
- Policy 16/R, Internal Circulation (+3) for providing a sidewalk connections along Denison Placer Road and a network of internal sidewalk connections.
- Policy 24/R, Social Community (+10) for 34% of the project consisting of workforce housing.

- Policy 24/R, Social Community (+3) for meeting a Council goal of providing 4 workforce housing units.
- Policy 25/R, Transit (+4) for providing a transit shelter.
- Policy 33/R, Energy Conservation (+4) for saving 30%-39% beyond IECC minimum standards (to be confirmed prior to final).

Total (+2)

Questions for the Planning Commission:

- Did the Commission find that the architectural style is compatible with the area, not warranting any negative points?
- Did the Commission believe the ground mount solar arrays comply with Policy 5/A?
- Did the Commission agree with staff's interpretation and the third party parking study?
- Did the Commission have comments regarding the point analysis?
- Did the Commission have any additional comments on the proposed project design?

Applicant presentation: Mr. David Axelrod and Mr. Jason Ford, Broken Compass Brewing, and Mr. Rich Ciecuch, Project + Workshop. Mr. Rich Ciecuch showed three minute video of the proposed site.

Commissioner Questions:

- Ms. Dudney: There is inconsistency between parking study and staff report. How many spaces will be provided? (Mr. Kulick: Six spaces plus four in the garage for the residential component.) Staff report says 142 seats; parking study says 160 seats. What is the proper number? (Mr. Kulick: 142.) (Mr. Ciecuch: Yes, 142.) (Ms. Puester: Is that the fire code occupancy?) (Mr. Ciecuch: No, what we are planning for in our seating arrangement. The fire code allows more.) Why build the workforce housing-interest? (Mr. Ciecuch: The recent Denison Placer Plan changed how the land will be used next door and now would block our views. DP1 is planned for six units and we decided we would like to do it ourselves, more it out of our views, and have a more integrated campus between the two buildings.) The report stated snow removal will be impacted by snow shedding from the solar panels? Do you disagree? (Mr. Ciecuch: We believe it will not be a problem.) (Mr. Axelrod: We will have equipment on site to take care of snow removal.) Do you disagree with negative points? (Mr. Axelrod: Sure maybe but will not argue it since it's a passing point analysis.) Talk about the west elevation and natural materials. (Mr. Ciecuch: It is all stained wood. Very sustainable material. This elevation has a cooler and we don't want much light to penetrate and warm the area from passive solar. We added glass in areas high up that will allow natural light in the brew operations space. Its designed around the function. The south is where customers will originate and elevation is lower with a significant amount of natural light. The third area is for ventilation and will be textured and will break up the elevation. The trees will also help. You are oriented to Denison Rd. Why? (Mr. Ciecuch: To minimize traffic disruptions along Airport Road in a high traffic area. Entering on that side aligns with a pedestrian flow. The town also asked that we didn't come in off Airport Rd.) The west elevation is blank. Very plain. (Mr. Kulick: There are no fenestrations for 96 feet on the west elevation.)
- Mr. Gerard: Why are the living units and business separate? (Mr. Ciecuch: We were asked to keep residential units separate in case we sell the business.) Your planned use of the townhomes is to rent them to employees? (Mr. Ciecuch: Yes but doesn't prevent them from being sold. Will be subdivided for ease of separation between the uses.)
- Mr. Lamb: Why are negative points recommended when they are above the required area for snow storage? (Mr. Kulick: It is related to functional snow storage, considering 3 of the 4 sides adjacent to the brewery's parking lot cannot accommodate snow storage, locating in all in one small spot will be difficult.) Where will the equipment be stored? (Mr. Ciecuch: It will be

stored inside the building.) Where will the shuttle be parked? (Mr. Axelrod: At our old facility.)

Mr. Schroder: Industrial district would benefit from this architectural design. This fits and raises the bar here. The windows on the condo face west and wrap south. I am concerned about the way they are angled. I like the setbacks and I love to see more alternative energy. The solar arrays look too flat and might need to be taller and the adjoining property could be blocked. Can you move parking south and put the solar on the open space behind it? (Mr. Ciecuch: We wanted to create a great park for the community and push cars to the north. Landscape will not survive behind the solar arrays. The solar canopy is the buffer and will work to screen and provide safety.) I like the site use. It is attractive and ambitious, a refreshing deviation.

Mr. Schuman: Video looks as if there is stucco on the building. Can we get a color and sample board of the products you are applying? Perhaps a physical sample board for the final hearing? Plus, we will need colored elevations. (Mr. Ciecuch: Yes, we can submit those and bring a sample board.)

Ms. Dudney: There should be a limitation to the seating. I am concerned in the future that if the use changes, they raise the occupancy people, then people will be forced to park in Denison Placer. (Mr. Grosshuesch: Occupancy will be set by fire marshal.) Will the parking match the occupancy? (Ms. Puester: We can ask the fire marshal to calculate what that would be and see what the difference is that we are looking at for this use. Typically not done until building permit but could ask early.) If they change the use of the building the parking may need to change. (Mr. Kulick: Maybe a night club use would increase occupancy.) I suggest a finding and condition to address the seating and parking. (Mr. Kulick: We can see how the Town Attorney would word something.) Do you want to give them negative four (-4) points for solar arrangement above parking?

Mr. Lamb: With Eric in the audience, can you help answer how the solar orientation would work? Will shedding be an issue? (Mr. Westerhoff, Innovative Energy (Solar Company): At 15 degrees snow will slide slowly. You will need to remove snow once or twice a year. To have a panel at this location, you need a pitch at 35 degrees which will also sheet snow off by itself. Optimal orientation in Town is 45 degrees.)

Mr. Schroder opened the hearing to public comment. There was no public comment and the hearing was closed.

Commissioner Comments:

Mr. Lamb: The snow stacking passes code. Architectural style is compatible. I like the curb cuts off Denison Placer Rd. The drainage is going to be important to get correct in this location. I support the point analysis. Good looking building. You have done a good job working with staff. I am fine with solar panels on the ground.

Ms. Dudney: I love the architecture. Welcome the style. No problem with solar here. Parking study needs to assure me that the parking can be changed. Negative four (-4), sounds like you will increase pitch or you should commit to remove snow.

Mr. Schuman: The architecture is good. Solar complies. I agree with the parking study. I agree with the point analysis. Be sure to bring color and sample board.

Mr. Gerard: I like the architecture. It will raise the bar in the area. Now I understand the idea for condos and like the idea. Solar panels are good. Disagree with negative points related to buffering. Let's set a standard that we will not give negative points for solar use, no matter arrangement. Ok with parking. I think it will be taken care of by fire marshal. -4 for Policy 2. Point analysis: Snow stack: they are over the amount required and have liability issues with it, not sure about points there. Good project.

Mr. Schroder: Architecture good. Solar complies with code. Agree with parking study. The packet refers to alternative transportation but it doesn't seem relevant; you still need all those parking spots.

Negative four (-4): do not support on snow storage. Support point analysis on passing score. I support a final.

Mr. Gerard: Engineering and drainage will be a big issue.

Mr. Schroder called a recess at 7:35pm.

Mr. Schroder reopened the meeting at 7:38pm.

COMBINED HEARINGS:

1) Ali's Pals In-Home Child Care Center (CK) PL-2017-0077, 11 Sisler Green

Mr. Kulick presented a proposal to use the single-family residence (1,491 sq. ft. in size), at 11 Sisler Green, for the operation of a home childcare business. Per policy 38.5 (Absolute) Home Childcare Business (38.5/A), the business will always be limited to the care of a maximum of twelve (12) children. The business will meet the State Childcare Licensing requirements. The applicant has stated there will be no more than eight children at the home five days a week. The owner of the home will be the only employee running the home childcare business. Noting the lack of childcare facilities in the community, the Town Council has identified Childcare as a "Priority Goal". The applicant hopes to continue to help meet this goal by offering a home childcare business. Typical hours of the applicant's operation are from 7:30 a.m. to 5:30 p.m., Monday through Friday while closed on weekends and holidays.

Staff found the application to be compatible with the adjacent properties and recommended that the Planning Commission approve this application, Ali's Pals Home Childcare Business, located at 11 Sisler Green, PL-2017-0077, with the presented Findings and Conditions.

Mr. Schroder opened the hearing to public comment. There was no public comment and the hearing was closed.

Commissioner Questions / Comments:

Mr. Lamb: Are they in compliance with the state of Colorado? (Mr. Kulick: Yes. It is a two party review between the Town and State.)

Mr. Schroder: What is the difference between 8 children but 12 on the roll? (Ms. Ali McAlpine, Applicant: I can care for 8 children on my own but any more and I need to add staff. 12 is the maximum children.)

Ms. Dudney: Any hurdles from the Town? (Ms. McAlpine: No. Just had to apply for a business license, it was quite smooth.)

Ms. Leidal: A wonderful use and support the project .

Mr. Gerard: Necessary service to the community; I support.

Mr. Schroder: I support.

Mr. Lamb: I support.

Ms. Dudney: I support.

Mr. Schroder: I support.

Mr. Schuman made a motion to approve the Ali's Pals In-Home Child Care, PL-2017-0077, 11 Sisler Green, showing a passing point analysis of zero (0) points and with the presented findings and conditions. Ms. Dudney seconded, and the motion was carried unanimously (6-0).

OTHER MATTERS:

1) Development Code Steering Committee Update

Mr. Truckey presented. The Steering Committee met on Thursday, March 30.

- Policy 24 R (Employee Housing): The commission has in the past discussed the issue of double-dipping, where a housing project that was required through an annexation agreement to have a certain percentage of affordable housing also receives positive 10 points for it under the Code. At times, the

Commission has expressed concern that these points can overcome some site plan deficiencies (e.g., tight setbacks and not enough snow storage). Housing can also receive positive points for meeting Council goals. Other issues we want to address are the current table that identifies positive and negative points for housing; a 250 square foot unit is probably too small as a starting point. Finally, we will be working on a cash-in-lieu proposal, where the developer could pay into the housing fund as opposed to having to buy and deed restrict a unit or construct a unit. We have recently hired a new housing planner and they will be working on these items and researching options. Staff will be coming back to the Steering Group with these options in the next couple months.

- Section E (Conservation District Historic Structures): Town's period of significance ends in 1942. What about the homes built between 1943 and 1967? There is a 50 year federal rule on historic period designation. We could extend our period of significance to apply to structures built in 1967 or previously. After review of the inventory of homes, the Group found very few buildings built in that timeframe had architectural character that deserved consideration. There were a couple chalet homes that the Group liked but these are so few in number it seems like spot zoning to pick them out and it would require developing a whole new set of design standards. The Group felt it was not worth pursuing further, although it would be nice to incentivize the preservation of the chalet homes. Our overall findings did not suggest we change the 1942 date. Regarding the moving and renovation of historic structures, the point system was discussed and we feel the point assignments are appropriate; the section was re-worked about four years ago.
- 26/R (Transit): There is currently a +4 multiplier. These points are typically assigned to lodging company shuttle vans and bus pullouts and shelters. Eight points has only been awarded twice—for the gondola and the transit center. The Steering Group noted that most new lodging companies are providing a shuttle van; it's basically a necessity of doing business now and a guest expectation. Given that it is a cost of doing business now and that in cases the shuttles have alleviated parking issues, it was questioned if we should be awarding positive four points for lodging shuttles. On the other hand, the shuttles do keep cars off the road. As a potential solution, the Steering Group has suggested changing the multiplier from 4 to 2, but still allowing up to 8 points to be earned. It might be appropriate to focus four points or greater for transit facilities available to the general public and perhaps lodging shuttles would receive +2 points.

Commissioner Questions / Comments:

Mr. Gerard: I would like to see public comment (for Historic District issues) on the agenda. (Ms. Puester: People with concerns in the historic district usually don't come to the meeting. We ask them to email staff or come to the meeting to discuss so we can cover it in the meeting.) (Mr. Grosshuesch: Did one in the past and no one ever showed up.) I agree that no one will show up, but it makes us more public friendly.

ADJOURNMENT:

The meeting was adjourned at 7:58pm.

Dan Schroder, Chair