

## PLANNING COMMISSION MEETING

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

### ROLL CALL

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

### APPROVAL OF MINUTES

With no changes, the April 4, 2017, Planning Commission Minutes were approved as presented.

### APPROVAL OF AGENDA

With no changes, the April 18, 2017, Planning Commission Agenda was approved.

### CONSENT CALENDAR:

1) Browne Residence (CL) PL-2017-0083, 188 Peerless Drive

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

Mr. Mosher presented an application for a new, single-family residence with 3 bedrooms, 4.5 bathrooms, 4,550 sq. ft. of density and 5,434 sq. ft. of mass for a F.A.R. of 1:6.89. A photometric plan has now been included showing the site lighting meets the criteria listed in the Town Code.

#### *Commissioner Questions / Comments:*

Mr. Giller:            I noticed that it had a HERS rating of 45; I was impressed.

Ms. Dudney made a motion to approve the Haddock Residence, PL-2017-0062, 86 Victory Lane, with the presented findings and conditions. Mr. Lamb seconded, and the motion was carried unanimously (4-0).

### TOWN COUNCIL REPORT:

Mr. Grosshuesch:

- Crosstab development agreement approved. This is a single-family house on Sawmill Rd. that wanted to add on.
- Dennison Placer Town conveyed to the Breckenridge Housing Authority.
- Karpp terminable easement access from the BGVCC south parking lot. There will be additional landscaping installed elsewhere on the community center site. Reauthorization every five years was requested by Town Council.
- The Huron Landing Authority was created and will be the owner of the property. Neither the town nor the county should be the owner for insurance reasons.
- Union Mill Annexation Agreement amendment. The Town subordinated its position on the title for the purposes of facilitating construction financing. This is a lending requirement, and it will help speed up the development of Lincoln Park.
- Oxbow Park is slated for construction in 2018. GOCO has awarded a \$350,000 grant for the project.
- Four O'Clock roundabout work has begun. Park Avenue road closure April 24<sup>th</sup> to July 1<sup>st</sup>.
- Ski Hill Road construction at the Peak 8 base begins April 24<sup>th</sup>.
- The SustainableBreck Annual Report was presented to Council.

### PRELIMINARY HEARINGS:

1) Satellite Place Subdivision (CL) PL-2017-0054, 1730 Airport Road

Mr. LaChance presented a proposal to subdivide Breckenridge Airport Subdivision, Block 5, Lot 4, into three separate lots, creating the Satellite Place Subdivision with access from Fraction Road. The Fraction Road right of way will also be platted with this subdivision.

This subdivision proposal is in general compliance with the Subdivision Standards. Staff had no concerns with this application. This application was noticed as a preliminary hearing and staff believes that it is ready to go to a final hearing with Planning Commission direction.

Applicant Presentation: Mr. Lee Edwards: No Comments.

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

*Commissioner Questions / Comments:*

Ms. Leidal: Question on the wording in the note regarding the 10 ft. snow storage easement and no private snow storage. Last sentence of note should be reworded I think. I understand what the intent is but the note is confusing. (Mr. LaChance: There is not to be any private snow storage in that area. I met with the Town Attorney this afternoon and we are going to wordsmith it.) I support the analysis and welcome a final hearing soon.

Mr. Lamb: I support.

Mr. Giller: I support.

**COMBINED HEARINGS:**

1) Grad Duplex Garage and Remodel (MM) PL-2017-0056, 302 South Harris Street

Mr. Mosher presented an application to add a 2-car garage off the east alley, extensively remodel the exterior, add a carport, and remodel the interior of the existing building. There is no change to the overall building height or livable area.

Staff added a Condition of Approval that, prior to a certificate of occupancy, a Class C Subdivision will be approved creating a legal duplex.

Point Analysis: Staff has found that the proposal has incurred negative three (-3) points under Policy 24/R, Social Community, for placing parking in the front yard related to Design Standards 320 and 321. Positive two (+2) points are suggested under Policy 22/R, Landscaping, for the landscaping plan showing some public benefit and positive one (+1) point under Policy 33, Energy Conservation, for obtaining a HERS index report prepared by a registered design professional prior to a Certificate of Occupancy. The proposal passes with a score of zero (0) points.

The applicant and agent have worked thoroughly with staff to present this application as a combined preliminary and final hearing. Staff believes that the issues involved in this proposed project are such that no useful purpose would be served by requiring two separate hearings.

In addition to any general comments, staff asked for Commissioner comments regarding the following:

1. Did the Commission concur with awarding positive two (+2) points for the proposed landscaping plan?
2. Was the Commission comfortable with the proposed carport?
3. Was the Commission comfortable with the setback exemption for the garage off the alley?

The Planning Department recommended the Commission approve the Grad Duplex Garage and Remodel (PL-2017-0056), showing a passing score of zero (0) points along with the presented Findings and Conditions.

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

*Commissioner Questions / Comments:*

- Mr. Lamb: Is this 2X4 construction? Will it be insulated with urethane? (Ms. Janet Sutterley, Architect for the Applicant: Yes and the plan is to add R-23 foam to improve the insulation.)
- Mr. Giller: Will it be a condo or townhome? (Mr. Mosher: Duplex.) Is there mass above the garage? (Ms. Sutterley: No, it will be a storage area in the framework.)
- Ms. Dudney: I support the point analysis.
- Mr. Lamb: It is one thing to get a HERS report and another to be energy efficient but now I see that it will be energy efficient. I support the analysis.
- Mr. Giller: I support staffs point analysis.
- Ms. Leidal: Great project; I support the analysis.

Ms. Dudney made a motion to approve the Grad Duplex Garage and Remodel, PL-2017-0056, 302 South Harris Street, showing a passing point analysis of zero (0) points and with the presented findings and conditions. Mr. Lamb seconded, and the motion was carried unanimously (4-0).

**TOWN PROJECT HEARINGS:**

1) Breckenridge Second Water Treatment Plan (MM) PL-2016-0112, 68 Stan Miller Drive

Mr. Mosher presented a proposal for a water treatment facility, support buildings and pump station on Tract 1 of the McCain Master Plan area. The Commission last heard this proposal on April 19, 2016 as a work session. Direction was sought to break up the building masses and provide a more 'mountain feel' to the architecture and add visual interest. The Planning Commission reviewed the McCain Master Plan Modification at a work session on November 3, 2015 and at a Town Project Public Hearing on December 1, 2015. The Commission also visited the site as part of their fall field trip. At the December 1st hearing the Planning Commission unanimously recommended that the Town Council approve the McCain Master Plan Modification. On December 8, 2015, the Town Council held a Town Project Public Hearing and approved the McCain Master Plan Modification. The Plan Modification amended the previous 2012 McCain Master Plan, which provided general land use guidance for the McCain property. The 2015 Plan Modification identified specific uses for a total 13 different land use tracts on the McCain Property. Tract 1 is the area to be developed with this application under the Town Project process.

Assignment of Points: Staff has found that the proposal conforms to all absolute policies in the Development Code. Under the Relative Policies:

Negative points were incurred under the following policies:

- 5/R, Architectural Compatibility: Aesthetics, negative six (-6) points for the Clearwell and Pump Station, with 100% of the building exterior finishes being made of non-natural materials.
- 6/R, Building Height Outside Historic District: Negatives fifteen (-15) points for the Blending Tank, which is the tallest at 38.5feet. This is 12.5 feet over the suggested height of 26 feet. Buildings that are more than one story over the land use guidelines recommendation, but are no more than one and one-half (1-1/2) stories over the land use guidelines recommendation.
- 6/R: Broken, interesting roof forms that step down at the edges; negative one (-1) point as the ridgeline on the Treatment Building is unbroken and is 111 feet long.

This adds to a total of negative twenty-two (-22) points.

Positive points were awarded under the following policies:

- 2/R, Land Use Guidelines: Uses, positive eight (+8) points for the proposed uses which will not conflict with the existing uses, but will conform to the desired character and function of the district in which they lie, and where applicable, with an approved master plan, are encouraged. For a project offering this much public benefit and a scope this large, Staff is suggesting positive eight (+8) points under this policy.

- 24/R, Social Community - Community Need: For a project offering this much public benefit and a scope this large, Staff is suggesting positive six (+6) points under this policy.
- 26/R, Infrastructure - Capital Improvements: Positive eight (+8) points for "Capital Improvements: The implementation of capital improvement needs listed in the land use guidelines or town's capital improvements five (5) year program is encouraged; while any action to impede the implementation of any of these items is discouraged. (Ord. 19, Series 1988). The Land Use guidelines specifically identify "water facilities" as District Improvements.
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This adds to a total of positive twenty-two (+22) points, bringing the overall score to a passing score of zero (0) points.

Staff believes this facility will be an important entry component to anyone arriving (or leaving) along this portion of Highway 9. The desire is to create a modern building that still respects the history and heritage of this portion of Summit County and the Town of Breckenridge. The Town Council has directed staff to proceed with this comprehensive development this year. Upon completion, this will become a vital part of the overall community infrastructure.

Staff had the following questions for the Commission:

1. Did the Commission support awarding positive eights (+8) points under Policy 2/R Uses for providing a use in this district and identified in the McCain Master Plan?
2. Did the Commission support awarding positive eight (+8) points under Policy 26, Infrastructure, for abiding with the Land Use District preferred use of "water facilities" and for the overall benefits of the Town's infrastructure?

The Community Development Department suggested the Planning Commission recommend to the Town Council approval of the Breckenridge Second Water Treatment Plant, PL-2016-0112, showing a passing point score of zero (0) points with the presented Findings.

Mr. Marc Hogan, Architect: Thank you for your time and the opportunity. Ms. Sara Clark will walk you through the project.

Ms. Clark: The purpose of the project is to provide the town a water plant with space to add capacity. (Ms. Clark explained the purpose and use for each building.) A lab will be in the administration building and will be a considerable upgrade from the current lab as well as a training area. (Ms. Dudney: Will the bike path be rerouted?) (Mr. Mosher: The path will be tied in.) (Ms. Dudney: Did the footprint change?) Yes. We downsized the big building. We do have budget constraints. (Mr. Hogan: We reduced admin building and several others. About Ms. Dudney's question: the metal panel use is to control condensation. Landscaping design has been done by Norris Design.)

Ms. Leidal opened the hearing to public comment.

Mr. Lee Edwards: Is the current roadway alignment still the same? (Mr. Mosher: Explained where the road way will be.) Thank you. An observation: I have picked up bicyclists here and a couple parking spaces should be added. (Mr. Mosher: We are currently talking to Engineering about that.) Great, a couple spaces to pull over would be good. Will the mechanical equipment be on the roof? (Mr. Hogan: No. We have integrated mechanical into the building. Although the residual building pump station will be on the ground.) Where will the raw water line run? (Ms. Clark and Mr. Hogan explained.) I am concerned about the bike path disturbance. (Ms. Clark: There will be disturbance and we will have a detour plan.) You could skew the administration building. Use natural lighting by including big opening instead of the small windows shown. (Mr. Hogan: The fenestration locations are a function of all the mechanical inside. Windows are 3' x 3'.)

*Commissioner Questions / Comments:*

- Ms. Leidal: Is the non-natural material required? (Mr. Mosher: Part of it is. It has to do with how these machines are housed and the resulting humidity.) Do you have any concerns with snow stack? (Mr. Mosher: They have ample space and will have machines to move snow, so it is not a concern.)
- Mr. Lamb: I am concerned it looks very industrial to the entrance of Town. It will need lots of landscaping to shield it from Highway 9. What we see here is skimpy. Overcoming 22 negative points is a lot to overcome. I would like to see a better landscaping job to screen the long flat facade.
- Mr. Giller: Conceptually the structure offered a screening but we are past that. The restroom should be moved away from the project entrance to a better location for biker visibility. Adjustment of 90 degrees of the primary building was a smart thing to do.
- Ms. Dudney: The development code was not made for this. This is being shoehorned with the code to make it pass points. It puts the Commission in an unusual situation. I think it should be an exception to the development code-to function, it has to reach this height and mass. The negative points. As a bike rider, I ask that you please move the bike path off the roundabout, as it is very dangerous.
- Ms. Leidal: I am concerned with giving positive eight (+8) points for 2R under land use just because it meets what the master plan says. That is like giving points for a project that meets the underlying zoning anywhere in town. I do not want to set precedent for other projects. I feel we are stretching the code and setting bad precedence. I suggest we look for other ways to award points than set poor precedence. Maybe it is possible to give points for art or the beefed up landscaping.
- Mr. Lamb: I feel we need to hold a Town project to the same precedence as we do to public projects.
- Ms. Dudney: Yes, but it is a water plant and an unusual example. (Mr. Grosshuesch: We are not concerned about precedents because it's very likely no one else will build a water plant.) Is the positive eight (+8) because of the community benefit? (Mr. Grosshuesch: Yes.) I am ok with the point analysis then.
- Mr. Lamb: I am ok with point analysis but I feel it is important to express my concern about holding the town to the same standards as the public projects.

Ms. Dudney made a motion to recommend the Town Council approve the Breckenridge Second Water Treatment Plant, PL-2016-0112, 68 Stan Miller Drive, showing a passing point analysis of zero (0) points and with the presented findings. Mr. Giller seconded, and the motion was carried unanimously (4-0).

Ms. Leidal called a 5-minute break at 7:20pm. The meeting reopened at 7:25pm.

**OTHER MATTERS:**

1) Breckenridge Public Art Program Master Plan Review, Resolution and Recommendation (JP)  
Ms. Puester and Ms. Jennifer Cram, Director of Public Programs + Engagement, Breckenridge Creative Arts, presented. The updated Public Art Master Plan + Policy is divided into three parts. Part 1 is the Master Plan, which gives creative direction to the Breckenridge Public Art Program. Part 2 is the Public Art Policy, which outlines specific policies and procedures that guide day-to-day operations required to put the plan in action. Part 3 offers a visual tour of the Breckenridge public art collection as it stands today, representing rich stories of local lore, captivating vistas, environmental stewardship and all other aspects that make each piece uniquely Breckenridge.

Formerly managed by the Town of Breckenridge, the Breckenridge Public Art program is now managed by Breckenridge Creative Arts. BCA spearheaded the Public Art Program Master Plan + Policy, which builds on the Town's 2006 Art in Public Places Master plan with input from community representatives to chart the course of public art programs in Breckenridge.

Ms. Cram asked the following questions of the Commission:

1. Would the Planning Commission support BCA returning with a work session item on Section 9-1-19-43 A/R, *Public Art*, of the Development Code with regard to point allocations for public art?
2. Did the Planning Commission support the proposed updates to the 2006 Art in Public Places Master Plan to be named Breckenridge Public Art Program Master Plan + Policy?

Ms. Dudney: Is there a time constraint to complete? (Ms. Cram: No, we have time. It doesn't need to come in with the adoption of the plan.) We give positive points for being part of a specific project. Do you think that is appropriate? (Ms. Cram: Yes, you want positive points to offset on that specific project. The Code does not allow off site points. If you changed the code then we would use off site points.) (Ms. Puester: Informed the Commission that this topic is slated to be discussed further at a future date as a work session.)

Mr. Lamb: It is hard because I am not an artist and I can't tell you what is good art and what is bad. (Ms. Cram: Breckenridge Creative Arts would work with you and help you feel comfortable with the art work. A diverse collection is what we look for to interest a diverse community.) (Mr. Grosshuesch: We will refer the project to Breckenridge Creative Arts for their input on points which is what we currently do.)

Ms. Dudney: I love the arts district and it is spoken highly of.

Mr. Giller: I am a big fan of the district, we love it. (Ms. Puester: The process here is for a motion to be made to adopt the resolution in the packet. This is incorporated through the Comprehensive Plan which the Planning Commission is the keeper of. With approval from the Planning Commission, this will move to the Town Council as a work session item, then Council resolution and ordinance. We have provided a recommended motion for you in the packet.)

Mr. Lamb made a motion to approve Resolution 1, Series 2017, A Resolution recommending the inclusion of the "Breckenridge Public Art Master Plan + Policy 2016" as part of the Town's Comprehensive Plan. Mr. Giller seconded, and the motion was carried unanimously (4-0).

- 2) Class C Subdivisions Approved Q1, 2017 (JP) (Memo Only)
- 3) Class D Majors Approved Q2, 2017 (JP) (Memo Only)

**ADJOURNMENT:**

The meeting was adjourned at 7:50 pm.

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Christie Mathews-Leidal, Vice Chair