

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30pm by Chair Mathews-Leidal.

ROLL CALL

Christie Mathews-Leidal	Jim Lamb - absent	Ron Schuman
Mike Giller	Steve Gerard	
Dan Schroder	Gretchen Dudney	

APPROVAL OF MINUTES

Commissioner Mathews-Leidal requested to have two misspellings of her name corrected. With no changes, the November 7, 2017 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the November 21, 2017, Planning Commission agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No Comments

CONSENT CALENDAR:

1. Welk Riverfront Resort Conditions Modification (CK), PL-2017-0579, 13541 Colorado State Highway 9
Mr. Kulick corrected the date of Condition #5 to reflect today's date.

With no call-ups, the Consent Calendar was approved as presented.

WORK SESSIONS:

1. Public Comment on Historic Preservation – Comments Year to Date

Commissioner Questions / Comments:

Mr. Schuman: Did Lee Edwards come back in and ask any follow up or any particular reason to his questions or comments? (Ms. Puester: No. I have not spoken with him, I am not sure if Chris or Chapin have. OK, because, I think the policy is working pretty well and I was interested to see... Because he didn't really say if he had a positive or negative view, I was just curious why this was adopted. OK, no worries.

Mr. Giller: New rear additions looking like historic outbuildings. There is a tendency for the rear additions to be barnwood sided and dark to look perhaps like an old burro barn. Is that something that the code requires? (Ms. Puester: Not if it is an addition, if it as outbuilding, like a secondary structure, we definitely have regulations that are specific to having those appear as an outbuilding, but as far as the additions, we don't. They can have the same finished siding that the primary structure has.) I think that is OK, My understanding of the guidelines is that they allow both. (Ms. Puester: A lot of architects think, for example, if it is right up against an alley, that is kind of more of an outbuilding in appearance, that is more what we tend to look for you didn't see finished houses, very detailed, ornate houses up against an alley, so then you are talking a little bit about settlement patterns, and the appearance of that. The one we did at the Montessori, so part of that looked like an outbuilding, more of an outbuilding/garage, and on the back of that addition, which of course never was built, but that was a garage and was up against the alley. That also had a parking area.) So the answer is: it depends, and either can be OK. (Ms. Puester: Yeah, we are really just looking for that connector.) I agree.

Mr. Gerard: So as far as Suzanne Allen-Sabo's comments, we will be able to see the Round House very soon because it is under construction. (Ms. Puester: If it really didn't step with the slope, we

would be seeing very tall buildings. The County dealt with that somewhat and rewrote their Code to be similar to ours to really step with that slope vs kind of having a large facade hanging off the alley or hillside.)

Ms. Dudney: I would like to follow up Mike's question, since you are someone who has actually gone through the process. So, your addition is more in line with the front of the house and not like a burro barn correct? (Mr. Giller: It is residential, not an outbuilding.) OK, so when you had this conversation, did you understand that you can come to the Planning Commission if there is a disagreement between you and the staff? Something kind of vague like that, I don't know that we have a requirement. (Mr. Giller: This was a small issue and Michael Mosher could not have been more helpful. There was some pre-disposition to make the out buildings to look like burro barns, or the rear additions. I think Tony Harris's house is probably a good example of that.) There is not issue on my part, just I think Janet's question is interesting...what is it that they Town would like to see? I think that the answer is correct, it varies. We would not want to see the same solution everywhere. (Mr. Schuman: Yeah, that is why it is a flexible zoning.) But it is not just the staff that gets to decide that, I don't think. (Mr. Giller: I agree.) So how did it end up that you had the design that is not like a burro? (Mr. Giller: that is how we designed it and submitted it.) OK, so he accepted that even though he was kind of pushing you in another direction. (Mr. Giller: sort of, yes.) Alright. (Mr. Giller: So, I think the process worked.) Ok. (Mr. Kulick: Yeah, We actually have a couple proposals coming up here shortly, we usually suggest a work session to get your input on issues like this. The next meeting, you will see some of that. (Mr. Schuman: Like on Washington and French there, the lady that wanted the window in the historic fabric, and Mosh said this really is kind of a deal breaker, and we want to bring it to the council, if I remember correctly.) (Mr. Kulick: Or like John Gunson's contemporary architecture proposal on Lincoln Street. We usually have a couple questions at the Preliminary Hearing where we are specifically requesting commission input on.)

Ms. Leidal: I agree and I think it is working and it gives flexibility to the particular site. I think it would be difficult to write rules that would work in every single situation.

Mr. Schuman: Like I said, then you would not have flexible zoning.

Ms. Leidal: And you would not have varying design, you would get all the same.

Mr. Gerard: As we saw when we took our walk around Aspen, it's like they don't have any rules at all. There is the little historic building, and it could be anything behind it.

Mr. Giller: Regarding the scale of additions, the Secretary of Interior's Standards redid the guidelines on additions about 5 years ago to sort of dial them back and make additions more compatible and smaller in scale. The changes are outlined in a preservation brief. Whether it is suitable here or not, I do not now, but the pendulum is swinging towards smaller, more compatible additions in the preservation world. (Ms. Puester: I will look at that. The Code was changed around 2010, maybe a few of you were on the Commission. The Silverthorne House on North Main Street had gotten picked up and moved towards the front of the lot 20 feet and then there were two large buildings were added on to the back of it, and footprint lotted. The concern was the Silverthorne House was a one story structure and then we had 1.5 stories, pushing two stories, in back of that lot, so we did not have any regulations addressing some of those issues so this 2010 rewrite was in direct response to that development and the fear that these rear buildings were going to start to overpower the smaller historic buildings in front, similar to what you see in Frisco.) (Mr. Grosshuesch: We were seeing people put primary structures in the back yard on big lots in the historic district, so you would have two primary structures, one behind the other one, that is not historically accurate. Historically the backyard was used for outbuildings and secondary structures. There was this loophole in the subdivision ordinance that allowed footprint lots, and so people were circumventing the subdivision ordinance that had heretofore precluded those primary structures from appearing in the backyard. So, what we did is we changed the subdivision ordinance again and said anything in a backyard has to be smaller in scale than the primary structure and made of materials that are not as highly finished as

primary structures. Typically, we would get 4.5” reveal lap siding on the primary structures. What we wanted on the secondary structures on the back were materials that emulated the burro barns. And so that kind of took care of that problem, where we were getting two primary structures on the house and they were indistinguishable and they didn’t really make sense historically. This whole notion of changing the materials for additions, as opposed to freestanding secondary structures, has not really been addressed effectively in the code in my opinion and at some point, we may want to talk about the appropriateness. Typically, we don’t get additions but we get hyphen-connectors. Now, if they are below the threshold module size, they can add on to the back of the building and in that process we will probably lose a bunch of historic fabric, and the code allows them to be a little bit bigger if they are not in a prominent public view, but the development policy is silent about what building materials can be put on additions. Now when we get to hyphen connectors, because they are over the module size of those additions, then you can see the differentiation in the house. That is why we have the modules, so that you know it is not historic. The hyphen connector is the signal that whatever is behind the primary structure is brand new.) Makes sense. (Mr. Grosshuesch: But again, if we want to talk about materials on additions, and we have already addressed materials on secondary free standing structures, then that will probably be well placed.)

Ms. Leidal: Are we seeing people requesting additions? (Mr. Grosshuesch: From time to time. We also got rid of the two-story hyphen connector... that was another confusing thing.) (Ms. Puester: Is there any desire to talk about materials on additions more, about refining those, or do you feel like it is working?)

Mr. Schuman: I would say no.

Ms. Dudney: I agree, no. I think it is working.

Mr. Giller: I could go either way, but I would say if you wanted to have a meeting, like Christie and Gretchen do on the other Code issues, I would be happy to help, but I don’t necessarily think we need a change. What you said was interesting.

Ms. Leidal: Are there any preservation briefs that address that?

Mr. Giller: Yes, there is a preservation brief that addresses additions.

Ms. Leidal: So that might be worth looking into. (Ms. Puester: I wrote that down to grab that. If the Planning Commission wants to make a change to this, we can definitely put that in and talk about it more. I am seeing most people saying no.

Mr. Schroeder: I don’t know that it is necessary.

Mr. Gerard: I would talk about it again. I think it is something that could come up. (Ms. Puester: Would you like to further refine the materials?)

Mr. Schuman: No, I don’t think we want to be the designers/architects, we just want to see something come to us and be able to judge it appropriately. I don’t think we should be in the design build of people’s structures and materials. I think it is working pretty well.

Mr. Giller: Peter, do you think the one story hyphen solves most or all of the problems? (Mr. Grosshuesch: Well for those additions, what happens is that people have leftover density on their sites, and there are couple architects in town that are pretty savvy about building to the last possible square ft. that the entitlements will allow. Some of them trigger the hyphen-connector requirement if they are big enough, and if they are not that big then you can just add on to the original historic module. Once we are in the situation where we have a hyphen connector, I think it sorts itself out. It is the addition that does not involve the hyphen connector that is kind of the tricky thing, that’s what that bulletin that we have been talking about probably addresses.) I will email you the brief, if you want to talk about it.

Ms. Leidal: So it sounds like it would be worth at least taking a look at this in case such an application does come to us, is what I am hearing.

Mr. Gerard: I think the responses are all appropriate and answer the question. (Ms. Puester: Ok, we will take at some point this issue back and Mike, I will look for that email on the preservation brief, and, we will talk about it again in a little bit.

Ms. Leidal: Do you report these to Mark Rodman? (Ms. Puester: We send them, he gets everything that happens in the Historic District. Probably more than he wants, I am sure.)

TOWN COUNCIL REPORT:

Mr. Grosshuesch gave an report on the Town Council meetings.

- Work Session:
 - Prior to the work session, Council went out to Blue 52 and toured site and did the ribbon cutting. It's pretty nice, landscaped, paving is in. We should maybe get your guys out there. Would the Commission be interested in doing a site visit? Commission: Yes. OK, we will try and schedule something for you. In the worksession, we proposed TDR to cover density for Blue 52. If you recall, Block 11 has no density, the property subject to a condemnation a long time ago, where we established that there was no density on Block 11, so we have to transfer in the density for all of the projects. We took density from Carter Park and Prospector Park. That conversation triggered a request from Town Council that we go back and do a work session on the 1:4 ratio that we currently use for affordable housing. If you recall, the Joint Upper Blue Master Plan states that you don't need to provide density for affordable housing. With a previous council, there was a debate regarding whether density should be free any more and whether the Town should put the density on the property. There was a compromise at 1:4. Some of those same Council members are back on the Council again and want to have the conversation. Doing that in a worksession.
 - Parking structure on F-lot and Tiger Dredge: Council went with a gabled roof design vs. barrel vault, so that direction was given to the project architect.
 - Proposal for a development agreement for a new hotel and condominium project at the base of Peak 8 which would go where the admin building is. It is for 150 room hotel rooms and 105, 000 sq. ft. of condominium space. That Development Agreement proposal will come back in the form of a draft development agreement at the upcoming Town Council meeting. The Council decides at that meeting whether they want to pursue a development agreement. They can then decide if they will refer it to the Planning Commission for a fit test.
- Evening meeting
 - Village callup: Your decision was upheld, however, that sparked another conversation about the need to have an ordinance that prohibits murals. The direction that we got was to draft an ordinance that prohibits murals in the historic district, and then we would have another worksession about the rules for murals outside the historic district.
 - There was a request from other jurisdictions in the county to pony up for a study about a field house that would serve all the jurisdictions in the county, potentially located at the high school site, or on the peninsula in Frisco. Council agreed to fund their share of that study.
 - Council considered updating the standard covenant for deed restricted affordable housing, and they endorsed the proposal that staff made and what that does is it fixes the appreciation rate at 2%.. Covenants, heretofore, had been specific to each development and we negotiated with developers on a lot of the projects so that it was hard to get standardization on these covenants for the appreciation rate. We went with 2% and are going to make that retroactive to a number of the projects.

Commissioner Questions / Comments:

Mr. Schuman: And owners will have 6 months to sign up? (Mr. Grosshuesch: Yes)

Ms. Leidal: Was the ski area the applicant for the development agreement for the condo/hotel: (Mr. Grosshuesch: No, it was Breck Grand Vacations and Lionheart, an investor out of Florida.)

Mr. Schroder: Do I understand there is there a moratorium on murals until it gets resolved, or is the mural that was called up going to move forward? (Mr. Grosshuesch: No, it is going to move forward) (Ms. Puester: There is no moratorium, but the first reading on the mural ordinance is next week.)

OTHER MATTERS:

1. Housing Tour Recap

Laurie Best presented a housing tour overview.

Town Staff went over to Aspen and met with the Housing Authority, and recently went down to Boulder and Denver and some of you joined us. So, we wanted to give you an overview of some of the things we saw. As you know, we still have a significant housing need. The last needs assessment in 2016 accounted for all of the projects that have been completed recently. Even assuming that we have finished Pinewood II, Huron Landing, Denison Commons, and Blue 52, the projected need is still 500 additional units by 2020. Half of those are rental and half are for sale. We have made a lot of progress in last year. So we have a pretty significant need going forward. When we redo our needs assessment in 2020, I am sure that the need is going to continue to grow. It is interesting, most of our housing needs is no longer driven by new jobs or job growth, it is being driven by the loss of units that have historically housed our local workforce. We are losing units that are market rate units that local workforce has lived in but because the employee is retiring, moving on, or got here in the 80's and 90's and time to move on, so we are losing units that have traditionally served our workforce and those are becoming retiree units or vacation homes, also losing units to short term rental. When we redo our needs assessment in 2020, I am sure, even though we are making progress, is going to continue to exist. As we are looking at wrapping up Blue 52, now is the time to see what we do next. Taking RFPs for new developer on Block 11. We are interested in having developer take on next project as opposed to Town. Interviewed 5 firms, narrowed down to two. We want to look outside and see what is going on in terms of new housing development, that is why we have been doing these tours.

Both Aspen and Boulder are working on building housing inventory. Building new neighborhoods.

Also, they are converting some older inventory to serve local workforce. We saw a couple examples in Aspen and the turntable project in Denver (micro project). Older lodges and older hotels that are underperforming so you convert them and immediately have micro units. Works well for a certain segment of our workforce.

Aspen and Boulder are also focused on homeless and senior housing.

Commissioner Questions / Comments:

Ms. Dudley: Do these micro-units have kitchens? How do meals work? Do they pay a fee like a boarding house or dormitory? It sounds like it is kind of like a dorm. Somebody has to cook all the meals. It is kind of like being in a lodge.

Mr. Schroeder: Can you think of any buildings in Breckenridge that could be repurposed? (Ms. Best: Yes, there are several. Some of these may be a buy-down option, hopefully you get some time out of it before you scrape it and redevelop it.) (Peter: We were interested in Skier's Edge at one time, way out in Blue River.) (Ms. Best: We don't think we can build our way to solve this. If you can pick up some parcels that are not performing well and can get them at a decent price, then it adds inventory instantly)

Mr. Giller: What is about the smallest project that is worth doing? 4 units, 6 units? (Ms. Best: In terms of for sale?) Well if you were to re-position an existing building. (Ms. Best: We used to do that with our buy-down program. We would go out and buy individual units. We own several units in Val-de-saire, several units in Ptarmigan. So that used to be under our buy down program where we go and acquire the units and put a deed restriction on it, and then re-enter into the market. That way, the unit will never be a short term rental, and it will always serve the workforce. There was a time when we were looking at one-offs. More units would be better. Little apartment buildings or little hotels.)

2. Aspen Planning Commission Retreat Recap

Ms. Puester: We recently went to Aspen. Lot to cover. Thanks for bearing with me. Wanted to give the PC opportunity to talk about what we saw. We had great turnout. All of you are very versed in this. First went to Basalt regarding bike share. Staff is interested and talking about that opportunity. Does anyone have anything to add or comment? Also we talked to Aspen PC. Were there any big takeaways? Also talked a bit about their TDR program and their parking credit program. Any feedback on that? Also had historic district tour. Differences in design standards. A lot more modern interpretations. Really looking at massing. Also looked at Burlingame: A lot of people thought that was very interesting. (Mr. Truckey: they required parking impact units. They have alternative transportation strategies that they were employing. I am not sure if that is something we can incorporate into parking standards, but we could look at a little more. Also re housing, they have a housing credit where developers building affordable housing and then sell credits. Mitigation rate is approx. 65% employee generation- that is huge. Our code right now is about 5-6% generation, and we are considering upping that. We are probably not going to get to Aspen standards.

Commissioner Questions / Comments:

- Mr. Giller: Good idea
- Ms. Leidal: I was impressed with their program.
- Mr. Gerard: There was a recent article about two Chinese programs that are bringing the standalone bikes in, where you don't have the docks, and those programs are exploding, especially in Seattle. (Ms. Puester: I have read articles about that, and how some of those are having a lot of problems, where the bikes are lost/broken. There is good and bad with dockless.) (Mr. Kulick: I have seen one of the issues where someone gets to a spot where there is not bike parking and locks it to a bench, for example, and it presents a problem for obstruction.
- Mr. Schroder: Would there be any reach in Summit, Breck is uphill from the next community, so bikes would end up downhill in Frisco, so how do we get them back? (Ms. Puester: I think it is a staffing issue. I don't think they would leave them there if there was a docking station because they are still getting charged. Those bikes are monitored by staff like we heard from We-Cycle. Lots of management. They have a good staff. (Kulick: this happens in Denver where there is a big event and this is very actively managed regarding keeping appropriate number of bikes at the right location so they don't end up at bottom of hill, so to speak.
- Ms. Leidal: Might encourage people to park in outer parking lots. I think it is a great program, and would be great to see here.
- Mr. Giller: I was interested in how their free market swung them back and forth. Around turn of century they wanted a more vibrant commercial district so they allowed more density, so free market responded with pop tops and high end residential lofts. Sometimes new owners had less interest in commercial space on ground floor. Had negative effect of losing commercial space when they wanted more vitality. Then they instituted moratorium to try and slow that. Then they followed up with Referendum 1, if there is any variance from the code it has to go to a public vote, but have not had anyone push that in the last few years. Residential drives everything there. Small lodges are taken off-line and turned into single family houses. It is interesting to see where it will go. They are rewriting code. Also interesting: TDRs in historic district. Small Victorians on a huge lot with a lot of development density permitted in 1980s. Allowing TDRSs to avoid huge additions on small Victorians. They have challenges.
- Mr. Schroder: A little reactionary. Staff could not get ahead of it. Thrown by the fact that they had to keep re-writing their code.
- Ms. Leidal: I thought it was interesting that they resigned themselves to "well it does not really matter because it is going to get torn off and re built 15-20 years later." I was like, Wow!
- Ms. Dudney: What do you think made Aspen the way that it is? It is such a haven for the uber-wealthy. I think it is hard to get to.
- Mr. Giller: Aspen Institute helped. I think they started with the bar high in terms of art, architecture and culture, which makes it more attractive.

- Mr. Schroder: It feels like Aspen is not very welcoming. If you create a scenario where the cars are not spaces to put cars downtown, you are going to get less influx. I think that is the way they want it. Maybe I am reading between the lines.
- Ms. Dudney: Do we know if locals, middle class, business owners stay there? (Mr. Grosshuesch: I think like a lot of resorts it is very transient, but I know a lot of people who have been there for a while)
- Mr. Schroder: Carports were poor at Burlingame. We saw lots of junk.
- Ms. Dudney: Laurie, did you think that the mix of target income is successful? What do you think about difference in density, between early phases and later phases? (Ms. Best: I think the first phase is more human scaled, the later is more massive. So much more urban. AMI mix: I am really not sure what they have in terms of lower AMI. It was very quiet.)
- Mrs. Schroder: They had several tiers in regards to income class.

ADJOURNMENT:

The meeting was adjourned at 6:50 pm.

Christie Mathews-Leidal, Chair