

## PLANNING COMMISSION MEETING

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

### ROLL CALL

Christie Mathews-Leidal    Jim Lamb - left at 7pm    Ron Schuman  
Mike Giller                      Steve Gerard  
Dan Schroder                      Gretchen Dudney

### APPROVAL OF MINUTES

With changes to page 2, 1<sup>st</sup> line, “we will be seeing very all buildings”, to “we will be seeing very tall buildings”, the November 21, 2017 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With changes below, the December 5, 2017, Planning Commission agenda was approved.  
Moving town council report to the end of the meeting.  
Remove Fireside Inn Work Session from agenda per request of the applicant’s agent.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No Comment

### CONSENT CALENDAR:

1. Reliance Place BIC Building Condo Unit RP-20 Change of Use (CL), PL-2017-0631, 226 S. Main Street

A proposal to change the use of Reliance Place BIC Building Condo Unit RP-20 from commercial office use to a 3 bedroom, 1 bath residential workforce housing condominium.

2. Grand Colorado Peak 8 Building 3 (AKA Grand Colorado on Peak 8 East/Building 804) Exterior Material Change (JP), 1595 Ski Hill Rd, PL-2017-0638

A proposal to modify the primary siding exterior building material from natural cedar wood lap siding to fiber cement lap siding and remove some natural stone from Grand Colorado Peak 8 Building 3.

Mr. Lamb motioned to call up Grand Colorado, second by Mr. Schroder passed unanimously.

The Reliance Place BIC Building Change of Use was approved.

Ms. Puester presented an overview the project currently just starting construction and the surrounding buildings. Typically, exterior building materials are reviewed under Policy 5 of the Development Code. However, this property is governed by the Peak 7&8 Master Plan design standards. The design standards of the master plan state that the buildings at Peak 7 and 8 should have natural materials unless required by fire or building code to be synthetic. Natural appearing synthetic materials may only be used as exterior building materials where fire retardant materials are required by building and/or fire codes, or for elements, where in the determination of the Planning Commission, the synthetic material is indistinguishable from pedestrian level. The entirety of the language is in the staff report. As this is a decision that must be determined by the Planning Commission per the master plan, staff requests the Commission look at the proposed exterior building changes detailed in the packet where the bubbled areas are on the elevations and materials board as

well as the physical material sample comparisons of the natural siding and proposed fiber cement siding handed out this evening. Please note that staff has also changed the findings handed out this evening from those that are in the packet to reflect the 18 month Class C approval permit vesting timeframe should this be approved this evening. Existing conditions of approval for the original development permit approval for the project last year will carry over as well.

Fred Newcomer and Matt Stais, Architects:

*Commissioner Questions / Comments:*

- Ms. Dudney: The bubbles on the elevations and materials boards indicate changes? (Ms. Puester: Yes.) So The first level will change? (Ms. Puester: No, it will remain natural material.) (Mr. Newcomer: The material is and will remain natural wood siding, it is just a change to the detail for purpose of pointing it out to the construction team.)
- Mr. Giller: Did you consider sheen of the hardie plank vs siding? (Ms. Puester: The samples provided tonight are colored as proposed. If there are concerns, you can deny or add conditions if needed.)
- Mr. Schroder: Do you want us to walk through this should another situation come up? (Ms. Puester: Staff is not able to approve it, but it can be approved, if found acceptable, by the Planning Commission per the master plan. We need a formal weigh in on this issue which is why we requested a call up. The master plan acts as an absolute policy in this case.)
- Ms. Dudney: Do they have to comply with the master plan? (Ms. Puester: Yes. The Commission can make a determination in this instance.) Can a master plan be amended to reflect the change in a zoning code? (Ms. Puester: Yes, but they are not currently requesting an amendment. There was an amendment to the plan last year but this design standard language was not requested to be changed.)
- Mr. Schroder: Has the material been applied yet? (Ms. Puester: No, this site has an active building permit however, is just a hole in the ground right now. They are just starting construction.)
- Ms. Dudney: Maybe it is too legalistic, but does the master plan mean indistinguishable from the pedestrian level looking up or from (the materials at) the pedestrian level?
- Ms. Leidal: Although not applicable here necessarily, Policy 5R has a non-natural 25% rule. (Ms. Puester: However, that piece of the policy does not relate to fiber cement which is called out separately regarding no negative points if there is natural material such as a stone base or other accents on the building. When this piece of the policy was recently added, the Commission and Council discussion was around wildfire concern, will the fiber cement look like natural wood, would it hold up over time? The results of those work sessions led to the language we now have in the policy. Fiber cement was separated out and doesn't come into play for the 25%.) (Mr. Truckey: There was a discussion more recently with the code steering group with no change to this code provision recommended. When this was written, the Commission looked at examples in the field and most everyone was pleased with what we saw, the fiber cement siding was durable.)
- Mr. Giller: Where is the reduction and what is the percentage? (Mr. Newcomer: The owner requested the fiber siding change for cost, maintenance and longevity. There was a transition between fire code material and it created a stripe so we took advantage of the request to change material in part to get rid of the stripe.) Was stone replaced with hardie plank? (Mr. Newcomer: Yes.) How much? (Mr. Newcomer called out the chimney-like area, top portions of stone columns, pillars on deck, and grade change.) Is there anywhere you added stone? (Mr. Newcomer: No.) It looks like you value engineered out the stone and it's a loss to the project.
- Mr. Gerard: Does it go below 40 ft on the other buildings? (Mr. Stais: Yes. The much steeper grade on the site to the north affected the 40 foot line. This building however, is a much flatter site than the other buildings.)

- Mr. Lamb: We can tell the difference between hardie and natural but a typical person can't. Likes hardie as a material in part because of the fire safety up here.
- Ms. Dudney: We should not be the designer of the building. Doesn't seem like a big issue to me.
- Mr. Gerard: Hardie plank is fine. It comes off brighter but that may be the color rendering. Loss of stone is what I find unfortunate. Looks like you value engineered stone out of the project. I agree with Mr. Giller with respect to the stone. Concerned this building will look different from adjacent Buildings 1 and 2 per the land use guideline language in our staff report. I like the safety of the fire rating of hardie plank.
- Mr. Schroder: Agree with Mr. Lamb. The material looks like natural wood, has wood grain. I support the siding modification.
- Ms. Leidal: Disappointed about losing natural materials but the proposed material looks nice and meets the intent of the master plan. I support changes and staff recommendations.

Mr. Schuman made a motion to approve, seconded by Mr. Lamb.

Mr. Gerard requested to modify or discuss the motion to keep the natural stone proposed to be eliminated, no concern regarding the change from natural siding to fiber cement siding.

*Commissioner Questions / Comments:*

- Mr. Giller: Language regarding stone is in the master plan as increasing the quality of the building. Clearly losing that much stones reduces the quality and the master plan called for the higher quality.
- Ms. Dudney: Will we still have stone chimneys? (Mr. Stais: What Fred pointed out was not really a chimney.)

Mr. Gerard's suggested modification to the analysis was supported by Mr. Giller and Mr. Gerard. The remainder of the Planning Commission did not support the suggestion.

Mr. Schuman's motion to approve with the findings and conditions handed out this evening passed 6-1 (Mr. Gerard dissenting).

**PRELIMINARY HEARINGS:**

1. Searle House Renovation, Restoration and Landmarking (CK), PL-2017-0070, 300 E. Washington  
Mr. Kulick presented a second preliminary hearing for a proposal to restore and locally landmark the historic house, remove the non-historic structures, add a full basement beneath the historic portion of the house, build a new addition with garage including an accessory apartment.

Policy 9a and 9r

*Commissioner Questions / Comments:*

- Mr. Schroder: The rear set back wouldn't be met because it is now a side setback? (Mr. Kulick: Correct, it will now be treated as a side setback, which reinforces the overall block unity and the settlement pattern. The historic house doesn't have a front on French St. but treating the frontage along French St. as a front yard works with the design of the block. It keeps the rhythm on French street. It allows for a nice front yards on both French St. and Washington Ave. The proposed design is supported by Design Standards 4, 5 and 8 from the Handbook of Design Standards.)
- Ms. Dudney: Are we creating problems with other corner properties? (Mr. Kulick: To my knowledge, no. This design is unique in the historic district that it solely fronts the east/ west road. The others typically have frontages on the north/south roads. I can't think of any examples like

this one.) When the setback issue came up in 2016 did you get a letter of support from the neighbor? (Ms. Sutterley: Yes, I did.) How did the McMenemy windows get around property standard 76 which is absolute? (Mr. Kulick: There were a lot of Design Standards reviewed as part of that application. However, it appears Design Standard 76 was never specifically addressed from reading through the minutes and staff reports. At 100 S. Harris St. the policy was looked at during the preliminary meeting but the commission focused on the windows proposed in the out building.) On what basis can you be comfortable with it when it says “avoid adding new windows to facades visible from the street on contributing buildings”. How can you violate this Priority Design Standard. (Mr. Grosshuesch: We had precedence, so you go with precedence. You can reset the policy in a separate action apart from this application if you so desire.)

Ms. Dudney: I expect they didn’t address it. I am looking for something to hang my hat on. (Mr. Kulick: I didn’t find anything definite in the minutes.)

Mr. Giller: What is the front porch decking material? (Ms. Sutterley – Trex on the addition? 1 x wood decking for the historic front porch which is historically accurate.) Is the 4 1/2 inch bevel lap siding new or existing? (Ms. Sutterley: That is existing.)

Ms. Leidal: Did the footprint of the building move at all? (Mr. Kulick: The structure got moved back by 5 feet from the previously reviewed design to allow for a 20’ garage setback.)

Mr. Schroder: Will the precedence with the window allow us to move forward with land marking? (Mr. Kulick: Yes, it will.)

Janet Sutterley, Architect, presented: Showed the commission the old plan. The old plan looks more forced and the new one looks better. I like the idea that the connector and addition is moved back from Washington. It looks much more natural. The proposed window in the historic house solves a livability issue. If you are dependent solely on the historic windows for ventilation, it doesn’t work. They are hard to open. On my house I can only open the added window that aren’t historic. Livability is a real issue. You need to be able to open windows. I ask you to consider the addition of the one window. Janet presented the color board to the commission.

The hearing was opened for public comment:

Lee Edwards commented: Important to note that the south yard is traditionally open to gardens and north yard setbacks were less. Thank the staff for the correct interpretation. Has the basement been discussed? The fact that the building is not being lifted is an error of the town regulations. It is appropriate to bring the historic home to its historic proximity to the public right of way. It doesn’t affect the historic setting and allows for better drainage. Bringing it up would be a win for everyone.

*Commissioner Questions / Comments:*

Based on the proposed changes, staff had the following questions for the Commission:

1. **Setbacks** - Staff supports the revised corner lot setback designation. Does the Commission agree?
2. **Historic Fabric** - Previously the Commission did not support the removal of historic fabric or the change to the façade with the additions of windows on the east side of the historic building based on Priority Design Standards 76 and believed the window addition warranted negative points under Design Standard 23. Does the Commission continue to support these recommendations?
3. **Landmarking** – Is the Commission supportive of landmarking the historic house with the window addition?
4. **Connector** - The connector facing the Washington Avenue ROW was revised to show a single door flanked by double hung windows. Staff believes this design complies with section 6 of Absolute Policy 80A, Connectors and Design Standard 96. Does the Commission concur?
5. **Windows** – Staff believes the proposed windows abide with Priority Design Standards 95 and 96 and

Design Standard 128. Does the Commission agree?

The answer from the Commission was yes to all questions with the exception of Ms. Dudney on Design Standard 76; she answered no.

- Mr. Giller: Great project, well designed, I like the wood deck. The window on the north side is compatible with the design. The new window design is better than the previous.
- Mr. Gerard: The historic building establishes the set back. There is no violation. Yes. The standard says “avoid a window” it doesn’t say do not add a window. Past precedence says we should access -3 points for the window. It can be landmarked with the window. I support +6 points for historic.
- Mr. Schroder: I support staff’s interpretation of design standards 76 and 23. Removing the fabric would be ok based on past precedence. Support land marking with the window addition. Modification of the connector brings it into compliance, Yes.
- Mr. Schuman: Good staff report. Thank applicant for their efforts.

### **COMBINED HEARINGS:**

1. 6<sup>th</sup> Amended Master Plan Delaware Flats Planning Area C-1 “West Braddock” (CK), PL-2017-0618, 639 Stan Miller Dr.

Mr. Kulick presented a proposal to amend the current Master Plan for Delaware Flats Planning Area 3A to combine Parcels C, D-1A and D-1B into one single Master Plan Parcel to be labeled C-1. Parcel C-1 will have all the acreage and SFES from the three existing parcels as was contemplated from the Welk Riverfront Resort Development Permit #2012044. No additional uses or density are proposed as part of this application. There are no other substantive changes with this master plan amendment beyond the consolidation of Parcels. The applicants have provided a draft illustrative Master Plan that shows the proposed modifications.

#### The hearing was opened for public comment:

Lee Edwards commented: Where is the river on the plan? Chris Kulick pointed out the location of the river and location of the Stan Miller property. Is there a subdivision of what the Welks bought? (Mr. Kulick: The Welk subdivision has been platted. A copy of the plat is in the office.) Is there commercial included in the Welk development? (Mr. Kulick: Yes, there is a small amount of commercial approved (0.5 SFES) inside the Welk development.)

#### *Commissioner Questions / Comments:*

No Comments.

Mr. Giller made a motion to approve, seconded by Mr. Gerard. The motion passed unanimously.

### **TOWN COUNCIL REPORT:**

Mr. Grosshuesch gave a report on last weeks Town Council meeting:

- No call ups
- Recognition to Tim Berry for 30 years of service
- Ordinance prohibiting murals in the Conservation District was approved
- 2018 town budget was approved
- A revision to the standard Affordable housing covenant approved
- Golf course clubhouse will be remodeled. Almost all interior.
- Citizen leadership awarded to Turk Montepare.
- Refinement of parking structure was presented, and

Council supported the gable roof design recommendation

**OTHER MATTERS:**

No second meeting in December.

Will have three meetings in January, only one in February on the 20th.

**ADJOURNMENT:**

The meeting was adjourned at 7:25 pm.

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Christie Mathews-Leidal, Chair