

PLANNING COMMISSION MEETING

The meeting was called to order at 5:31 pm by Chair Mathews-Leidal.

ROLL CALL

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

APPROVAL OF MINUTES

With no changes, the March 6, 2018 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the March 20, 2018 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments.

TOWN COUNCIL REPORT:

Mr. Grosshuesch gave a report on the March 13th Town Council Meeting:

- Planning Commissioners have been added to the email list for Town Council meeting summaries. We will take Town Council Report off the meeting agendas but will still answer questions.
- No Planning Commission call ups
- The parking structure was reviewed and it was accepted by the council.
- Council reviewed the state of the open space report which recounts the accomplishments of the Open Space department over the past 12 months.
- Regulations for the use of drones that were approved by Town Council.

Ms. Leidal: Are the regulations for commercial and personal drones? Can you fly them anywhere?
(Mr. Grosshuesch: Yes, for all drone use.)

FINAL HEARINGS:

1. Searle Residence Landmarking and Addition (CK), PL-2017-0070, 300 E. Washington Street.

Mr. Kulick presented 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. Since our last hearing in December, the modifications are: 1st, a small roof to be added over the apartment door which will decrease the property line set back from the north to 3.5'. On the connector there is a cricket over the entryway for drainage and the placement for windows on the North has been adjusted slightly. An exterior lighting plan is also included. This is the third hearing for this project, Michael Mosher presented the first preliminary hearing and a work session. (Mr. Kulick pointed out the landscaping plan on the overhead plans and discussed the point analysis.)

Commissioner Questions / Comments:

Mr. Schroder: Regarding the cottonwood tree – my note to myself was that it was not needed, only encouraged. It seems strange the tree would define the street edge. I don't think the additional tree is needed. Wondering if staff would support not including the tree and still pass. (Mr. Kulick: It is a staff recommendation based on the Handbook, but it is up to the Commission to decide). (Mr. Truckey: It goes back to the historic character of town and cottonwoods are part of the historic landscape lining streets.)

Mr. Lamb: Do you know where the water and sewer lines run? (Ms. Sutterley: no.)

Mr. Gerard: On the cottonwood, it is a double front yard and I personally support the addition of a

cottonwood along French Street. I think it's recommended to be along both street frontages. (Mr. Kulick: Yes, that is the same conclusion as staff.)

Ms. Leidal: I agree, the only shown cottonwood is off site along Washington Avenue.

Mr. Lamb: The yard on French looks like the cottonwood would overwhelm it. (Mr. Kulick: Janet might speak to that.)

Janet Sutterley, Architect, presented:

I would like to make some points about the tree. First, you already approved the landscape plan at the last hearing and we have not made any changes. Second, the street alignments on cottonwood trees is encouraged but not required and I think we have to look at each specific case. We have proposed a nice plan and not asked for positive points. Next, we have a lot going on the site. (Ms. Sutterley pointed out some trees on the plan.) On the corner, we have an evergreen tree, which offers better screening of the backside of the house from French Street. We are proposing a couple of Aspens, and there is a lot going on there and I don't want to put a cottonwood on this side.

Commissioner Questions / Comments:

Mr. Gerard: On the revised window design on the back, with the two triple pane windows: did you consider putting 4 pane windows? (Ms. Sutterley: We wanted to frame the fireplace from the inside and make it be more symmetrical. Mr. Gerard: The 4 panes are more historic and I wondered if you considered it. (Ms. Sutterley: It seems like there would be too many of that kind of window.) (Mr. Kulick: We have looked at the style proposed on other projects and have found the design acceptable.) (Ms. Sutterley: I hear what you're saying, but I still think there would be too many 4 pane windows if they were changed from 3 pane windows.) Mr. Gerard: I'm looking at the requirement that the windows should be similar to other historic buildings in the area and I don't recall seeing many in historic construction. (Ms. Puester: We think that does conform to what we've seen.)

Mr. Lamb: I think they conform.

Mr. Gerard: My objection isn't to the size, but that they are not similar to those used historically.

Mr. Giller: I have a suggestion, you have a window well for the accessory unit and it would be nice to see larger windows there to introduce more daylight.

Ms. Puester: One correction with regards to the evergreen tree, policy 171 does not apply to this project as it is not a policy that pertains to this Character Area.

Ms. Leidal opened the hearing to public comment: No comments.

Ms. Dudney: I do not believe that the cottonwood is required; just encouraged. So I don't think it needs negative points. I'm fine with the project.

Mr. Lamb: It's been through a thorough analysis and I think it looks good. I think the cottonwood would overwhelm the house and possibly interfere with utilities. I like the project as presented.

Mr. Giller: Question 1: yes. 2: yes, 3: yes. 5: I don't think you need the tree. It's a handsome project that meets the code and I'm happy to see the house saved.

Mr. Schroder: I support the cricket, windows comply, apartment roof is compatible, I don't think the tree is necessary.

Mr. Gerard: Terrific project. Question 1: I approve the cricket. Question 2: I still have questions on the 3 pane windows but it doesn't stop me on the project. Question 3: the entry roof is a great safety feature. The applicant is paying the price (-3 points) for encroachment on the setback. Question 4: I think this falls on the cottonwood. I think it should be where the evergreen is, I clearly agree it's not mandatory but every block has a corner and I don't like the precedent of not requiring one.

Ms. Leidal: I appreciate all the time and effort put into designing this beautiful project. I agree with staff on questions: 1-3 and with staff's suggestion to add a cottonwood tree. You are receiving benefit

- of a double frontage with setbacks and the historic guidelines encourage cottonwoods. I support the project with staff's condition as presented in the packet.
- Ms. Puester: I'd like to point out if it's a regular Design Standard, it is considered a "Relative" Policy and would be in consideration for negative points but if it's Priority Design Standard it functions as an "Absolute" Policy. I want to see where everyone falls on the point analysis. Does anyone want changes to the point analysis or go as is?
- Ms. Leidal: Because the Design Standard is encouraged, if they don't meet it, they should receive negative points.
- Ms. Dudney: Is that true?
- Mr. Grosshuesch: If you believe the project is in line with all the policies of the standards, there are no negative points warranted. What we've done in the past, if it falls out of conformance, it can still be judged to not have negative points. If there were non-priority policies it didn't conform to, it would be eligible for negative points.
- Ms. Leidal: Right now no points are recommended but -3 points could be possible for not having a cottonwood along the French St. street frontage.
- Ms. Puester: The Commission should feel it's significant to warrant negative points to set the precedent. (Mr. Kulick read an excerpt on cottonwoods from the historic design standards book.)
- Mr. Schroder: I'd like clarification on the policy.
- Ms. Puester: You could change the point analysis, keep condition number three, or remove the condition and assign no additional points.
- Mr. Gerard: This is a good landscape plan so maybe they could get positive points? I still believe we have to look at this so we don't set a precedent for future hearings.
- Ms. Puester: Some of the landscaping that is shown (east side) is actually not on their property, it is existing and on the town's community center property. Chris, did you analyze the landscape plan for points? (Mr. Kulick: I didn't specifically measure it against previous precedent for positive points.)
- Ms. Dudney: Why would we change the point analysis if four people don't see need for the tree? I'd like to clarify something. Christie feels that if something is encouraged in a Design Standard, you get negative points if you don't do it. I would assume if something is encouraged, you get positive points. What I heard is that there is disagreement about that. Does it comply overall to have negative points? I like to follow precedent but that language doesn't make it clear. (Ms. Puester: It is a relative type policy so in theory, a relative policy could get either negative or positive points). (Mr. Grosshuesch: Christie is right. I have a suggestion. There is already -3 points for removal of historic fabric. You could add "and for not having a cottonwood tree on French Street".)
- Mr. Schroder: For the record, I feel the word "encouraged" just got redefined so I am glad for the clarification.
- Ms. Leidal: I look at it like it is "recommended".
- Mr. Lamb: They have a good landscape plan and it doesn't show up in the point analysis but if they would have known they would have asked for positive points.
- Mr. Kulick: Being one tree, we were thinking it might be something they would want to do. In the context of asks, putting in one more tree doesn't seem very significant.

Mr. Giller made a motion to amend the points analysis to description under Policy 24/R to include the language "*and the lack of a cottonwood tree along the second front yard on French Street right of way*". Mr. Lamb seconded the motion and it passed unanimously.

Mr. Gerard made a motion to approve the project as amended, seconded by Mr. Giller. The motion passed unanimously.

COMBINED HEARINGS:

1. Brenner Materials Concrete Batch Plant (CK), PL-2018-0056, 13545 Colorado State Highway 9.
Mr. Kulick presented a proposal to have a concrete batch plant production operation, consisting of storing, combining, and delivering ready mix concrete. The raw materials will be hauled into the location from various sources, and will be stored until use. The master plan was recently amended to allow industrial uses such as a batch plant through 2027. There is a nominal addition of density of 230 square feet for an office. The mass addition is 1200 sq. ft. The total is well under the limit. (Mr. Kulick reviewed the details such as heights and the related policies and pointed out locations on the plans.) Staff proposes to have the application reviewed every 5 years. We are comfortable with the best management practices like we have seen in the past. The noise associated with the plant is considered a construction activity. The Town Code says there can't be noise between 7pm and 7am unless approved through a development permit. The proposed operation is from 6am-7pm for activities on the site. Along with 5 year review, we recommend the review be processed as Class C application and be placed on the consent calendar before Planning Commission at that time. Staff presented amended conditions correcting the dates of the permit, eliminating a redundant condition and placing a finding stating the eligibility for a Combined Hearing. Staff believes the application meets all policies and there are no points with this application.

Commissioner Questions / Comments:

Mr. Gerard: Is there a travel plan for the traffic? (Mr. Kulick: The estimated truck trips are less than the previous Alpine Rock operation because there is just concrete proposed with this application. It is not broken down but engineering was comfortable with the proposal. Mr. Brenner might be able to speak to that more.)

Mr. Giller: Under the Policy 6R, the analysis is that the batch plant is not subject to the height policy because it is considered machinery and not a structure. Can we add that it's temporary? (Mr. Kulick: It was always treated as equipment and not a structure. I see no reason not to add that it is temporary because it further strengthens the position on Policy 6/R.)

Travis Brenner, Manager for Brenner Materials:

Mr. Gerard: I'm familiar with the location and from a travel standpoint, I have a concern about the roundabout. A lot of visitors don't understand it. I'm wondering if you've considered a travel plan that could route trucks to the light at Tiger Rd. so they avoid the roundabout.

Mr. Brenner: We prefer the stoplight at Stan Miller as well. Believe that we would only use the roundabout sometimes if heading into Town. Our intention is to use the stoplight.

Mr. Gerard: Any vehicle is a hazard and I would appreciate the travel plan to use the stoplight.

Ms. Leidal opened the hearing to public comments. No public comments and the hearing was closed.

Mr. Lamb: On question 1, I agree. Question 2, earth tone colors are a good idea. Question 3, yes. I support approving it.

Ms. Dudney: I agree with items 1, 2 and 3 and approve the project.

Mr. Giller: 1, agree, 2 agree, 3, agree.

Mr. Schroder: I agree with 1, 2 and 3.

Mr. Gerard: I think it's a good plan and good location. I agree with numbers 1, 2, 3.

Ms. Leidal: I support staff analysis. I agree with questions 1-3. I appreciate the modifications to the conditions. I support modifying the point analysis for Policy 6/R.

Mr. Giller made a motion to amend the comment in the Point Analysis for Policy 6/R to add "*equipment, and is temporary.*" Seconded by Mr. Lamb. Motion passed unanimously.

Mr. Giller made a motion to approve the project with amended findings and conditions, seconded by Mr. Gerard. The motion passed unanimously.

OTHER MATTERS:

No other matters.

ADJOURNMENT:

The meeting was adjourned at 6:45 pm.

Christie Mathews-Leidal, Chair