

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 p.m. by Chair Giller.

ROLL CALL

Christie Mathews-Leidal	Jim Lamb	Ron Schuman
Mike Giller	Steve Gerard – arrived 5:35pm	
Dan Schroder	Lowell Moore	

APPROVAL OF MINUTES

With no changes, the December 4, 2018 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the January 2, 2019 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments.

CONSENT CALENDAR:

1. Jacobs Residence SFR (CL), 113 Beavers Drive, PL-2018-0600
2. Gold Flake 3A Lot 6 SFR (CL), 52 Stillson Placer Terrace, PL-2018-0601
3. 218 Morning Star Drive (CK), PL-2018-0610

Commissioner Questions / Comments:

Mr. Schuman: On the Jacobs residence, on the South elevation, there was one solid wall of glass. I was curious if the staff noticed the lack of solid to void. (Mr. LaChance: We looked at this as a group and we did not discuss any concerns. If it was subject to the Hillside and Ridgeline Development policy, there would be a condition of approval regarding low-reflective glass.)

Mr. Schuman: I was just curious if you took notice.

Ms. Puester: The solid to void ratio requirements are for the historic district. Outside of the district we would look to see if it was incompatible with the neighborhood. Did not find it so.

Ms. Leidal: There's grading shown on the north side of the garage outside the envelope on the Jacobs residence that is for the garage not the driveway.

Mr. LaChance: The plat notes for disturbance envelopes usually make exceptions for grading for driveways and utilities. (Mr. LaChance read plat note #6 regarding the Disturbance Envelope. Found the disturbance outside the envelope was for the installation of driveway.)

Ms. Leidal: On the plans for the Gold Flake IIIA residence, there are trees shown to be removed outside the envelope. Why? (Mr. LaChance: With subdivisions that have plat notes limiting the disturbance outside the envelope, there are exceptions made for wildfire mitigation and defensible space.) Is that what's being shown? (Mr. LaChance displayed the plans and pointed out the Disturbance Envelope, the defensible space boundaries, and the trees proposed to be removed. Ms. Leidal was referring to and showed the defensible space.) Thank you.

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

WORK SESSIONS:

1. Handbook of Design Standards

Ms. Puester Presented:

In 2007 we had cultural resource surveys done as part of a grant through the State. What was found was that some of the properties that had recent additions in the last ten plus years had been downgraded from contributing to noncontributing. There are also new properties added to the district as contributing because they are over 50 years old so we lost some and gained some. This 50 year period is not recognized by our guidelines but it is by the Federal standards. Winter & Co. has been reviewing the standards and met with the State on their interpretations. We took the Commission on a field trip through the historic district November 9, to see what has been happening out there in preparation for revisions. Winter & Co has met with the State, and we wanted to talk about a number of issues. In the memo is 4 issues that we want you to concentrate on. We will come back to you with the remaining items at a future date. Marsha Klopf and Harry Brennan with Winter & Co. will now present their findings and recommendations.

Ms. Klopf presented:

The overarching issue we are addressing comes from the survey comments in 2017. We need to refine some of the policies, make sure they're in line with the Secretary of Interior Standards. We realize Breckenridge is unique so we want to respect that as well. Pavement, porous paving materials, additions creating large masses and high UPAs, and moving historic buildings to accommodate larger additions. We met with the SHPO in the fall. The issues you see in the packet are only a few, but we showed them a lot and they did not like any of them. We want to allow for new development but also respect the historic structures. We are going to talk about 4 of them tonight. (Ms. Puester: Please keep in mind that we are a CLG and that means we have our own regulations and enforce those. Our standards are based on the Secretary of Interior Standards (SOI) and made unique and specific to Breckenridge.) Ms. Klopf reviewed the key variables considered, reviewed the memo on recommended changes, and key topics including density, additions to historic buildings overwhelming the historic structure, planted area on a site specifically limiting the amount of non-porous areas; and moving historic buildings – we are recommending prohibiting moving historic structures at all. The scenarios in the packet were reviewed along with the opinions on them by SHPO.

Commissioner Questions / Comments:

- Mr. Lamb: When you say you're recalculating UPAs, what would that entail? (Ms. Klopf: Reducing mass bonuses and above vs below ground structures.) (Mr. Kulick: The objection SHPO has is above ground density.)
- Mr. Schroder: Is there any precedent with underground connectors? (Ms. Klopf: We have seen it. Some sites will work better than others.)
- Ms. Puester: One question, this is recommending a 100% cap on additions. So you couldn't exceed 100% of the historic structure. Although nothing is written in the SOI, this is what we've gathered from some federal presentations. The state's interpretation is at 33%, so one third. Right now, we allow beyond the 100% and 33% but are trying to come closer to the State interpretation as our code is beyond both currently. We are trying to get to a realistic balance between the two.
- Mr. Schuman: Would it really be a connector if it's underground? Isn't it making just a full foundation?
- Mr. Schroder: If there's an accessory unit underground, then the owner would potentially have to go through it.
- Mr. Lamb: I don't think anyone is going to want to do underground connectors.
- Mr. Truckey: To clarify, the Code currently allows densities of up to 12 UPA, with a lot of negative points, for the Main Street and south residential character areas. Other character areas in the Historic District such as the North End and East Side residential, only allow up to 10 UPA with negative points.
- Mr. Schroder: Can you clarify massing bonuses? (Ms. Puester, right now a 20% mass bonus is allowed in most character areas.)

- Ms. Leidal: I agree with all 5 points.
- Mr. Schroder: I agree with all but have a question on the 4th. Is it appropriate to calculate garages with this? We like to focus on livability. (Mr. Kulick: On the Casey residence, they wanted garage space so they essentially took density and used it as mass. I think saying “no mass bonus” sounds like we’re taking away something, but there is more flexibility under this scenario. Right now we are at 9 UPA with a 20% bonus which gets you to 10.8 UPA. This is recommending 10 UPA so its close and you can use that area for whatever uses you want, its not limited as it is now.)
- Mr. Gerard: I support all 5 points. I think Chris’s point is true; people will use their space the way they want to use it. This just simplifies it. I think it’s a great start to create well defined rules.
- Mr. Giller: I support all 5. You could have a good sized home with a garage, so I think these calculations work. Please clarify what 100% means
- Ms. Puester: Remember the density below ground is free.
- Mr. Schuman: I support all 5, I think it’s a wise move.
- Mr. Lamb: I support all 5 as well, I think over the years the UPA drives it, and we have passed projects that meet code but don’t look that good. Mike and I live in the district, and we understand livability but we also like the quaintness of the district. I agree with the 100% square footage.
- Mr. Moore: I agree with all 5 points. The 100% is pretty reasonable.

The next issue is Additions to Historic Buildings. Ms. Klopf reviewed the important points.

- Ms. Leidal: I support all 9 recommendations. I think it will be very helpful to add illustrations and clarifications to the connectors.
- Mr. Schuman: What are your thoughts on the connector formula? (Ms. Klopf: Our concern is the length. Everything about setting it in, maintaining the corners, the roofline is good. I think you should put a cap on the length of the connector.)
- Mr. Schroder: The height of the connectors? (Ms. Klopf: we want the ridgeline to be lower than the historic structure.) The fifth point about roof form and orientation. I support all the points.
- Mr. Gerard: I support all nine bullet points as well. I think our current requirements on connectors work well. We’ve wrestled with the roof line orientation, and come up with different answers. I think the flexibility to consider that and maybe encourage it will benefit us.
- Mr. Giller: I support all nine. I note that scenario 5 is more of an in-fill scenario. This raises the question if the town plans to update the guidelines for infills in the district.
- Mr. Schuman: I support all nine.
- Mr. Lamb: I support all nine. On the connectors, I don’t think they’ll go over well but I like them because they break up the structures.
- Mr. Moore: I support all nine.

The next issue is moving historic structures:

- Ms. Leidal: I support the recommendation (to prohibit moving historic structures).
- Mr. Schroder: We’ve been ok with moving buildings slightly. Are we going to be ok with not moving them? I support the recommendation.
- Mr. Gerard: I support 100%.
- Mr. Giller: I support, unless there’s a very serious hardship, which the proposal allows for.
- Mr. Schuman: I support.
- Mr. Lamb: I support.
- Mr. Moore: I support.

Loss of planted areas:

Ms. Leidal: I support.
Mr. Schroder: I support.
Mr. Gerard: I agree.
Mr. Giller: I support but think more defining language would be helpful.
Mr. Schuman: I support.
Mr. Lamb: I support.
Mr. Moore: I support.

The period of significance issue:

Ms. Puester: This brings out more policy related issues. As we've lost some contributing structures, we are also gaining those that are 50 years and older. The question is what special features would make it contributing. We are going to work more on this issue with Winter Co., but if you have initial thoughts we want to hear them.

Mr. Giller: The 50 year rule is fairly entrenched. We want to look at those structures. I haven't seen a lot that are significant. I wouldn't change the period of significance but make a new category as recommended with a period of focus. I think the next big period after 1942 is the ski industry. But more work does need to be done to understand it. I think there are individual properties that should be looked at.

Mr. Giller: We want to be ahead on infills.

Ms. Leidal: I agree with Julia wanting to create a new period of focus. But a lot more work needs to go into this. What happens when one of these structures comes in and is next to a historic one? I like the idea but we need more information.

Mr. Schroder: I'm supportive of creating the time captures.

Mr. Gerard: I think that's better than changing our period of significance. We can target the other times of focus on case by case basis.

Mr. Schuman: I agree to look at a period of focus, not change the period of significance.

Mr. Lamb: I agree, in 1961 we became a ski town. So we should look at it.

Mr. Moore: I agree with the idea of the focus vs. changing the timeline.

Mr. Truckey: We've talked about the fact that we could be talking about buildings outside the historic district too. (Mr. Schuman: That could be problematic.) That's why we need to talk more about it.

Mr. Moore: I get that it could be problem to put overlays on properties outside the district. Mr. Gerard: People could want that. (Ms. Klopff: Again, that's another discussion we will need to have.)

Mr. Schuman: I have a question on timing. Now that we've had this discussion, we know where we're going. Will this process move along quickly while we're thinking of it? (Ms. Puester: If a project is in the works, it will be under current code. I think we would come back again early February as another work session with PC and then go to Council. We want to do a public open house and comment period. Then through the reading process. We are also going to redo the whole handbook and update it.)

COMBINED HEARINGS:

1. Tyra Master Plan Amendment and Tyra Summit Condominiums II: The Stream Condominium/Hotel Meeting Room Conversions (CL), 640 Four O'clock Rd; PL-2018-0561

Mr. LaChance presented a proposal to convert two existing meeting rooms on the first floor of the building into residential condominium units, and transfer 1.21 SFEs. No changes to the building's exterior are proposed.

Commissioner Questions / Comments:

Ms. Leidal: Are the other condo buildings ok with this? (Mr. LaChance: All four buildings on Tract C

are under one HOA. We do have formal written consent of the HOA for this.) Did the project receive positive points for recreation amenity areas? (Mr. LaChance: Meeting room and amenity spaces that are provided in excess of the requirement are not counted as density if they placed under a Restrictive Covenant to remain as such. There are not any Recorded Covenants recorded for these spaces, so they surplus spaces are counted as density. I don't recall if they received positive points, but it was so long ago that I do not think it affects this application.) Was there a covenant? (Mr. LaChance: No)

Mr. Schroder: Under Policy 39, it's the owner that must request this. Is the HOA the owner? (Mr. LaChance: Yes.)

Mr. Gerard: With respect to the Lookout Building, the subdivision of two condominiums into conversions four units, does that affect this? (Mr. LaChance: No, the parking requirements are still being met and it does not increase the density. We are just capturing and documenting what already exists.)

Mindy Brewer, Applicant:

I don't have much to add. Staff has been great to work with. I assist with the HOA, and have been doing a lot of research to make this happen. These two properties that were plotted as common area were a ski shop and an office for twenty some years with rent being paid to the developer. These actually look like units. We're hoping we can make this happen so they can be used.

Mr. Gerard: Did the HOA buy them? (Ms. Brewer: No, HOA always owned them. The developer was just collecting lots of rent. We only found this out a few years ago.) Will the HOA manage them or sell them? (Ms. Brewer: Probably sell them, but we will look at our options. It will be beneficial also to not have employees of the ski shop parking there.) Mr. LaChance: The HOA does in fact own them. With the applicant's submittal, they provided copies of the sheriff's sale deeds.

The hearing was opened for public comment. No comments.

Commissioner Questions / Comments:

Mr. Schuman: I think it's good.
Mr. Lamb: I agree, approve.
Mr. Moore: Agree.
Ms. Leidal: I agree, I would approve.
Mr. Schroder: Agree.
Mr. Gerard: Agree.
Mr. Giller: Agree.

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

2. Placer Flats Master Plan (JL), 13445 Highway 9, PL-2018-0575

Mr. Lott presented a proposal to create a master plan for an 8.46 acre property to accommodate the existing Breckenridge Building Center as well as create a second lot. The site has a total of 40 SFEs, which will be divided between the two proposed lots. Marc Hogan is the agent.

3. Placer Flats Subdivision (JL), 13445 Highway 9, PL-2018-0573

Mr. Lott presented a proposal to subdivide a property into two lots, according to the Placer Flats Master Plan.

Commissioner Questions / Comments:

Ms. Leidal: Looking at page 127. Is Tract D included in Lot 1? (Mr. Lott: That was part of the original property and there was a land swap with the Town. Because of the geometry of the lot, it

required it.) (Ms. Puester: It's not included.)

Marc Hogan, Agent:

I'm happy to be here. The owner, Jon Brownson wishes he could be here but he's out of town. This is a housekeeping exercise. Thank you for all your help.

Mr. Gerard: So the BBC is fine with limiting its density? (Mr. Hogan: Yes. The BBC sold recently but the Brownson's kept the property.)

Mr. Schuman: This is straightforward.

Mr. Lamb: I agree, no controversy.

Mr. Moore: Agree.

Ms. Leidal: I agree.

Mr. Schroder: I support.

Mr. Gerard: I noticed the condition on the shared parking is in the master plan but not in the subdivision. If it were me, I'd want it in both places.

Mr. Gerard made a motion to approve the Master Plan with the handed out findings and conditions updating the date, seconded by Mr. Schuman. The motion passed unanimously.

Mr. Gerard made a motion to approve the Subdivision with the handed out findings and conditions, including a new condition requiring a shared parking agreement, seconded by Mr. Schuman. The motion passed unanimously.

OTHER MATTERS:

1. Town Council Summary (Memo Only)

Commissioner Questions / Comments:

Mr. Schuman: Was a fiber contractor selected? (Ms. Puester: Not that I'm aware of.)

Mr. Schroder: Have we broken 100K riders in a month on the Free Ride? (Mr. Truckey: Not sure on the month but we have broken one million riders the last two year.s)

Mr. Gerard: When was the field trip to Boise to look at housing? (Ms. Puester: It already happened. They were impressed with what they saw. There may be another trip this month.)

ADJOURNMENT:

The meeting was adjourned at 7:21pm.

Mike Giller, Chair