

PLANNING COMMISSION MEETING

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

ROLL CALL

Christie Mathews-Leidal
Mike Giller
Dan Schroder

Jim Lamb
Steve Gerard
Lowell Moore

Ron Schuman

APPROVAL OF MINUTES

With the below changes, the February 18, 2020 Planning Commission Minutes were approved

Ms. Leidal: Bottom Page 6. And top Page 7. The minutes should be changed to state I had concerns with the project, so we should speak to SHPO.

APPROVAL OF AGENDA

With no changes, the March 3, 2020 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No Comments.

WORK SESSIONS:

1. Bistro Lighting

Ms. Puester gave an overview of the current policies on decorative lighting, specifically bistro and decorative lighting, and how it is going to be used in the upcoming parking structure development. She went over the background of the lighting policy and what it is intended for. The Commission was asked if they support a new definition from staff that would allow for downcast, shielded, strung lights in Lighting Zones 1 and 2. The Dark Sky Association is comfortable with the proposed lights as long as they are fully shielded, do not sway in the wind, are below 3,000 kelvin and do not exceed 850 lumens total on the property.

Commissioner Questions / Comments:

Mr. Schuman: What type of authority does the International Dark Sky Association have over us if we didn't approve lighting based on their recommendations. (Ms. Puester: They are advisory for municipalities, experts in the field, but they review and certify fixtures for Dark Sky compliance. We are not a Certified Dark Sky Community right now. Our code does not meet the requirements at this time.) (Mr. Truckey: If we were certified, they could pull our certification.)

Mr. Giller: Is there a sunset period for non-compliant lights? (Ms. Puester: Yes, July 1, 2022.)

Mr. Lamb: Why do they care about Kalvins? (Ms. Puester: Kelvin measures color. It affects sleep patterns of humans and has impacts on wildlife if its over 3000K.)

Mr. Giller: Devil is in the details, if we do not get this right, it will get out of hand like the Christmas lights which I think are overused. I think we should get more details on the photometrics so the public will have that information when they're installing them. We're on the right path but foot candles and shielding the point source is important. The point is to throw the light on the walking surface. (Ms. Puester: We do get that information from the photometrics unless they are exempt lights like decorative which replaced holiday and bistro lights. Sounds like you are taking about the light cones and when someone walking down the street and can see the source. That's another level of a photometric analysis that could be considered. Correct?) Mr. Giller: Yes.

Mr. Schroder: Are we concerned about opening the door to more lighting that currently is not available? (Ms. Puester: If this went in the code, it would be applicable to whomever has properties that

- would allow for it, yes.)
- Ms. Leidal: I like the suggestion of having a new category in the definitions, then two sub categories (Town and private property). Private property owners need to stay on their property and not attach to the Town ROW. Have different requirements for the Town, could cross property lines if needed.
- Mr. Giller: One way is to identify lights that are compliant, so residents know before purchase.
- Mr. Schuman: I am opposed to any more lights. I think the policy as we have it now is good. I don't want to see more lights.
- Mr. Giller: I agree. Can we tie the installation of bistro to removal of kitschy white Christmas lights? (Ms. Puester: We can check with Tim Berry on how to do that. So you mean if you put up this type of application, you can't have other decorative lights? One or the other?) It would be good to remove some old lighting if we're going to install some new lighting.
- Mr. Lamb: We have to juggle this somehow so we don't put in too much, or not enough. We're a small urban town and we should have lighting for safety where its needed. Distinguishing where that line is difficult.
- Mr. Moore: How much light from parking structure? (Mr. Kulick: The lighting people said there would be dimmers, and some motion sensors inside the parking structure, not on these type of bistro lights. So if there hasn't been anyone entering/exiting, the top level will go dark, then come on again with motion.)
- Mr. Schroder: Can the lights for the parking structure be rigid like we just discussed? (Ms. Puester: If they want to re-design it that way and have more of a road than strings that will blow.) (Mr. Truckey: Someone could still meet our existing code and light a walkway during the ski season. Really, the bistro lighting is providing a cheaper option over permanent lighting that has more design considerations.)
- Mr. Gerard: Any appetite by the Council to become a Certified Dark Sky Community? (Ms. Puester: I haven't gotten that direction at this point. It would be difficult to become certified, particularly due to our streetlights in the Historic District as well as some additional requirements for private property that we currently do not have in the code. Although our code started out strong in 2007, there have been many advancements made in this field since then and although we have made some of those changes in the code, not enough to be certified.)
- Mr. Giller: I am supportive of the proposal, the devil is in the details though.
- Mr. Lamb: There is a time and a place for lighting, and it involves public safety. We are a small urban community, the downtown core should have some lighting.
- Mr. Schuman: I am comfortable where we are now; I don't want to see additional light proliferation.
- Mr. Moore: I agree with Ron. I'd like to see a minimum amount of light, whatever that is. You can still see around town and still see the stars.
- Mr. Schroder: I support a third category. I would recommend staff draft appropriate language.
- Ms. Leidal: I agree with my fellow Commissioners, I like the idea of a new category and two different sub categories for public and private.
- Mr. Gerard: We should meet as many provisions of Dark Sky Certification as possible in our code so perhaps more changes that way. We should measure lumens on property and have a rule on the level as the IDA requires. We have too much lighting proliferation. If adding the another category allows us to become more Dark Sky compliant then I support.

2. Policy 24A/R Social Community Regarding Amenity Space and Policy 25/R Transit

Ms. Puester presented an overview of current concerns surrounding positive points available in the Development Code for additional amenity space in Policy 24/R and the awarding of positive points for the provision of a lodging shuttle service in Policy 25/R; and recommendations for updates to both policies. The following specific questions were asked of the Commission:

1. Does the Planning Commission agree with staff's recommended modifications to Policy 24/R with

- regard to the removal of recreation and leisure amenities?
2. Does the Commission find that meeting and conference room facilities should be removed from Policy 24/R?
 3. Does the Planning Commission agree with staff's recommended modifications to Policy 25/R Transit as presented?

Commissioner Questions / Comments:

- Mr. Lamb: What would you need to do to get +4 points for transit? (Ms. Puester: It would have to be big, like a big bus turn around. It would be for those larger benefits.)
- Ms. Leidal: Have we ever given negative points? (Ms. Puester: Not sure, but we should reserve them in case something interferes with our transit system even if we haven't used negative points before. I would like to leave it as an option.)
- Mr. Schuman: Could a private shuttle used by other private properties qualify as general public? (Ms. Puester: I would not consider that the general public. It would have to be open to anyone riding.)
- Ms. Leidal: I like the idea of opening it to the public, but how would the public know that? Is having a transit shelter an actual amenity? It's something to consider when giving positive points. (Mr. Kulick: I think the location has to be supported by the Transit Department to be eligible for positive points.)
- Mr. Giller: Yes 1, 2, 3
- Mr. Lamb: Yes 1, 2, 3
- Mr. Schuman: Yes 1, 2, 3
- Mr. Moore: Yes 1, 2, 3
- Mr. Schroder: Yes to 1, 2, 3
- Mr. Truckey: We didn't talk much about the meeting facilities. I want to be sure we're considering that, and I'm not sure if we want to get rid of that entirely.
- Ms. Leidal: I think we have a lack of meeting facilities, and they should be incentivized with positive points. Get rid of positive points for amenity space. (Other Commissioners supported removing the positive points for meeting space 5-2)
- Mr. Gerard: 1. Yes, 2. No, 3. Yes
- Ms. Leidal: They are not forced to do so, it is an option; they choose to do it.

PRELIMINARY HEARINGS:

1. Parkway Center Mixed Use Building, 429 North Park Avenue, PL-2019-0292

Mr. Lott presented a proposal to construct a 15,887 sq. ft. mixed use building containing 6,385 sq. ft. of medical office, 2,465 sq. ft. of retail, 1,484 sq. ft. of common area, and 8 residential apartments totaling 5,421 sq. ft. One apartment, which is 705 sq. ft. in size, is proposed to be deed restricted. The following specific questions were asked of the Commission:

1. Does the Commission agree no market rate housing is allowed in this subdivision?
2. Does the Commission agree with the preliminary point analysis?

Commission Questions / Comments:

- Ms. Leidal: If we eliminate the plat note, what is the underlying land use? (Mr. Lott: The property splits land use districts but it is controlled by the Master Plan which stipulates commercial. We are working with the applicant on the modification of the plat note, which may also require a master plan modification.) Where are the lot lines of the parcel? (Mr. Lott pointed out the lot lines.) I am trying to understand the history of the shared parking, can you explain? (Mr. Lott: It was planned at the subdivision.) Might be eligible for positive points for shared parking facilities. (Mr. Begley: There is an easement on the plat dedicating the parking area for use by all of the lots.)

Mr. Schroder: Will the next hearing be a Final? (Mr. Truckey: Yes, if all the issues are dealt with.)

Tom Begley: Breckenridge Lands: We originally developed all of the Parkway Center, including City Market Shopping Center. We will be correcting the trail easement when we move the lot line. When the retaining wall was planned, we worked with Open Space on the location of the trail connection. We will follow up with them as we continue to modify the easement. We plan to comply with height and the storage requirements for the residential units and anticipate zero points for these two items. As Mr. Lott stated in the presentation, we are working with staff on the residential units and the plat note.

Suzanne Allen-Sabo is available for architectural questions.

Ms. Leidal: Have you submitted a traffic impact analysis? (Mr. Begley: Yes. We are working through the process with Engineering and CDOT. We were originally denied a bus stop on Park Avenue by the Summit Stage and we are working with CDOT to get a ¾ movement off of Park Avenue as was originally contemplated in 2004 when the Town was in charge of the right-of-way. When the building was constructed in 2010, we were denied that movement by CDOT, after they obtained control of Park Avenue.

Mr. Giller: A 6,000 square foot medical office may require two exits and may change your site plan a bit. (Mr. Begley: We are working Centura Health to finalize details of their needs.)

Mr. Schuman: There is a lot of glass on the south and western elevations. (Mr. Truckey: The solid to void ratio is not reviewed outside of Historic District and the architecture and glazing is consistent with the neighboring building.)

Ms. Leidal: Does glass count towards non-natural materials? (Mr. Kulick: No.) Can we check non-natural materials? (Mr. Kulick: Yes.)

Commission Questions / Comments:

Mr. Schuman: Good looking project, good location, and plan. This is much better than the vendor cart that was approved there. The questions are not relevant.

Mr. Lamb: Good project, I think some simple fixes can make this ready for Final Hearing.

Mr. Giller: Two questions, yes and yes. I wonder about the amount of glass. Could the bottom 18" glass mullion become either brick or stone. I have some concerns with the solid to void ratio as well.

Mr. Schroder: I agree with previous comments. I am looking forward to the final hearing.

Ms. Leidal: I agree with staff's analysis, nice looking project.

Mr. Moore: Good looking project, it ties in nicely with the Justice Center.

Mr. Gerard: I agree, it is nice looking. A lot of glass on tower element. I also agree with Mike's suggestions on the bottom glass mullion. It is appropriate to schedule this for a final.

Mr. Gerard opened the hearing for public comment. There were none and comments were closed.

OTHER MATTERS:

1. Town Council Summary (Memo Only)

ADJOURNMENT:

The meeting was adjourned at 7:10 pm.

Steve Gerard, Chair