

PLANNING COMMISSION MEETING

The meeting was called to order at 7:03 p.m. by Chair Gerard. The meeting was a virtual electronic meeting through the Zoom platform, as a result of the COVID-19 crisis.

ROLL CALL

Christie Mathews-Leidal	Jim Lamb	Ron Schuman
Mike Giller	Steve Gerard	
Dan Schroder	Lowell Moore (arrived at 7:06 p.m.)	

APPROVAL OF MINUTES

With no changes, the April 7, 2020 Planning Commission Minutes were approved.

A letter from a member of the public was received by the Commission prior to the meeting, regarding the Milne/Eberlein project. The Commission voted to include the letter in the Town Council packet and make it part of the public record. The vote passed 7-0.

APPROVAL OF AGENDA

With no changes, the April 21, 2020 Planning Commission Agenda was approved.

As this was an electronic meeting, staff noted the following people in attendance from the public (as their name appeared in Zoom: Charlie Brumbaugh, Dan, Deb Edwards, Gayle, Melina, Reed, Wallace Ducayet, Brett, Amy)

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None.

WORK SESSIONS:

1. St. John's Church Addition & Remodel (JL), 100 S. French Street, PL-2020-0063

Mr. Lott presented a work session for a proposal to renovate, remodel, and add a basement to a historic structure on South French Street. The following specific questions were asked of the Commission:

1. Since the windows and glazing proposed are mostly existing on the non-historic addition, does the Commission have any concerns with the glazing as proposed?
2. Does the Commission support raising the entire structure by approximately 9 inches?
3. Are there any other questions or concerns for the Commission at this time related to this proposal?

Commissioner Questions / Comments:

Mr. Giller: The west elevation of the two windows. (Mr. Lott: No changes to windows or doors on historic portion of the building?) Clarify that in the memo.

Ms. Leidal: Is the non-historic portion proposed to be raised? (Mr. Lott: Yes. The architect can provide more info.) So you will check that for next time? Are we comfortable with the height of the retaining walls and egress window on the east elevation? Can you help me understand what is going on with the south elevation, regarding the porch overhang and egress? Are we increasing or reducing the setback? (Lott: I believe it is making it better. The overhang would meet the relative setback. I believe that overhang may be required for egress).

Mr. Schroder: I am wondering if someone could speak to the drainage, could it be addressed in lieu of raising the building.

Mr. Moore: To get that new excavated basement, do you need to move the church up or is it simply a drainage issue?

Mr. Gerard: On the north side of the building, where we have a narrow space between the building and the road, is there room to improve the sidewalk? (Mr. Lott: That is something we talked about

through the Development Agreement process. Staff did not want to eliminate any more yard. There are several utilities in the northeast corner of the property that could also be impacted. Through those discussions, we opted for the south side sidewalk with a pedestrian easement. The bus stop is at the sidewalk on French Street and it connects to the community center and preserves the yard.) Dealing with provisions of Policy 3A which says basement density does not count if we do not raise the building, what is the consequence of raising the elevation? It looks like the Development Agreement exempted the project from Policy 3A. (Mr. Lott: The consequence would be setting precedent by not having the historic relationship in terms of elevation).

Matt Stais, Architect:

Thanks to staff. On raising the building: we wanted to ask this in order to provide positive drainage away from building. Current grade slopes from easterly property line towards the door. Right now, the church has a little deck to step into parish hall door. The drainage issue is on the east side, but the building is tied together structurally between the historic and non-historic sections. Asking for opportunity to raise building to improve drainage, while also improving accessibility. We do not want to ask for anything more than we need. It is our understanding that there are other projects that have established precedent by raising the grade, including the Harris Residence. We have a stairway down at lower level to make the entire lower level under the entire structure to make a multi-function space for the community. The floor of the lower entry is proposed to be heated concrete and there may be opportunity to tie the drainage into this system. I thought this worksession would be a good time to ask the question of raising the building. Regarding window wells, the one on the north side is not for egress. We have two egress doors that meet code, confirmed with the Building Division. Window is for daylighting and air. Any issues with size and height of windows wells can be resolved with staff. The existing shed is not in the relative setback. We will make sure the new porch overhang stays out of the relative setback as well. Regarding sidewalk at north property line, this was worked out before I was involved with the project. There are issues the town had with sidewalk with snowplowing in winter. It is impossible to keep it clear. There is no sidewalk to the parking lot east of the property. Part of the development agreement is that the community uses the existing sidewalk to the south of the building. The church has agreed to dedicate an easement for mid-block pedestrian walkway. It is a really nice sidewalk that will take the place of any sidewalk on the north side. Regarding density and Policy 3A, the Development Agreement does exempt the project from Policy 3A.

Commissioner Questions / Comments:

Mr. Giller: As part of the basement installation, will you install a French drain or pump? (Mr. Stais: We would want to make the existing system more robust and install into storm sewer.) If you were to raise the building, have you thought about the two elevations? What would the extended foundation look like? (Mr. Stais: we would anticipate matching what is there. The intent is to have the existing historic part of the church remain exactly the way it is. We have landscaping proposed around the base of the building. We do have one iconic tree we want to keep and we would hide the foundation with shrubs.)

Ms. Leidal: Is there any interior modification to the building? Is the big space shown on the plans existing? Could you raise your ceiling and then bring up the floor so that you won't have to raise it on the outside? (Mr. Stais: We looked at that. We want to stiffen up the entire structure. The area that needs to get raised is on the right of what is shown on your screen, and that is all existing structure. Raising right hand side without raising the left hand side has proven to be unfeasible because the buildings are tied together. We have looked at it though, but that begins to mess with existing material slated to remain. It did not make a lot of sense according to the contractors.) So the 9' ceiling exists on the right side? (Mr. Stais: Yes, we are going down further. We need more room within the ceiling space for fire safety, lights, etc. The new lower level is about 2-3' below the existing lower level. We have to remove the entire lower level that exists so that when it is all said and done it will function properly.) So

what would another 9” do? (Mr. Stais: Nothing. That is not germane to the discussion. We are trying to create positive drainage away from the parish hall. We are unable raise it too much because we have ADA constraints on the sidewalk. The basement floor level is independent of the request on the main floor level). I do not understand, but thank you. (To put it another way, the request to raise the building is for drainage on the outside. The drainage forms a low spot at the southeast corner. We want to raise it 9” so that it slopes away from the door instead of creating a pool.) I do not understand why you cannot go down another 9”. (Mr. Stais: The yard that is there is creating the problem. What flows from the parking lot flows in towards the building.)

Mr. Giller: At that current low spot near the southeast corner, is there any kind of drainage structure? (Mr. Stais: No, not at this time). Could you re-grade to the North to the street, or could you connect to the new foundation drain? (Mr. Stais: We have been trying very hard to keep the grade at the property lines the same. We would have to deal with it internal to the project.) I would encourage looking at tying it into the subsurface drainage that you already need to install. Just take a look at it if you will.

Mr. Moore: It is all site specific, correct? (Mr. Stais: yes.)

Mr. Gerard: Mr. Lott, do you have any other comments?

Mr. Lott: Staff wanted to get the Commission’s feedback and then bring it back for a Combined Hearing.

Mr. Schuman: I do not support raising structure by 9”. Good plan, look forward to seeing in a Hearing.

Mr. Giller: No issue with glazing changes. I do think with all respect to Matt that drainage could be installed with subsurface drainage solution. You have four-tenths of a foot of drop. I think raising a historic building to solve that problem is not the right thing to do in historic preservation. Also, the lumens of the bulb on front porch seems a bit low for this type of application.

Ms. Leidal: I support proposed glazing. Thank you for walking through changes. I do not support raising the structure. I am concerned with the size of the window well. It is excessive and does not leave a lot of yard on that side. Make sure the porch and shed meet setback requirements. Good plan.

Mr. Schroder: I do not have any concerns with glazing as proposed. I support the project. I too believe support leaving the structure at its existing elevation.

Mr. Moore: I would like to see another exploration of drainage options. Concerned about raising the building. If it was not feasible to redo drainage in another way, I would support raising the structure. I support the glazing.

Mr. Lamb: I do not see the raising of the building as an issue. Probably has sunk 9” over the years, so I would totally support raising the building. This is part of Breckenridge. I want the project to be done right and think it will be.

Mr. Gerard: Fine with proposed glazing and exterior changes. I think it is a real plus to clean up the structure. I am going with the majority on the grade. I understand what you are up against Matt. I do not support raising the structure 9”. This will be great project for the Town. I understand why the Town engaged with the Development Agreement. I am concerned about code basis, precedent issue. I would trust staff to talk to the architect and bring back to the Commission as a Combined Hearing. (The Commission agreed.)

2. Policy 33R Energy Conservation

Mr. Sponable presented a Work Session on proposed changes to Policy 33R regarding energy conservation. The Commission was asked for any questions and/or feedback.

Commissioner Questions / Comments:

Mr. Giller: Did you look at awarding more points for large commercial fireplaces? (Mr. Sponable: We have not discussed that, but I can get back to you on that.)

- Ms. Leidal: Do you have to make reference to the IECC and the Breck Sustainable Building Code throughout this document? (Mr. Sponable: The IECC is the governing body for all building codes. There are also various requirements in the building code. Many of these are covered in both the IECC and the Development Code, as we are trying to do here. The relative nature of these policies apply only when the minimum requirements, as written in the Building Code, are met first.) I didn't know when you reference one, if you should reference the other. We are taking away positive points for receiving a HERS/ERI rating. Would you consider a positive point for a 10-19% improvement? (That is a discussion that we can have. For existing residential, anything that hits that \$50K project valuation mark is required to get a rating by the Building Code anyway. Older buildings would not have a hard time hitting 20% improvement to get to the (+2) point threshold.) I will defer to you. I don't know how you reach the thresholds. (Mr. Truckey: It is not very hard to get 20% improvement. We are open to considering less than that, but we would want to limit that to new structures, because it is an easy bar for existing structures to hop over.)
- Mr. Schuman: How would when you look at under paragraph A, first table: What does it take for someone to save 20-39% or 40-59% energy. I am concerned for the ability to earn positive points under our Code. (Mr. Sponable: There are a number of factors and a number of ways to achieve that goal. Improved insulation, better windows, energy efficient HVAC, etc. No one easy way.) The new IBC code requires so many things that to gain positive things, it is becoming much more difficult. (Mr. Truckey: You are right. The bar is getting set higher. We certainly cannot just give them points when they already are required do that with the building code.)
- Mr. Giller: Residential codes for construction have come a long way. Triple glazed windows, sealing framing, spray foam, triple heat exchangers; all of these are becoming mainstream. Bar is getting set higher but not too high.
- Mr. Schroder: I support as presented.
- Mr. Schuman: I am concerned about our Relative Code becoming more black and white, yes or no. How do you get positive points? Very little Relativism in certain areas of our code. Concerned and frustrated that it really only applies to the public. When the Town does 15,000 sq. ft. of heated space, we say it is for the public good. We are losing our relative Code ability.
- Mr. Giller: We should scale everything from heated sidewalks to pools. Base points for fireplaces on size.
- Ms. Leidal: I do support staff's proposed changes. Slowly taking away ability to earn positive points. Maybe the energy code is not the place to keep easy options for positive points. Maybe we do it elsewhere in the Development Code.
- Mr. Moore: I agree. Concerned with where you get positive points. I see on option for 0 points for health safety and welfare. But what about personal residence who needs to heat walkway for their own personal safety?
- Mr. Lamb: I support the changes.
- Mr. Gerard: I think the changes are necessary. I agree with Mike that we should consider more points for larger fireplaces. I think the Policy gives us some great flexibility. I support the recommended changes.

(Mr. Schroder left the meeting at 8:15 p.m.)

CONSENT CALENDAR:

1. Cucumber Way Residence (LS), 137 Windwood Circle, PL-2020-0054

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

OTHER MATTERS:

1. Town Council update:

Mr. Truckey: Council met with the Summit Centura Health CEO earlier today in a special meeting. They expressed discomfort with rate at which testing is happening. The Tarn Dam repairs are being delayed to next year. Proceeding forward with parking structure. Bid came in less. Moving on that this year. The Mayor emphasized money for parking structure comes from parking and transportation tax which cannot be used for other purposes. Transportation tax has to be used for transit, parking, etc.

Mr. Gerard: Any discussion of facility openings? (Mr. Truckey: No, other than the governor's announcements. Some facility openings may happen in a phased approach over the next few weeks. We are working on a plan to transition back into the office, but no dates have been specified yet. Most Community Development employees are working remotely).

ADJOURNMENT:

The meeting was adjourned at 8:39 pm.

Steve Gerard, Chair