

***PLANNING COMMISSION MEETING***

***THE MEETING WAS CALLED TO ORDER AT 7:08 P.M.***

***ROLL CALL***

Dan Schroder  
JB Katz

Rodney Allen  
Jim Lamb

Michael Bertaux  
Dave Pringle

Leigh Girvin was absent.

***APPROVAL OF MINUTES***

With no changes, the minutes of the June 2, 2009 Planning Commission meeting were approved unanimously (6-0).

***APPROVAL OF AGENDA***

With no changes, the June 16, 2009 Planning Commission agenda was approved unanimously (6-0).

***PRELIMINARY HEARINGS:***

1. Gondola Lots Master Plan (CN) PC#2009010, 320 North Park Avenue

(Mr. Bertaux abstained from this hearing as an employee of Breckenridge Ski Resort.)

Mr. Neubecker presented more information on the Vail Resorts Development Company (VRDC) proposal to master plan the North and South Gondola lots. The hearing tonight was to discuss the site plan, architectural concept, massing of buildings, density, and building height. Mr. Neubecker detailed out the calculations for density sources, density multipliers, and mass bonuses. The site plan will be designed around five main uses. These will include parking, skier services/transit, condo-hotel, a mixed use building, and townhomes. It will also be important to provide good circulation around each of these uses. The Planning Commission will go into greater detail on circulation during the meeting on transportation, anticipated for the July 7<sup>th</sup> meeting. Staff is waiting until after discussions with the Colorado Department of Transportation (CDOT) to discuss transportation and circulation.

The height of buildings in this development may be the element of greatest departure from the recommendations of the Land Use Guidelines and Development Code. With the tallest building (condo-hotel) up to five (5) stories tall, these buildings will be taller than most other buildings in downtown or the adjacent historic district. But this building will also be located near to other tall lodge properties, including Mountain Thunder Lodge to the west and River Mountain Lodge to the south. The condo-hotel is proposed on the west side of the site, away from the historic district. The current code does allow buildings to exceed the recommended height, but negative points are assigned.

It is important that the development of this site maintain its visual connections to downtown and the mountains. The visual connection to downtown is important so that the site feels like it is an extension of downtown. Visibility of downtown from this site will also encourage visitors to spend more time in town, knowing that the downtown core is just a short block or two away.

Similarly, visibility of the mountains is important to maintain the character of a mountain resort community. Our identity as a town is directly tied to the mountains, and a development which cuts off visibility of the mountains could alter the character of this site and make it feel too urban. To address these visibility issues, the applicants have performed view corridor studies. These studies show how vistas will be maintained. The greatest challenge in this respect will be to maintain visibility of the mountains from the gondola plaza, over the condo-hotel.

The master plan language on architectural character will become the controlling design guidelines for these buildings. As such, it is important that the Commission and applicant agree on the design intent for the site, and specify such intent with clear master plan language

The success of this project will depend partly on the amenities and physical design of the public spaces. The main public space in this plan is the expanded gondola plaza. The current plaza is curtailed by the transit staging area. The proposed plan expands the plaza and ties it into the Blue River much better, thereby making it a more pedestrian friendly area, particularly in summer when the plaza could be used for special events.

Based on feedback from tonight's meeting, the applicants and staff will make plan revisions and incorporate the changes into a final document at the end of the review process, rather than discuss the same issues at the next meeting.

Also, depending upon the outcome of our meetings with CDOT, we will try to schedule Transportation, Transit and Circulation for the next hearing with the Planning Commission, tentatively scheduled for July 7<sup>th</sup>.

Mr. Bill Campie, DTJ Design, presented for the Applicant, Vail Resorts Development Company (VRDC). Mr. Campie showed photo-documentation slides of buildings in the town to show examples of architecture in the town core. Mr. Campie noted the streetscape, including on street parking. Images of newer, larger developed projects in town were shown in slides, as well as the more iconic buildings in town, such as CMC and the County Courthouse. He showed a building massing model to explain the new development in relation to the existing massing of Main Street. The model showed view corridors, density transition, and connectivity from the gondola site to Main Street. Mr. Campie noted that mountain views would not be blocked with the proposed building heights. A primary goal for the project will be to make sure that the condo-hotel is an iconic building, and visible from view corridors within town. Massing models adjacent to the river corridor were also shown to depict the relationship to the river, setbacks, and accessibility. Architectural character sketches were shown with aerial and street-level perspectives of the site, buildings, streetscape, landscape, parking structures, condo-hotel, amenities and river. Conceptual elevations were shown for multiple buildings, including the condo-hotel building relationship to the street and pedestrian, the roof shape and mass, tower elements, and building height stepping from the street to the highest point. The mixed use building, transit center, and town homes were also shown in conceptual elevations and sketches. Materials and accent materials were discussed in relation to the conceptual elevations. Images of parking structures were shown with concepts of how to make the structure look like a building, with ground floor differentiation, towers, windows, and other elements. The proposal will not to come in with a typical, concrete parking structure. The river is an important area of the plan and becomes part of town, bringing people from town, or visiting town to the amenity and pedestrian corridor. The river corridor expansion proposal would provide river accessibility, within a larger, active process. The team completed a number of shadow studies to ensure that the plaza would be a sunlit, comfortable and usable space.

Mr. Allen opened the hearing to public comment.

Mr. Fred Kinat, Business Owner and Resident on North Main Street: I was hoping we'd see more about the circulation in the master plan today. I see a drop off point to the right of the gondola? I was also wondering about why the Gold Rush lot isn't included in the master plan, from skiers crossing Park Avenue because there are conflicts. I was hoping that the plan would reduce conflicts with skiers, pedestrians and vehicles. (Mr. Allen noted that the July 7<sup>th</sup> meeting would discuss circulation.) (Mr. Iskenderian, VRDC, noted that the circulation discussion might not be that soon and that a meeting with CDOT is in the works and is necessary to move forward.) (Mr. Neubecker noted that crossings of Park Avenue are important to this master plan at all of the intersections, and will be reviewed in this plan.) (Ms. Katz noted that the plan for Gold Rush is that it will stay as it is.) (Mr. Iskenderian noted that VRDC is committed to addressing pedestrian crossing issues.)

Mr. John Quigley, Resident of Shock Hill: I live about 250 feet above the development, on Shock Hill. My one concern is that we thought we'd be looking at underground parking and now we have two top level decks that we look down upon. I am concerned that they will be lighted at night, especially the top level. The existing lots are not lighted. The home was designed to screen the view of the City Market parking lot lighting. The river could be a really energetic, lively restaurant and plaza scene. I suggest that you take advantage of the river to create true facades to the river, and not just the backs of buildings. Lastly I would suggest that the lower level of parking be used for transportation circulation, pedestrian drop off, etc. (Ms. Katz noted that there is a dark sky ordinance that will address some of the lighting concerns.)

Ms. Lindsey Shorthouse, Marketing and Sales Director for Preservation Village Fairplay: What are you zoned for square footage for livable space? (Mr. Neubecker noted that the zoning is being established with the master plan. Right now its just 201 SFEs without uses assigned.) What sort of sustainability factors are required? (Mr. Neubecker noted that the visioning process states sustainability as a main goal of the project. We will have a session about sustainability / green codes / LEED at some point in the future. VRDC has made a commitment to sustainability.)

Mr. Marc Hogan, local architect: I think the plan has come a long way, and I do think the architecture is on the right track. I think that the parking is a big problem; the southern parking structure blocks the hotel from Ski Hill Road. The parking needs to be diminished, not increased. Several locations in town there are multiple levels of

underground parking. It would be cheaper to solve some engineering issues than to disguise a parking structure with towers, windows, etc. Has it been considered to increase the parking west of Park Avenue? (Mr. Neubecker: We want the parking as close as possible to the gondola and to downtown. Parking further from town discourages people from spending time in town after skiing.) The plan glorifies the car and clogs the vitality of the good things. The north end is particularly bad because the townhomes and parking garage will deaden the streetscape and it will not be an active area.

There was no more public comment and the hearing was closed.

*Commissioner Questions/Comments:*

Mr. Lamb: Are you going to build on the existing grade on the site or bring the level down to access the river? (Mr. Campie: We would propose the step down the site to the river from the south at the condo-hotel to the north and towards the river. There is a fixed grade point at the existing gondola, but the plaza site will step down towards the river.)

Final Comments: Floating density is how you do a project like this. The reality is that people are still driving cars, and when the structures aren't needed for that they can be modified to another use. I liked Mr. Quigley's comments about making the river usable. Architecture is crucial to making the building heights. I liked the use of brick in the iconic condo-hotel. View corridors have been addressed, as well as architectural character.

Mr. Schroder: Have you gone through the ski tunnel? (Mr. Campie: Yes.) Is a ramp an option rather than stairs? (Mr. Campie: We have looked at reducing the number of steps, and improving the character.) Have you had any conversations with staff about how to mitigate the 20 negative points from building height? (Mr. Neubecker: Employee housing would provide 10 points, then points for underground parking, architecture, and for incorporating density into the roof and varied roof plan, there may be public art, transportation improvements, etc.)

Final Comments: I liked the idea that there is floating density in the master plan. Had some concerns with the mass bonus-- will these extra elements be available to the public? What is the public able to access within the mass bonus square footage? (Mr. Campie: The restaurant and commercial will be accessible.) (Mr. Neubecker: Those commercial spaces are considered density.) Had concerns with height, but my height concerns were addressed by showing the 3D massing model. Will you be able to see the mountains from the gondola? (Mr. Campie: Yes.) I think that brick is appropriate in architecture for the iconic building. I appreciated Ms. Katz's comments regarding use of brick in other structures. I am okay with the language regarding townhomes character, but have concerns about what the team considers the "North Main Street character". The plaza artwork is "cool", but needs to be carefully considered. (Mr. Campie: The snowflake is conceptual.)

Ms. Katz: Final Comments: I believe the building height negative points will be made up and that you can address it. I am fine with the brick on the condo-hotel. I was concerned with the brick being in the primary material in the townhomes, and I think it should be just an accent on those. I like where the transit center is now because it needs to be close to Main Street. Parking structures are going to look different here than they look in Boulder and Denver, it should look nice but still be a parking structure. We ought to not hide it too much because of the concern with way-finding. I agree with Mr. Pringle about incorporating some other uses in the parking structures, but they need to not be after thoughts – it should be planned in. I think that the town isn't ready to give up their parking reservoir and that the town needs to accommodate the car and that it needs to be in the plan. My only comment on the architecture of the mixed use building is that there is an architectural dividing line in town, Ski Hill Road and Lincoln Avenue, and I worry about architecture being too contrived. We shouldn't be married to tying the architecture of all of Main Street into this area, and should keep an eye on tying into the new architecture on the 200 block of North Main. I am uncomfortable with the quantity of brick on buildings other than the condo-hotel. I am fine with the skier service building, although I wish it didn't have to move. I like the track that you're on with the amenities. I am fine with floating density; it is critical to this plan and need the ability to massage it. View corridors seem okay also.

Mr. Pringle: How will the south walls of the south parking structures be treated? (Mr. Campie: The elevations will all be treated with equal care, but no hotel units on that side.) Is there a way to get people to ski through the ski back into the plaza near the pool area? (Mr. Campie: Grading on the west side of

Highway 9 and existing utilities creates a conflict with re-aligning the tunnel and exit.) Finding some way to make the ski back tunnel area more interesting is important. (Mr. Allen: I had similar ideas about this area; maybe some solutions to this can be presented with the next circulation meeting.) Will the north parking structure have wrapped uses? (Mr. Campie: No. It will have character, but no density and uses.) Noted the differences between the Vail structures, Vail Village and Lionshead and the uses or lack of uses in each. Could there be some municipal uses, like a museum or BRC offices that would occur in the structure? Or move the transportation center into the structure to free up the center of the site for other types of uses and make the structure more active? (Mr. Iskenderian: An issue with putting the transit center in the building is that there is resistance to moving the transit center any further from the Main Street core, making it farther to walk for employees, residents, etc.) (Mr. Campie: Including the bus circulation in the parking structure building made it nearly five stories tall. Also, the Vail structures are much larger than these proposed structures.) Will there be more amenities in the area other than the river and the plaza? (Mr. Campie: The river corridor and the trail are major improvements, the conference space, additional street space to close off for festivals, etc. The transit facility is also an amenity.) (Mr. Allen: Is the conference space density? Where does it come from?) (Mr. Neubecker: It is mass, not density, and comes from the 25% additional mass; and code allows you to go up to 200% of what is required without counting towards density.) (Mr. Allen: Have you maxed it out? Would like conference space as large as possible.) (Mr. Campie noted that this is a master plan and the building is not final design, and the master plan is the intention to provide these.)

Final Comments: I still think that there should be other uses in the parking structure – information office, historic alliance group, arts district, museum, etc. Not so much a retail commercial as an institutional commercial to bring more activity to the building. There will not be a lot going on in the north end with the townhomes and structure, and need to address that and make it active. We have a geographic center of town that is moving around right now, and this could be a big change to what the big picture is down the road. The transportation center incorporated into the parking structure could add a lot of activity on a year round basis. The distance to move the center is based on today's center of town, not the future. I like the transition of building heights. I think that we should reinforce the traditional development pattern, if we can find out what that really is. I don't know that you can set the pattern, but we really need to take a look at that. We'll have to take a hard look when we get into the townhome development, and how it will fit in. Architecture and massing are looking good, and models are helpful. We really need to reflect on the materials, and I like masonry but not sure if it should be brick or stone. The quality of the materials can make large buildings really compatible; the buildings need to have timeless elegance. They shouldn't be dated in a few years. I think we need to allow for places for amenities to occur naturally. We don't need to bring in circus acts and bearded ladies to make good spaces. The views corridors are okay. I think the river amenity is great. I am good with the floating density. Architectural character should be a thread of continuity. Top level parking structure, agreed with Mr. Allen, and maybe there could be different levels of lighting and potentially in non-peak times the lighting could be turned off.

Mr. Allen: Is there parking under the parking structures? (Mr. Campie: Yes, there is one level underground and 3 levels above ground.) Is Wellington Road offset on the site plan? (Mr. Campie: The town is undergoing a study for the train park in that location, and it will be coordinated with the town.) (Mr. Neubecker noted that the existing parking lot includes a landscape aisle that influences the offset.) Are the engineers okay with that? (Ms. Shannon Smith, Town of Breckenridge Engineering Department, noted that it is a drivable intersection and that it looked more offset in the plan.) How big is the new Beaver Run conference center? (Mr. Iskenderian: It is 30,000 square feet. This proposal is about half the size, and Mountain Thunder is 5,000 square feet.) What are the uses that are still allowed on the Gold Run lot if the density is removed? Why isn't the Gold Run included in the master plan? (Mr. Iskenderian: The plan for the Gold Run lot is intended to be what it is today, and there isn't an intention to develop it. If you are more comfortable with us showing it on the master plan, we can.)

Final Comments: I like the way the south parking structure is wrapped. I completely agree with Mr. Pringle regarding the north structure. Maybe some of the public benefit space and uses could provide free density, and also the idea of "affordable commercial" space to bring people to that side of the project. Affordable housing is another way to make a great visual impact. The North Depot Street seems like it could be a ghost town, and some of those uses could liven it. The Gold Rush lot

needs to be a part of this master plan, especially with the floating density and clearly defined with future uses. I would also like to see as large a conference space as possible, and possibly some density bonuses could be provided due to the economic benefits provided to the town. Concerning the lighting on the upper level of the structure and seeing the cars, maybe we could have a conversation about whether a roof makes it better and maybe the applicant can provide some options for the Planning Commission regarding the roof. I want to make sure that the master plan describes the exploitation of the river; especially that the proposed mixed use buildings and others the architecture fronts the river and is attractive. I hope that the on-street parking can be worked out. I would prefer some visuals/graphics in the master plan rather than just text, similar to those in the presentation. I love the brick on the iconic hotel, and agree with Ms. Katz on the secondary buildings. I would like to see the language described in the character a little more detailed - elaborate on the vision. Natural materials are noted in the plan, but I am open to natural “looking” materials. Would like to make sure that the references to North and South Main Street are both new and historic buildings – look at them all. The statement about colors, should we identify a quantity and be more specific? Fine with the floating density. On view corridors, would like to see more slides on that especially as it relates to one looking east from above (from Shock Hill and people riding the gondola down). The plazas don't seem that great, especially on the main area and want the mountains to come down into the space. Doing a great job.

**WORKSESSIONS:**

1. Maggie Placer (MM), 9525 Colorado Highway 9

Mr. Mosher presented. In October of 2007 the Town entered into an annexation agreement with Henry F. Harris, Jr. (who later sold the property to John Springer, Applicant), for the development of 18 deed restricted and 4 market units on the 1.82 acre site commonly known as Maggie Placer. The concept included a three story multi-family structure containing the 18 deed restricted units and 4 market rate single family lots. After the annexation agreement was approved the applicant attempted to work through the planning process to obtain a development permit. During that process, issues with the scale and mass of the structure as well as site disturbance and access constraints led to several revisions.

The applicants (John Springer and Royce Tolley) have a new proposal with a new development team providing a different product with different site impacts. There would now be 17 deed restricted units and 4 market rate units in a series of duplexes.

A copy of the original site plan and the new proposal was presented. Staff reviewed the new proposal and believed the plan would be an improvement and would better pass a point analysis because:

- There will be less paving, improved vehicular circulation, and more available parking.
- The market and deed restricted units will be integrated in the development.
- Overall massing will be broken into duplexes units rather than a single building.
- Every unit has at least one garage space plus one dedicated surface parking space.
- There will be nine different unit types which will provide varied architecture over the site.
- The snow storage will be more functional.
- Existing landscaping on the northern portion of lot will be better preserved.
- Concerns with the Ski and Racquet Club have been resolved.

Access from and to Highway 9 has been improved and CDOT has given a verbal approval for the design at Maggie Placer and at the entrance to Ski and Racquet.

Mr. Royce Tolley, Preservation Housing: We are a true affordable housing company with a focus to provide affordable single family homes and all of the amenities that come along with it. Site selection important - make sure that there is access to transit, utilities, etc. to make it a true affordable housing neighborhood. Goal was to make this a community and a place where people that live in town can walk or ride transit to work, to ski, etc. Will have Mr. Hogan present the community and architecture, and importance to remain affordable so keep in mind when reviewing designs. Concept is to come up with a house that is for middle class people that can't otherwise afford a house in this county.

Mr. Marc Hogan, BHH Partners, Architect for the project, presented and introduced Tim Gurken, also with BHH Partners.

Unit sizes will range from 1,100 to 1,388 square feet, with both one and two car garages. Every unit, at minimum, will have a garage plus an extra parking space. There will be nine different unit plans and designs, but the floor plans will be quite similar. Mr. Gurken presented a 3D model to show the different types of units on the site plan (including trees) and noted accessible units. There will be two and three bedroom units on the site. The units along the slope fit into the grade. The upslope units have a main living space above the garage. There will be two detached garage buildings providing parking for four two bedroom units with the garages located across the street from the unit. (Mr. Mosher noted that staff liked the variety in the architecture, even though all are duplexes.) (Mr. Pringle noted that it is a creative solution). Mr. Hogan passed around an image board showing architectural forms, massing, colors, etc. of similar products. A color/material board was also presented to the commission. Mr. Gerken presented a conceptual 3D rendering of one of the units, including the building materials of plank siding, potentially some stained pine beetle-kill wood, metal siding as a vertical treatment, natural wood beams and columns, and at the corners painted, pre-finished metal panels. (Mr. Bertaux: Before approval, can these actual materials be provided to the commission?) Yes. The goal is to make the architecture fresh, exciting and fun - everything doesn't need to be brown and boring. We are hopeful of building this year and have already made the submittal for the preliminary hearing on the second Planning Commission meeting in July. (Mr. Bertaux: Are they modular?) Yes.

*Commissioner Questions/Comments:*

Mr. Bertaux: Are the elevations repeated for the employee housing units and market rate? (Mr. Mosher: Yes, the idea is that they have the massing broken up, make it more of a neighborhood, less institutionalized and all units have the same finishes.) There is no connectivity between this project and Ski and Racquet except from the state highway. (Yes, CDOT only granted a right-in and right-out movement for the property.) No left in from the south? How far do people have to go into town (heading north from Alma), before they can turn around to get into the right in/right out? (Ms. Katz: We don't want people to pull into Southside Estates to turn around.) (Mr. Allen: Can you u-turn at Broken Lance?) (Ms. Katz noted that you can u-turn anywhere in Colorado except where it is noted otherwise.) Where are the market rate units located? (Mr. Tolley noted that the four units were on the far west, however the best value and most square footage will be in the middle units.) We don't live there, but when the conflict is pushed out to Highway 9 it is a bigger problem for the Town; would help greatly if vehicular movement could be internal to the site and share the Ski and Racquet Club full-movement intersection. Where do people put their toys/bikes etc.? (Mr. Hogan: In the garages – they will be oversized with 8' high doors and 9' ceilings. Many of the units will have two car garages and crawl spaces. Closets are also oversized.)

Mr. Lamb: Is Hardiplank siding more or less expensive than wood? (Mr. Tolley: Less expensive when bought in volume, and would like to invite the Planning Commission to come see a current project in Fairplay that uses that material and similar modular construction. The high quality of the workmanship and interiors are what we want to show.) I like the staggered garage doors on the center units. It will look like somebody lives there.

Mr. Schroder: If costs increase, would you offset the increase by eliminating an affordable unit and providing an additional market unit? (Mr. Tolley: No.) An enclosed space is preferable than a separate car port and garage on the center units.

Ms. Katz: I don't want to see such an important project stalled because of the access issues. CDOT controls the highway. This is a huge improvement over previous submittals. It would be great if the circulation issue could get worked out with Ski and Racquet very soon and not impact this development; and I hope it does, but I also don't want this project to get derailed. It is nice to see some different architecture.

Mr. Pringle: I am concerned about the new materials, but we just need to see them. (Mr. Mosher noted that staff had the same concern, but is excited about the combination of new materials and that there could be negative points for lack of natural materials, but the proposal would still pass a point analysis.) This will be a good site for this. (Mr. Neubecker noted that precedent could be set for this architecture, but the points would be set too.) It would be in the interest of both Ski and Racquet and this development to address the egress/access issue. (Mr. Tolley noted that the current proposed access meets the needs of CDOT, Ski and Racquet, and others.) Would you be amenable to going in at the common interest and then going through an easement? (Mr. Tolley: Ski and Racquet was opposed to any proposal.) Is that still the position? (Mr. John McAllister, Ski and Racquet: The homeowners

were much happier with this design at the last HOA meeting. I don't see a problem with finding common ground and on trying finding an alternative.) The Town would be willing to help. I am not interested in a high-speed, bad solution. The problem could be handled internally, but it is going to be instead pushed onto the highway. Will any of the issues that came up with Wellington Neighborhood and snow loading inspections for the roof come up here? (Mr. Mosher: All of Town Staff is involved in making sure a quality product will be delivered.) Seems like most of the heartburn has been dealt with in this new proposed plan. When we look at the ingress/egress intersection, is there anything that could be done that could make it better than what is shown here?

Mr. Allen: It would be in Ski and Racquet's best interest to cooperate with this issue if possible. If so, you need to get this resolved quickly. What size will the market units be? (Mr. Hogan: 1,350 square feet, but the accessible units are the largest.) (Mr. Bertaux: How many accessible units?) (Mr. Hogan: Two.) What is the idea with the car ports rather than garages with doors on both sides? (Mr. Hogan noted that the design shows a garage door tucked in and a covered space in front. However, the garage door could be pulled out and have a two-car tandem garage to better protect from the weather.) Concern is that you can view other people's stuff. (While speaking, Mr. Gerken added a garage door on the computer model to show the change.) (Mr. Hogan noted that there would be covenants to control what is left outside.) You didn't address sustainability in the presentation. (Mr. Hogan: All buildings are roughed in for solar. We also talked about the party wall agreement, and sharing solar.) (Ms. Laurie Best, Town of Breckenridge Long Range Planner, noted that the Town would include PV panels as a permitted capital improvement.) (Mr. Tolley noted that the manufacturer can get them to 88% green. For instance, all of the homes have gas non-convention air heaters and no ductwork. The insulation is fantastic because it is put in place in a controlled environment, and subfloors have more wood. The units are created with reduced waste because of the controlled environment and trades.)

Dr. Warner: Commented that the garage should be fully enclosed and provide security for residents but still are staggered.

Mr. Allen opened the hearing to public comment:

John McAllister, Ski and Racquet: Here to answer questions regarding access and egress with regard to HOA concerns. The access proposal was acceptable, and noted the concern of the amount of traffic on that intersection with the existing residents, bus, and the new residents. Next board meeting is in September. (Mr. Tolley noted that since it is an affordable housing project and the schedule is very tight, this issue needs to be addressed immediately. Prior to this meeting we had come to the conclusion that Ski and Racquet and CDOT were okay with this proposal.) Will there be anything in the design along the south property edge facing the Ski and Racquet Club in terms of fencing or will it be natural? (Mr. Hogan noted that it will be natural, not fencing and that there is heavy vegetation there already and more landscaping would be added too.)

Ms. Lindsey Shorthouse, Marketing and Sales Director for Preservation Village Fairplay: Enclosing the garage for the middle units would be beneficial. Product would likely sell better too.

There was no more public comment and the hearing was closed.

## 2. Wood Burning Appliances (CN)

Mr. Neubecker presented a memo outlining the current wood burning device limitations of the existing code. Rather than leaving the disincentive in the code for property owners to keep their non-conforming fireplaces, staff suggested allowing the conversions to EPA Phase II standards, even though residential units may not meet the current size and number standards currently allowed. Staff believed that this change would encourage the conversion of old, inefficient fireplaces into newer, cleaner burning wood burning fireplaces. Staff would like the Planning Commission's feedback on this proposal. If the Commission would be comfortable with the idea, then staff will start working with the Town Council and Town Attorney on ordinance language and schedule this item for a first reading with the Town Council.

### *Commissioner Questions/Comments:*

Mr. Lamb: Has seen the smoke from these phase II appliances and they are the size of a cigar. Even if someone has multiple stoves, they are higher maintenance to run at the same time therefore if there are

- multiple wood burners, it may not be likely for people to run them all at the same time. Is there a number we could indicate, allowing people two, rather than having it unlimited?
- Mr. Schroder: Is the idea for a retrofit to allow people to add more than one stove? (Mr. Neubecker: Yes, that's part of the proposal.) How many fireplaces is the most in any given house in town that would be a conversion?
- Ms. Katz: I'd like to see some information on emissions to make sure it doesn't violate the clean air policy. We need the impact of each stove to determine how clean they are.
- Mr. Pringle: We could simply not limit the number of wood burners, and say that more than one could be allowed on a case by case basis? Concerned with condo units putting wood burners in. (Mr. Neubecker: Conversions would be beneficial, but we are not proposing to allow new wood burners in individual condo units.) Pellet stoves are really clean as well. (Mr. Lamb: They are "phase 3".) (Mr. Neubecker: A wood pellet stove may also need to be added to the definition of "wood burning appliance".) (Ms Katz: Requested the science info on pellet stove emissions also.)
- Mr. Allen: What is the science on the EPA Phase 2 - if they are clean what is the problem? (Mr. Lamb: They are very clean.) (Mr. Neubecker: Staff will look for the scientific information on the stoves for the Commission.) What were the reasons for not allowing them? (Mr. Neubecker: Clean air policy.) If we don't violate the clean air policy why not allow as many stoves as people want?
- Dr. Warner: I'd like to see this be science based.

### 3. Summit County Courthouse Renovations (CN), 208 Lincoln Avenue

Mr. Neubecker presented a memo outlining the plans by Summit County to do some exterior repairs and maintenance to the County Courthouse on Lincoln Avenue. Each of the items would be maintenance, and will not affect the historic materials or character of the courthouse. As Summit County is a municipal agency, it is exempt from Town of Breckenridge regulations. All inspections will be performed by the Summit County Building Department. The County wanted to communicate their plans with the Planning Commission to have the Commission aware of their process.

There were no Commissioner Questions/Comments.

#### **TOWN COUNCIL REPORT:**

Dr. Warner mentioned the defensible space referendum. Some citizens have begun to circulate a petition to reverse the ordinance on defensible space and take it to vote. They need 10% of the registered voting population to get it on the ballot next November.

Mr. Allen asked whether or not the Town had hired a Denver contractor to remove trees from town properties? Dr. Warner had not heard that the town had chosen a Denver firm, but that any firm can take a class and get on a preferred list. Mr. Bertaux noted that he had seen Alpine Arborist tree removal company removing trees on town owned properties.

Mr. Allen also was wondering if CDOT had presented the highway expansion plans to anyone in the town? Dr. Warner noted that the open house is June 17<sup>th</sup> to inform the public. They have begun to re-route the bike path, and all they are going to do this summer is the western bank where the bike path is now. The Highway 9 bed will remain the same this summer, and next summer when the bed has been built the road will move forward. We won't truly see four lanes until at least a season and a half. Mr. Schroder asked whether or not the road is sinking or if the bank will just be filled? Dr. Warner hadn't seen the plans. Mr. Grosshuesch noted that it would be similar to what it is now. Mr. Bertaux asked where the road expansion would go to – Coyne Valley? Dr. Warner noted it would be to Fairview Boulevard. By 2010, it will be four lanes from the high school into town. Mr. Allen mentioned that the Valleybrook intersection will be 7 lanes wide (including all turn lanes).

#### **OTHER MATTERS:**

Mr. Allen asked if town staff was thinking of putting anything into the County time capsule. Possibly the town code on a flash drive?

Mr. Pringle reminded Mr. Neubecker to measure the dimension of the Legacy Place lap siding.



Mr. Bertaux attended the walk-about last week. He noted that the presentation was more about safer sidewalks, crosswalks, and also included a quick design for a roundabout at the south end of Park Avenue and Main Street. Another good location is potentially Ridge and Lincoln as a calming device to slow down traffic.

***ADJOURNMENT***

The meeting was adjourned at 10:30 p.m.

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Rodney Allen, Chair