

## PLANNING COMMISSION MEETING

The meeting was called to order at 5:44 p.m. by Chair Beckerman (late due to technical issues with zoom).

### ROLL CALL

|   |              |                |           |
|---|--------------|----------------|-----------|
| Christie Mathews-Leidal – <b>Absent</b> | Mike Giller  | Jay Beckerman  | Mark Leas |
| Tanya Delahoz                           | Steve Gerard | Allen Frechter |           |

Mr. Truckey informed the Commission that Christie Mathews-Leidal resigned effective immediately.

### APPROVAL OF MINUTES

Mr. Giller: Two small changes: Page 4 for the height it says: website sample doesn't match, it should say "with the siding" the website sample doesn't match. Page 6, it says "Mr. Giller: Chris was spot on there is a lot of simplification with the window design" the next word is "needed". Needed was omitted. Thank you.

With no additional changes, the September 7, 2021 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the September 21, 2021 Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None

### COMBINED HEARINGS:

1. Four Seasons Village Sub #2 Lot 1 Subdivision, 655 Columbine Rd., PL-2021-0367

Mr. LaChance presented a proposal to subdivide Tract A, creating Lot 1, to allow Hotel Breckenridge Condominium Association to purchase the proposed Lot 1 from the Columbine HOA to better match land-use functions by each owner.

#### *Commissioner Questions:*

Mr. Leas: We need to have the access easement recorded here. I understand that that will be recorded with the other additional access easement for an adjacent property, is that correct? (Mr. LaChance: With this subdivision, there is not any requirement for them to dedicate a public access easement. If they want to dedicate a public access easement in the future to offset negative points received with a Development Permit application, they must own the property in order to dedicate the easement. This subdivision allows Lot 1 to be subdivided so they can purchase the property, so that they can dedicate the public access easement as the new owner.) So if I understand what you are saying, we are going to go ahead and let them do this without a public access easement, they are going to put that public access easement in the bank, so they can use it for positive points at some point in time? (Mr. LaChance: At your next meeting in October, we have an active application where they will propose to dedicate a public access easement as a Condition of Approval to offset negative points for snowmelt that they are proposing.) So they are going to use that immediately with that application to offset the snowmelt? (Mr. LaChance: Yes.)

#### *Commissioner Comments:*

Mr. Gerard: Seems reasonable, everyone uses that access, so I think they are committed to granting that easement to get the points.

Mr. Frechter: None

Mr. Leas: None

Mr. Giller: I concur with staff.

Ms. Delahoz: None

Mr. Beckerman: This looks straightforward. We have done this before.

Mr. Giller made a motion to approve the Four Seasons Village Sub #2 Lot 1 Subdivision, seconded by Mr. Gerard. The motion passed 6 to 0.

**PRELIMINARY HEARINGS:**

1. Breckenridge Grand Vacations Gondola Lot Master Plan, 350, 355 & 415 N. Park Avenue, PL-2021-0052  
Mr. Kulick presented a proposal for a master plan for the North Gondola Lot, North Gold Rush Lot and South Gold Rush Lot with 143 SFES of density, featuring Condominium, Townhome, Commercial, Hotel and Workforce Housing Uses. The master plan will also include roadway and pedestrian improvements, including a roundabout at the intersection of Park Avenue and French Street, a new gondola and a Parking Structure.

The following specific questions were asked of the Commission:

1. **Transit** – Does the Commission support awarding positive six (+6) points under Policy 25/R for the commitment to build a gondola?
2. **Parking** - Does the Commission support revised parking illustration for the South Gold Rush Lot?
3. **Architecture** – Does the Commission support the hybrid approach of awarding negative three (-3) points at the Master Plan level for non-natural materials up to 50% and then having the ability to award an additional negative three (-3) points at future site specific reviews if non-natural materials exceed 50% or for other architectural incompatibilities?
4. **Infrastructure** – Does the Commission support awarding four (+4) positive points for the proposed round-about because it was listed in the 2019 Capital Improvements Plan, not the current 2021 plan?
5. **Recreation** – Does the Commission agree positive three (+3) points should be awarded under Policy 20/R, for providing the North Gondola public park?
6. **Open Space** - Does the Commission support awarding six (+6) positive points, for a fee simple dedication to the Town of the designated 4 acre wetland area?
7. **Building Height** – Should the Gondola Terminal be granted an exemption from being counted as Building Height?
8. **Additional Comments** – Does the Commission have any additional questions or comments on the proposed master plan?
9. **Final Hearing**—Is the Commission comfortable with the master plan next coming to the Commission for a Final Hearing?

Mike Dudick, BGV, Applicant:

Thank you for your time and thanks to Chris and staff. I don't agree with everything in the report so that is what I will touch on today. Point analysis, staff report has us at +7 but I have some caveats. Building height, it is what it is, warrants -10 points. The contemplative part is land use district, and architectural compatibility. I want to reserve this as a placeholder. The town parking structure, received zero points, as did the unbuilt building at F Lot, 1998 the north and south Gold Rush lots received zero points. We are taking parking making it bigger which doesn't seem a crazy big land use change. I have been here 34 years and that has always been parking.

For architectural compatibility we are signing up for the -3 points with the caveat of extra -3 points on site specific plans in the future, I don't get that. We need a work session on materials like Mark Leas said. The oldest material is brick, 7000 years old. I would applaud efforts at brick precedent. Our ask tonight is support of the infrastructure of +4 points. I would adjust internal circulation from 3 to 6 and transit from 6 to 8.

For infrastructure, on the roundabout, for the CIP I sat with Rick Holman, when he said that we will need to pay for the roundabout. Then that roundabout is removed from the CIP. The town wants a developer to pay for it. Ten years ago when I was on council, Bill Campie came to the town with roundabouts from 7-11 to Boreas Pass. The idea that this isn't new, I don't agree with. It's a slow process but it is a priority. I want support from the Commissioners to make this more than a 4 to 3 vote on points. 90% or more of the time this will be used by the community, not by the parking structure. We aren't parking more than what exists today.

Same number of cars for the public they're just consolidated in one space. There is precedent for +4 points in a robust vote from the Planning Commission. +4 precedents: indoor tennis facility. That doesn't serve a lot of public, the roundabout will be used by residents and guest alike. This one deserves +4 as infrastructure benefitting the community. BML redevelopment: put a right hand turn on Ridge St. that got +4. We are asking for a similar treatment for an improvement that is significantly greater and has more impact on the community. Please support +4.

For internal circulation and transit: We are at +3 for internal circulation, and +6 on transit. In our development there are 5 elements that would warrant +3 allocation. First, sidewalk on West side of Park Ave, with barriers, to the lower right of #1 is where Skyway Skiway terminates. People jaywalk here. They can walk to the north now without going under the pass. Now they can walk down the west side Park Avenue and not jaywalk a state highway. #2 is the roundabout. Where people start and finish, on our property. A key benefit is slowing traffic. Third is the new parking lot the postal lot, on the southwest corner. Those folks can exit their cars and walk the pedestrian corridor, and terminate at the gondola. Alone from internal circulation, that effort would warrant +3. Next is area of refuse. Garbage is isolated from residential. This is +3. Finally, fifth, heated sidewalks on French Street that we will put in. This would also equal +3 points. Five elements that each could earn +3. I'm making the case for this to be +6. You have a streetscape feel from the postal lot to the gondola. This total is +15, but there are five reasons why we would get +6 and not +3. Welk resorts got +6 points for separation of their area of refuse, housekeeping, trash etc. to keep it away from residential. Blue Front Bakery got +6 for a mid-block connection. If you layer that with our items, it is a compelling argument.

Transit – we ask to increase from +6-+8 points. For the electric bus system this would get +4 points. We have agreed to do this electric bus system as a backup plan if there is lighting, so we got +4 points. Layer in the historic precedent for BreckConnect gondola for +8. I get that that gondola is long. Ours is shorter. Ours mitigates life safety and vehicular pedestrian conflict. The precedent you should be setting tonight is but impact of safety.

*Video* – Breckenridge has a problem. We counted jaywalking between these lots. There are six signs that say do not cross and people don't adhere to them. Here is a video of a family with a toddler and two strollers. Here is a bus. Another group with a toddler, crossing park. Here are 7 snowboarders. There isn't a crosswalk here. This guy is walking on the east side of park so he has to cross twice. A sidewalk on the other side would be the benefit. The Winter Park Planning Director wrote us a letter stating that it is a hazard. Here is a scary one – if that guy slips he dies. There is a problem we need to fix. The gondola is a solution to get people across safely, today. We have 6 hours of video. Near death experiences. Roundabout, sidewalk, gondola, all put together can fix this. The life safety issues are meritorious of +8 points. We want internal circulation to go from +3-+6 and transit from +6-+8. Summary of points. By the way, open space will be locked in with fee simple dedication. The cumulative total should go from +7 to +12.

For planning, you want to get to zero points. I think the code is the code. Your job is not to figure out how to get something to pass, you look at each item in its own silo. If we bring positive benefit to the community in transit, infrastructure, circulation, those individually should be recognized. The changes are well warranted.

David Garrett, adjacent land owner:

I am here to back up Mike D. to say we have a problem. We have a Council that says our town is too crowded, that our parking is too little. My concern is that planning isn't getting that same message. This project, and others near 450 etc. that could come into fold as future projects, Council continue to cause a problem to the character and transportation of the town. I am against the project, there should be a moratorium to build more development in town and to first take care of existing residents.

Del Nordstrom, 103 Woods Drive, President of the Woods HOA:

We are adjacent to the Gold Rush parking lots. I appreciate the multiple opportunities to discuss this project with BGV. Our neighborhood has opposed the parking structure at the gold rush lots. The project appears to be moving forward, so our focus is on two concerns. 1. Vehicular and pedestrian volume at peak times. We are concerned the roundabout and use or not use of the gondola is going to produce gridlock. Most important is our concern of skiers returning back to the parking structure. The sidewalk on the West side of Park will

help but we have a concern with skiers that they can exit the Skiway at the path to Woods Drive and ski down our neighborhood which is an easier and rapid return to their vehicles and parking. This is also a safety issue. I would like to request now and I will intend to pursue this we will need a commitment from BGV and from Vail to work with us to create significant signage, gates; or posting of a guard. We enjoy to ski back to our homes but we don't want people parking to ski down our street as easier access to the parking structure.

*Commissioner Questions / Comments:*

Mr. Gerard: I really support this project and I support that BGV is the right candidate. They have a proven track record. My colleague Mike (Giller) always says the devil is in the details and that is what we are working with. We need to get them right. I understand looking at these points from parts of the project, this will change the use and human density, we will move 500 parking spaces across the street. We are going to put people down there in housing. I support the point analysis that Chris has come up with, looking at the project as a whole. 1. +6 points from transit, the gondola. I previously said zero because I think it's required as mitigation. It doesn't merit 8. I support +6. 2. Parking I like the idea of the bus, but the westerly intersection where cars are in and out looks like a chokepoint. Engineering should take a look. 3. Planning and BGV did well with this hybrid, +3 points now and deal with other site specific points later. Chris I want you to look at page 36, the general notes of the master plan, right hand column, close to the bottom, under point analysis, you should edit the points during time of site specific plan analysis remove that. The 50% rule at site specific. This might be leftover. 4. +4 points for the roundabout. 5. Recreation I am ok with +3 points. 6. Open space is correct. Good to lock that off I support +6. 7. Height on the terminal: that is a structure, we can't get around that. Take into consideration. 8. Yes. I am concerned about the master plan notes on flat roofs. This specifically states that there can be flat roofs that can be used for outdoor decks. That should be site specific not master plan level. This grants permission for outdoor decks. Not sure what the town is doing with those now, let's not make it worse.

Mr. Frechter: In response to the public, council addresses those issues, and our job is to interpret the code. In terms of the applicants request for changing points. We would welcome that for the final hearing application. 1. I see this as a benefit. The council has approved the density on this lot so we need the gondola. Agree with points. 2. Agree. 3. I don't agree with the blanket assignment of -3. We should keep it at 25% for each project and not set precedent. 4. I support the +4 points. 5. Thank you for the conceptual proposal. I agree with +3 points. 6. Open space, I support +6. 7. Not sure if it's in our purview to allow exemption. This is transport and public utility so I support it, like a cell phone tower. 8. I do, we should acknowledge that the applicant is making a huge investment in non-revenue generating elements. Additionally, a gate for woods residents for access would be good. (Mr. Kulick: it is a public street. The street that accesses their properties is public ROW, so we would oppose any sort of gate. It's public land to a public road. We wouldn't want to block it off for a limited number in the community). Thank you. I would hope that the Town is ready to work with the applicant to coordinate plans with blue river corridor. 8. I think we are ready. I encourage their case for more points into the final hearing application.

Mr. Leas: 1. I agree. 2. I agree there. 3. I like the hybrid approach, yes. 4. Yes. 5. I agree with +3 points. Yes. 7. Height exemption should be granted. There is the ugly hillside at shock hill I support a building here. 8. Additional comments: we have the issue of council's limit on STRs and the question of BGVs exemptions is understood with everybody. There is the possibility of short term rentals and should ask Town Council's clarification for exemption of town houses and duplexes. 9. Final hearing, yes.

Mr. Giller: 1. Yes 2. Yes. 3. I like the idea of the workshop on materials, in general yes. 4. Yes. A fence for jaywalking has merit. 5. Yes we would benefit from commission input on sculptures. 6. Yes, town will be the best stewards of the 4 acres. 7. Height: gondola is

- functional, yes. 8. No comments: 9. Yes ready for final.
- Ms. Delahoz: Thank you for your time, you guys build a great product I appreciate it. 1. Yes. 2. Yes. 3. Yes. 4. Case could be made to increase. I support +4 though. 5. Yes. 6. Yes 7. Yes, exemption to height. 8. It will be beautiful once it's done. BGV works well with town and with planning input. You build a good product. 9. Yes you are ready for final.
- Mr. Beckerman: I am comfortable with staff's recommendation and working with the applicant. 1.-6. Agree. 7. I support it, Chris please spell this out as specific as possible in the findings, so we don't run into this down the road with utilities. I want to insulate ourselves. 8. Comments: we are uncomfortable with the master plan process. We are making decisions where that will effect what we see. Hesitation and details are to look at if we are comfortable with where we are sitting. BGV is a great steward, but what if property is transferred to a new owner? We are providing guidance for 2-5 buildings in a muddy world. I appreciate your patience and understanding. I look forward to seeing you at final.

**OTHER MATTERS:**

1. Town Council Summary- Mr. Truckey presented a summary of the last two Town Council meetings.

**ADJOURNMENT:**

The meeting was adjourned at 8:51 pm.

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Jay Beckerman, Chair