

## PLANNING COMMISSION MEETING

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

### ROLL CALL

Mike Giller <b>absent</b>	Jay Beckerman	Mark Leas <b>absent</b>	George Swintz
Tanya Delahoz	Steve Gerard	Allen Frechter	

### APPROVAL OF MINUTES

With no changes, the February 15, 2022 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

The "Other Matters" agenda section was moved to after the work session and the March 1, 2022 Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None.

### CONSENT CALENDAR:

1. Rocha Residence (SS), 518 Golden Age Drive, PL-2022-0035
2. Cedars 17 Dormer Addition (CK), 505 Village Rd. #17, PL-2022-0040

Mr. Gerard made a motion to call up The Rocha Residence, 518 Golden Age Drive, PL-2022-0035, seconded by Mr. Frechter. The project was called up with a vote of 5 to 0.

- Mr. Gerard: The trees to be removed for the proposed driveway and those to be added were not readily apparent on the site plan. The trees to be removed should be better labeled. (Ms. Szrek: The lighter grey circles on the site plan are trees to be removed but the applicant can likely change the line weights.)
- Mr. Swintz: Do the site utilities impact the landscaping plan? There are proposed trees to be added or existing near the proposed utility lines.
- Mr. Gerard: I also did not see the outline of defensible space, which is present on most plans. The total tree loss is not known but I counted over 30 trees. We must consider this because we are being asked to give positive points for landscaping; 36 trees are being added when 31 are being removed is not a very strong net positive given the amount of site disturbance on this lot. (Mr. Kulick: Staff was concerned about the site disturbance as well so the project was given the maximum number of negative points for site disturbance.)
- Mr. Swintz: The structure is pushed to the edge of the building envelope. Is there an allowance for disturbance outside the envelope? How do you construct without disturbing outside? (Ms. Szrek: Several recent projects have constructed all the way to the edge of the envelope. Construction chain link fencing prevents disturbance outside the envelope is required at that stage.) They have called out seven parking spaces but not delineated on the plans. (Ms. Szrek: We can have the applicant add delineated spaces on the plans, but there are 3 in the garage, 3 in front of the garage and one available within the long driveway.)
- Mr. Frechter: What is the precedent for disturbance for homes that have previously received negative four (-4) points for disturbance prior to the code change? It is difficult to tell the scale of disturbance here to warrant negative two (-2) instead of negative four (-4). Should we consider changing the code to limit the positive points for a third EV charger? Will they really use those three chargers? (Mr. Kulick: Having the ability for positive points for three EV chargers is a way to incentivize more chargers early in a move toward sustainability and is important for homes that could be used by multiple visiting families.)

Mr. Beckerman: I had similar thoughts regarding the site disturbance and landscaping.

Applicant, Zane Levin, Collective Design Group:

Speaking about the tree loss, a large portion of the tree loss occurs because of where the driveway is required to enter the site, from the shared drive easement. Locating the driveway in the opposite location on the downhill side of the lot was also considered with the client but the same amount of tree loss would occur. Collective Design Group is partners with Pinnacle Mountain Homes who is a known constructor of custom homes in Breckenridge and feels that they can accommodate constructing the home close to the envelope without issues or extending construction activities outside the envelope. We have done this on prior projects with no issues with the Town or the HOA. This project has been fully approved by the Highlands HOA. We can change the line weight for trees and accounting of species of trees that are being removed added as requested. Site utilities being collocated with landscape trees is oversight and can be corrected.

Mr. Frechter: I would like to examine previous projects which received negative four (-4) points for site disturbance. This project receiving negative two (-2) points for site disturbance will be a precedent setting project because of the code change to allow for only negative two (-2) instead of negative four (-4). (Ms. Szrek: Staff can add more details to the past projects precedent section for projects which received negative four (-4). (Mr. Truckey: Past projects would have a different precedent for disturbance than new projects because this Code section has changed.)

Public comment: none

Mr. Swintz: I would like more information to understand the negative two (-2) versus negative four (-4) points for site disturbance. (Ms. Puester: I would suggest a continuance so that the applicant can provide more detail on the landscape plan and staff can present the analysis of examples of what received negative four (-4) points for site disturbance before the code was changed.)

The applicant has agreed to the continuance. Mr. Swintz moves for continuance, Ms. Delahoz seconds. Approved 5 to 0.

The Cedars #17 Dormer addition was approved as presented.

**FINAL HEARINGS:**

1. Kuhn Single Family Residence and Accessory Dwelling Unit (CL), 203 Briar Rose Ln., PL-2021-0565  
Mr. Kulick presented a proposal to construct a 4,129 (gross) sq. ft. single-family residence with four-bedrooms, a two-car garage, and a one-bedroom Accessory Dwelling Unit (ADU). This proposal is subject to a Development Agreement approved by the Town Council in 2020 for subdivision of the existing Lot 2 into equally sized Lot 2A and Lot 2B, and development of each lot. The development proposed with this application is for the southern half of the property which will become Lot 2B. Subdivision is required prior to completion of the residence and the ADU. The existing modular single-family residence on the northern half of the property (proposed Lot 2A) is specified to be removed.

*Commissioner Questions / Comments:*

Mr. Gerard: I am still confused and concerned about the ADU window well on the north extending into the side yard setback. (Mr. Kulick: We previously have not applied setbacks to window wells, which are considered subterranean features if they are below grade. The Code for setbacks does not apply to features at or below grade.)

Mr. Swintz: I question the viability and functionality of the ADU parking space because of snow storage and snow coming off the garage roof. Should we require EV chargers to be shown on elevations? (Mr. Kulick: We do have a Code requirement for exposed metals which

must be painted to match the exterior.) We should consider what to do about EV chargers and screening for the future.

Mr. Beckerman: The Code states that for projects East of Main Street, the main ridge of structures should be oriented perpendicular to the street. For this structure, do you think that the primary ridgeline is perpendicular to Briar Rose? (Mr. Kulick: The majority of Commissioners previously did not have an issue with this. We considered this to be one structure, not like a historic home with multiple additions and a connector between different modules where there is a primary and secondary structure. Given that, we agreed that the garage is part of the primary structure, since it is one structure, it is oriented perpendicular.)

Applicant, Janet Sutterley, Architect:

The modular home on lot 2B will be removed prior to construction which is new, its just too close to the construction. One change that was made from the first preliminary hearing, the garage ridge was lowered by 6 inches as requested by the Commission. The south elevation second story window glazing was reduced. The option of adding a third garage bay was considered but adding the third garage bay was too massive and overpowering for the structure. A carport was also considered but was eliminated as an option by staff. Snow jacks and heated gutters will mitigate snow accumulation in the ADU parking space. The ADU parking space was approached with a logical solution in mind. We are taking negative three (-3) points for this parking space. The logical place to park the ADU car is in its current location near the ADU steps. We have implemented paver strips and added more landscaping to mitigate visual impacts from the parking space. We have reworked and added more landscaping to a point where it provides a benefit of screening. The exterior snowmelt was added primarily for the ADU steps to remain free of snow. Extra square footage of snowmelt was used at the back patio. The window well on the north side will only be 4 -4 ½ feet deep to meet existing grade. We have left room on the north side for access to the rear yard and drainage.

Mr. Swintz: Are the landscape plan trees shown as planted size or mature size? If so, do we want to allow for trees that close to the church property if they may grow to extend over the property line? (Ms. Sutterley: Those are the planted size, not mature size. We could rework the placement of those on the church side to not encroach the property line.) The north and south elevations replaced the standing seam roof with corrugated metal. (Ms. Sutterley: Yes, we decided to make the change to only one type of metal to not clutter the house with different materials. The corrugated metal on the roof is larger than the smaller spaced corrugated metal on the siding.) Consider the material finish on the exposed foundation wall near the ADU stairs.

Mr. Frechter: Central gable on south elevation includes an offset window. (Ms. Sutterley: This was for optimizing the view from within the house to the southwest.)

Mr. Gerard: On the south elevation, you could move the picture window to the center and flank it by the four panes to create the same symmetry that is shown on the west elevation to be more symmetrical.

Public comment: None.

Mr. Gerard: I will be voting no again as I did at the last meeting. I am worried about the precedent on three standards. Design Standard 263, the priority design standards include a drawing showing the orientation of the entrance to the front. I think the entrance should not face 45 degrees off to the side. I agree this is the place for the garage; however, Design Standard 267 states to minimize the impact of the garage. This garage dominates the front of the house. The primary roof is hidden by the garage. The location of the garage is good, but the second story storage on the garage makes it too large. The structure is parallel to the street and in my opinion violates Design Standard 269. There are two major rooflines if you look at the structure. This is bad precedent.

- Mr. Frechter: This is perhaps an example of over-programming the site. I need to further consider what Mr. Gerard has said about the project. Staff should consider what we do to screen EV chargers when they are on the exterior.
- Mr. Swintz: I agree that the mass of the garage is too large. I don't know where else to place the storage other than above the garage.
- Ms. Delahoz: I appreciate Mr. Gerard's comments about over programming. I appreciate the lowering of the roofline and additions to landscaping. I don't have an issue with the front door alignment. It is screened enough and is in a grey area of the Code. I am not sure about the mass of the garage. (Ms. Puester: What design standard do you think the garage mass does not meet?) When you are coming from the north, I do not see an issue, coming from the south there is an issue and the garage will appear large. If you need to tie my comments to a section, then design standard 267.
- Mr. Beckerman: We are here to interpret the Code. This application does not meet the design standards. I cannot feel comfortable approving an application that I feel goes against three design standards.

Applicant, Janet Sutterley, Architect:

I am concerned that the Commission is questioning elements of the design which were decided on previously in the preliminary hearing with consensus. The items currently under discussion of garage massing, front entry, and orientation of the structure were already determined with a majority at the preliminary hearing.

- Mr. Truckey: I can empathize with Ms. Sutterley, as the applicant can typically rely on consensus reached at preliminary hearings to develop their final designs. However, there are no rules that bound the Commission on preliminary comments and commissioners can change their minds between preliminary and final hearings.
- Mr. Frechter: There is still a large visual impact with the garage that is concerning.
- Mr. Swintz: We are also considering a lot, which was subdivided creating a smaller narrow lot. (Mr. Kulick: We consistently review projects that are on much smaller lots and have greater lot coverage. Over-programming does not seem to be an issue here because over half of the site is open space, the setbacks are met, the proposed height is 6.5" below the maximum and the project is under the allowed density and mass.)
- Mr. Beckerman: It is the design standards that are not being met here, not an issue of programming.
- Mr. Gerard: I didn't think our support to the project was that strong and was somewhat conflicted at the preliminary hearing.
- Mr. Swintz: What if the structure were pushed back from the street further to the back of the lot? (Mr. Kulick: For placement within the district, we would not want to see the structure set back from the road much further and the height of the structure is actually 6.5' below what is allowed within the character area.)
- Mr. Truckey: I suggest the Commission have a straw poll on the three design standards in question.

Does this application comply with Priority Design Standard 263?

- Mr. Swintz: yes  
Ms. Delahoz: yes  
Mr. Gerard: no  
Mr. Frechter: yes  
Mr. Beckerman: no

Does this application comply with Design Standard 267?

- Mr. Swintz: no  
Ms. Delahoz: yes

Mr. Gerard: no  
Mr. Frechter: no  
Mr. Beckerman: no

Does this application comply with Design Standard 269?

Mr. Swintz: no  
Ms. Delahoz: yes  
Mr. Gerard: no  
Mr. Frechter: no, it fails because the garage blocks the ridgeline  
Mr. Beckerman: no

The applicant requested a continuance of the hearing.

Mr. Swintz made a motion to continue the Kuhn Single Family Residence and Accessory Dwelling Unit, seconded by Ms. Delahoz. The motion passed 5 to 0.

### **WORK SESSIONS:**

1. FIRC Building (CK), TBD McCain Rd., PL-2022-0039

Mr. Kulick presented a proposal to construct a new 18,150 sq. ft. community building, containing a non-profit thrift store, food bank, and non-profit offices. At this work session, staff will review key design elements, including height, architecture and circulation with the Commission. Staff would like to receive the Commission's feedback prior to having the applicant proceed further on a final design. The following specific questions were asked of the Commission:

1. Does the Commission believe negative points are warranted for the proposed internal circulation?
2. Does the Commission have any comments pertaining to the project's architecture and/or site design?
3. Does the Commission support awarding positive points for providing a substantial amount of social service programming?
4. Does the Commission have any concerns related to the proposed location of the trash enclosure?
5. Does the Commission agree with the remainder of the preliminary point analysis?

#### Applicant, Peter Joyce, FIRC Board member:

I thought it would be helpful to give some history. FIRC started this project over one year ago. The way FIRC is organized and has been operating is less than efficient. FIRC currently operates from four locations but one central location would allow for more efficiency for operation and visitation. One flagship building for all our services would improve efficiencies. The Town has offered up this location. Allen-Guerra Architecture and Rock Ridge Builders have donated their services for this project. We have been to Town Council twice with this project. Locating the project on this southwest corner will solve our food delivery issue. The non-structural fill used on a portion of the property makes it non-buildable and locating the food delivery here was the only solution. This location can actually serve as the anchor for the future non-profit campus. FIRC is comfortable with this project financially because we currently own most of our existing buildings and have the ability to capitalize on that equity and finance this project. The upstairs offices will be utilized by FIRC and Building Hope.

#### Applicant, Suzanne Allen-Sabo and Andy Stabile, Allen-Guerra Architecture:

Our office is excited to work on this project with such an important mission. The importance requires this building to have good architecture. The architecture of this building could perhaps be defining for other developments on the future non-profit campus. The modification of each building corner with a tower element does create an anchor on the site. This helps address how the building looks from the street. FIRC has requested tall ceilings in the lower level for operation. The tower parapets do not have density but we designed them to anchor the building on the corner of the site. We consider the unbroken ridge lengths to be an architectural statement and do not feel we deserve negative points for this element. We feel that brick as a

material is a great addition to this social building and helps create a lasting and durable structure that has less maintenance cost for FIRC. The trash enclosure location can be resolved with staff. The loading docks are a necessary operation of the market. Civil Engineering recommended the loading dock in the location where it is placed. We are limited on locating the building and elements in the north of the site because of a previous pond on the site that was filled with non-structural fill and cannot be built upon. Landscaping and signage will be key to draw people to the correct entrance. The loading dock has been placed in a location to keep delivery trucks from the interior of the site where there could be a future daycare center.

*Commissioner Questions / Comments:*

- Mr. Frechter: What percentage of the 3.5 site acres does this occupy? (Mr. Joyce: Under 1 acre. There could be 1-2 additional buildings of this size in the future on the other portions of the non-profit campus.) The corner parapets put the building over the height. (Mr. Kulick: I originally thought there was density in the corners but if it is voided space the point analysis regarding height could be revisited.) For the upstairs decks, could gatherings on the decks be a distraction to the office operations? (Mr. Joyce: The decks are likely to be used as private space for the offices and provide architectural interest.)
- Mr. Swintz: The non-profit site should be master planned. From a development standpoint, I wonder if we can't look at the whole three acres and assess parking and development more holistically. Is this the only site in the non-profit area for locating FIRC? (Mr. Truckey: This is the site where FIRC should be located based on Town Council direction.) Consider parking and whether there is enough. Regarding building height, I am not concerned; the back of the Towers, what material will be there? (Ms. Allen Sabo: That area will be covered with the same roof membrane.) A second curb cut could be necessary depending on the intensity of use of the future sites. I think the building should be brick to last. I like the architecture and metal.
- Mr. Gerard: Will there be roof-top solar? (Ms. Allen Sabo: Yes, we are considering solar and hot water solar to run ambient floor heating. This will be a green building.) Consider pedestrian access and distance from the bus stop. Pedestrians could cross the "P" parking to connect to the site instead of indicated crosswalks. I like the architectural elements. It is not unlike the Breck Market which was approved. It will set a nice tone for the other developments at the site. This building should be brick; it is an institutional building.
- Mr. Beckerman: I still think the access road for trucks off McCain could be problematic but I don't know a better solution. The proposed landscaping, will it need irrigation? (Ms. Allen Sabo: yes, likely, we are going to get services from a landscape architect to provide more robust landscape plans for the next round). Consider the distance from the building for the placement of the trash enclosure, compost and card board are difficult to transport that far from the building. The building has an imposing aspect, like a government building. Is there a way to soften this?
- Mr. Frechter: No comments on architecture. I agree with max points for social services offered. Building height, if the code requires negative five (-5) points, I agree. No other comments.
- Mr. Swintz: Food bank entrance seems a long way from parking. (Ms. Allen Sabo: we anticipate adding more parking on the north end of the site once it is clear what future development will be located there.) Roofs drain internally? (Ms. Allen Sabo: Yes). Brick and metal are okay. Building height is okay perhaps with a new point analysis. There is interest in the ridge line. I agree with internal circulation negative points. +8 is good for social services.
- Ms. Delahoz: 1. Internal circulation will be revisited. 2. Architecture fits, especially with Breck Central Market. 3. Positive points for social services. 4. Trash and preliminary point analysis are being reworked. Is it feasible to make a gate opening for the drop-off? (Ms. Allen Sabo: good idea.) This is a good project.
- Mr. Gerard: We have precedent for not awarding negative points if the site conditions cause the design issues. I like the architecture. You are locked into site design. Maximum points for social

services. The trash enclosure movement can be solved. I don't agree with unbroken ridgeline negative points.

Mr. Beckerman: 1. Internal circulation, there is more work required from staff to determine if negative points are warranted based on precedent or if site dictates the design. Post-Covid, how much office space is really needed? Minimum on parking is the way to go. Excess parking impacts the landscape negatively. Three separate entrances could be consolidated. (MS. Allen Sabo: some social stigma and security issues associated with some of the services and uses encouraged three separate entrances.) With CMC did we assign negative points for brick? (Mr. Truckey: yes). I am comfortable with the current point analysis and confident a passing score can be reached.

**OTHER MATTERS:**

1. Town Council Summary

**ADJOURNMENT:**

The meeting was adjourned at 9:14 pm.

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Jay Beckerman, Chair