

PLANNING COMMISSION MEETING

The meeting was called to order at 5:33 pm by Chair Leas.

ROLL CALL

Mike Giller – **Remote** Mark Leas Allen Frechter - **Remote** Keely Ambrose
Ethan Guerra – **Remote** Elaine Gort Susan Propper - **Absent**

APPROVAL OF MINUTES

With no changes, the May 7, 2024 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the May 21, 2024 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments

COMBINED HEARINGS:

1. Parcel 5, The Fifth Resubdivision Plat of the Remainder of Tract C Peak 8 Subdivision (CK), Filing No. 1, 550 Four O'clock Run Road, PL-2024-0116:

Mr. Kulick presented a proposal to subdivide a single parcel totaling 1.0958 acres from the existing Tract C, Peak Subdivision Filing 1. The recently approved Development Agreement for the Gondola Lots and Peak 7 & 8 Master Plans contemplated the development of two new planning areas in the Peak 7 & 8 Master Plan boundaries for two single-family residential subdivisions - Parcels 5 and 6. The Owner and Applicant/Agent currently seek to subdivide the area identified as Parcel 5 in the Development Agreement from the larger Tract C, Peak 8 Subdivision in order to convey ownership from the owner to the applicant/agent. No single-family lots, roadways, infrastructure, or physical improvements are proposed at this time. In the future, a second subdivision request to divide the parcel into two single-family lots will be submitted.

Commissioner Questions / Comments:

Mr. Leas: To clarify, since the map is visible, will the subdivision in the future for parcel 5 follow the existing road? (Mr. Kulick: It has not been submitted yet but that is most likely, with a private easement for the access road).

Mr. Leas: What is the smaller square in the bottom left corner of the plat? (Ms. Gort: It's labeled as a utility easement.) (Mr. Kulick: It's an existing utility easement that's not changing as part of this proposal.) Why would there be one there if there's no utilities in it? (Mr. Kulick: It is standard to have easements for future needs.)

Ms. Gort: Why is the proposed parcel a triangular shape? (Mr. Kulick: Looking at the existing use of the surrounding area the shape follows the existing use of the neighboring ski run.) (Mr. Truckey: The existing master plan labels that area to the west for ski recreation use and we would not want to reduce that area to make it associated with a residential lot.) Mr. Leas: When they subdivide that will they no longer have that access? (Mr. Kulick: They plan on doing an easement to maintain that access for the ski area and would move an existing gate.)

Ms. Ambrose: Once this is subdivided could someone just build on it now, does it confer any density? (Mr. Kulick: This subdivision does not confer any density but due to it being part of the Peak 8 Master Plan there is some existing density. To get the proposed two single-family lots out of the area they would have to do a density transfer. Additionally, the current master plan does not allow single family development there, only multi-family and skier services are allowed under the current master plan, so that will have to be

changed in a later master plan amendment.) And has that amendment been submitted? (Mr. Kulick: Yes. They have an active application for that amendment and it will come before the Commission, likely the second meeting in June.)

Ms. Gort: No questions.
Ms. Ambrose: No questions.
Mr. Giller: No questions.
Mr. Guerra: No questions.
Mr. Frechter: No questions.

The hearing was opened for public comment. There was no public comment and the period was closed.

Ms. Gort made a motion to approve the Parcel 5 Fifth Resubdivision Plat of the Remainder of Tract C Peak 8 Subdivision Filing No. 1 with the attached findings and conditions, seconded by Ms. Ambrose. The motion passed 6 to 0.

PRELIMINARY HEARINGS:

1. Highlands Riverfront Tract E Deed Restricted Condos (SVC), 13545 S. State Highway 9, PL-2024-0089:

Ms. Crump presented a proposal to construct 44 deed-restricted workforce housing units in four condominium buildings on Highlands Riverfront Tract E, accessed from Stan Miller Drive. Each building will be a maximum of three stories with 11 one-bedroom units. The entirety of the project is intended to be deed-restricted for-sale units. The project will provide 66 surface parking spaces, with optional covered parking proposed. An existing 2,344 sq. ft. professional office building is located on the southeast corner of the lot and is proposed for demolition with this project. The following specific questions were asked of the Commission:

1. Does the Commission agree with staff that the project could be eligible for positive four (+4) points for landscaping?
2. Does the Commission have additional comments or recommendations for the applicant?

Commissioner Questions / Comments:

Mr. Leas: The density and workforce housing requirements were tied to the previous project of single-family development closer to the river? (Ms. Crump: What you saw previously was phase one of the plan which included some deed restricted units in the same area as the single-family units, this is phase two and is a slightly separate workforce housing requirement of the Braddock Annexation Agreement.)

Ms. Ambrose: Do they have to be one-bedroom units? (Ms. Crump: No, they could be two-bedroom or larger units, they would just have to meet a different size minimum. The project would still be capped by the 40 SFEs so if they did two-bedroom slightly larger units they may do less units overall.)

Mr. Leas: Do the side parking spots need a setback from the side yard as well as the rear? (Ms. Crump: Those spaces are compliant all set 5' off the side property line.)

Ms. Gort: Have they considered any solar on this project? (Ms. Crump: I will let the applicant answer, but the location and roof design would be good to accommodate solar.) Due to the roof specifications needed for solar do we have any kind of height waiver in relation to solar installation? (Ms. Crump: Not currently, but it is possible to still install solar without changing the proposed roof form. The angle of the installed panels could be adjusted.)

Ms. Gort: I am concerned about the trees in the center and defensible space. (Ms. Crump: This project has been reviewed in relation to the defensible space policy. The portion in

violation now is the evergreen trees in the interior corridor. If those are moved out of the interior corridors the project would be in compliance with defensible space standards.)

Mr. Frechter: This project is only using 50% of it's density? (Ms. Crump: That is correct they are not using the total density on the site, but the remaining density could possibly be moved elsewhere on the project site under the annexation agreement. I'll let the applicant speak more about that.)

Mr. Guerra: No questions for staff.

Mr. Giller: Has the applicant proposed any exterior furniture such as benches or picnic tables? (Ms. Crump: Not at this time.) Is there a bonus available for proposing that? (Ms. Crump: No, if they proposed a significant amount of recreation facilities it may be eligible for points under Policy 20 but there's no precedent for anything like that.) Are there any points available in relation to Tract W? (Ms. Crump: There are positive points available for connecting through Tract W by paving the connection path to the existing recreation path. Tract W was already designated as private open space as part of the previous Miller master plan and Highlands Riverfront subdivision.)

Mr. Leas: As Tract W borders Highway 9, would there be concerns about children recreating in that area? (Ms. Crump: Tract W is part of the required 150' Highway 9 setback area so no structures could be built in this location.)

Tom Begley, MB Development LLC, Breckenridge Lands (Owner/Developer):

This is an exciting project for us as it's the first multi-family development for Highlands Riverfront. We've worked on this project for many years and are now getting to the point where the rubber meets the road. We are looking for feedback tonight, this is still very much a work in progress. We only received the staff report in final form yesterday, so we haven't had time to go back and discuss it further with Staff. Mark has done a great job with the project in centering the density in the center of the parcel, so the cars are on the outside and have less conflict with pedestrians and cars. This project will look nice on the site. We are asking for a positive point for stepping down the height on the ends under Policy 6. At a height of 35' we are looking at trying to reduce the height but it's the height of a single-family home and a consistent height with many of the Highlands Riverfront homes and some of the neighboring developments in the area. For the carports, they are possible but we haven't priced the project yet, we aren't going to profit with this project so we're trying to do our best to break even. I believe the project is meeting all of the absolute policies, but we will still consider the carports. For storage we had calculated a bit differently from staff so we will make the storage closets not optional and shift the parking away from the rear property line. For exterior materials, we understand we are taking negative three points for the project. In adding natural materials we'd be concerned about the long-term upkeep of natural materials, something more man-made, just like Vista Verde next door, was our goal for the exterior. We could introduce some metal accents, stone is a bit more expensive so we would avoid that. We're hoping to keep the overall HOA cost down and minimal cost to the residents that would live there. For landscaping I believe we are consistent with the other projects that have received positive four points, and we will work to move those interior trees to other locations on the site. We will continue to consider Sarah's suggestions for positive points, we're a little nervous about going all electric this early in the project as we don't want to pass the added cost onto the residents. For density we're currently around 60% of the allowed density for the site. Solar is something we're still looking into, going back to the cost to the residents and exploring options. As part of the overall subdivision, we do have Tract W to the east with a 150' setback away from Highway 9 but we weren't planning on adding any additional structures in the tract, and I believe we're prohibited from putting anything within that setback. We do plan on having additional open space and a 7-acre park area across Stan Miller Drive. In addition to a public parking lot that we will be building in that area we plan on adding play structures and other things. We believe this area is better suited to direct people to recreate rather than an area to the east and closer to the highway.

Mr. Leas: Just to clarify, will that park be more of a public park that Tract E residents could use and others would be able to enjoy as well? (Mr. Begley: Yes, it would be a privately maintained, publicly accessible open space.)

Mark Provino, Provino Architecture LLC (Architect):

A couple of added comments about the storage and the carports. We don't have space outside to do garages, but carports could be doable. There was a suggestion to mix up the building shapes and stagger them somewhat. We are trying to meet a certain price point here and there is a bit of economy of scale in keeping them uniform, but we've added articulation and broken the buildings up somewhat to hopefully create a pleasing concept. I worked with the Breckenridge Market project a couple of years ago and they received positive three points for the rec path connection which I hope we would be able to benefit from as well. For policy 24R, regarding social community, we feel like this 100% employee housing project is working towards those goals and the policy allows positive six points for projects meeting the council goals. One goal is maintaining a year-round economy by attracting and retaining entry and mid-level workers, which I believe this project is working directly towards that goal. Another goal is to build/maintain hometown character with a subgoal of providing diversity of housing to locals and another subgoal is employee housing which this project directly addresses so I believe we should be eligible for those community goals points.

Commissioner Questions:

Ms. Gort: Are those I-beams that are vertical on the building elevations? (Mr. Provino: Yes, they are support for the balconies, and they could be timber or steel, we're not entirely sure yet. And surrounding the windows there would be wood trim so there will be some natural siding materials and accents.)

Ms. Ambrose: Just to clarify, are these units required as part of the Highlands Riverfront development? (Mr. Begley: Our maximum development potential is 162 units, 57 are market rate and 105 are deed restricted. In phase one we had a release ratio of roughly one to one, in phase two of the project it's now three to one. So three deed restricted for every one market rate. They are required for us to build more market rate housing, but it doesn't necessarily have to be on this tract, it could be on Tract A.) (Mr. Leas: Have you started building on Tract A yet?) (Mr. Begley: No, we are still working our way from the north to south.)

Ms. Ambrose: Can you speak to the unit mix? (Mr. Begley: It's all one-bedroom units, 600 square feet is a pretty spacious one-bedroom unit.) Do you plan on building all one-bedroom units? (Mr. Begley: No, it depends on the market demand. Currently we believe there is the market for these one-bedrooms but that may change in the future.)

Mr. Frechter: Are you able to transfer this density to another site? (Mr. Begley: I'm not sure, it was the Town's density that was transferred onto the site so if they would allow us to transfer it onto Tract A we could consider using the density elsewhere but ultimately it is the Town's density and if we cannot use all of it, it should be transferred back to the Town.)

Mr. Frechter: Are you working with the housing department to make sure there is a market demand for these units? (Mr. Begley: Yes, and we also have the ability to build one building and see how it absorbs into the market before moving forward and do pre-sales to see if we should approach the other buildings with the same unit type.)

Mr. Leas: Is there an AMI you're looking at for these units at the moment? (Mr. Begley: There are some specific AMIs we're required to meet as part of the annexation agreement: so many units at 150% AMI, 120% AMI and so on. Most of those requirements were met with the duplex units in phase one. These will gravitate towards 100% AMI which I believe is in the \$300,000-\$400,000 range for the unit.)

Commissioner Comments:

- Ms. Ambrose: I think the height for deed restricted housing is something we should look at. It seems really unfortunate to assign negative points for going to three stories with employee housing, especially since we need it. Storage and energy efficiency are definitely good things to look at to make up the negative points. I don't think you should get additional positive points for the affordable housing you are already required to do but I would be in support of points for providing the deed-restricted units above the 75% required. I agree with the positive four points for landscaping.
- Ms. Gort: I agree as well, and I think this is a good project and it looks really good. I would definitely look into the solar on the roofs. Yes, on the landscaping points.
- Mr. Giller: My only comment is I think it's a lost opportunity to not include site amenities for the residents, such as picnic tables, shade structure, or gathering space. I don't agree with the four points for landscaping, I believe there's a lost opportunity for a shared amenity.
- Mr. Guerra: I also think it is a nice project, the architecture is pleasing. I would encourage covered parking for livability and snow removal. It could also bring down snow removal costs in the long run and could help shield the units from adjacent uses at the BBC and fire department. In terms of storage, looking at floor plans for the current configuration of storage. With the way the floor plan is now, due to the storage space being combined with the laundry room and mechanical space a pathway must be maintained so the storage area is halved. Consider reconfiguration of this area so that it is more useable. Additionally, I'm only seeing one trash enclosure proposed on the site which would be a long walk from the opposite side of the community. (Mr. Provino: We weren't proposing multiple trash enclosure facilities to push it to the back corner, but we would be amenable to placing it more centrally to reduce the length of the walk there.) And I agree with the four points for landscaping.
- Mr. Frechter: I think the carports are a great idea, especially with solar on top which would allow for potentially some cost savings. I would look at Lincoln Park for their storage attached to their carports, I believe that was more of what Staff was referring to. Additionally, the two-foot stairwell closets are not very usable and could benefit from being larger instead of the minimum size and I agree with question one on landscaping points.
- Mr. Leas: I agree with the four points for landscaping, and I believe this is a great project for the area. For policy 6R, there is a direct relationship with density and cost, if you increase density the cost goes down somewhat. We should be looking at the height of the fire station and BBC that are in the adjacent area. I believe Town Council should be looking at this policy again, we don't want another Beaver Run but in the surrounding communities in other counties there are very few buildings of multi-family housing that are not three stories tall. It is a waste to not allow for that density here or discourage it with negative points. (Mr. Truckey: We had this same discussion yesterday during a staff meeting; we do recognize the issue. This policy has been in place for a long time and in the past there were council members that were adamantly opposed to allowing more than two stories but that can be something we look at.)

OTHER MATTERS:

1. Town Council Summary

ADJOURNMENT:

The meeting was adjourned at 7:15 pm.

Mark Leas, Chair