

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 pm by Chair Leas.

ROLL CALL

Mike Giller	Mark Leas	Allen Frechter	Keely Ambrose – absent
Ethan Guerra	Elaine Gort	Susan Propper	

APPROVAL OF MINUTES

Mr. Leas: I did have some changes to the meeting minutes. In terms of what I had to say about Policy 6R, as it relates to the workforce housing, did not make it into the minutes. I said that we should take a look at the height of the Fire Station, the Building Center, and the water treatment plant when we evaluate the employee housing project.

With those changes, the May 21, 2024 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the June 6, 2024 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

No Public Comments. The Public Comment Section was closed.

CONSENT CALENDAR:

1. Edel Residence (EM), 206 Morning Star Drive, PL-2024-0087
2. Bostad Residence (SVC), 212 Wellington Rd., PL-2024-0154

Mr. Frechter: Taking out the sink, dishwasher, fridge; is that because they are building new and if that remained the ADU would require a deed restriction? (Ms. Ellie: There is currently a covenant recorded against the accessory unit above the garage that specifies the unit is not allowed to have a kitchen. And those items are part of the kitchen definition. Currently, they are not in conformance with that covenant, so they are removing those items as part of the project.) Does the Building Department check for water service lines to be removed during their inspections? (Ms. Muncy: We have added a condition of approval to the application that specifies the fixtures and associated lines be removed with this application. We can ensure the Building Department is aware of and inspects these items.)

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

COMBINED HEARINGS:

1. Resubdivision Plat Parcel 6, The Sixth Resubdivision Plat for the Remainder of Tract C Peak 8 Subdivision, Filing No. 1 (SVC), PL-2024-0115

Mr. Kulick presented a proposal to subdivide a single parcel totaling 13.3544 acres from existing parcels: Tract C Peak 8 Subdivision Filing 1, Remainder Parcel H Tyra Placer MS 13343, and Remainder Parcels R, P, and S Ada Placer MS 13774. The recently approved Development Agreement for the Gondola Lot 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 6 in the Development Agreement in order to convey ownership from the Owner to the Applicant/Agent. No single-family lots,

roadways, infrastructure, or physical improvements are proposed currently. In the future, a second subdivision request to divide Parcel 6 into multiple single-family lots will be submitted.

Commissioner Questions / Comments:

Mr. Leas: The property line is curved; is there a specific reason for that? (Mr. Kulick: It really has to do with the slope and separation from the maintenance facility. There is approximately 85 feet of vertical gain between the two.)

Mr. Guerra: The slope that you are talking about is that located by the fuel pumps?

Mr. Graham Frank, Breckenridge Grand Vacations: You are correct, the highest portion will be near the refueling stations where the snowcats cut in and the retaining wall climbs that entire way.

The hearing was opened to public comment; there were no comments and the comment period was closed.

No additional Commissioner Comments.

Mr. Giller made a motion to approve the Parcel 6 Resubdivision, seconded by Mr. Guerra. The motion passed 6 to 0.

2. Gondola Lot Master Plan Amendment (SVC), 350, 355 & 415 S. Park Avenue, PL-2024-0118
Ms. Crump presented a proposal to amend the master plan for the North Gondola Lot, North Gold Rush Lot, and South Gold Rush Lot in accordance with the recently approved development agreement between the Town and Breckenridge Grand Vacations. This amendment will transfer up to 90.2 SFEs (single-family equivalents) of density from the Gondola Lot Master Plan area to the Peak 7 & 8 Master Plan area and 15 SFEs to the Entrada Lot and receive up to 13.9 SFEs of density from the Town of Breckenridge for the construction of workforce housing units on Gondola Lot Parcel 2. The amendment will re-assign density and revise uses for Gondola Lot Parcels 1, 2, and 3 outlined in the Gondola Lot Master Plan in accordance with the development agreement.

Commissioner Questions / Comments:

Mr. Propper: I did not understand the differences between dedicating land fee simple and dedicating from a points perspective regarding the Open Space discussion. (Ms. Crump: Typically, when positive points are given, it's through a public dedication, where the applicant would retain private ownership but allow for an easement and public access to the area. This is a little different because they are dedicating fee simple and deeding the land to the Town. The Town requested that; it's better for us to have control over that sensitive wetland area and have full ownership. When this master plan went through, staff believed that dedicating the land fee simple went above and beyond the requirement, and so it was eligible for the positive points.) Okay, thank you. (Mr. Kulick: It wasn't a required dedication at the subdivision because the Parkway Center had already been subdivided. Additionally, there is a separate dedication that we are working on regarding the Breckenridge Transit Center. So that's why some of the lot lines that are shown are kind of jogged away to match the wetland delineations, as well as where the lease area of the Transit Center.)

Mr. Giller: Is the development agreement the basis for allowing the more generous mass bonus per the now repealed Policy 4 and yet the parking requirement is reduced from the previous two spaces per townhome to 1.5 spaces per unit? It sounds like we gave in on both of those. (Ms. Crump: The development agreement did specifically outline that density would be looked at as prior to the Code revisions and therefore you have to think about mass calculations as well.) (Mr. Kulick: And then the parking I think is being more

generous, because now we require two spaces per duplex unit. And previously it was 1.5. Depending on further development, you don't want to develop more parking spaces and could consider 1.5 as is as being more generous from the developer point of view.) Perhaps, I believe two spaces is more stringent, and there is less likelihood of parking on the street or the townhomes not accommodating all the necessary parking. So, on one hand, we've allowed more density more mass based upon the old criteria, and we've allowed less parking based upon the old criteria. My second question, can you give us some sense on the operation of the shuttle? Is that a seasonal ski season thing? (Ms. Crump: Yes, the shuttle will be required on certain days when the ski area reaches a certain capacity on the Gondola Lots.) (Mr. Kulick: I think in the past year, the North Gold Rush Lot was utilized on six separate occasions. Part of the agreement is to park the other lots first and wait till they're full, and then have parking over there as essentially overflow. And when that begins operation, then they have to operate the shuttle. There is also a requirement of the Agreement for any shuttles to be electric.)

Mr. Leas: And that shuttle is just running across the street? (Mr. Kulick: Yes, it is.)

Mr. Giller: And is the thought collectively that that's less impact than vehicular or a small gondola? (Mr. Kulick: A big difference between this and the previous master plan is that the North Gondola Lot still retains a large amount of parking where before everything was going to the North Gold Rush Lot. So, every day that lot was open, all those people would have to cross the street. Now, for the majority of days in the winter, that lot won't even be open. The ski area has a good sense based on past demand when the busy weekends are and when operation is necessary. When the lot was proposed to be open 100% of the time, we did need that constant movement provided by a gondola.) The primary parking was a garage, not just a surface lot. Okay that helps my understanding.

Mr. Guerra: I have no comments or questions. Thank you.

Ms. Gort: On the roundabout, we are giving three points for the roundabout, and then four points for the Capital Improvement Plan items because it's within three years, but it is not within three years? (Ms. Crump: That is the provision that was written into the Development Agreement, and it's outlined in the Development Code that for prior positive points, if the master plan is vested, they can carry those points forward. While they wouldn't be eligible for those points today if we were totally starting from scratch, they are allowed to carry those points forward.) My next question has to do with a statement about them wanting to carry over their positive points. Right now they're getting three points. (Ms. Crump: Not to other projects, they cannot move positive points to other projects, just for this amendment to the Master Plan. They can't move their positive points to a different project.) I thought that they could move the points to different properties within this whole Master Plan. (Ms. Crump: No, future site-specific hearings will have their own point analyses.) What is the point of the carry-over? How would they use that? (Ms. Crump: They're carrying forward the analysis from the existing Master Plan. With these amendments, they're ending with only positive three because they're still receiving negative ten and not doing a few of the items that resulted in additional negative points prior. The final score results in positive three now instead of positive eight. If they were to have another amendment in the future, those positive three points could come into play and the whole master plan would be rescored again. But no, they are not able to take those points and use them for a different project.) (Mr. Kulick: Point analyses can get complicated. For example, the master plan can take negative points for height. At the site-specific reviews, no negative points would be given for height because the master plan already took the negative points.) (Ms. Crump: There are also situations where the master plan was eligible for positive points but the applicant has chosen to instead defer those points until the site-specific reviews.)

- Ms. Gort: On the North Gold Rush Lot, if the parking lot is going to be empty most of the time, that is a lot of paved hard surface. We don't give negative points because of the required parking? (Ms. Crump: They are not given negative points because the parking lot is fulfilling the requirements of a separate parking agreement. There will be a future application that discusses the site specific parking lot upgrades regarding landscaping, drainage, and lighting.) Does it have to be paved asphalt? (Mr. Kulick: Yes, parking lots must be paved per the agreement and the Development Code.)
- Mr. Frechter: Are the planned number of parking spaces greater than what can be parked there now? (Mr. Kulick: The area will be increasing to accommodate the loss of parking spaces from the South Gold Rush Lot and proposed employee housing.) So, there is not a net change in the number of spaces between the Lots? (Mr. Kulick: Correct, it is a wash.) Since the phasing is part of this amended Master Plan, the applicant can only progress so much on specific sites before moving to the next? (Mr. Kulick: Yes, there are certain targets that the applicant must meet. This is primarily for the Town to get the public benefits identified in the development agreement first.) Are they going to keep the north entrance to the North Gold Rush Lot? (Ms. Crump: I believe they are abandoning that entrance.)

Mr. Graham Frank, Breckenridge Grand Vacations: I think Mr. Dudick, myself, Mark Truckey, and Chris Kulick are the only persons that are aware of what Sarah has had to absorb, and now potentially forward. And it's astounding, because we've lived it the four of us over five years, but we're sitting here amazed at the presentation. So thank you, because this is a ton of information. And on the north gate/entrance, that is not a CDOT approved access, so no, it won't be perpetuated in the future.

The hearing was opened to public comment; there were no comments and the comment period was closed.

- Mr. Giller: Enormous amount of thought and hard work into this project. Thank you all. No comments.
- Mr. Gort: Thank you, all. I do think that is a lot of paved area for the North Gold Rush Lot. If something creative can be done, like pickleball courts, or something similar, that is a lot of paved area to only be used 20 days a year. That's my suggestion and my comment.
- Mr. Frechter: No comments. Good job.
- Mr. Leas: No further comments. To echo Mr. Giller, when I started as a Commissioner, we were introduced to this project. Some of us have seen all of the changes and can only begin to appreciate the work that you guys put into it. Thank you for all the work from BGV and Staff.

Mr. Giller made a motion to approve the Gondola Lot Master Plan Amendment, seconded by Mr. Guerra. The motion passed 6 to 0.

TOWN PROJECT HEARINGS:

1. Carter Park Dog Park (CK), 500 S. High Street, PL-2024-0163

Mr. Kulick presented a proposal to construct various improvements to the existing Carter Park in Breckenridge, including landscaping, a new sidewalk, redesigned fencing, a shade structure, and additional drainage facilities. The project is necessitated to treat contaminated runoff from the Dog Park and adjacent uses.

Commissioner Questions / Comments:

- Mr. Frechter: Currently, the dog park has a small dog area. Is that the reason for that fence? Or will there be another small dog area?

Ms. Kristen Brownson, Public Works Assistant Director: We are considering both a small dog area and a large dog area. Currently, the small dog area is very small. As you can see from the plans, it's now split down the middle. We've been talking to our landscape architects about possibly adding another smaller area for the little, teeny tiny dogs so that they're not mixed in with the other dogs that are running so fast. So that is something we're considering and haven't come to hard conclusions yet. But yes, we want to keep the little dogs separated.

Ms. Gort: Does the separating fence in the middle open up? (Ms. Brownson: There is not an opening in the middle fencing. At the north or south entrance, you must choose which side of the dog park that you are entering. Those are the main gates and feature double gates so the dogs cannot run out.)

Mr. Scott Jackman, Streets and Parks Manager: Last Spring, we had to close the dog park a few weeks because of the melting snow and conditions. With this design, we could keep one side open and close the northwest side when conditions are at their worst.

Mr. Guerra: I don't have any questions. I do not have a dog, but I have seen a lot of the community using it. I am excited to see some positive changes at this location. (Mr. Jackman: We hear from the community it benefits the dogs, it's good to have a dog park, but it's also good for the owners. It's a social thing for some people.)

Ms. Propper: I saw that some of the planting beds are intended to discourage vehicles from entering parts of the park and I wanted to know whether there would still be paving in front of the pavilion? Will people still be able to drive cars down there if they're having an event at the pavilion and they need to unload? (Mr. Jackman: Yes, that's possible for someone having an event where they need to load in/loadout the pavilion. You can see three squares there on the plans; those are planter boxes. And our thoughts were just utilizing that to keep people from driving onto the lawn. Those are also able to be moved if needed.) Thank you. No other questions.

Commissioner Comments:

Mr. Frechter: If you are proposing to split the dog park, are you going to put water fountains in both sections? (Ms. Brownson: We had only planned for one, but maybe we'll look at two. That is a good suggestion.) Additionally, it would be nice if there was a coffee or concessions bar in this area. Seriously, an area for maybe an entrepreneurial coffee truck in the winter with provisions for electricity. I think hot chocolate and coffee in the winter and cold drinks in the summer would be nice.

Mr. Leas: That ties into the social aspect that you were speaking about.

Ms. Gort: I have no additional comments other than I have a dog and my dog loves the dog park. Thank you for keeping this community dog friendly.

Mr. Leas: I know there was a lot of effort put into this. Great job to Norris in designing it.

The hearing was opened to public comment.

Mr. Greg Jaspan, 220 Highland Terrace: First of all, we love the dog park. It's a wonderful amenity to Breckenridge, we've been using it since we moved here three years ago. So, I can't say enough about the social aspects and what it does for our dogs. Just a couple of comments, though. The berms and things like that, one of our concerns is that dog waste, if a dog goes behind the berms and the owners don't see it because the berm and so the dog waste is left. I don't know how you accommodate for that, but right now with the rocks in the northwest corner, a huge accumulation of waste there because of that. My concern is

with all the landscaping and things like that you're going to accumulate a lot more waste. Yes, there's a small dog park area now, which I heard you say you would make accommodation for some of our friends that do have smaller dogs. That will be a welcome addition to the show. (Mr. Jackman: We did hear that from the other community groups we work with. We proposed this plan and that was their first question. Where's the small, small dog park? And so, we are considering that and it's on the latest drawing on the north side. Right where you enter at the north side; it would be a small four-foot high fence, specifically for small dogs.) And that fence is being raised to five feet? (Mr. Jackman: That is correct. The perimeter fence we're suggesting five feet. We think because of the snow accumulation here and we see dogs jump in or out. We thought five feet is a good height. We know there's a lot going on here. There's a dog park, tennis courts, pickleball, the pavilion and weddings. We also heard comments that you should make the fence six feet, seven feet. We do not want the dog park to look like a compound for those that are having a wedding at the pavilion.) In Silverthorne it's six feet. So, making it six foot I think would prevent dogs from jumping as well as reducing injury. Right now moose can walk right over the fence.

There were no additional public comments and the public comment period was closed.

Mr. Giller made a motion to **recommend approval** of the Carter Park Dog Park Town Project, seconded by Ms. Propper. The motion passed 6 to 0.

OTHER MATTERS:

1. Town Council Summary

ADJOURNMENT:

The meeting was adjourned at 6:56 pm.

Mark Leas, Chair