

JOINT MEETING WITH PLANNING COMMISSION AND TOWN COUNCIL

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

Topic: Scrapes and Redevelopment; Existing Single-Family Neighborhoods

Mr. Truckey gave a short presentation on the background for the neighborhood preservation discussion, mentioning it had been a topic brought up several times recently in both Planning Commission and Town Council meetings with several scrape projects moving through the process. He also gave an overview of the last code change to limit home size and the feedback received from the community about creating that limit during engagement events in 2008 to define that limit. He mentioned that staff will be moving forward with a work session to again look at home sizes based on Town Council direction and with precedent research from neighboring communities with a focus on energy use and sustainability. Ms. Owens asked the Commissioners for their opinions.

Ms. Propper: As someone who lives on a street fondly known as “Gold Scrape,” it’s an important issue to address that’s changing the character of the neighborhoods. Mr. Frechter has seen articles on surrounding communities who successfully implemented code changes regarding this. I’m interested in looking into it and open to different ideas of how to accomplish it.

Mr. Leas: We should define what we’re looking for with this and what we hope to achieve, what we like and don’t like. There are some things that have become obsolete and are no longer energy efficient or serve their purpose but also other things we should save. We need to be careful that we don’t step on property rights but maintain character. Maybe we should have framework similar to that for the historic district but less stringent.

Mr. Giller: Quality matters, when the home matches the character of the town and design standards it’s a benefit to the community. Size is a big difference in that maybe a house that’s too big is not contributing to the sense of community. We should articulate what we don’t like about the new homes so we can steer them towards what is beneficial.

Mr. Guerra: Bigger homes are often becoming second homes, whereas the Weisshorn was always a local’s neighborhood. I agree with the other Commissioners. There needs to be a way to incentivize the home sizes and styles we value. Beyond incentivizing smaller homes, I’m not sure what the solution is.

Ms. Gort: I remain neutral on the issue; we have a lot of diversity of architectural design in Breckenridge and we should strive to maintain that but having a lot of scrapes and new houses next to older houses will make the older houses look more dated and drives the incentive for more scrapes. Maybe looking into and encouraging use of recycled materials. Scrapes on developed lots do have the benefit of redoing something within town rather than increasing sprawl by expanding outwards.

Mr. Frechter: We should look at how many lots we’re talking about, focusing on the Weisshorn neighborhood, and look at the age of homes to see what might be likely to be redeveloped. It may be too late to intervene on Wellington Road.

Ms. Ambrose: I’m less concerned about the legality of the regulations and support some kind of square footage regulations. Some kind of parameters on the square footage or expansion of footprint should be added and I wouldn’t be concerned with a takings claim or a loss of value. There’s a lot of different ways we could approach this, and we need to determine a fair and equitable way to do it. I agree with my fellow Commissioners.

Mr. Truckey: We’ve seen a lot of interest in the Weisshorn because of its close proximity to downtown, lack of platted envelopes, and ability to have varied architectural styles. Some other examples of other areas without platted envelopes include Christie Heights and Warrior’s Mark.

- Mr. Beckerman: It's easy to look at a house and say what we don't like it but hard to determine why right off the bat. As we get closer to being fully built out, these redevelopment opportunities become more enticing and cost effective than building a new house on an empty lot. Modern architecture designs favor flat roofs which allow for higher roof lines and have a bigger perceived mass. We might consider looking at roof lines and setback rules for lots without a building envelope to keep more open space and push the structure further from the property line.
- Mr. Gerard: A major complaint/ask I heard while campaigning was the change in architectural style which includes much more glazing and houses in the Weisshorn have much more lighting trespass through large windows than houses on Discovery Hill. Perceived mass and looking at setbacks with how we allow reduced setbacks for negative points should be something we look at. We should also look at the density of the people, how many people will be living in the house based on the size and making sure we account for that.
- Mr. Leas: We should look at incentivizing as Mr. Guerra mentioned, if we give a developer the option to split a larger parcel into several smaller parcels with smaller houses then that would be more profitable for a developer and would create more affordable, but not necessarily workforce.
- Mr. Giller: Boulder has done something similar, keeping the large home at the front of the parcel and splitting the rear of the parcel to build several smaller homes, and it's an infill opportunity that creates more affordable housing.
- Mr. Leas: This can create dogleg lots and longer driveways, so there are tradeoffs that we need to consider.
- Mr. Frechter: Telluride is a great example of this, almost every home has a home behind it, and they're not necessarily workforce housing. Frisco has also been doing something similar to this, and creating three 3 million dollar and multimillion dollar homes rather than one 8 million dollar one.
- Mr. Leas: We should be mindful of how we structure the incentives to determine if we want them to be second homes or primary residences.
- Ms. Ambrose: I agree but we should be careful how we do this as there are restrictions to density built into master plans and County agreements. If we look at this from an affordable house/local housing lens I would be supportive.

Topic: Existing Multi-Family Lodging Properties

- Mr. Beckerman: This should be something we're looking at now as these properties get older to make sure renters aren't displaced as they are potentially redeveloped but also not leaving people living in poor conditions. Especially from an insurance standpoint it may be beneficial to consider. This should be a long-range planning item that starts now. There are perhaps areas where, if we define certain building and planning criteria that a multi-family development can meet, perhaps insurance companies can give relief.

Topic: Building Heights for Workforce Housing Projects

Mr. Truckey discussed how outside of the historic district, most buildings have a height limit of 35' feet for single-family homes but for multi-family development in locations such as north of Town the height limit is only two-stories or 26'. Anything higher incurs negative points, which has recently been detrimental to incentivizing workforce housing projects.

- Mr. Giller: I think we should allow multi-family developments to go to three stories, which is closer to single-family heights. For the cost of a building, once the foundations and site

work are set, the cost of adding a third story and allowing a taller building makes sense, especially for workforce housing. In locations on the outskirts of town the height is also less of an issue.

- Mr. Truckey: The application that has run into this issue is currently active so it cannot be commented on at this time, but we run into this on Town projects as well. While we could exempt ourselves, we've assigned negative points to Town projects, which has created a challenge to overcome in the planning process.
- Mr. Frechter: I think we should go up to four stories, we should take the maximum advantage of the space we have left for workforce housing. We've had concerns in the past about garages facing the street for example, and they haven't been much of an issue.
- Mr. Leas: I have no concerns about the scale and believe it would blend with the community and neighboring communities.
- Ms. Gort: I agree, we should increase the height and it makes it cost effective. It may be site specific as well. I don't particularly like the multi-family buildings with a "doughnut" of parking surrounding. If the extra height could also be used to hide parking that would be best.
- Ms. Propper: I agree.
- Ms. Ambrose: I agree.
- Mr. Giller: We should look at an incentive to putting parking under buildings rather than surrounding buildings with parking, a "doughnut" was mentioned. It will make for cleaner sites and reduce the amount of parking people need to look at.
- Mr. Truckey: For context, measuring a single-family and measuring a multi-family uses the same method. We're not really sure why there is currently the height limit difference between single-family and multi-family other than potentially location, of not wanting tall buildings seen directly off of Highway 9. We will bring this back to Council to talk about it more to see if it's something we should move forward with.
- Ms. Owens: Commissioners are the ones actively using the Code and are able to notice these issues that come up repeatedly while Council cannot read thoroughly the packet each time and always be familiar with it to be able determine the issues. Please flag these issues so that we are aware of them and can look at code changes.

Topic: Carrying over points/Revisions to Development Permits

Mr. Truckey clarified that positive points are valid for the vesting period of a permit, which leaves the opportunity for a project to come back with revisions to use more of the positive points earned if there is a positive point balance. Some projects may come back with small revisions that incur more negative points and are handled at a staff level if there is no discretion in the amount of positive points proposed to offset the negative point. Points are not allowed to be banked past the vesting period or transferred between projects.

- Mr. Beckerman: There've been projects in the past that were completed and don't match what we approved at the Commission or Council and it's because they came back for changes to adjust their points without needing to go back to Commission because there wasn't discretion in the Code. But it is perfectly allowed for them to do that in the Code. It can be confusing and misleading when this happens, not necessarily an issue but something to be aware of.
- Mr. Guerra: As a builder, this isn't something I was aware of, and maybe we need to reconsider.
- Ms. Crump: To provide some context, this is not something that happens often. In my three years here, I've had one project make such a change, and it was a minor change.
- Mr. Leas: Our points system in general is unusual, if it's something that we're committed to using then we should be sticking by it and allowing these carryovers.

- Ms. Puester: The points have to be used on the same project while the project is vested. It comes with the entitlements.
- Ms. Gort: Maybe we should look at our point system if this is confusing for people.
- Mr. Truckey: One thing we should potentially talk about is if we're being more generous with our EV charger points. Are our priorities are changing? For example, we now give positive points for going fully electric. The points do change over time with different Town priorities; positive points previously were given for paving a driveway for example.
- Mr. Guerra: Circling back to our earlier discussion, the Weisshorn is becoming trophy homes because there is not much property left in the Highlands. This is driven by private property owners, not necessarily developers.
- Mr. Giller: I was surprised at how much higher workforce housing fees are at other ski towns, we could consider increasing workforce fees on bigger houses.

PLANNING COMMISSION MEETING

The regular meeting was called to order at 6:38 pm by Chair Leas.

ROLL CALL

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

APPROVAL OF MINUTES

With no changes, the July 16, 2024 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

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

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None

FINAL HEARINGS:

1. 9th Amendment to the Amended Peak 7 & 8 Mater Plan (SVC), 1599 Ski Hill Rd., PL-2024-0117
Ms. Crump presented a proposal to amend the Master Plan to update allowed uses and create two additional planning areas, authorizing density in excess of the amount currently permitted by up to 90.2 additional SFEs from a transference of density from the Gondola Lot Master Plan area to within the Peak 8 area of the Master Plan. This amendment also modifies the parking and traffic requirements, heights of buildings, development plan concept, and vesting sections of the Master Plan in accordance with the approved Development Agreement.

Commissioner Questions / Comments:

- Mr. Frechter: There are five points raised in the letter from Mr. Himmelstein, would these all be site specific issues?
- Ms. Crump: Some of them are site specific, and some of them I believe would be between a private party and the applicant which the Town cannot enforce. I believe all of the issues are either addressed in the approved Development Agreement or would be between a private party and the applicant.
- Mr. Giller: The note "Imperial" is in your drawings pointing to the new building on page 33, what is that indicating?

Applicant, Bill Campie, Principal Architect, DTJ Design:

That represents our current name for the project, we can remove it from the drawing if needed.

Mr. Giller: That potentially should not be in the drawing if it's for an individual application and could be confusing. There is language in the Design Standards section for the architectural style being a "transitional style"; however, there's a note about "contemporary design" in the amendment. Would that overrule the "mountain transitional" design indicated in the Design paragraph?

Applicant: We do plan to use the style defined in this amendment, which is "transitional".

Mr. Giller: I just want to make sure this won't trip up the planned mountain transitional style.

Ms. Crump: Staff made sure to keep the term "mountain transitional style" through this amendment, understanding its importance from previous Commission reviews of the Master Plan, in the Design standards paragraph. This will be the guiding standard that is referenced when reviewing the future site-specific applications. We will follow the "mountain transitional style (between rustic and contemporary)", as written.

Public Comment:

Richard Himmelstein (675 Peak 6 Trail, Breckenridge): Thank you for referencing my email. I feel there's a number of things in there that should be included because you're doing an amendment to the Master Plan and currently shows a requirement of 200 parking spaces at the base of Peak 7 and Peak 8. I often see vehicles driving around in circles looking for spaces at the peaks. I think if we reduce the parking requirement with the density being increased up there it will decrease the number of cars traveling to the Peaks.

Commissioner Questions / Comments:

Mr. Leas: Are you saying all of those spaces are required in the Stables lot?

Mr. Himmelstein: I think they are spread throughout the project, but I don't think the requirement helps anyone.

Ms. Crump: For added clarification, the 200-space parking requirement is based on a Memorandum of Agreement between the Town and the Ski Area that requires, not just these, but many spaces be provided in specific areas around Town. That requirement is only referenced in this Master Plan. This is an agreement with a separate entity from the current applicant, separate from this application, and it is not possible or appropriate to be opened at this time as part of this amendment.

Mr. Leas: How would that potentially be changed?

Mr. Truckey: It would be bringing the Town and Ski Area back to the table to address the issue and renegotiating the agreement which has been in place for more than 20 years. That would be a Town Council issue.

Mr. Frechter: For the applicant, there are some areas of this plan that may be directly impacted by ski area plans for the ski terrain near the new Planning Areas G&H. In the future site-specific applications, we would love to see how those are considered when the applications are submitted.

Ms. Gort: I feel Mr. Himmelstein's pain with the traffic on the Peaks, and feel it is something that should be noted.

Mr. Giller: No other questions or comments other than my previously mentioned concern about the "mountain transitional style (between rustic and contemporary)" language.

Mr. Giller made a motion to approve the 9th Amendment to the Amended Peak 7 & 8 Master Plan, seconded by Mr. Frechter. The motion passed unanimously.

OTHER MATTERS:

1. Town Council Summary

ADJOURNMENT:

The meeting was adjourned at 7:26 pm.

Mark Leas, Chair