

PLANNING COMMISSION MEETING

The meeting was called to order at 7:05 pm.

ROLL CALL

Jim Lamb	Dan Schroder	Michael Bertaux
Leigh Girvin	Rodney Allen	Dave Pringle (arrived at 7:17 pm)
Mark Burke		

APPROVAL OF MINUTES

Ms. Girvin corrected her comment on Page 7: “I was on the Upper Blue Planning Commission...when Alpine Rock came about...”

Mr. Bertaux corrected a word on the comments on page 9 under Other Matters: “As long as he recuses himself”, not “excuses”.

With two changes, the minutes of the July 20, 2010 Planning Commission meetings were approved unanimously (5-0).

APPROVAL OF AGENDA

Mr. Neubecker requested addition of a discussion of “Historic Preservation Construction Methods” onto work sessions. This is to discuss how a building restoration or renovation work will be performed, so that staff and the Commission are comfortable with the methodology before construction begins.

With the one additional item, the Agenda for the August 3, 2010 Planning Commission meeting was approved unanimously (5-0).

**CONSENT CALENDAR:**

- 1) Christie Garage (MMO) PC#2010040, 9 Midnight Sun Road

With no request for call up, the consent calendar was approved as presented.

**TOWN COUNCIL REPORT:**

Mr. Burke: The Town Council does not think that a Council member needs to fill the empty seat on the Planning Commission. We get the minutes; we feel that we do not need to be present. This is also based on the direction of the Town Attorney.

We also raised the concern of the annexation of the Entrada property, which was in the process of de-annexation. At the request of the property owner, we are trying to see if we can work out an agreement. Amazing Grace Change of Use was briefly discussed. The Red, White and Blue Fire District vs. The County ambulance services were also issues raised.

Mr. Schroder, Ms. Girvin and Mr. Lamb agreed that it would be beneficial to include a Town Council member on the Planning Commission, and that having the meeting minutes are really not substitute for being completely present and engaged in the planning meeting. The rest of the Planning Commission agreed. (Mr. Grosshuesch: We are keeping these planning meetings as short as possible to work with everyone’s schedule. It is not right to discuss non-planning issues when the meetings are already long, and consultants are being paid by an applicant to listen to non-planning issues.)

**WORKSESSIONS:**

- 1) Historic Preservation Construction Methods.

Mr. Neubecker presented. The McMenemy residence and the Bradley residences are two historic buildings that have recently been renovated. We need to talk with contractors, architects, building officials, etc. about these historic buildings that need to be preserved, but also to discuss the method the contractor proposes to do the project. Staff would like to know if the Planning Commission would agree to add a future discussion about these Historic Preservation issues. The issue here is to ensure that we have actual ‘Historic Preservation’ and not ‘Historic Imitation’ with completely new materials. Staff agrees that we should try to maintain the initial fabric, whether it is encapsulated in some other materials or not. (Mr. Allen: Is there training available on preservation that the

Commission could attend before continuing on these decisions?) Staff confirmed that training is available. The Planning Commission agreed to put this item on future agenda.

2) Highlands Sales Office Commercial Use (CN)

Mr. Neubecker presented a proposal to convert the existing sales office on Lot 1, Golf Course Subdivision, to a neighborhood commercial use, and to construct a new building for the real estate sales office on Lot 2 (currently used as a driveway and parking).

The floor plan of the existing building does not work well for the needs of the realty operation and the owners would like to construct a new building (in residential character) to accommodate their needs. The provision of commercial use at the north end of town has been discussed on numerous occasions, including the original master planning of the Delaware Flats Master Plan (see the memo from the applicants). More recently, there were discussions of including some support commercial uses within the Stan Miller Master Plan. The residential growth at the north end of town including the Golf Course Subdivision, Highland Greens, Vic's Landing, Highlands Park, The Shores, Stan Miller Subdivision, Villas at Swan's Nest, Ten Mile Vista, Summit Estates and various other neighborhoods makes this a much denser bed base than in past years. Providing a small commercial operation in this area could help to alleviate traffic congestion on Highway 9, reduce vehicle miles travelled, and maintain tax revenue within Town limits.

Staff believes that this idea should be considered in greater detail. While there may be some challenges with issues such as traffic and parking, we believe the site can be sensitively developed, and that this use could be a valuable service to residents in this vicinity. To accommodate this proposal, a transfer of density and a master plan amendment would be required. If the Commission supports this idea, staff will continue to work with the applicants, who will likely submit a more formal application for your consideration. Staff presented some concept plans on how this site could be developed. Mr. Neubecker asked for Planning Commission feedback on this proposed commercial development.

Mr. Don Nilsson, Agent: Discussed the area's original master plan and Highway 9 change of location back in the 1980s, which split the Highlands into two (2) pieces, 2A and 2B, as well as other annexations that have taken place in the area. Only commercial left at north end of town is 40 SFEs at new BBC site. He proposes that this is the only site left in the area to build a small 'iconic' neighborhood market for a coffee bar, deli, grocery, etc. Compared use and merchandise to "The Market" on Larimer Square. As the Tiger Road corridor builds up, this will be a convenient and much needed market area. Reminded the Commission that the old Highlands sales building will not work for a real estate office or other office building use. Other uses for this area, such as a gas station, would not be suitable for this area at this time because of costs for a project like that and other road congestion problems. We're looking to build a nice small neighborhood commercial for the neighborhood, not necessarily a service station for Highway 9.

*Commissioner Questions/Comments:*

Mr. Bertaux: A gas station is not what makes profit; it is the other items that people buy as they purchase gas. Because there is not a set investor, it is not guaranteed that an investor would not come in and decide to do a gas station. (Mr. Neubecker: Staff also does not want a gas station, as much greater impact would result from a gas station, which is not proposed.)

Final Comments: I agree that Mr. Leidal makes a compelling argument. I do not want to see a gas station here, or a mini mall. I think that commercial development is possible, but a lot of kinks need to be worked out here. You need to address the concerns of the neighbors. It is workable, but you've got some issues to deal with.

Mr. Schroder: Final Comments: I am fully in favor of commercial near this corner. I lived in this area for several years at Villas at Swans Nest, and would have loved to have a closer spot to get groceries or goods. Farmers Korner is 3 miles, and town is 5 miles. How great would it be for the residents and their visitors to have a little place like this.

Ms. Girvin: Final Comments: I'm not averse to having commercial development at the north end of town, but I don't know that this is the right location. Service commercial would be more functional in other locations. There are traffic and circulation issues with Tiger Road and Highway 9. I do not want to see a parking lot here by Highway 9. It will ruin the aesthetics of the area and it will certainly pull people off of Highway 9 as you say you are not trying to do. Elevations don't look like single

family. The Summit Cove example does not have parking facing the highway. If we allow this, it has to fit the need. I don't know how we can dictate the types of businesses that could serve this community. A gas station is certainly not feasible, nor would a florist or a pub (as in the Summit Cove area). The community needs milk and groceries. Let's consider that at Farmer's Korner you can get a few groceries. There are other available commercial properties near BBC by the Stan Miller area. That's the appropriate location.

Mr. Pringle: Final Comments: I have long been an advocate of commercial out there to serve The Highlands. I find it interesting that we feel forced to put this commercial development in this proposed location. Sounds like an Amazing Grace, with some food on the shelves, but I don't know if it is commercially viable; it does seem that this is the only property left for a use like this. Mr. Leidal makes a compelling argument about the Highlands sales office. I never thought it would be something like this. Have you considered putting in a little post-office sub-station here? I would like to see a viable use here, not just something that will sit there unused. I'm not opposed to a node of commercial in the Highlands area. I'm not convinced that this is the perfect location. Would like to see the Highlands HOA bless this.

Mr. Lamb: Final Comments: Mr. Leidal makes a good argument. What I like about Breckenridge, though, is that you can walk to town, get a cup of coffee, newspaper, etc. I thought that the Highlands homeowners would embrace this idea. Not sure if this would generate the amount of traffic that some other uses would. If I had a house in this area, I would love this proposed market place with a 'mom and pop' market feel. I would like to see it continued exploration of this idea and maybe an opinion survey from the Home Owner's Association. I think it could be done well.

Mr. Allen: Please elaborate about the current zoning on Lots 1 and 2. (Mr. Neubecker: There is currently commercial zoning for Lots 1 and 2. A density transfer would be required from the TDR bank.)

Final Comments: I agree and support Mr. Leidal's comments. I don't want to change master plans, but I agree with Mr. Schroder and do like the idea of a neighborhood commercial use area here. I have site plan issues, such parking outside of the disturbance envelope, disturbing the natural open space, traffic issues and parking. If you can jump over those hurdles and appease the neighbors, then I think it's a good idea. Keeping the residential character is a big concern. Good luck!

Mr. Allen opened the hearing to public comment.

Mr. Mark Leidal, Owner at 217 Marksberry Way: Now it's my turn for N.I.M.B.Y.! The initial intent for the master plan for this area of the Highlands was to be a go-to location for the showing and selling of homes in the area (a real estate office). The plat says it was "intended to be a sales office". At that time, density was transferred for this purpose. This proposal would limit the access to Tiger Road. There is a platted access restriction on Tiger Road. It would also encroach onto the natural open space tract. Building envelopes need to be respected. This would force traffic flow onto a residential road. If we change this from two (2) residential lots to a commercial site, it will surely attract signage and restrict views. I, obviously, I am opposed to this commercial proposal. HOA also has veto power on commercial uses here. I am concerned about increased traffic, additional municipal services (dumpsters, etc.). I would like to see these two lots return to residential land use. In Silverthorne, residents do NOT like commercial development in their neighborhoods.

There was no more public comment, and the hearing was closed.

**FINAL HEARINGS:**

1) Nauman Residence Historic Renovation and Landmarking (MMO) PC#2010030, 211 East Washington  
Mr. Mosher presented a proposal to perform an extensive exterior restoration of the historic house and a remodel of the non-compliant addition. The reconstruction of the historic house will include a full basement beneath the historic portion of the footprint within the property lines and a window well outside the property line along the west edge of the site. Local landmarking of the property is also requested.

**Changes since the July 6, 2010 Meeting**

1. The on-site parking plan has been modified showing 4'-9" of the required 18' extending over the north property line.
2. As suggested, one Balsam Poplar (Balm of Gilead) has been added to the landscaping plan.
3. Wooden newels have been added to the north elevation at the porch.

4. A final Point Analysis and Findings and Conditions (specifically addressing the encroachment license agreement) have been included.

Staff recommended approval of the Nauman Residence Historic Renovation and Landmarking, PC#2010030. Staff also suggested the Planning Commission recommend that the Town Council adopt an ordinance to locally landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance.

Mr. Mosher presented the architectural blueprints. He pointed out that Policy 80-A, with direction from the Commission, is shown as non-applicable, the head-height has not been changed, the encroachment license agreement has been slightly changed, and parking and landscaping are as stated. Staff suggests that the project be passed with positive nine (+9) points.

Mr. Allen brought Condition 22 to Mr. Mosher's attention. He suggested it be placed "prior to building permit."

Mr. Allen opened the hearing to public comment. There was no public comment and the hearing was closed.

Ms. Janet Sutterley, Architect: I know that you still are weary of adding a basement here which might be used for additional illegal residential use, but I just want to assure you that this will not happen.

*Commissioner Questions/Comments:*

Mr. Bertaux: The important application of landmark structure and historic preservation is great. I support this project as presented. Efforts of staff and the applicant have been great.

Mr. Schroder: I approve of the project as presented tonight. I like the way that it has progressed and moved forward since it was presented.

Ms. Girvin: I approve, but I am done beating a dead horse over it. I am still concerned with the stairs to the basement and will be keeping my eye on it.

Mr. Pringle: I approve and am glad we could make this project happen for you. I'm glad we were able to work on the encroachment issues. I think you've done a great job. This and the neighboring house will be tremendous assets to the Town.

Mr. Lamb: I approve, and will be watching it too.

Mr. Allen: Fantastic job, I applaud you. I'm happy it will get approved tonight, but I am still concerned with parking and Policy 9-A and Policy 18-A. I think you are making a non-conforming structure more non-conforming. Positive changes have made an improvement and I approve of the project. I recommend that the point analysis be changed, though.

Mr. Allen made a motion to change the point analysis for the Nauman Residence Historic Renovation and Landmarking, PC#2010030, 211 East Washington Avenue, to reflect not complying with absolute Policies 9-A and 18-A. The motion failed due to no second.

Mr. Pringle made a motion approve the point analysis for the Nauman Residence Historic Renovation and Landmarking, PC#2010030, 211 East Washington Avenue, with positive nine (+9) points. Mr. Bertaux seconded, and the motion was approved (5-1).

Mr. Pringle made a motion to approve the Nauman Residence Historic Renovation and Landmarking, PC#2010030, 211 East Washington, with the presented findings and conditions and highlighting Findings 7, 8, and 9. Mr. Bertaux seconded, and the motion was approved unanimously (6-0).

Mr. Pringle made a motion to recommend that the Town Council adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance. Mr. Lamb seconded, and the motion was approved unanimously (6-0).

***PRELIMINARY HEARINGS:***

- 1) Lot B, Parkway Center (CK) PC#2010037, 503 Airport Road

Mr. Kulick presented a proposal to construct a 9,721 sq. ft. mixed use building. The first level will consist of 4,861 sq. ft. of retail space and 908 sq. ft. of café space. The second level is designed for 3,472 sq. ft. of office space and 480 sq. ft. of employee housing. The primary exterior materials proposed include vertical wood siding, horizontal wood siding, brick, vertical metal siding, glass, and wooden trusses with steel plants and fasteners. A material and color sample board was presented.

Traffic access and circulation was discussed. It was planned originally as a ‘left-in, right-in, right-out’ turning movement along Park Avenue, but was changed to a ‘right-in, right-out’ which was approved by CDOT and will be changed in the plans for the next hearing.

The sidewalk has already been constructed along the Airport Road property line. Park Avenue will not have a sidewalk, because there is no bus stop proposal on that side, and Public Works does not want to maintain the sidewalk. The Planning Commission discussed the idea and the necessity of a sidewalk where it is not proposed, which will be addressed at a later hearing.

Proposed parking spaces, landscaping, employee housing, infrastructure were discussed. Mr. Tom Begley, Applicant, suggested that the remaining site improvements are planned to be finished this year.

Mr. Tom Begley, Breckenridge Lands (Applicant): This parcel is held within Docson’s (Breckenridge Lands) properties. We would like to go ahead and put in the common parking lots, dumpster building, etc. this summer while we still have some good weather and then come back to talk about the building in the fall. We would like to see a sidewalk at a minimum along Park Avenue. We are more than happy to pay for a bus shelter in that area. We are open to support and direction from the Planning Commission.

Ms. Suzanne Allen-Guerra, Architect: We are trying to put contemporary mountain flair to this new building. Organic features such as bolder rock and timber logs, as well as historic mining materials such as a metal roof have been incorporated into the building. The proposed tower was discussed. (Mr. Kulick read the building regulations regarding the building height in the area.) (Mr. Begley mentioned that they are not pushing the height limit just to push it. They are looking for a defining focal point for the corner of the lot that could anchor the structure and create a positive focal point.

Staff believed that this proposal is off to a great start. At this preliminary review, staff asked for general comments on the site design, architecture, parking and landscaping.

In addition, Staff had two specific questions:

1. Did the Commission believe the parapet element is exempted from the height guidelines?
2. Did the Commission support the proposed architecture, including the materials?

Staff welcomed any additional comments.

*Commissioner Questions/Comments:*

Mr. Bertaux: I am okay with the tower element. It may be a little bit overwhelming; it doesn’t seem very ‘Breckenridge’ but it is reminiscent of our mining history and may be a good radical change for us. Appreciate the employee housing for site security and attracting employees to the area and thinks there should be a sidewalk on South Park to help people move easily from this parcel into the next undeveloped lot and into the adjacent Gold Rush parking lot. We do not want ‘jaywalking’ on this state highway. So this may be an engineering or public works future issue. All in all, I support the project.

Mr. Schroder: Agree with the other Planning Commissioners and am pleased with the proposed architecture and the ‘radical’ tower structure. Had originally been concerned with the density in this tower, but with no floor in tower, that problem is solved. Thinks that a sidewalk needs to be put in place on the South Park for safety and pedestrian flow. Believes that they are exempt of the height guideline and supports the project. Can’t wait to see it move forward.

Ms. Girvin: Believes this is a very important corner. It is crucial to have good architecture here. Thinks that the project is off to a great start. Had initially thought that the architecture looked more like Park Meadows mall in Denver, but changes have been made to make it look more ‘mining’ and ‘historic’.

Would like to see a bigger picture of the master plan with parking, details, pedestrian circulation, etc. Approves of the building height and would like to see native landscaping, and a sidewalk on Park Avenue.

Mr. Pringle: Questioned that other than the architecture, was the rest of this review fairly accurate? Would like to see the brick replaced with a more natural material on the back side so that it would be more prominent on the front side and softened on the back side. (Ms. Stacy Lindholm of Allen-Guerra Design-Build suggested that they had proposed brick on both sides for sustainability.) Likes the tower element as a positive focal point. I would like to see sidewalks on all sides. People in Breckenridge walk everywhere, and they can't do that when we just take out a sidewalk.

Mr. Lamb: Really likes the project, but would like to see an additional sidewalk on the South Park property line.

Mr. Allen: Agrees with everything Ms. Girvin has commented. A sidewalk belt and bus easement need to be not only suggested, but required.

Mr. Allen opened the hearing to public comment. There was no public comment, and the hearing was closed.

***OTHER MATTERS:***

Mr. Bertaux recommended that we inform architects about the discussion on Historic Preservation workshops.

***ADJOURNMENT:***

The meeting was adjourned at 9:37 p.m.

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Rodney Allen, Chair