

PLANNING COMMISSION MEETING

The meeting was called to order at 7:07 pm.

ROLL CALL

Jim Lamb	Dan Schroder	Michael Bertaux
Leigh Girvin	Rodney Allen	Jack Wolfe
Dave Pringle		

Mark Burke was absent.

APPROVAL OF MINUTES

With no changes, the minutes of the August 3, 2010 Planning Commission meetings were approved unanimously (6-0). Mr. Wolfe abstained as he was not in attendance on August 3.

APPROVAL OF AGENDA

Mr. Neubecker addressed that there are extra materials not included in the packet for viewing if anyone wished. These included a letter on the Columbia Lode project and additional architectural information on Eagle Ridge Townhomes. With no changes, the Agenda for the August 17, 2010 Planning Commission meeting was approved unanimously (7-0).

CONSENT CALENDAR:

- 1) Hunter Residence (JP) PC#2010043, 0095 Gold Run Road
- 2) Slater Residence (MGT) PC#2010042, 189 Lake Edge Drive
- 3) Eagle Ridge Townhome (MM) PC#2010044, 340-350 Broken Lance Drive

Ms. Girvin questioned the “2,500 square feet” in the Hunter Residence. That is indeed the square footage, it is not a typo. Mr. Wolfe asked if the Eagle Ridge Townhome is a new project. Mr. Mosher explained a few noted details in the standard Findings and Conditions that may appear that way, such as finishing any exposed foundation, screening utilities, cash bond for landscaping, and Certificate of Occupancy vs. Compliance. On any remodel, many of these may be unforeseen and are included as standard conditions. Mr. Neubecker agreed that they could change that wording from “Certificate of Occupancy” to “Certificate of Compliance.”

Mr. Pringle asked to see the materials suggested for the Eagle Ridge Townhomes. Mr. Mosher passed around a materials sample board, existing condition photos and color rendering of the project for further examination.

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

WORKSESSIONS:

- 1) Housing Rules and Regulations (LB) (Memo Only)

The memo provides the Commission with an update regarding the request for several revisions to the Affordable Housing Policies, particularly in regard to density and points. This issue was discussed at the June 22nd joint meeting with Town Council and has been raised on several occasions. Staff intends to meet with the Council Housing Subcommittee and the full Council to determine of their intent before codifying the changes.

Mr. Pringle would like the Town to address employee housing units that are purchased by companies for their staff and not by the employee themselves. Mr. Neubecker indicated that this was a Town Council issue, not a Planning Commission issue.

TOWN COUNCIL REPORT:

None.

COMBINED HEARINGS:

- 1) Freeway Super Pipe (CN) PC#2010045, Breckenridge Ski Resort, Peak 8, 1599 Ski Hill Road (Mr. Bertaux abstained from the discussion as an employee of the Breckenridge Ski Resort.)

Mr. Neubecker presented an application to re-grade the slope of the hill on upper part of Freeway trail to accommodate the required grade for a 22 foot competition half pipe and revegetate all disturbed soils; as well as prevent water quality disturbance with ground covering, sediment fencing, straw bales, etc. Dirt roads will provide good construction access.

Staff supported this project and believed that it will be a very beneficial project for the Town, as it will encourage outdoor recreation and visitors to the community, with both tournaments and everyday use. They recommend positive three (+3) points under recreation facilities.

Staff welcomed any Commissioner comment. This application was advertised as a Combined Preliminary and Final Hearing. If the Commission had concerns with approving this application as a Combined Hearing, Staff requested the Commission continue the application to a later date, providing Staff and the Applicant time to address the concerns.

The Planning Department recommended the Planning Commission approve the Freeway Terrain Park 22 Foot Half Pipe, PC#2010045, with the presented Findings and Conditions and Point Analysis.

Mr. Gary Shimanowitz, Breckenridge Ski Resort (Applicant), summarized that the pipe will be built soon, as long as it passes.

Mr. Eric Armfield, Breckenridge Ski Resort: At the bottom, a twenty-two (22) foot pipe will actually be above the tree line. This turned into a bigger engineering problem than what we have the resources to deal with now.

Mr. Shimanowitz: We would like to try this larger pipe at the top, for now. Let's give it a year, if it does not work, we could move it back down to the bottom and make it eighteen (18) feet again.

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

Commissioner Questions/Comments:

Mr. Schroder: Were positive points earned when it was created for its old location? If that was the case, we should probably not award it points now. (Mr. Neubecker: Positive points were awarded, but under water conservation, not community need or recreational facilities.)

Final Comments: I support this application; however, twenty-two (22) feet scares me!

Mr. Pringle: The pipe should be located down the mountain, more accessible to people than at the top. (Mr. Shimanowitz: The pipe will still be accessible at the new location.) (Mr. Lamb: I agree.)

Final Comments: I support it; however, I like the old location better.

Ms. Girvin: I am concerned about noise disturbance from the pipe during nightly events. (Ms. Kristen Pettit, Breckenridge Ski Resort: Noise permits will be available if necessary.) (Mr. Neubecker: Noise is an issue regardless of the pipe's location; it was not important to this application.) Will there be any nighttime events? (Ms. Pettit: There will not.)

Final Comments: I support it; if you want to make it work, go for it.

Mr. Bertaux: Final Comments: I support this application.

Mr. Lamb: Final Comments: I support this application. It is important for the Town and skiing community.

Mr. Wolfe: Final Comments: I support this application.

Mr. Allen: Final Comments: I support this application.

Mr. Pringle made a motion to approve the point analysis for the Freeway Super Pipe, PC#2010045, Breckenridge Ski Resort, Peak 8, 1599 Ski Hill Road. Mr. Lamb seconded, and the motion was carried unanimously (6-0) with Mr. Bertaux abstaining.

Mr. Pringle made a motion to approve the Freeway Super Pipe, PC#2010045, Breckenridge Ski Resort, Peak 8, 1599 Ski Hill Road, with the presented findings and conditions. Mr. Lamb seconded, and the motion was carried unanimously (6-0) with Mr. Bertaux abstaining.

PRELIMINARY HEARINGS:

1) Columbia Lode Master Plan (MM) PC#2010017, 400 North Main Street

Mr. Mosher presented a proposal to Master Plan for 24 units total per an approved Development Agreement made with Town Council allowing up to a maximum of 24 units with all plans passing a Point Analysis based on the Development

Code. The proposal is for 21 market-rate units in duplex and single family form with two workforce units (duplex) on the lower portion of the site. The original Breckenridge Building Center (BBC) buildings and lumber yard will be demolished. With this submittal, the single-family home site is being proposed back in its original (platted) location. Master Plan development standards in the form of Master Plan Notes are proposed for the entire development. After Council approval, each building will be submitted separately for review under individual Class C applications.

Mr. Marc Hogan, bhh Partners, Architect, spoke with Mr. Jon Brownson, Applicant; they would like to move the original single family home site down the hill from the originally proposed location.

Changes since the July 6th Worksession

Addressing concerns expressed from the Commission, Staff, and neighbors, the Applicants have modified the site plan layout. (The remaining master plan criteria have remained essentially the same.)

1. Most notably, the single-family lot is no longer shown at the north end of the site, but in its current approved platted location along the eastern slope near the Weisshorn Subdivision.
2. Additionally, the multi-family units have been shifted further west on the site. One unit from the upper grouping has been moved to the lower grouping, relaxing the spacing of the upper units.
3. The private drive has shifted to the west about 40-feet.
4. Site grading has been reduced about 3-feet.
5. The 'Pocket Park' has been reduced in size.
6. There are now two workforce housing units.
7. Paving has been reduced.

The Applicant and Agents sought a worksession format to allow an open dialog at this hearing (no final comments required from the Commission).

Generally, Staff was supportive of the changes to the site plan. The grading has been reduced, the impacts of the lower development to the hillside have been reduced, the upper multi-family buildings have been relaxed a bit, and the historic grid along Main Street has been strengthened. Since writing the report, the applicant and agent have move the lone single family lot further south and west to minimize site impacts.

Staff had the following questions for the Commission:

1. Was the Commission supportive of the new lower level development limitations and new road alignment?
2. Was the Commission supportive of the removal of one SFE on the upper grouping of units to the lower portion of the site?
3. Staff welcomed any comments of the single-family unit of density above the multi-family portion of the master plan.
4. Did the Commission believe the development of a single-family home (unlimited density) along the east sloped edges of the property could pass a point analysis with the suggested design enhancements?
5. Did the Commission believe the grid alignment of the lower buildings should be perpendicular to Main Street (immediately in front of the buildings) or match the alignment of the buildings south of French Street in the Conservation District?

Mr. Wolfe asked Mr. Mosher some specific questions requesting information from previous reports and presentations given in discussions that he was not a part of. Mr. Mosher and Mr. Steve West, West Brown Huntley Thompson, Attorney for the Applicant, complied. The proposed public art was addressed, as well as moving the single family home disturbance envelope. The voluntary restraints of the design of the single family home, site layout. Mr. Schroder asked clarification about the speed limit along this portion of Main Street. Mr. Pringle questioned the any other land use preparations and if the Town planners had not thought about future land use for this plot of 'gateway' land in the Town's Overview. (Mr. Truckey clarified that they had not previously designated any specific use beyond what is defined in the Land Use District Guidelines.) Mr. Pringle was concerned about ridgeline visibility of this new development. Mr. Pringle identified what he called a "wall of development" fronting Main Street and that the treed backdrop would not even be seen along Main Street because of the intensity of the

development proposed along this edge. Mr. Wolfe asked if the single family lot was already plotted. (Mr. Mosher: Yes.)

Mr. Wolfe asked if the neighboring ridgeline properties in the Weisshorn views would be interrupted by this development. Mr. Mosher referred to a list he had prepared identifying that no views would be blocked. However, it may block the neighbor's view of Gold Creek condos, but not drastically. Mr. Schroder questioned whether the site disturbances of the units and the single family dwelling would be combined during the Master Plan review, or be reviewed separate. Mr. Mosher replied that the Master Plan would be reviewed as one Development Permit and the points would reflect all together. Mr. Mosher invited Mr. Hogan to explain further the site disturbance and other details addressed.

Mr. Hogan: This process has been going on now for about a year. Asked Mr. West to continue in detail the history of this project.

Mr. West explained in detail how they have gotten to this development agreement with current land use delineation. He mentioned the existing Land Use Guidelines (LUGs), associated density and the general conception of the Development Agreement made with Town Council. We would like to retain the valuable single family lot in the project to help off-set the more expensive part of constructing the rest of the project. We still wish to relocate the Klack drainage into an enclosed drainage system instead of the ditch it's currently in. We have worked with staff for at least six months before we even presented it. We are trying to listen and be compassionate to the strong opinions of the neighboring public and the Commission. We want to create a pleasant 'gateway' to our community, just as do you.

(Mr. Pringle: Mr. West, have you ever considered putting three (3) houses up on the upper single family lot? Could you access the property further east on French Street to reduce the driveway impacts?) Mr. Hogan drew on the map where exactly Mr. Burke's lot was located, and explained that this is not on the applicant's property. (There was not general Commission support for placing any additional density on the slope of the hill.)

Mr. Neubecker suggested that the Commission discuss the location of the single family home-site to determine if the current location is hillside or ridgeline development. Mr. Hogan added that another option is that the single family residence could be moved even further south and west towards the multi-family units to avoid the existing mining disturbance located on the slope. As a result, the driveway would be substantially reduced by more than one-half and reduce the visual impacts. However, this lower portion of the lot is at a steeper grade.

Mr. Schroder asked about the site disturbance regarding filling in the Klack drainage ditch and impacts to the location of the driveway. Mr. Hogan suggested that they would refill the ditch that the Klack is currently located and the driveway would be built over the existing fill. Mr. Mosher also noted that Staff felt that the more this single family house was moved south and west the better the remaining treed backdrop would be preserved. There is not substantial tree buffer to the south west anyway.

Mr. Hogan: We have 'greened up' the paving plan around the multi-family lots and reduced the overall paving areas. We have suggested minimization of the space between the Main Street units from twenty (20) to fifteen (15) feet. We also have addressed the driveway access, added an additional workforce housing unit, and more green space. The public trail will be addressed at a future meeting.

Mr. Allen opened the hearing to public comment.

Julia Regan, representing Mr. Eric and Mrs. Sue Politte (227 Royal Tiger Road): Just checking to see if the Commission received a letter via email to Mr. Mosher and to the Planning Commission. (Mr. Mosher confirmed that it had been handed out to the Commission at the beginning of the meeting and the Commission had read it.) Mr. Politte would likely support the single family house being located further south and west on the hillside.

Mr. Lee Edwards: I was concerned about the use of the remaining land if the single family envelope was moved south and is different than the Development Agreement. (Mr. Mosher: There is no remaining density on the property. Any remaining space will be Private Open Space.) Can I get more details of filling in the Klack? I think

the Main Street units should take a character similar to Brittany Place, just down the street, would be a better presentation of housing for this application.

Mr. Gary List (315 Royal Tiger Road): I am supportive of moving the single family site to the south, as that would make it more “a part of the Town” anyway. I think that the ridgeline issues could actually be addressed better at its location in the middle of the hill as opposed to the ‘new’ southwest proposed location. I generally like the direction of the Commission’s discussions so far.

There was no further public comment and the hearing was closed.

Commissioner Comments:

Mr. Bertaux: [Single-Family Envelope:] Support the move of the single family envelope to the southwest, to minimize visual impacts of the driveway. As the house is moved forward, to the west, it will be less visible and more cohesive with the development below. I understand Mr. Pringle’s concerns about a ‘wall of development’ on the multi-family portion of the development but believe this can be resolved with good design and by providing view corridors. Maybe look at keeping the historic grid all the way to the north-most units across the drive. This might relax the spacing even more of the upper units.

Mr. Schroder: Believe that as the single family envelope moves further south, it becomes a more a part of the new development, and less a ‘ridgeline development issue.’ I am supportive of the one upper unit of multi-family density moving to the west below. It will give the overall look of the buildings an appropriate fill. I support the presented project ‘facing the street’ giving it an old historic feel. Support the ‘grid’ as is.

Ms. Girvin: Not real supportive of the project as a whole, but, have to agree that moving the single family home to the south and west is a better decision. (The applicant asked what her ‘ideal use and layout’ for the site would be.) Feels as though this in not an appropriate use for such an important gateway community anchor to Town. Would like to see something completely different, such as a large and taller boutique hotel that could block the unsightly views of the Gold Creek condos. There might be density left on the site for a few more units towards the north. I do not support the drive design and the overall traffic proposal. Would like to see the access moved to the east for a safer entry/exit. (It was noted that this would be off the applicant’s property.) Would like that pocket park moved to the north to act more as a buffer. From a community needs standpoint, I have a very different vision for this property. (Mr. Hogan: I am glad to hear that Ms. Girvin has a visionary plan that may be a good one. We have studied a similar situation. If it weren’t for the shoulder seasons for our seasonal tourist community, it might be work. Economically, it is just not viable.) (Mr. Tim Gerken, bhh Partners: Thank you for your thoughtful comments, however, there are so many factors, not only economics that prevented the developers from going in this general direction. Addressing the ‘wall of development’; there are ‘walls of development’ all around town in the historic district, that this will not be the only one, that that is the nature of our Town.) Addressed the concerns about the appearance of the project during construction. Will it look like Vista Point before it was built? Full of weeds? That’s not what we want. (Mr. Hogan: Landscaping with vegetation and wild flowers prior to site building, for aesthetics, then re-vegetated after completion of building.)

[Moving One Unit from the East to the West side:] I like the idea of creating openings between the buildings as you look across the site.

Mr. Pringle: [Single-Family Envelope:] Agreed that Ms. Girvin had a great idea of a starting over with a clean slate and a completely different application. I see this being similar to the Main Street Junction property. A wall of development. Also, the Main Street Junction development is not being used to its fullest. But as for this application, there are still building grading issues, along with preserving the natural background of trees. The lower development blocks all of the scenic backdrop anyway. You could easily place more density on the steeper slopes with little visual impact from Main Street. I do not like the driveway off French Street where it is. This gets too icy in the winter. You need four-wheel-drive here all the time. This is too dangerous. It is on a downhill slope and on a curve. Add another full movement driveway to Main Street. I do not like the idea of adding more cars, people and congestion on this already dangerous corner. Who approved the current site circulation? Why are we left out of the discussion? (Mr. Hogan: We have met with Engineering and the Red

White and Blue several times and have followed their direction. This layout serves the development, the Town and the Fire Department the best. (Mr. Mosher and Mr. Neubecker: Let's save the traffic study for future hearing.)

[Proposed Driveway Location:] Does not approve of the proposed driveway location.

[Moving One Unit from the East to the West side:] Support moving the single family lot to the south and west. It will make it just look like more development. The upper units are still too tight. The lower may be too tight too.

Mr. Lamb: [Single-Family Envelope:] Agreed to move the single family lot to the south.

[Moving One Unit from the East to the West side:] I like the overall staggering of buildings to create a quaint, historic looking site. I live in the Historic District. I'm not concerned with this issue of 'wall of development' because that is exactly what it is, as we are an historic Town and this matches the intensity of the District.

Mr. Wolfe: [Single-Family Envelope:] Agree with Mr. Schroder.

[Moving One Unit from the East to the West side:] I like the move, but am concerned about the prominence of the site, and suggest it needs to have a fence or something to transition into the historic district when driving or walking South. (Mr. Mosher agreed to help review the past public hearing drawings and issues before the next review.)

[Pocket Park:] I am also concerned that the proposed green space will become a public park, which does not belong here.

Mr. Allen: [Single-Family Envelope:] Agreed with moving the single family envelope to the south. Agreed that the house was previously 'ridgeline' development. Supported using similar materials, as well, to help blend it in to the other development.

[Moving One Unit from the East to the West side:] Supported this move.

[Driveway:] Supported the turn somewhere around buildings six (6) or seven (7).

[Pocket Park:] I am glad that there is a pocket park. Green space is needed.

Commission agreed that traffic, the trail location and architecture of the single family home and its design restrictions should be addressed at further hearings. Mr. Pringle and Mr. Allen would like to see a streetscape with several elevations directly from Main Street, as well as neighboring properties.

CONTINUED HEARINGS:

1) Environmental Energy Partners Pellet Plant (MGT) PC#2010038, 12863 Colorado Highway 9

(To be continued to a future date per the request of the Applicant.)

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

Mr. Pringle moved to continue the Environmental Energy Partners Pellet Plant, PC#2010038, 12863 Colorado Highway 9, to a future date as requested by the applicant. Mr. Schroder seconded, and the motion was carried unanimously (7-0).

OTHER MATTERS:

1) PC Field Trip, September or October, 2010

Mr. Neubecker requested the Planning Commission select a few dates in September or October they were available for a field trip. A possible location may be Vail, with a development emphasis, to address their density issues.

Commissioner Comments:

Mr. Wolfe: Vail would be a great location for a development emphasis field trip. I have connections with people there who could help us discuss the problems that they are faced with. I encourage that we, as the Planning Commission, pay close attention to our future pressure to redevelop at the rate that Vail has done. We should observe their benefits to this scrape-off development, and all their misgivings. We need to learn from them. No: October 15th (Riverwalk Center event that evening.)

Mr. Bertaux: Minturn is another option. Vail would only take a couple of hours, so let's go somewhere else in the same day. No: Last two weeks of October.

Mr. Allen: Our question at hand is 'to redevelop or not to redevelop'; hearing both sides of the story from Vail will be ample information for that day.

Mr. Schroder: No: September 17th, October 9th

Mr. Neubecker: No: October 6th-8th (APA Conference). Yes: October 14th or 15th

2) Power Purchasing Agreement (Verbal)

Mr. Grosshuesch and Mr. Neubecker presented. The Town of Breckenridge is working on an agreement for solar panel installation on multiple Town buildings, including the Steven C. West Ice Arena, the Breckenridge Public Works buildings, the Recreation Center, and the Breckenridge Golf Course. The agreement with the energy company would be for 25 years, during the first five years of which the energy company would install and maintain all the panels. The Town could save potentially six figures per year in energy costs, and would have the option to purchase the panels after the first five year period. Staff wanted to alert Planning Commission about this potential project, as the installations would come through the Commission as Town Project approvals.

Commissioner Comments:

Mr. Bertaux: Will this building (Town Hall) be used? (Mr. Grosshuesch: No.) The former CMC building? (Mr. Grosshuesch: No.) Which ones then? (Mr. Grosshuesch: The ice rink, golf course, public works, and recreation center.) Are any other communities participating in this program? (Mr. Grosshuesch: The school and sanitation district are not on board yet.)

ADJOURNMENT:

The meeting was adjourned at 9:42 p.m.

Rodney Allen, Chair