

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 p.m.

ROLL CALL

Trip Butler Kate Christopher Gretchen Dudney
Rodney Allen Dan Schroder Jack Wolfe
Dave Pringle arrived at 7:03 pm
Mark Burke (Town Council) was absent

APPROVAL OF MINUTES

With no changes, the April 5, 2011, Planning Commission meeting minutes were approved unanimously (7-0).

APPROVAL OF AGENDA

Mr. Mosher announced that the Applicant on The Elk, PC#2011001, 103.5 North Main Street, requested to change the hearing to a Preliminary Hearing for this meeting. The Final Hearing will be scheduled at a future meeting.

With one change, the April 19, 2011 Planning Commission meeting agenda was approved unanimously (7-0). Staff noted that prior to the meeting there was a request from the agent of the Gold Pan Saloon (PC#2011013) to have the Gold Pan hearing prior to the Elk Building hearing. Since the applicant was not present, the Commission agreed to leave the agenda as presented.

CONSENT CALENDAR:

1. Tyra Summit Townhomes Exterior Remodel Units 900-908 (JP) PC#2011014; 900-908 Four O'clock Road
2. Middlebrook Residence Addition (JP) PC#2011018; 44 Rounds Road
3. Boyer Residence Addition (JP) PC#2011017; 97 Evans Court
4. Lynch Residence (MGT) PC#2011020; 45 Rounds Road
5. Wellington Neighborhood Lot 4, Block 9 SFR (MM) PC#2011015; 8 Walker Green
6. Wellington Neighborhood Lot 5, Block 9 SFR (MM) PC#2011016; 16 Walker Green

On the Boyer Residence, PC#2011017, 97 Evans Court, Mr. Wolfe asked why there was a Condition of Approval requiring all new landscaping to be more than 15 feet from the house. (Ms. Puester: There were trees on the landscaping plan showing trees closer than 15 feet, but the new landscaping policy requires trees to be 15 feet away.) Why were there no similar Conditions of Approval on other homes tonight? (Mr. Neubecker: No others plans had trees proposed closer than 15 feet.)

On the Middlebrook Residence, Mr. Pringle asked if the Highlands allowed garage doors to face the street. (Matt Stais, Architect: Garage is existing; and the garage doors are not visible from the street on this home.)

With no requests for call up, the Consent Calendar was approved as presented.

TOWN COUNCIL REPORT:

None

PRELIMINARY HEARINGS:

1. The Elk (MM) PC#2011001, 103.5 North Main Street

Mr. Mosher presented. At the request of the Applicant, the application was presented as a second preliminary hearing, rather than final. The application is to construct a 2,980 square foot mixed use building with commercial/retail and workforce housing uses. A 392 square foot garage is located at the rear of the lot. The commercial/retail use occurs on the front portion of the site on three levels (one below grade). The residential, workforce housing is below grade, beneath the garage, at the back portion of the site.

This proposal was last reviewed on February 15, 2011. At that meeting, Staff heard the following issues from the Commission:

1. There was general support for the connector link meeting the intent of Priority Policy 80A.
2. There was also general support for the flat roof design as the link element.

3. Concerns were expressed about the quantity of stone on the commercial elevations.
4. The discussion of the point assignment of the open space resulted in most Commissioners supporting the assignment of negative three (-3) points, instead of negative six (-6) points.

The Commission felt that the application should not be addressing any potential Riverwalk improvements until the property is directly subject to these conditions in the future.

The cross-property parking agreement is in place, and allows full build out of the site without additional parking, thus staff did not review parking in the report. Bay windows have been removed from the plans. A window well has been added on the south side. Architecture was simplified on the out-building. Stone wainscoting was reduced. Applicant proposes to earn points under the energy policy.

Connector link is proposed with step-back on the north side, but not on the south. Mr. Mosher read from Policy 80A on the required dimensions of connector links.

Ms. Dudney: Please explain the measurements again, as required by 80A.

Mr. Wolfe: Is that two variances or one? (Mr. Mosher: Just one.)

We have had two other projects receive a variance for a connector link. Hardship includes drainage in this area and possible damage to the neighboring historic structure. Providing a link on the south elevation would allow more area for snow in the shade of the neighboring building, in an open area that no one would see.

The proposed stone is similar to that on the Struve Building (122 South Main Street) or like on the Summit Foundation Building on Lincoln Avenue next to the parking structure. Staff suggests reducing height of the stone. We don't have historic examples of stone being placed this high on a building.

Staff also has concerns about the railing designs on the upper deck. It appears very contemporary in design and has not been seen on historic buildings in Town. Staff would rather see a more historic design in wood or iron.

At this time we are seeing negative three (-3) points for one side yard setback on the garage. The applicant has an agreement with the Gold Pan to share the dumpster (no points awarded). We last heard positive three (+3) points for internal circulation for the construction of the pedestrian path between Lots 79 and 80. There is no open space by definition. The existing parking area and the building design have restricted the open space. There are plans for the proposed landscaping that we will present at the next hearing. The agent has met with an Arborist, Rick Herwehe, to review quality and health of the existing spruce tree and aspens. The plan is to move the existing trees onsite and plant any additional needed. In addition, a comprehensive xeriscaping plan will also be presented. Jennifer Cram will review with staff to see if positive points are warranted. Any new plantings would be large and good quality.

Applicant is first to apply for and use the new energy policy. The details are still being worked out with the applicant, agent, Community Development Staff, and the project engineer. We will have more detail at the next hearing.

Changes since the February 15, 2011 Preliminary Hearing

1. The garage has been shifted slightly to the north. This adds additional offset for the connector link and additional planting space at the southwest corner.
2. The proposed paved area of the existing parking lot easement has been removed from Lot 81 (Gold Pan Property).
3. Both of the bay windows on the commercial portion of the building have been removed.
4. The dumpster on Lot 81 will be shared with the uses in this proposal.
5. The overall building square footage has been reduced slightly.
6. A small window with a window-well has been added to the basement of the commercial portion near the southeast corner.
7. The architecture on the garage 'outbuilding' is simplified with simpler fascia, rustic finishes and porch posts.
8. The proposed stone on the retail building is reduced.
9. There is some additional landscaping proposed.

The applicant and agent have made efforts to address the concerns of both the Commission and Community Development; however, there are still a few items Staff wanted to discuss. Staff had the following questions for the Commission:

1. Did the Commission believe the stone wainscot shown on the east and north elevations of the commercial building should be reduced from 24-inches to 6-inches?
2. Staff suggested a wooden or wrought iron railing similar to the fence on grade be used for the upper deck railing. Did the Commission concur?
3. Would the Commission support processing a variance at the next hearing to allow the connector link (Policy 80A) to be constructed as shown?

Staff welcomed any additional comments.

Ms. Janet Sutterley, Architect/Agent: The connector link design has not changed from the last hearing, but we are seeking a variance for the final review. During the first meeting, there were safety concerns raised regarding a classic connector link. Most buildings have a straight, short alley next to building. We don't want to have a little private hidden pocket for people to gather behind the Gold Pan. The north elevation connector link meets the intent of the rules. For most other projects, it makes sense to include the link, such as the approved McAdoo restaurant project, since it was visible from both sides. At the last meeting, it was decided to show either residential or commercial design, but not both. We ended up going back to a full commercial look, and removed the bay windows. On the stone, I think we are confusing masonry with stone accents. We are proposing cut stone in the window well. The stone that I am showing is similar the Struve Building, or building next to Briar Rose. It's used as a wainscot below the windows. It should wrap around the corner, not end at outside corner. There will be a lot of snow shedding, and we don't want snow next to the wood siding. Also, we want full-height stone at the connector facade, since owners did not want corrugated metal as siding as last proposed. I think it makes connector more apparent and strengthens the separation. On the railings, I guess I need to show less detail, and then just put it on the building like some others do. The railing is concealed from most views. (Ms. Sutterley showed photos of other railings in town.) We don't always know what makes a building look so good, but it is the detailing.

Mr. Allen opened the hearing to public comment.

Mr. Lee Edwards: Please show the front elevation. Is the entry recessed like other buildings? (Ms Sutterley: Yes.)

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

Commissioner Questions / Comments:

Mr. Wolfe: Would you do a stone sill at the windows like at Summit Foundation? (Ms. Sutterley: Yes.)
Would stone slope with the site, or increase from 6 inches? (Mr. Mosher: The stone would be parallel to the building and slope with the sidewalk.) Does new project on North Main Street, maybe 209 North Main Street, have a similar railing? (Ms. Sutterley: No, although the railing design was shown to the Commission, it was changed to save costs.)

Final Comments: Thanks for your efforts. One of the issues you are struggling with is the designs associated with the transition from commercial to residential character areas. Support stone as shown and as modified from the last meeting. I believe it does not erode historic character from Main Street. Support the railing design and also believe it does not erode the character from Main Street. I support a variance for connector link 80A, due to potential crime and site drainage concerns. On sidewalk heating...the code is working against common sense. It's unfortunate to be penalized on energy points for heating the sidewalk for the public. OK with the negative three (-3) points for open space. Agree with Mr. Butler on possibly extending fence from Gold Pan, with the neighbor's approval. Propose staff look into changing policy 80A due to too many variance requests.

Mr. Schroder: How tall is each stone? (Ms. Sutterley: About 6-8 inches tall. They may be 8"x16" or 12"x20".)
Are the stones shown on the drawings about 6" tall? (Ms Sutterley: Yes, but we may go to an 8 inch stone.)

Final Comments: I am trying to decide what an "accent" is for the use of stone. 24 inches of stone seems right to me. The proposed stone on the connector instead of corrugated metal seems

to work for me and it accentuates the link. The railing design upstairs appears too “busy”. Consistent fencing / railings are needed throughout the project. Support negative three (-3) points for open space. I also support a variance for Policy 80A; this policy does not cleanly apply to this property, due to safety, ice, and protection neighboring historic building.

Mr. Pringle: Does “should” mean there is some flexibility on Policy 80A? We have been very particular on use of “should” and “shall”. Common sense would say that the design as shown makes more sense, and helps to protect the Gold Pan. Is this something we can have a “finding” rather than a variance? (Mr. Mosher: Staff would rather use a variance as the code suggests. A variance has more detail and defines this as something that we don’t want to perpetuate.) After 3 or 4 variances, maybe we should change the policy. Can stone be darker hue, to de-emphasize visually? (Ms. Sutterley: Yes, we can look at other colors.)

Final Comments: Contemporary buildings in historic district should have some distinction, so I support the stone wainscot as proposed. I would also support stone in place of corrugated metal siding on the connecting link. I appreciate reduction of stone already made from the last hearing. But I believe you should do something different for the railing; it’s too much of a design departure. Perhaps consider a fence connecting to the Gold Pan to prevent people getting between the two buildings. Support connector link as drawn. I don’t believe that the hyphen (connector) design is absolute. Support processing a variance. Caution about being ambivalent to bringing public into site without safe heated sidewalk. (Ms. Puester: With the current energy code change, we removed negative points for sidewalk from energy policy, for public safety.)

Ms. Dudney: Support assigning no negative points for the heated sidewalk. What are the most points for energy policy? (Ms. Puester: Positive nine (+9) points, but this is for a net-zero building.) Please explain what is under the flat roof portion of the building. What is height of stone wainscot? (Ms. Sutterley: Two feet.)

Final Comments: Support variance for Policy 80A connector link design. Project achieves goal of the link at north side. It complies. However, the south side is against a historic building. Safety is another reason; also due to maintenance, and due to snow fall and drainage. I support the stone as presented, two-feet is an accent. I support difference of materials on the connector. On heated sidewalk, I would support more points under the circulation policy due to the added safety. I would support the railing as proposed. Agree that negative three (-3) points should be incurred for open space.

Mr. Butler: Final Comments: Support link design and a variance. Support 24-inch stone, including full height stone in link. Support railing design as drawn. Agree negative three (-3) points for open space. Heated sidewalk should not be a deal breaker.

Ms. Christopher: To Ms Dudney: Is it the stone in the window well at the garage you are asking about? (Ms. Dudney: No, the window well in front near Main Street.)

Final Comments: Support the 24 inches of stone, and wrapping it at the corner. Corrugated metal or stone at connector link is good to distinguish the two buildings. Support the railing design as presented. Have safety issues with heated sidewalk. Support negative three (-3) points (not negative six (-6)) for open space. I would ultimately prefer to see a traditional link, that follows Policy 80A, but public safety and protection of the historic building next door is paramount.

Mr. Allen: Is positive three (+3) points the most that can be awarded for circulation? (Mr. Neubecker: No, positive six (+6) points are possible.) Please elaborate on the mesh proposed on the railing. (Ms. Sutterley: It’s not chicken wire, it is heavier and nicer.)

Final Comments: I would support a variance for connector link, for reasons stated by Ms. Dudney. Also, support awarding no negative points for heated walkway. On the stone wainscot, I support as proposed. Support negative three (-3) points for the open space. I support the detail and iron on railing. However, I would like to see photos or more detail on the wire mesh design. Great project, I think you are ready for final.

COMBINED HEARINGS:

1. Gold Pan Saloon Restoration (MGT) PC#2011013, 103 North Main Street

Mr. Thompson presented an application to construct a foundation underneath the historic saloon on Lot 81-82, Bartlett & Shock. Summit Construction Specialties Inc. (Randy Kilgore; General Contractor) intends to stabilize the existing structure by shoring and cribbing as necessary. Then excavate (starting in the existing 292 sq. ft. basement) the south half of the building to provide crawl space (2 – 3' in height) and install concrete foundation and subfloor. The Applicant will then excavate the north half of the building and install a foundation. Finally, they will level and plumb (make vertical) the existing structure as much as possible with a new subfloor and main support beams. If and when the vacant lot to the north is developed, the Applicant will add a foundation wall to match the depth of the dig at the proposed Elk Building to the north. No other improvements are proposed at this time. No changes to the exterior. General public should not notice any change on the outside. We will need the agreement between neighbors in place before building permit.

Based on past precedent for on-site historic preservation efforts, Staff recommends that six positive points (+6) be awarded to the project under Policy 24/R Historic Preservation.

Staff Recommendation

The Planning Department has advertised this project as a Combined Preliminary and Final Hearing as Staff believes all relevant issues have been resolved. Staff suggested that the Planning Commission approve the Gold Pan Bar and Restaurant Foundation request (PC#2011013) with the attached Point Analysis and Findings and Conditions. If the Commission does not agree with our analysis, Staff asked the Planning Commission to modify the Point Analysis and Conditions of Approval as they saw fit, or to provide feedback to the Applicant and Staff.

Mr. Allen opened the hearing to public comment.

Mr. Lee Edwards: It will be a fun one to watch.

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

Commissioner Questions / Comments:

- Ms. Dudney: When Elk Building goes in their foundation will be 12 feet deep. Why not go 12 feet also? (Mr. Kilgore: We would consider extending foundation when Elk building is built.) (Mr. Shell Hodgson, Engineer: There would be some cost savings to wait until Elk is started.) Is there a slope cut to install the 8 foot foundation? (Mr. Hodgson: Yes, we would ramp under building.)
- Ms Christopher: It's a 3 year permit. Would all business operations inside the Gold Pan cease during construction? (Mr. Kilgore: No, business operation will remain as usual during construction.)
- Mr. Allen: Why not use the free basement density? (Mr. Kilgore: Reggie Gray (owner) did not want the extra expense at this time. We plan to make the existing basement 8 feet tall.)

Mr. Pringle made a motion to approve the point analysis for the Gold Pan Saloon Restoration, PC#2011013, 103 North Main Street, showing a passing score of positive six (+6) points. Ms. Dudney seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to approve the Gold Pan Saloon Restoration, PC#2011013, 103 North Main Street, including the proposed findings and conditions, plus adding a requirement to Condition 17 requiring revegetation of Lot 80, 81 and 82. Ms. Dudney seconded, and the motion was approved unanimously (7-0).

OTHER MATTERS:

1. PC Field Trip (CN)

Mr. Neubecker presented a memo detailing ideas for the Planning Commission field trip, tentatively scheduled for some time in the fall.

Commissioner Questions / Comments:

- Mr. Schroder: Obsolete Mountain Village at Telluride would be good to investigate. We could also take a hiatus and have a full-day retreat here in Breckenridge.
- Mr. Allen: I agree, Mountain Village. It's more like the Lodge and Spa or Shock Hill, where market forces

won't let them get built anymore. That type of project is no longer in demand. Durango has been a boom town the past few years. It could be worth exploring.

Mr. Pringle: I don't see any point of going to Telluride to see an obsolete project in the off season. Is Lodge and Spa obsolete, or just an old project? Park City, Utah is a wonderful place. We have so many parallels to Park City.

Ms. Christopher: There are enough new people on this Commission; we have not yet pow-wowed about a common vision.

Mr. Wolfe: "Obsolete" makes it sound like bigger projects will never come back. Financing right now does not help, but it is temporary obsolete. Vail Resorts' timeline and horizon is 20 years. Shock Hill is different, on a different timeline. I don't know enough about the historic districts. Our defining element is our historic district. We need to all be on the same page with our historic district. Maybe we do something internally, along with another historic town like Aspen. Salida has largest historic districts.

Mr. Grosshuesch: APA Conference this year is in Santa Fe. They do a "Four Corners" Conference every 10 years.

2. Mr. Allen announced that he will resign from the Planning Commission. Next meeting (May 3, 2011) will be my last.
3. Mr. Allen: Should we consider a future discussion of giving positive points for major remodels of multi-family projects? (Mr. Grosshuesch: One of the things we are working on is a project that needs to add mass and/or density for a mechanical room for new solar heating. But project is currently over mass and density. We are trying to find ways to allow and encourage these solar projects.)

ADJOURNMENT:

The meeting was adjourned at 9:20 pm.

Rodney Allen, Chair