

PLANNING COMMISSION MEETING

The meeting was called to order at 7:02 p.m.

ROLL CALL

Kate Christopher Jim Lamb Dan Schroder
Trip Butler Michael Rath
Dave Pringle and Gretchen Dudney were absent.

APPROVAL OF MINUTES

With no changes, the July 19, 2011 Planning Commission meeting minutes were approved unanimously (5-0).

APPROVAL OF AGENDA

Mr. Neubecker stated that an update on the Town Council liaison will be presented under Other Matters.
With no other changes, the August 2, 2011 Planning Commission meeting agenda was approved unanimously (5-0).

CONSENT CALENDAR:

1. Sutter Exterior Remodel (JP) PC#2011046, 885 Four O’Clock Road

Mr. Neubecker: The printed packet has the Findings and Conditions placed in the report. All of the report is there.

Mr. Butler: Are they using hardi-board? (Ms. Puester: Both owners are looking to use hardi-board; both will be consistent with negative points when being assessed.) (Mr. Neubecker: The concern we are raising is having one side using hardi-board and the other side using wood.) (Mr. Schroder: Seems to be on track with what I have read from the previous week.)

2. Sie Residence (MGT) PC#2011048, 260 Gold Flake Court

3. Bennett Residence (MGT) PC#2011049, 576 Peerless Drive

Mr. Schroder: I have a concern about the color matching. (Mr. Thompson: Staff doesn’t feel the colors are outrageous. It is considered ridgeline development and, hence, it should mimic rather than contrast the background and should be darker rather than lighter.)

Ms. Christopher: Is this stone the same used in the neighborhood? (Mr. Thompson: Yes, this stone has been used in Shock Hill; however, it should be dark and blend in with the background; there is room for interpretation.)

Mr. Rath: For a house of this size, I wonder about the color of the cedar siding. It almost seems orange; would it blend in well especially when we are going to lose more trees? (Mr. Thompson: It won’t be highly visible, but will be visible from some locations in the Cucumber Gulch; it may become more visible over time if we lost more trees.) (Commission was then presented with a physical sample from the architect.) It doesn’t introduce a whole other pallet, it works well.

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

FINAL HEARINGS:

1. Haney Building (JP) PC#2011035, 117 South Main Street

Ms. Puester presented a proposal to construct a 2,960 square foot mixed use building with retail/office and one market rate one bedroom apartment on the vacant portion of the lot adjacent to the Peak-A-Boo Toy Store building. The building is primarily composed of painted 4” wood lap siding. The commercial/retail use occurs on the first floor, office use on the front of the second floor and residential apartment on the rear of the second floor. Two residential parking spaces are proposed at the rear of the lot.

The preliminary hearing on this project was held June 21, 2011. At that meeting, Staff heard the following from the Commission:

- Full support for the zero setback interpretation of the Handbook of Design Standards.
- Full support of stone wainscot kick plate at storefront (Policy 220).
- Majority of support for change to south second story windows to have historic profile vertical windows.
- Majority of support for proposed building height of two stories in relation to one story buildings on either side.
- Majority of support for the introduction of steel brackets and banding on the front façade.
- Full support for preliminary point analysis, including -5 points under 5/R architectural compatibility for the large rear deck.

Changes Since the June 21, 2011 Preliminary Hearing

- Rear deck size reduced;
- Rear building elevation (west) with lower level shed roof and deck reconfiguration;
- Rear doors relocated to middle of structure to address pedestrians;
- Half wall on north rear elevation added;
- Flush mounted photovoltaic (solar) panels on south roof elevation;
- New steel bracket and channeling details;
- Vertically oriented windows on south elevation;
- Primary body color paint change; and
- Employee housing for positive points (possibly changing for positive points under energy policy*)

Staff welcomed any Commissioner comment. Staff recommended the Commission support the Haney Building, 117 South Main Street, PC#2011035, by endorsing the presented Point Analysis, which shows a passing point score of positive five (+5) points along with the presented Findings and Conditions.

This application has been advertised as a final hearing. Staff had the following questions for the Commission:

1. Did the Commission agree that the steel banding and bracket details are appropriate in this character area?

Ms. Christopher: Appreciates the changes and feels the applicant took into consideration original concerns. Ok with steel details.

Mr. Butler: They are appropriate.

Mr. Lamb: I like the metal, looks historic.

Mr. Rath: Ok with details, original.

Mr. Schroder: It is a product of its time and this will set it apart; in support of the steel banding as presented.

2. Did the Commission find that the proposed deck and rear roof structure meet the intent of Policy 5/R and that no negative points are warranted based on this change?

Ms. Christopher: In favor of, like that its incorporated into the structure.

Mr. Butler: Meets the intent of Policy 5/R., deck well hidden.

Mr. Lamb: The deck is well hidden and it looks good.

Mr. Rath: Looks good, ingenious idea to incorporate the shed roof.

Mr. Schroder: In support of the deck, it was a nice modification.

3. Did the Commission find that the solar panels are in conformance with Policy 5/R?

Ms. Christopher: Understand Mr. Rath's concern but am with Applicant as it does not seem like an eye sore.

Mr. Butler: The solar panels are in conformance of policy 5-R

Mr. Lamb: I like solar panels and metal roofs and there are numerous examples of solar panels out in Breckenridge; I understand Mr. Rath's concern—it will stand out but I think with precedent this is a somewhat secluded example. It is a good looking project.

Mr. Rath: Brought up the solar paneling because of concern over black panels on metal roof and that some people do not like to see panels; hope we do not get any backlash but believe that solar panels are fine and in conformance with 5/R.

Mr. Schroder: They are what they are. It is a really good move and will help with a step-by-step approach. I support the metal roof with the solar panels. I like the idea of the blending the mounting to match the paneling.

Commissioner Questions / Comments:

Mr. Schroder: How would relate back to us if we approved this as a final and then they swapped the points out? (Ms. Puester: Staff would do this under class D. Policy 33R was written such that it is very defined as to how many points they can get per the range of percentage of energy savings. They would need positive three (+3) points to get a zero passing point analysis.) (Tom Begley, Applicant: We have come a long way since the preliminary with taking into consideration the major changes to keep this historical with modern interpretation. There is good evidence that decks are relevant in this area; we have camouflaged this deck well enough and it is a well needed improvement for the outside space to the residential unit. The steel banding would give this building its own character. Also, this is the first building in town using the ASHREA system under 33/R, we are finding consultants, etc. to better understand this.) (Mr. Marc Hogan, Agent: Passed out sketches of the steel detailing to Commissioners. The steel detailing and stone base are keeping in mind the necessary proportions and also taking into consideration of a modern look.

We want to make the building look good but we want it to fit in. The energy piece is complicated but we are looking to equate it back to the point analysis, we are the guinea pigs but we are trying to figure it out. We are in agreement with the point analysis and the conditions and thank you to the Planning Commission for their guidance. (Ms. Puester: Explained what the ASHREA system takes into consideration. It is detailed and complicated; it has to be done by an engineer. It also takes into consideration the usage of the building.)

Mr. Lamb: Do other towns use this? (Ms. Puester: No, this focuses on energy savings; it is the percent of energy saved between building a code compliant building and the proposed building with upgrades (insulation, windows, mechanical and lighting systems, etc. It is the percentage of the energy saved between model A and model B.) (Mr. Neubecker: It is very similar in concept to the HERS Rating.) Do you know what the maximum is? (Ms. Puester: I believe that it is positive nine (+9).)

Mr. Rath: There is an inspection process or something? (Ms. Puester: There is testing during the building process and at the end to certify that they met the range of points they were going for.) They do those inspections during building? (Ms. Puester: Yes.) It is confusing because there are so many different systems to test now-a-days. (Mr. Hogan: The ASHREA focuses on the energy portion of efficiency, used during the LEED evaluation as well. We have been working on this energy component for about 6 weeks; it has been time consuming and complicated. We are working with the mechanical engineer and we should be getting the results back within a month or so.) Concern with the roof color with the solar panels in 5/R. If we go ahead and do it this way with this building, then isn't somebody going to do it in the future? This is something we want to consider. (Mr. Schroder: Would you consider going black asphalt instead of corrugated?) (Mr. Begely: That panel is a non-reflective black panel, it is more absorptive for the sun.) (Mr. Hogan: We are using galvanized. We think they look good on the corrugated roof.) (Ms. Puester: It is a new building and yes, we do have the option to change it.) I am just not familiar with panels that have bright aluminum frame around it. (Mr. Hogan: We might do a dark bronze frame; we want a metal roof so it looks historic and sheds well. We may find that we may do fewer, which if we do we will put them in the center of the building.)

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

Mr. Schroder opened the floor for possible point analysis changes and there were no motions to change it.

Ms. Christopher made a motion to approve the point analysis for the Haney Building, PC#2011035, 117 South Main Street. Mr. Butler seconded, and the motion was carried unanimously (5-0).

Ms. Christopher made a motion to approve the Haney Building, PC#2011035, 117 South Main Street, with the presented findings and conditions. Mr. Butler seconded, and the motion was carried unanimously (5-0).

WORKSESSIONS:

1. Giller Residence SFR, 306 South Ridge Street (MM)

Mr. Mosher presented a worksession regarding a pending application to restore the exterior of the historic house to an earlier period, landmark the historic house, add a full basement beneath the historic house, demolition of non-historic shed addition at the back of the site, rehabilitate the interior, add a two-car garage with attached living space to the back of the house. Staff requested the Commission discuss two key issues related to a pending future application: 1) Removal of historic fabric in conjunction with restoration and rehabilitation in order to rehabilitate the character and architectural integrity to a specific period in time, and to 2) obtain vehicular access to the property and 3) review the massing of the proposed addition.

Access to the alley behind the property was denied by the Theobald Family Partnership, who owns a 6.9 foot strip of the alley behind this property. As a result, the Applicant is seeking access to the front of the property instead.

Staff also notes, per the Town's Handbook of Design Standards: *In order to do so, the construction work must meet the Standards of the Secretary of the Interior for the Rehabilitation of Historic Buildings. (Note that the Breckenridge design standards are written to conform with these standards such that a property owner will not intentionally be caught in a contradictory situation between the two sets of standards.)*

The only Priority Policy (Absolute) that is associated with the removal of the historic fabric is Priority Policy 20:

Respect the historic design character of the building. Any alteration that would cause a reduction in a building's rating is not allowed. See pages 5 and 6 for rating categories. Refer to the historic/ architectural survey on file for specific ratings.

Priority Policy 20 of the *Handbook of Historic Standards* falls under the **absolute** portion of Policy 5 of the Development Code. The other Design Standards of the *Handbook of Historic Standards* may be addressed in the **relative** portion of Policy 5.

Hence, if the Commission believes that the rating of the building will be reduced as a result of the removal, then the request would fail. If the rating is to remain, negative points may be incurred under any of the design standards discussed above and listed below.

Design Standards:

33. Early alterations may be significant and merit preservation.
34. Preserve older alterations that have achieved historic significance in their own right.
35. More recent alterations that are not historically significant may be removed.

To date, we have no precedent associated with the partial removal of a historic structure other than fabric associated with the construction of connectors. Staff is cautious about having this request going forward unless specific Findings regarding the unique and special circumstances on this property can be made. Staff is very concerned about any precedent that allows the removal of historic fabric. Any comments are welcome and Staff had the following questions for the Commission:

1. Did the Commission believe the removal of the newer addition and the full restoration of the 1881 and 1908 structures will lower the rating of the building?
2. If the Commission supports this proposal as maintaining the historic rating, would they award negative points under Policy 5/R? If so, how many?
3. Did the Commission believe the general massing and height of the proposed addition at the back of the lot meets the intent of the Code?

Janet Sutterley, Architect: Introduced Cecilia Daniels, who is interning and helped prepared this project. Passed around a prototype board with photographs of similar homes with similar characteristics. Compared similar historic home with similar designs and proportions. This is the only house with the 'wing' extended 8-feet longer than the longest example. This addition restricted access to the back yard. Doesn't believe negative points should be incurred under Policy 5R as there is no public detriment. Very fortunate that nearly all the historic fabric from the 1907 additional is still on site. The original windows walls all are still here. I have reviewed this property with several clients and all have refused to go forward as there is no vehicular access to the property. All neighboring properties have this access. We are also cautious about setting any precedent. This is a unique property.

Mike Giller, Applicant, National Parks Service: Introduced Sayre Hutchinson, Historical Architect with the National Parks Service. Do historic preservation and restoration with my job at the National Parks Service. Seriously gave this project serious thought. Ms. Sutterley was cautious about approaching this property with the site constraints. This house is neglected and has been 'bastardized' over the years. Spent a lot of time talking to the architect and colleagues at the National Parks Service. At the National Parks Service, it is fairly common in my profession and we always follow the Secretary of Interior's standards, as does your Historic Handbook. Researching this, Boulder allows the removal of up to 50% of the fabric and others allow some the removal of a certain amount of fabric in order to bring a building back to a period in time and classifies this as a 'significant alteration', not a partial demolition. We are proposing 13% removal of the newer fabric. I feel that bringing this house back to the 1908 period is a more important period in the Town history and the restoration/renovation will correct the original house along with the earlier addition. This solution solves a lot of problems with this house. Look forward to doing a detailed restoration along with Ms. Sutterley. There is a story with the additions, but in this case the addition lowered the integrity of the entire house with the replacement of the historic fabric and the newer smaller windows on the original house. I would like to address any questions.

Commissioner Question/Comments:

Mr. Schroder: Glad to hear that the south wall is planned to be retained with the restoration plans. Also, glad to hear that the original windows will be replaced onto the older portion of the house. What happens next? By retaining this wall and incorporate it with the 1908 house, is that weird? Does that seem to be right? (Mr. Mosher: We think that wall was moved from the older addition; there wasn't a lot of money in those

times to throw things away.) (Mr. Sayre Hutchinson, Historical Architect: The 1908 elevation has just been moved down. So you are only looking at a ‘sliver’ that has been placed in there.) (Mr. Mosher: The Historic Handbooks abide with the Secretary of Interiors standards. The removal of fabric is not a Priority Policy but when the standards were drafted, the design standards that identify this issue have a hefty negative point assignment to discourage this. We must judge this and any future application on the Town’s standards, not the Secretary of Interior’s.)

Mr. Butler: Can you refer to the trade-off of how you are handling the renovating of the front? (Mr. Mosher: Is this regarding the overall historic rating of the house? There are a handful of things on this building that deter to the ratings qualifications. There are non-compliant shutters, windows, a shed tacked onto the house, and older historic fabric that had been moved to the newer addition. The applicant proposes to bring it back to where the older historic fabric would have been at 1908. That, with the proposed addition on the back, would be the balance for the rating to remain as it is.) If it reduces the rating it would be a deal breaker right? (Mr. Mosher: Yes.) (Mr. Neubecker: It is a trade-off of values and goals. It could be a dangerous precedent but we do see value to getting the rest of the building restored. It is picking and choosing history and the value of the newer addition. (Mr. Mosher: I forgot to mention the restoration of the side yard for this house. Possibly adding front yard character with a new fence and plantings too.) (Mr. Giller: Did some research on other jurisdictions regarding their standards.) (Mr. Mosher: Every jurisdiction has its own interpretation.) It depends on what you do with the rest. If it preserves the character defining features. This could raise its contribution to the historic district.

Mr. Schroder: I don’t have the background that you are bringing to the table, so when I read your letter I read it at face value. You are saying that the historic district will remain undiminished. (Mr. Mosher: I have been in contact with Rebecca Waugh, the Town’s consultant with historic issues. She expressed the need to keep the State Historic Preservation Officer in the loop during this review process too. The State tracks the historic boundaries of our district.) (Ms. Sutterley: We are planning on leaving the structure in the exact same location; just picking it up adding a basement and putting it back.)

Mr. Butler: Mr. Giller’s last point about the ‘total package/the trade-off’ is legitimate but in the scale of things we are making it better. The changes are off-set by the total value. The removal tied in with the restoration of the original building is the total package is the most important part. This is not lowering the Town’s rating of the building. (Mr. Mosher: There are pros and cons. This is something Staff has never done before and we need to be careful with precedence going forward.) (Mr. Neubecker: The Development Code is set up to work this way. Positive and negatives may be assigned so ultimately the project can go through; the advantage to the applicant is that there are new ratings for the qualifications.)

Mr. Schroder: Even if negative one point was assigned, I’m having a hard time defining where the public detriment would be. However, I would be inclined to assign one point as a deterrent to see this kind of proposal in future applications. (Mr. Mosher: The point assignment could be justified in that we are losing fabric and this is discouraged by the design standards. There is a balance since there is restoration planned too. Nore Winter did not make it an absolute policy; he made it relative to abide with the Secretary of Interior’s standards.) (Mr. Giller: The balance of the project is carefully done to the meet the Secretary Standards. When we are finished it will have more quality defining features and will contribute more to the historical region. There are different levels of significance. I am trying to take this back to the town phase, when this building was in its prime. It would be a restoration that we could all be proud of. I want to work with you but I hesitate to lose points.

Mr. Lamb: Is it safe to say that this would be in the positive nine (+9) point range for the restoration efforts? (Mr. Mosher: Yes.) (Mr. Neubecker: We should think of it as negative points for the removal and positive points for the restoration. The Applicant is doing both. There may be other ways that they get some positive points. It would be a fair way to do this. The way it works in the code is points.) (Mr. Hutchinson: We don’t want to create a false sense of historical development/restoration. The way the building is today, untouched, the interpretation of history is confusing. The newer windows on the older historic portion are not accurate and don’t reflect the proper historic character of Breckenridge. To replace them with historic compliant windows would essentially be altering the historic building, as it stands today, to a false interpretation of what happened with overall impacts that the newer addition incurred to the house. Proportionally I believe it has a very awkward appearance. 1908 is the height of the period of significance.) (Ms. Sutterley: The massing follows the code exactly. We are following all of the rules.) (Mr. Mosher: Staff believes that the proposed addition is far enough back. That it is not impacting the primary façade of the historical house. The neighboring historic homes are another 8 or 9 feet above the addition. The massing does meet code exactly ‘size wise’ but the question is if it is far back enough.)

No comments from commissioners about the height were made. All felt the separation from the historic house meet the Code.

1. Did the Commission believe the removal of the newer addition and the full restoration of the primary façade of the 1881 and 1908 structures will lower the rating of the building?

Mr. Lamb: No.
Mr. Butler: No.
Ms. Christopher: No.
Mr. Rath: No.
Mr. Schroder: No.

2. If the Commission supports this proposal as maintaining the historic rating, would they award negative points under Policy 5/R? If so, how many?

Mr. Lamb: Yes; negative one (-1) point, with the 5X multiplier. It is a good project that I would like to see go forward. I think there is a little concern regarding precedent.
Mr. Butler: Yes; negative one (-1) point; precedent wise I think we're OK; this is a beautiful restoration project.
Mr. Schroder: Yes; negative one (-1) point. The rating doesn't get lowered. I would rate negative for the removal of fabric. (Ms. Christopher concurred with Mr. Schroder's opinion.)
Mr. Rath: Negative one (-1) point. You have to decide whether you are going to allow this to be demolished by neglect and time or take a little hit here; the larger question is are we going to be happy driving by that place in 3 years after the renovation as compared to now, neglected.
Ms. Christopher: Yes; negative one (-1) point. Ecstatic that someone is picking it up and doing it right since it is currently a very poor looking property.

3. Did the Commission believe the general massing and height of the proposed addition at the back of the lot meets the intent of the Code?

Mr. Schroder: Yes, it does. (All Commissioners agreed to this point.)

4. Policy 24, Employee Housing and Accessory Dwelling Units (Memo Only) (LB)

Ms. Best presented a memo to advise the Planning Commission of a change to the reference development permit. The original permit approved by the Planning Commission on 8/4/2009 and the Town Council on 8/11/2009 allowed 42 townhome units in eleven buildings. The plan has been modified from 42 townhomes to 41 townhomes. Building 7, which was approved as a 5-plex, has been replaced with a 4-plex. This change was made in order to loosen up the site and because of construction challenges associated with that Building type. The elimination of the end carriage house unit (#26) was processed as a Class D Permit (11-178) and staff felt it would be important to make the Planning Commission aware of the change. This change decreases the project density by .71 SFE, increases the building separation between Building 7 and Building 9 by 12 feet, increases the open space by 1,167 sf., and reduces the length of the Building 7 façade that faces Hwy 9 from 135'-8" to 116'-10".

As the Commission may recall, the project was approved by Council on Town-owned land and the Town manages the construction and budget. The project also includes a financial subsidy by the Town to insure affordable price points for local employees. The phased construction began in the fall of 2009. The third (and final) phase which includes Building 7 will begin in September 2011 and the project should be complete in the spring of 2012.

OTHER MATTERS:

Mr. Neubecker communicated that the Town Council had decided not to appoint a liaison to the Planning Commission at this time. Staff will continue to bring Town Council updates.

The following were updates Mr. Neubecker and Mr. Grosshuesch presented to the Commissioners:

- All planning commission plans from last week were approved with minimal questions.
- Proceeding with annexation on County Rd. 3.
- There was a discussion about the F-Lot hotel; this came from the development community. There are currently three applicants that will be presenting at the next town council meeting. They argue that it is a market that is not being met with the higher end of hotels.
- The Arts District plan discussion went well.

- There was a packed house for the Peak 6 Expansion and they will be discussing this at further length at the next meeting. The Ski Area signed the MOU and now the County won't sign it. Comments will be accepted on the website.

Reminder to the Commission that the site visit to the Forest Cuts on the 16th has been scrapped. Staff will reschedule. The walk-around on Tuesday, August, 30th will still be happening at 9:30 a.m. and lunch will be included.

ADJOURNMENT:

The meeting was adjourned at 9:30 p.m.

Dan Schroder, Chair