

PLANNING COMMISSION MEETING

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

ROLL CALL

Kate Christopher	Jim Lamb	Trip Butler
Gretchen Dudney	Michael Rath	Dan Schroder
Dave Pringle		

APPROVAL OF MINUTES

With no changes, the minutes from the November 15, 2011 Planning Commission meeting were approved unanimously (7-0).

APPROVAL OF AGENDA

With no changes, the December 6, 2011 Planning Commission meeting agenda was approved unanimously (7-0).

CONSENT CALENDAR:

1. Mendez Addition (MGT) PC#2011073; 211 North Gold Flake Terrace

Mr. Schroder: Personally ok with Staff's action as noted, but was wondering if others wanted to take it off the consent calendar. (Ms. Dudney: Only if someone from the public is here to speak about it.)

Mr. Pringle: There are a lot of reasons to call this up but not specifically for this application; it meets everything that the code asks for. I think the issue is bigger than this one. (Mr. Neubecker: If there is an issue bigger than this we can talk about it under Other Matters if there is something else we need to address.) This is a very large home for that area; have they met all of the conditions on that? (Mr. Truckey: It meets the Neighborhood Preservation Policy.) (Mr. Neubecker: Directed the Commission's attention to Page 13 in the Planning Commission packet.)

2. Wellington Neighborhood SFR Plus Garage (MM) PC#2011074; 15 Raindrop Green

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

TOWN COUNCIL UPDATE; MAYOR JOHN WARNER

Mayor Warner updated the Commission on several topics:

- First: Starting in January, 2012, Town Council members will participate in one Planning Commission meeting per month.
- Second: Relocation of the recycling center: The Town and the County are entering into an agreement to move the recycling center to approximately the northwest corner where Coyne Valley turns left before Red Tail Ranch; a way to free up space for affordable housing on County Road 450. There are thoughts about absorbing the ambulance service by the various county fire services; there might be a sharing of the public works campus. It will be more of a consolidation of space. It is not a done deal, but it is coming down the pike just so you are aware. The County would like to build the property. (Ms. Dudney: Is the reason we are involved because we are moving the recycling center to public property? If they build affordable housing would it be annexed into the Town?) Can't speak of where the water rights for some of these locations exist thus far.
- Third: Riverwalk Center concept of a potential park idea: In Council's thinking, it has nothing to do with displacement of parking. We ARE NOT removing any parking. We are thinking about adding more green areas around the Riverwalk Center. (Mr. Schroder: It wouldn't go away from that spot?) No, there will be no net loss of parking. It is extremely preliminary. Breck lacks in park space, we have about ¾ of what you are supposed to have in a town setting. (Mr. Pringle: Boulder went through the same thing, and they ended up going through a big reorganization of priorities. Something in the main part of town, a lot of people would be able to access it.) It would be an enhancement to the Riverwalk Center Venue so it is used more often and so that people have a real good reason to come to town. (Ms. Dudney: Is the park area supposed to be like a central park, for play area or for concerts?) More of a central park area; so the building is surrounded by grass and parking could go underneath. (Ms. Christopher: Even a net gain with regards to parking would be extremely beneficial.)

- Fourth: Then there are also people that are still looking for the 4-Star Hotel project concept near the F lot overlooking the Village. (Mr. Pringle: Why wouldn't we engage with the Ski Area and see what they produce?) That may happen, maybe that is all that we need. But I still feel that our community could use an accommodation of the sort. The Ski Area has development rights/master plan that did call for a hotel but they haven't moved forward with that. They don't know what it would look like. We told them that we would love to see them go that extra bit. (Mr. Schroder: Have we received any timeline of any feel of any kind about the Berghof, Gondola Lot, etc.?) Maybe the Bergie area first, then Administration and then come into town. These lots would be the last piece of their development plans. (Mr. Neubecker: They have shut down the Breckenridge Mountain Lodge; they might redevelop that site but it is extremely preliminary. They have the approved plans for Building 804 which is the next to One Ski Hill Place. They might switch that over to a hotel. There was discussion last year but nothing recently. The number of people and cars you then put on the west side of Park Avenue and then the foot traffic getting to the Gondola were of concern.) We would like to have a place where our visitors find it easy to get into the core of downtown. As opposed to hanging out in some satellite lot.

Commissioner Questions / Comments:

- Mr. Pringle: With regard to the recycling center relocation, is there a possibility that they might look into other locations that are more centrally located? (Dr. Warner: By moving it farther north it takes it out of Town proper but the Highlands are a huge part of town and it is fairly accessible, is it a perfect spot? Probably not. But is it a spot that works pretty well? Yes. I think they thought of it in terms of access, main roads, two ways to get there (via Highway 9 or Airport Road); we can certainly ask those kinds of questions. I can certainly bring it up to see what Council thinks. There isn't a blueprint for this project yet, it is just a way that might free up a place that might be continuous with more affordable housing.) One other consideration, rather than one large central place, is that we have multiple satellite facilities that are scattered throughout Town. If we can make it more convenient for people, they will do it. (Dr. Warner: There is concern, because landfill revenues are down, that recycling is in jeopardy of disappearing. Education is key with regards to the lifecycle of the things Americans buy.)
- Ms. Pringle: You had mentioned that you may enlist a Town Council to come to Planning Commission meetings? (Dr. Warner: To fill in the blanks, so to speak, so that we have a two way street with communication. Everyone on Council supported that idea.) I am wholeheartedly in support of this; I think it would be extremely beneficial. (Dr. Warner: We would have to make sure that it isn't quasi-judicial. Jennifer McAtamney will be attending your next meeting.)

WORKSESSIONS:

1. Mechanical Mass for Solar (CN)

Mr. Neubecker presented. Staff had been approached with a potential exterior remodel at Ski Side Condos on Grandview Drive which includes enclosing a 250 square foot area for a mechanical room for the new solar thermal panels as well as potentially enclosing the open air walkways (which are internal to the buildings and therefore not visible from off site locations) to make the building more energy efficient. The property was built prior to the Land Use Guidelines adoption and is already over density and mass (a legal non-conforming use). Per the Development Code, enclosing the interior hallways and adding a new mechanical room in many cases would result in a large number of negative points for exceeding the recommended mass, thereby rendering the project infeasible.

The Commission discussed potential changes to the Relative Policy on Mass at the May 18th and August 30th worksession including:

1. Mass allowance for mechanical rooms for the purpose of renewable energy systems; and
2. Mass allowance for enclosing hallways and entrances for energy efficiency savings (i.e. airlocks).

This issue challenges two different goals of the Town 1) encouraging energy efficiency and renewable sources of energy, and 2) maintaining community character (including building massing limitations). Staff would like to find a way to encourage the use of renewable energy without compromising character.

Almost all of the older multi-family buildings in Town that staff researched (about 30 properties) have been built to or are over the allowed mass. Staff also believes that in most cases, mechanical room additions could be accommodated within the existing building footprints (in hallways of the multifamily buildings).

The Commission directed staff to draft a modification to Policy 4R Mass which included the following:

- The Commission supported changes to the policy concerning mechanical room mass, but did not support enclosing hallways and walkways.
- Additional mass enclosures should be within the existing building footprint.
- If the mass cannot be within the existing footprint, it should be added in a way to reduce visibility from public rights of way.
- The policy should apply to renovations only, not new construction.
- Set a maximum size limitation.
- Mixed opinions on the Commission on review process (Class D or C).

Staff proposed a draft policy which attempts to address the Commission’s concerns. Staff welcomed Commissioner comments and input on the draft policy. Staff hoped to get direction on the policy to move forward with ordinance language to the Town Council.

Questions for the Commission:

1. If the applicant can’t fit the mechanical room addition into the existing building footprint, should the addition be prohibited?

Mr. Pringle: Still fuzzy on the question because I think the questions are answered in the policy; shouldn’t prohibit it. Find ways to make it happen. No, don’t prohibit.

Ms. Dudley: No.

Mr. Lamb: No.

Mr. Schroder: No, in favor that we don’t prohibit it.

Mr. Butler: No.

Ms. Christopher: No.

Mr. Rath: No, they would have to stay within their setbacks.

2. Are there some criteria we can establish to allow such mechanical room additions when added outside an existing building footprint?

Mr. Pringle: Yes; “for the expressed intent of mechanical equipment for renewable energy built to the least amount necessary to accommodate that”.

Ms. Dudley: Yes; in item C of draft policy, be more specific than “if deemed necessary”. Like visible from the public right of way. Try to make it clear to the applicants. (Mr. Neubecker: It might be simpler to call it a Class D and then go from there.)

Mr. Lamb: Yes.

Mr. Schroder: Yes; square foot limitations on site/building guidelines/height/color, etc. to create as low public visibility as possible.

Mr. Butler: Yes.

Ms. Christopher: Yes; possible subterranean for mechanical room.

Mr. Rath: Yes.

Commissioner Questions / Comments:

Mr. Lamb: When you say over mass are we talking 5% or 50%? (Mr. Neubecker: It varies; we basically looked at multifamily buildings.) If it were 5% over I am a lot more agreeable over something that is 50% over.

Mr. Pringle: Some people come in and build exactly to density and then they come back asking to accommodate more mass. I don’t know how we mitigate, unless we waive the maximum allowed density on properties. (Mr. Neubecker: I understand your concern. You see on page 35, section A of the Planning Commission packet, “this exemption would not apply to future buildings being built”.) Rather than going to all the expenses of putting all of this onto a building, why not buy into the community solar gardens and not get your reductions through them? (Ms. Darcy Hughes, Architect for Ski Side Condos: We already have solar PV on the building, so this additional solar would be for solar hot water.)

Mr. Rath: Usually when a property is adding environmental savings they are doing a lot more (environmentally) than just one thing. I think there should be an encouragement for doing this underground. (Ms. Hughes: I am not opposed to going underground, but we have an empty hallway in this building and it

- is blocked from view unless you are in the building, so I think that is much more beneficial to utilize the space we have available.) (Mr. Matt Stais, Architect: I appreciate the position that Ms. Hughes's clients are in; however, I would be pretty wary about setting a policy that would cover all potential projects; it might be a problem in the future with other projects. Can this not be handled on a case by case or should there be a policy?)
- Mr. Pringle: To go ahead now and enclose those hallways it becomes a fairness issue with mass and bonus issues. (Ms. Hughes: It was built prior to the land use guidelines.) We gave it a bonus because it was employee housing.
- Ms. Dudney: Two issues, 1. Mechanical space necessary to support the solar and the second is enclosing open hallways. Because this didn't have anything to do with renewable energy, I personally think that the Staff has done a good job writing this so that we are protected. This particular hallway could qualify for that. I would make a couple language changes but after thinking about it I didn't feel that worried.)
- Mr. Pringle: It opens for door; once you start doing these you get a lot of applicants with people changing things.
- Ms. Dudney: Constructive criticism of wording: Second sentence in the first paragraph, I don't think that it is necessary. The language of reducing the carbon footprint is volatile and it requires a huge financial analysis to be done. Add the words "to improve energy efficiency." The goal of the language should be as clear as possible to what it applies to. On B1 the last sentence, "and may be denied if adjacent property owners reject...", if it is put within visibility of adjacent properties, should they have voice in this?
- Mr. Pringle: No, the Town has the voice but we don't give them (neighbor) a veto or power over that. "Screening of addition shall be addressed..." change to "if necessary, shall be required"? I don't know how you mandate something relatively.
- Mr. Lamb: It will be on a case by case basis.
- Mr. Rath: I can see how we could do a point analysis; that way we can evaluate the overall net energy effect rather than looking at this little 200sq feet. 2% is a pretty small number but if you attach that square footage to something on the positive side that is measurable.
- Mr. Pringle: Would this have to go through the HERS rating? (Mr. Neubecker: In that instance you would be gaining positive points, but you would have to go through a rating system that does have a cost involved with doing that rating.)
- Mr. Rath: Assign positive and negative point system for the intended upgrades. It would force them to add as few square feet as possible and it would encourage them to do a lot on the positive benefit side as well. Space that is needed for additional infrastructure (heat pumps, etc.), you can set an upper parameter. I'm trying to encourage upgrades to those older buildings; we can double the energy efficiency of some of their structures. (Ms. Dudney: Is 300 square feet the right number?) Sometimes 2% might not be adequate or sometimes it might be too much. We look at what their intentions are from a positive and negative standpoint. (Mr. Neubecker: There could be a bigger project that comes along but if we limit it with these numbers maybe we consider it; maybe it qualifies for a variance. We just don't want it to be so broad that people take advantage of us. We want people to be efficient with their space.)
- Mr. Lamb: It would be interesting to see some systems out there. Do we need 500 square feet? Is 300 too much?
- Mr. Rath: It would have to be a fairly large building to need 500 square feet. Some of these mechanical rooms can be reorganized and reutilized and made more efficient because a lot of this stuff is smaller nowadays. (Mr. Neubecker: We will do more research on mechanical rooms so we come up with a number that is realistic. We don't want people to take advantage of us or the policy. We will provide some data to you and hopefully get you on board with our findings.)
- Mr. Pringle: Minimal amount necessary to get what you want.
- Ms. Christopher: I agree with everything Ms. Dudney, Mr. Pringle and Mr. Rath have said. It would be nice to direct an applicant in that direction before they consider extra buildings to cover it.
- Mr. Rath: The exemption should be that in a case such as this, when we have environmental upgrades to a building we don't take those negative points. (Mr. Neubecker: If we can't accommodate Mr. Rath's idea are we ok going down the road we are going?) (Mr. Truckey: There may be times that 300 square feet is not enough. Maybe we get rid of the square footage and do the 2% so it is specific to the sizes of the buildings.) (Ms. Christopher: They have to demonstrate need for what they are asking for.) Encourage older buildings to go through the upgrade process.

2. Public Works Administration Building (MM) Airport Road

Mr. Mosher presented a proposal to build a 5,144 square foot administration building near the existing east entry to the Public Works property.

As a Town of Breckenridge development, the Town Council does not need an approved development permit to process this project. None of the normal processes or requirements applies to any Town projects that are covered by Section 9-1-27 of the Development Code. However, 9-1-27(B) requires a public hearing, and requires that the Planning Commission provide their input on the proposed project. The Town Council has indicated that they want to try to follow the substantive requirements of the Development Code as much as possible for all Town projects.

Due to the time constraints for advertising the public notice, this review is being presented as a worksession. It will be brought back, with the required advertising, for a public hearing at a future meeting.

At this time, Staff has only one question for the Commission. Staff believes that the architectural character of the proposed buildings abides with the intent of the Land Use Guidelines. Does the Commission concur? Staff welcomed the Commission to ask any additional questions or provide comment/direction to Staff.

Matt Stais, Stais Architecture, Agent: Presented the new overall site plan and how the new public access will be off the south entrance on Airport Road near Valleybrook.

Commissioner Questions / Comments:

Mr. Schroder: On the directional road, you can't turn left there. (Mr. Mosher: It is a 4-way stop intersection.) (Mr. Rich Newberger, Public Works: Mr. Stais will discuss county influence and occupation and how all of that plays in.)

Mr. Lamb: Well thought out, perfect design for what it is intended to do and it is compatible with neighborhood.

Mr. Pringle: I think it looks good, Mr. Stais. (Mr. Truckey: As a goal, the Town is seeking LEED equivalent ratings for Town buildings. Though we are not seeking LEED, we will be designing comparable elements in the development.) (Mr. Newberger: 96-98% energy efficient; investigating recyclable materials; solar system array that will sustain the building; bouncing natural light into the interior of the building; projection of light inside and shading; the intention is to get 50 or better on the STC (Sound Transmission Class) rating; the more we push the envelope on things that we make it green and helpful. It expands the responsibility of the Town to come up with those dollars that the Town would need to make up.) (Mr. Stais: I would like to see it LEED certified, but is very expensive. Will be going forward with sustainable design and energy efficiency; we will continue to work on it and keep you all posted.)

OTHER MATTERS:

(There was a general discussion about architectural character in reference to the Mendez addition.)

Mr. Pringle: I had a question about excessive dissimilarity (ie: glass) and the overall point analysis of the project. (Mr. Neubecker: It's about balancing contemporary architecture, where do you draw the line?) It isn't square footage; it is a number of architectural design structures. (Mr. Neubecker: Depending upon the direction the design is facing, or the design your neighbors have, it is not just a function of size. It is in the eye of the beholder.)

Mr. Neubecker: The Saving Places Conference in Denver is coming up in February. Registration is still not available. I will let you know as soon as we know anything about that.

Mr. Schroder: There is not a second meeting in December. The first meeting of the New Year will be January 3, 2012.

ADJOURNMENT:

The meeting was adjourned at 9:16 p.m.

Dan Schroder, Chair