

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Jim Lamb Gretchen Dudney
Dan Schroder Eric Mamula Dave Pringle arrived at 7:05pm
Trip Butler arrived at 7:10pm
Jennifer McAtamney, Town Council Liaison

APPROVAL OF AGENDA

With no changes, the July 2, 2013 Planning Commission meeting agenda was approved unanimously (5-0).

APPROVAL OF MINUTES

Ms. Christopher made a motion to approve the June 18, 2013 Planning Commission meeting minutes as presented. Mr. Schroder seconded, and the motion was approved unanimously (5-0).

CONSENT CALENDAR:

1. Crowley Residence (MGT) PC#2013048, 36 Boulder Circle
2. Gurlea Residence Addition (MM) PC#2013051, 20 Dragonfly Green

With no requests for call up, the consent calendar was approved as presented (6-0).

TOWN COUNCIL REPORT:

Ms. McAtamney:

I was not at the Town Council meeting last week. One of the big things that we looked at however was the F Lot hotel feasibility report and we have requested more detail. We took a tour of the Town Water Facilities with Gary Roberts and toured the streets to observe how they rate the streets in term of maintenance. We drove over the roads in a couple of places and saw what different patches look like. We had a lot of conversation about the functionality of the roads; we basically keep all of the roads at a 5 or better on a 10 point scale. We tried to learn more about that process. It is a pretty arduous task to get speed bumps installed in your neighborhood.

Also, this Saturday we are going to have a swinging of the sledgehammer at the Harris Street Community building; for a donation, you'll have the opportunity to swing a sledge hammer. July 23 is the dedication of the Terry Perkins Public Works building and on the 25th of this month, the BMF and the concert for the commissioners and board members as a thank you from the Town for your service. And that is all that I have tonight.

FINAL HEARINGS:

1. Hermanson Residence (MGT) PC#2013043, 114 North Ridge Street

Mr. Thompson presented a proposal to construct a new 4,195 sq. ft. single family residence including: 4 bedrooms, 4 ½ baths, a 575 square foot accessory apartment below ground, two gas fireplaces, with 4 ½" reveal horizontal cedar siding and painted cedar shingles, 1 x random width rough sawn shiplap pine vertical siding on the garage, 2 ½" natural cut stone veneer, with a dark grayish 40-year asphalt shingle roof with corrugated metal on the low roofs.

Changes from the Preliminary Hearing:

1. North shed element siding has been changed from vertical to horizontal bevel siding with 4 ½" reveal.
2. The brackets have been redesigned to meet the Handbook of Design Standards per Staff input. Note that

- the three brackets now on the front entry are structural.
3. Patio size has decreased.
 4. Added stone on exposed concrete foundation walls where dark mortar wash finish was previously specified.

Also, the applicant has changed the south door to a half light door (Mr. Thompson passed out photos).

Staff believes the proposal warrants the following points under the Relative Policies: 9/R – Placement of Structures: negative three (-3) points for encroaching on the rear setback, Policy 18/R – Parking: positive two (+2) points for placing the parking in the rear out of public view, and Policy 22/R Landscaping: positive two (+2) points for a landscaping plan that provides some public benefit. This results in a positive (+1) point analysis.

We had a site visit today and stood on the other side of the street and looked at the visual unity of the block. The applicant does not believe that the walkway from Ridge Street is necessary and would like the opportunity to discuss this at the meeting. If the Planning Commission does not agree with the applicant, they have relayed to staff they would like a continuance of this item.

Staff is recommending a denial of the Hermanson Residence, PC#2013043, for failing to meet priority policies 4, 8, and 134 within the *Handbook of Design Standards for the Historic and Conservation Districts*, which in turn results in failing Policy 5/A per Development Code Policy 9-1-19 5(Absolute). As a result, Staff has included a denial decision in the packet.

A second option for the Planning Commission would be to continue this application to a future meeting.

Should the Planning Commission find that the application meets all absolute policies and approves the passing point analysis, Staff has also prepared findings and conditions for approval.

Ms. Janet Sutterley, Architect: Let's talk about first, I'd like to show you the Sanborn map and look at what happened on this block originally. This map shows no unity in the area at all; I have outlined the two buildings that we are talking about this evening. Then, the visually unity was forever changed in the 1980s when the Town constructed the wall; at that point the visual unity of the block was interrupted and it stops right at the end of that wall. I'm going to show you the yard condition if you saw it today, and how the two historical homes with a very gradual slope is a very different condition than what we are looking for here. On the site, you saw an orange stake which represents the property line between the two lots. 3A starts right where the stone wall starts and the orange stake is right here (indicated on the map). So now we have a brand new condition; it is no longer the historic condition; it is very different. There is no nice gradual slope to the yard. Let's review the priority policies. It's our belief that we have met every one of these policies. We are not disagreeing with Staff that this is the front yard, and the building is set back which is uniformly aligned. We are not disputing installing a door there; but when we get into Priority Policy 8, when you go through the bullet items, we meet every single one. We think the main issue is getting hung up on the visual unity of the block. The buildings are all aligned correctly, the architecture is similar, we have the setbacks, the open space; we are just discussing how we are going to get through this wall and grade. When we get to 134, that's pretty substantial front yard. We are taking away undisturbed open space and creating hard area. We cannot do a gentle slope, it would cut the wall and we have to meet code. 7.5inch risers are code. It's going to take us 12 feet of distance to get the sidewalk to meet grade. It's going to be poured concrete and hard surfaces, which goes against this policy.

There is another project like ours, but not on this block. It's the Walker House, across from the Courthouse on Lincoln. This is the north façade of that building and the primary façade of this building. There is no door, then there is a wall that goes down to the sidewalk; there is no access to the front yard, and you can kind of see on the side where the door is, not on the front. It is sitting on a nice large landscaped yard, and is in historic condition.

One note from the Staff about how both of the historic homes have stairs leading to the sidewalk: I'm not sure where the requirement for the walkway comes in, but by the way, both of those homes are commercial properties. They want people to park on Ridge Street, and they want people to park and walk up their sidewalk. Our lots are residential, and we don't want to encourage people to park and walk up our sidewalk. If there is no walkway to Ridge, it appears to be a backyard? I don't think so.

Basically, I feel like we are forcing a condition here that will result in a 12' long concrete stairway in an area currently undisturbed, and I don't see why we should do that. I believe that we meet all three of the policies and most importantly, we are trying to create a false narrative about something that doesn't exist.

Here are two other historic homes with doors on the side of the house. (Showed photos to the Commission.)

Ms. Dudney opened the hearing to public comment.

Mr. Donald Craig, 110 North French Street: I am a City Planner by profession and have worked in Breckenridge; I presently live in Key West where I am Planning Director. Obviously, having owned a home at this location since the late 70s, we have seen a great many things occur here. One of the most important things in the placement of structures in a historic district is the context of what is around the site. The context is not presented by just everything within that block as staff stated, but is made by a two or three block area. Especially when you consider the entrances on that block, you have to take into consideration the Court House. If you go to the Brown Hotel, you can see a wall penetration that doesn't honor any of the rules either. We are concerned about the placement of these two structures. The fact is that a front yard which is a residential use has an entrance and that entrance is oriented towards the front of the street is important. This happens in Historic Districts throughout the nation, and to simply ignore that because the Town built a wall to create a two-way street is simply something that you have to consider in your decision. At the very least, this Applicant should be required to provide an access to Ridge Street. It's a matter of balance between open area and density. Another thing is that the driveway will make it difficult to have a bus stop on that street. The removal of parking spaces is critical in your deliberation of this project. Anything that makes it more difficult to park, in my mind, is a non-starter and shouldn't be tolerated. Right across the street, my neighbors own a Bed and Breakfast which relies upon transit; we rely on parking on that street. When you look at the façade fronts, they move in and out in terms of distance from the roadway; so the fact that you have a governmental building as the primary driver of the setbacks and adjacent historic structures driving the setbacks for these residential structures makes no sense to me. You could move both of these buildings further forward to Ridge and provide more relief from French. Residential units were always closer to the street, as expressed by the commercial structures on Ridge Street. Hopefully these comments will allow you to make a more informed decision.

Mr. Lee Edwards, property owner across the street at 108 North French Street: I much prefer this being developed than the last approved project. This is the historic 1914 Sanborn map of what occurred up and down the street. Here are the properties that were on this block at that time. As Mr. Craig was saying, houses used to be much closer to each other. If Ms. Sutterley's building was moved further to the west, it wouldn't be violating anything that historically occurred in this neighborhood. We are trying to use these bungalows that were placed on the flattest part of the lot as a reference. I have no problem with moving the building forward toward Ridge; I feel that it has been jammed up on French; I know the Applicant has said that they would

move it forward. We have a very strong case here; historically, they were on the flat part of the lot. The bus stop and parking; we have a shoulder here where the bus can be pulled off; we do not have a shoulder on Wellington Road. We are going to create issues if we lose that bus stop. I imagine the transit department could put the bus stop in the same location and it hang over a bit, but I wouldn't encourage the relocation of the bus stop. I also agree with Mr. Craig that we are going to lose all of the parking that we have over there. Those are going away. We can deal with that, we are just going to have to walk a little farther when we park our car. These properties need to be accessed; if the use of any of these buildings change, we should have the ability to buy into the parking district; include district 18.2 into the parking district. Now, I'm going to branch off and say I disagree with Ms. Sutterley's presentation about the front door. The front door should be on the front of the building. There should be a connection to the sidewalk from the front door. The Walker House is on French Street. May I look at the double doors? I have a question. I thought there was a reference to the wedding door and a funeral door? There is no confusion which is the front door there.

Mr. Matt Stais, owner at 108 North Ridge Street: Firstly, I agree with Mr. Edwards that this is an improvement over the prior project; in general this will be a good neighbor to us. Lot 3A will be a little closer to our property. I appreciate the large front yard setback that the Town has required. I would agree with Ms. Sutterley with needing access to the west; I think that there are plenty of precedents that indicate that this is not the case including the Walker house on Lincoln Avenue. The blue house that is used by the County has a sidewalk but no one uses that door. Just to let you know. As far as the bus stop, it's a good question. There needs to be vehicular access to these lots, and French Street is a good place to put it. The building that we own was built and the County blue house were single family houses in 1905, not commercial buildings. I think that one thing about the Sanborn map it is somewhat unique that we have no alley, and that the properties run clear from French Street to Ridge Street. It's one of the nice things about our property, but I'm not sure that it's the same animal that runs in other parts of town.

Mr. Thompson gave an update of the bus stop. The Town bus will stop in the street at Wellington and French. The ski resort bus will stop on other side of the street. There is a 120' standard area the bus needs to stop. This has been discussed and determined by Public Works and the Transit Department. It is the same way the bus stops all along the rest of French Street. The only reason why that's not the case here is the fact that these lots have not been developed.

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

Commissioner Questions / Comments:

Mr. Pringle: We don't have any problem with the materials, windows, siding etc. We have vetted the other issues in previous meetings. We are only concerned about the front elevation as far as a front door and it should have a walkway. As far as placement of the house; do we agree?

Ms. Dudney: There was not unity on the front door issue; there was unity on the sidewalk, meaning requiring a sidewalk from the residence to Ridge Street.

Mr. Lamb: We agreed on the historic setback at the last meeting. I don't think we want to reopen that discussion. The door should face west to make this look like the front of the house. I support the walkway to Ridge Street and blowing through the wall to create this connection.

Mr. Pringle: Firstly, I don't feel that strongly about the walk from Ridge Street, because of the condition of the wall. I don't know what would happen if we opened up that wall. I think we'd be better off if we left the wall intact. I still believe that the front of the house is off of Ridge Street and needs a suggestion of a front door there. I don't think that we accomplish that by going to the south. There needs to be a redesign on the front there to strengthen the front elevation. It could be as simple as changing out the bay windows, but I do think that's important. I say that with the experience of owning a historic home; it was where Kent Willis's office is now. We had a front door and never used it, but it still shows up as a front

porch and I think it's important for the District. I think that there is a way to redesign to give it that expression of a front porch with a little bit of manipulation and it would get through. I don't think that it is as important to put a walk thru just to have it look like an access. I think that the orientation is right, I disagree with moving the home forward, and I think it's pretty clear that there is precedence of a larger front yard historic setback. If the Applicant would entertain a slight redesign to the front, I would like to continue instead of deny it.

Mr. Schroder: I believe Priority Policy 134 is the critical Historic District policy to focus on. Wanting something of a front notion, you need to define this as the front façade. I'm okay with the door facing south but I think the conversation is around defining what the front is; it looks like a back yard to me. It certainly doesn't represent a front; especially with the door facing south, but the door is hidden so it doesn't even have a visual link as a front door. All of the access will be from French, but we need to do something with the land to make it a front. We need to create a pathway and a front door. On that note, I would support a continuance.

Mr. Lamb: I'm fine with the setbacks; I think that it definitely needs a walkway. We need to respect historic settlement patterns. I think that the door should be facing west. Look at everything in the district and they do have side doors, but they also have a front door. I would support a continuance with that.

Ms. Dudney: This is not a front yard. You need a walkway to create a front yard. I don't have a problem with the door facing south; there are lots of houses with doors facing perpendicular to the street, but the front yard is where your address is, it identifies the site, there needs to be some coherence. You can park on Ridge, there's a front porch there. I have a problem with no walkway, I don't have a problem with the door as designed.

Mr. Butler: The choice of the word patio, a patio is something in a backyard, it's not a front porch, it's going to be a great place to put the lawn chairs and the barbeque. It doesn't look like a front yard. I would just add that to the prior comments. I don't hate the door; I think that any one of those things; the fact that they have none of the, no walkway, door faces south, makes it not look like a front yard. With any two of those, it would look great.

Ms. Christopher: I agree that it doesn't look like a front yard and it needs too. With a walkway and a side door, it could kind of pass. A front door and a walkway would make it fit perfectly. As much as I don't want to blow through the wall, I still feel that it must look like a front yard.

Mr. Mamula: I agree with everything that has been said; according to the County website, the Walker Residence is located 103 French Street. There is a letter from Mr. Steve West here. I read priority policy 8, and I would like to read for the record where we have the code basis for this thing needs some kind of front kind of appearance; whether that is a walkway or a door, I'll leave up to the Applicant. *“Priority Policy 8: Reinforce the visual unity of the block. This is an especially important standard. The specific context of each individual block is an important feature in the District. The context of each individual block is an important feature in the District. The context of each block should be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the block.”* You can make the argument that the similarity between Mr. Stais's building and the house next door is the walkway. There are a couple of places with a side door, but they are right on the street. It is a funky street, but I don't necessarily agree that 134 is where we hang our hat, but I think that with 134 we can defend the location of the building, and we shouldn't move it regardless of what the Sanborn map has on it. The Historic District Guidelines require us to consider the remaining historic structures on the block when considering the historic character of the area. We work today on what we currently have in our guidelines. I think this needs some kind of front statement; and like Mr. Butler said, a patio is a backyard. And the whole thing is just reading like a backyard to me. Policy 8 (reinforce the visual unit of the block) gives us the reason for our decision. This thing needs a front statement; it has to read like the block. I'm not going to design their project for them.

(Ms. Dudney called a 10 minute recess to allow staff and the applicant to discuss options. Mr. Thompson presented that the applicant would like an approval with a condition.)

Mr. Thompson stated that the applicant has agreed to redesign a portion of the front yard and add a sidewalk connecting the west elevation of the home to the street. The applicant is requesting the Planning Commission make this change a condition of approval, and that the change be made through a Class D permit application.

Mr. Pringle made a motion to approve the point analysis for the Hermanson Residence, PC#2013043, 114 North Ridge Street. Mr. Schroder seconded, and the motion was carried unanimously (7-0). Policy 5/A was changed from Fails to Complies as the applicant has agreed to a condition that a walkway from Ridge Street be designed and processed as a Class D permit. This has been made Condition number 34 in the Findings and Conditions for PC#2013043.

Mr. Pringle made a motion to approve the Hermanson Residence, PC#2013043, 114 North Ridge Street with the presented Findings and Conditions and the additional condition that “the Applicant designs and builds a walkway from the street to the front of the building. This application is to be submitted and reviewed as a Class D Permit.” Mr. Schroder seconded, and the motion was carried unanimously (7-0).

Following motion, Mr. Thompson also indicated that the Applicant has agreed to also work on a redesign of the patio so it looks like a front yard.

PRELIMINARY HEARINGS:

(Mr. Butler recused himself from the hearing due to a conflict of interest.)

1. Maggie Point Homes (MM) PC#2013050, 9525 Colorado State Highway 9

Mr. Mosher presented a proposal to develop 18 multi-family units with 9 market-rate and 9 workforce deed restricted units. Each unit has at least a one-car garage (some have two-car garages). The applicant and agent are seeking a quick turn-around to proceed to final review. The intent is to hear this application again on July 16, 2013 for final review. Staff has separately compiled a list of modifications and issues for the applicant to be processed prior to final review.

During the review process, the Planning Commission and Staff identified issues with the scale and mass of the structure and resulting site impacts. After feedback from Town Council, the Planning Commission and Staff, the applicants are returning with a plan for preliminary review.

This was last reviewed by the Planning Commission as a work session on June 4, 2013. At that meeting, Staff reviewed only Policy 7, Site and Environmental Design/Site Buffering; Policy 7, Site and Environmental Design/Site Privacy; and Policy 9, Placement of Structures/Snow Storage. The changes made by the applicant were generally well received by the Commission at that hearing. This report explores all applicable Policies from the Development Code.

Staff had the following questions for the Commission:

1. Did the Commission believe the 1 x 10 siding being proposed is too dissimilar to the architecture around Town?
2. Staff believes additional landscape buffers could be added along the edges abutting neighboring buildings to help mitigate the visual impacts. Did the Commission agree?
3. Staff believes that positive two (+2) points may be awarded for providing 13 common parking spaces for the project. Did the Commission concur?

Staff mentioned that there will be a site visit before the next hearing. Staff welcomed any other comments.

Commissioner Questions / Comments:

Ms. Dudney: No positive points for the landscaping? (Mr. Mosher: Staff believed that it was a balance between the site impacts to the exiting landscaping and new plantings were property mitigated.)

Mr. Bobbie Craig, Architect:

Ms. Diane Yost is here, as is Mr. Graeme Bilenduke. I think that there have been a lot of changes since we started last year. We have gone through a lot of working both with Staff, the Housing Authority, the Town Housing Committee and I want to review how far we have come. This is a different animal than what we originally presented. We are willing to listen to what you have to say. We are way under density and mass now. At the same time, we've provided 18 more parking spaces than required. We feel that is warranting the suggested positive two (+2) points. There will be certain conditions that we will need for approval at final review. The first is the sewer connection. The owners are actively pursuing this with the Village Point HOA. Site buffering: we would like to come back for final with landscaping changes and more detail of each of the elevations so that the site conditions on Buildings 6 and 7 are shown that they not that severe. The conditions regarding 4 and 5: we will come back with additional landscaping and will provide more info about where the deck piers are hitting on the slope of the hill. In the detention area at the north end of the site, we are showing a lot of existing trees to remain. We will not be re-grading in the center of that area and creating a berm on the sides to save the majority of the trees on the north end of the property. We hear Staff's concerns about the 1x10 siding as opposed to a smaller lap. We also have natural stone bases, timber and glu-lam column and beams exposed, decks. It is all natural wood vs. plywood that you've seen before on previous applications; however, the 1x10 is not a lap siding. It has a channel reveal at the edge; it is an upgrade from the standard horizontal lap siding. We'll get a sample for you to view at the next meeting. If you really want us to go to lap siding, we'll do it, but I think, and I'd like to present it to you, that the 1x10 is an upgrade. It's a little more rustic, but we're not in a Victorian area of time. Or in this part of Town. We would like you to consider zero points for architecture there. I'd like to point out that we shouldn't need the positive six (+6) points as we believe this project stands on its own. We would like to come back with the final approval on the next meeting and get out of the ground this year.

Ms. Dudney opened the hearing to public comment.

Mr. Jay Rustom, President of Woods Manor HOA: We have been following the project and it has greatly improved. There are still a few reservations that we would like you to consider. I understand the problem with the topography, but isn't there any potential to move this entire project down east farther? We have major concerns. What is right for the property? To be so close to the west end and the cliff should be reviewed. Even though you look at the elevations, it looks gradual, but it's really not. You have decks that are being reinforced on a major cliff. We would welcome an onsite visit with you. We understand the rights of property that once its' done, it's done. What could we do together to make the project the best it could be? We've always had a concern about the setbacks and the cliff. Two years ago we had a site visit where everyone agreed that setbacks weren't far enough and we would welcome consideration on that.

There are many things that have been discussed this evening that would make this project more suitable. Retaining walls might be mitigated if the project moved further to the north. If not, we would like to be consulted as to what that might look like. I'm not here to advocate for Allaire Timbers, but they are also very close to this site plan. For the welfare, for the overall development, there should be some consideration. We are very supportive about the new vegetation. Spruce trees are the best, green all year around as aspens lose their leaves. Some kind of buffering would be very helpful. I'm not going to belabor the meeting to go through the list of things here, but I believe that Mr. Mosher and the developer want to figure out what to do to make this work in everyone's best interests. We welcome the opportunity to be onsite with you. Thank you.

Ms. Brooke Roberts, on the Summit Combined Housing Advisory Board for 4 years: I've lived in Summit for 21 years, and I heard about Maggie Point project back in September. We knew that applicant and her team have had some struggles. I think that they've done a remarkable job and there are already seven reservations for units here, so we believe that there is a need for this price point in Breckenridge. We know that this property is definitely a need in the community. I think that what they've done with the land and what they have to work with, is phenomenal and their added landscaping will be an asset to our community. We encourage you to move forward with this project so that we can just get on with it.

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

Commissioner Questions / Comments:

- Ms. Dudney: (To Mr. Rust) Are the closest units in Woods Manor at Building 5? (Mr. Rust: Yes.) (To Mr. Craig) When you come back, would you show us generally where those structures are? (Mr. Craig: Certainly.)
- Mr. Pringle: I think that you're going to have to demonstrate what the siding supposed to look like. Are the parking spaces legal size? (Mr. Mosher: Yes.) Some of the driveway asphalt at the west units might be able to be reduced which could solve some buffering problem; is it more important to buffer on the outer edge of the property. If Buildings 4 and 5 could move closer in towards the drive, you might eliminate a lot of those buffering issues. Some of the buffering problems could be solved. The siding: I'm not necessarily opposed, but I want to see if it will be too big for the smaller sizes of the units and secondly, it seems that the predominance of garage door facing the street seems to be problematic. If we could change the front elevations to alleviate that concern. I appreciate the changes that you've made to the buildings and it certainly did relieve the tightness on the site. I think that the architecture scale and the forms are wonderful it is just going to take a little more thought. Maybe if we didn't have so many parking spaces, but maybe if we give up one or two of them, and strategically take them out we might reduce more tightness.
- Mr. Schroder: Buffering the site looks like a good idea and I encourage it. I was looking for the point assignment in the report and didn't see any for the siding. Do you have enough positive points to mitigate negative three (-3) points? It would be great to see the siding sample. Overall the project is looking good. Definitely go for positive points for extra parking.
- Mr. Lamb: I have nothing revolutionary to say; I think the 1x10 siding could work and would like to see the sample on that. It doesn't seem like you're too far apart; the more you can buffer from the neighbors the better; I support the two positive points for providing the 18 parking spots.
- Ms. Dudney: I don't have an opinion on the 1x10 until I see the material samples. I am very concerned about the impact on the neighbors with Buildings 4 and 5. I have to go to the site visit and see the drawings to review further, but your neighbors were here first, and you don't have a right to come in and have a huge negative impact on the existing owners there. The additional parking is great. I hope that you can squeeze it in.
- Ms. Christopher: I feel that a smaller lap siding would be more aligned with these smaller structures, but I will need to see the sample to make a decision. I would support additional buffering; drawing in the neighbors would really help out. I support the positive points for the additional parking, but I would also agree with Mr. Pringle on rearranging some spaces and possibly taking some parking out to allow for a better site buffering for the neighbors.
- Mr. Mamula: I will need to see the siding before I decide; you do need to have additional buffering; I agree with Mr. Pringle. The important thing is going to be off the backs of Buildings 4 and 5; this is a lot of parking for no reason. Do not support all of the extra parking. 56 parking spots at 3 spots per unit are excessive to the detriment of the neighbors. While the positive two (+2) points are warranted, I think that it is detrimental to your site and it is over-parked. We have Grand Timber Lodge doing analysis that they need only one parking space per unit,

so there is something wrong with this overage. Also, if I could just ask that the proposed site visit be next week on Wednesday or Thursday rather than the Tuesday of the meeting, which is when I work. I won't be able to attend on Tuesday. I would really like to be here, this stuff about the slope. Other than that, the project is light years ahead of where it was before. It's much better, it fits in the community better, but like I've said there is no final blessing from me until we see everything.

Mr. Pringle: Simple solution on the bus turnaround: buy smaller buses.

COMBINED HEARINGS:

1. The Cottages at Shock Hill Permit Renewal (MM) PC#2013040, 12-117 Regent Drive
Mr. Mosher presented a proposal to extend the existing development permit, PC#2010033, for an additional three (3) years. The original permit included construction of 14 clustered single-family homes, plus one deed-restricted employee-housing unit. Six of the 14 homes have been constructed so far. Natural exterior materials include: 8" board on board siding with 6" reveal, 10" half log siding or 2x10 rough sawn timber with 1 1/2" chinking, cedar shake siding, 10" log brackets or 10x12 rough sawn cedar timbers, 3x8 rough sawn cedar window headers, 2x6 rough sawn cedar window side trim, 2x10 rough sawn corner boards, wire mesh deck railing, Colorado moss rock or Telluride Gold stone base and chimney, aluminum clad windows, and architectural grade asphalt shingles and core-ten metal roofing.

The Town Council originally approved this project on June 12, 2007. An extension was approved by the Town Council on June 22, 2010. This application is asking for another 3-year extension to continue construction. There are no changes proposed to the plans since originally approved by the Town Council in 2007. No changes are proposed to the plans approved in 2007. Staff recommended approval of the request to extend the vesting by three (3) years. Staff had no concerns with this application.

Ms. Dudney opened the hearing to public comment. There was no public comment, and the hearing was closed.

Mr. Tom Begley, Applicant: We would really like to build these faster, but we are subject to market demand. I would like to work with Mr. Mosher to change to Class C Applications for each building, so we won't have to extend this every three years, but right now we would like to just push through and get this extended.

All the Commission were supportive of the proposal.

Mr. Pringle made a motion to approve the point analysis for the Cottages at Shock Hill Permit Renewal, PC#2013040, 12-117 Regent Drive. Mr. Schroder seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to approve the Cottages at Shock Hill Cottages Permit Renewal, PC#2013040, 12-117 Regent Drive, with the presented findings and conditions. Mr. Schroder seconded, and the motion was approved unanimously (7-0).

2. Kava Café Italian Ice Cart (MGT) PC#2013047, 209 North Main Street
Mr. Thompson presented a proposal to operate an Italian ice vendor cart on his private property. The space proposed is adjacent to Kava Café in the outdoor seating area. The owner has built a small wood half wall with a landscape planter on top for screening of the vendor cart. This proposal falls under Policy 49 (Absolute) Vendor Carts adopted May 2, 2012. This is the first application to be reviewed under this policy.

This vendor cart is classified as a small vendor cart per Section 9-1-5 Definitions as it is less than 40 square feet and will be removed from the site and properly stored out of public view each day. The Applicant could

not be present as he is a member of the National Guard and has been deployed to the fires in Southern Colorado.

Staff had no concerns with this application, and finds that it complies with the intent of Policy 49/A, Vendor Carts. The Planning Department recommended approval of the Kava Café Italian Ice small vendor cart, PC#2013047, 209A North Main Street, with the presented Findings and Conditions.

Commissioner Questions / Comments:

- Ms. Dudney: The umbrella is not a sign? (Mr. Thompson: That is a grey area; we've never enforced umbrellas.)
- Mr. Pringle: I would think that we might think about clouding that with wood; but I think that this is what you want to see. The popcorn wagon, the hot dog stand, etc. I don't know that clouding it with wood is changing it to something that we want. It might be a condition that we could waive.
- Mr. Mamula: I think that is a slippery slope and then all of a sudden someone else will ask for it. That is why we went with the code why we did.
- Ms. Dudney: You have to look at the language; it must be designed to blend in with the existing historic character.
- Mr. Pringle: I understand. I argued that when we wrote that.
- Ms. Dudney: But do you think that it would blend in? It's not offensive to me.
- Mr. Pringle: I didn't like it when we wrote it.
- Mr. Mamula: I'm good with how it's presented.
- Mr. Pringle: I won't argue it.
- Ms. Dudney: The issue is precedent because this is the first one. It looks nice, leave it.
- Mr. Lamb: This is the code that we put together. I'd hate to have to jump back in and rewrite it.

Mr. Schroder made a motion to approve the Kava Café Italian Ice Cart, PC#2013047, 209A North Main Street, with the presented Findings and Conditions. Mr. Lamb seconded, and the motion was carried unanimously (7-0).

OTHER MATTERS:

1. Class C Subdivisions Approved, Jan 1 – June 30, 2013 (Memo Only)

Ms. Puester presented a memo showing the Class C Subdivisions approved by Staff over the past 6 month period. The Planning Commission had no additional questions.

ADJOURNMENT:

The meeting was adjourned at 9:25pm.

Gretchen Dudney, Chair