

**PLANNING COMMISSION MEETING**

**THE MEETING WAS CALLED TO ORDER AT 7:01 P.M.**

**ROLL CALL**

Michael Bertaux	Rodney Allen	Leigh Girvin
Mike Khavari	Eric Mamula	Dave Pringle
Sean McAllister – arrived @ 7:08		

**APPROVAL OF MINUTES**

With no changes, the minutes of the May 20, 2008 Planning Commission meetings were approved unanimously (5-0). Mr. Mamula abstained, as he did not attend the previous meeting.

**APPROVAL OF AGENDA**

With no changes, the Agenda for the June 3, 2008 Planning Commission meeting was approved unanimously (6-0).

**CONSENT CALENDAR:**

1. Beaver Run Conference Center Deck and Stair Roof (MM) PC#2008065; 620 Village Road

Mr. Pringle requested construction drawings and pictures to further illustrate the proposal. Lee Neely, Architect, reviewed plans and design concepts with the Commission. He further explained the safety benefits of the improvements. There were no further questions.

2. Daries Residence (CK) PC#2008061; 835 Gold Run Road
3. Clubb Residence Exterior Remodel (MM) PC#2008062; 110 Windwood Circle
4. Nyberg Addition (CK) PC#2008060; 128 Gold King Way
5. Canfield Residence (MGT) PC#2008064; 120 Glenwood Circle

With no motions, the consent calendar was approved unanimously (7-0).

**WORKSESSIONS:**

1. Gondola Parking Lots Master Plan (CN)

Mr. Neubecker presented a memo stating that the Planning Staff and Vail Resorts Development Company have been working together on developing a conceptual master plan for the development of the Vail Resorts properties surrounding the gondola, as well as Town owned properties in the vicinity. The Client Review Team (CRT) has narrowed their recommendations down to two options, which were called the “Breckenridge Station/Hotel” and the “Extend the Grid” plan. Based on input for the public and from the Town Council, these two options have been narrowed to one preferred concept, which was the “Breckenridge Station/Hotel” plan.

The Breckenridge Station/Hotel plan included an icon hotel, much like the grand hotels of Colorado resort and railroad history. This condo/hotel would use up a good portion of the allowed density on the property, and could incorporate a signature restaurant/bar as part of the “breadcrumb” to draw visitors toward downtown. This plan also includes less retail space, and is thus less competition to existing businesses.

The Extend the Grid plan would continue the downtown street pattern into the development site by extending a street west from Main Street and Wellington Road, with a new north/south street between Main Street and Park Avenue. This plan would result in some smaller buildings, but also resulted in more commercial development on the ground floor, and thus may have competed more with existing businesses. The layout of buildings also made “hot beds” more difficult.

Both plans incorporated two parking structures wrapped with residential or commercial uses, Riverwalk improvements, transit, and an enhanced gondola plaza. Each plan would also include a train park, where locomotive No. 9 would be placed, helping to attract more visitors to North Main Street, and also helping to attract more skiers to downtown.

The design team has made some modifications to the Breckenridge Station/Hotel plan based on the input received so far. The revisions were presented to the Commission, and staff requested Commissioner input on the direction of the project.

Mr. Campie (Consultant, DTJ Design) gave a power point presentation. He pointed out about 20% of the property is owned by the Town of Breckenridge, the rest owned by Vail Resorts.

*Commissioner Questions/Comments:*

- Mr. Bertaux: Abstained from discussion due to a conflict of interest.
- Mr. Allen: Would like to plant a seed to address the Gold Rush parking lot. Build the hotel as big as possible making it functional with a gradual transition, but not overwhelming. Architecture will need to be spectacular. He was concerned about aesthetics from Park Avenue. Suggested wrapping deed restricted commercial around parking structure.
- Ms. Girvin: Was concerned about the parking structures. Suggested the developer create office space or exhibit space for non profits for free or reduced costs around the parking structure to create life and vibrancy in that area. Move hotel closer to gondola and make a grand statement with the hotel. Worried about railroad and preferred it stay stationary. Make sure connections exist from project to Main Street. Watson Street may need to be realigned, and that's ok if necessary to make project work. Concerned about views from Park Avenue. Liked river enhancements with pedestrian feel. Hotel can be big, but not as big as St. Regis in Aspen. Affordable retail is an interesting idea.
- Mr. Pringle: This project will redefine Breckenridge as a world class destination. Make hotel grander and bigger; consider multiple stories. Hotel can be a wonderful architectural statement, but don't ignore other sites in the plan. Was not opposed to a big building. Sought clarification regarding a Condo Hotel as opposed to just a hotel. Wanted to ensure transit flows. Keep I-70 expansion in mind while planning this project. Think about how transit from I-70 could tie into this site.
- Mr. McAllister: Park Avenue entrance for Hotel should be considered. Ok with bigger but not enormous hotel. Energy conservation must be at the forefront. Make project green. River corridor improvements were good. Needed additional information on auxiliary buildings. Affordable housing would warrant density. Agreed with Ms. Girvin on moving hotel closer to gondola. It's critical to have good connections to skiway and Gold Rush lot. Not so important that train operates.
- Mr. Mamula: Spoke about density issues. Extra density for employee housing was consultants, idea, not Vail's. Stated he's already made many comments at other venues.
- Mr. Khavari: Asked about the future of town hall. Sought clarification regarding use of the train. If the hotel isn't that "grand", make the illusion that it is. Encouraged applicant to come to the Commission with questions and ideas prior to any formal application, if any clarification should be needed.

2. Historic Period of Significance (CN)

Mr. Neubecker presented a memo stating that the Town Council recently directed staff to reconsider a change to the Period of Significance for determining if a structure is "historic". The staff and Commission looked into this issue in 2006, and decided not to change the date, since there was no evident theme or pattern of architecture at the time to protect. Currently, historic structures in Breckenridge are those that were built prior to 1943, which was the end of gold dredge mining in Breckenridge. However, many communities, including the National Trust for Historic Preservation and the Department of the Interior, use a 50-year rule: properties 50 years and older are eligible for historic designation.

The idea behind this change is that many structures associated with the dawn of skiing in Breckenridge would become eligible for "historic" designation, and would therefore garner greater protection from demolition or significant alteration. Staff previously prepared a list of affected structures; can provide the list again with photos if desired. Staff asked the Commission if they found there was an architectural character or theme than we need to protect.

*Commissioner Questions/Comments:*

- Mr. Bertaux: Anything over 50 years old should undergo a cursory review. Otherwise if nothing significant is determined, 1943 is a good cutoff date.
- Ms. Girvin: Gave examples of different historic structures that look good and others that don't, illustrating her point that historic significance is site specific. On log houses, it was an "upgrade" when people

- could afford to add lap siding, and therefore may be significant (referring to a recent application where siding was determined to be non-historic.)
- Mr. Pringle: This could dilute our “period of significance”. Historic home owners assume an obligation. A-Frame owners do not anticipate this burden. Pointed out buildings that were within the historic period of significance. Develop a narrative that would guide applicants in determining the significance of their property. Get community buy-in and start talking about this with community members. Wanted the story to be told about the history of Breckenridge.
- Mr. McAllister: Pointed out A-Frame homes and buildings and their existence. The rolling 50 years thing is a bad idea. Let’s talk about what we are really trying to save. Nobody really wants to save A-Frames. Site specific seems to make more sense.
- Mr. Mamula: Pointed out council doesn’t want to miss the boat and eliminate any building that 100 years from now a future council would regret. “You may” attitude as opposed to “you must.” Preserve the jewels as determined by Planning Commission.
- Mr. Allen: Can buildings be hand picked to determine historic significance? Would support relative but not absolute. Agreed with Mr. McAllister. I would support a relative policy.

**COMBINED HEARINGS:**

1. Partridge Subdivision and Variance (CK) PC#2008059; 215 South Gold Flake Terrace

Mr. Kulick presented a proposal to resubdivide two single-family lots in Block 11 of the Yingling and Mickles Subdivision from one 75’ X 125’ lot and one 50’ X 125’ lot into two 62.5’ X 125’ lots and to request a variance from Policy 9A: and 9R: Placement of Structures as it pertains to the side setbacks for the proposed lots.

George Gruber, Agent: Not reinventing the mousetrap but creating two equal lots. Pointed out other properties on the street with variances. Discussed the difficulty of solutions on such a small spot.

Mr. Khavari opened the hearing to public comment.

Roger Christiansen, Neighbor: Reducing the setback reduces the development’s distance from his home. He sought clarification regarding standard setbacks. (Staff explained setback requirements per the code and pointed out front and rear setbacks would adhere to code.) Is there a potential for these two lots to be combined into one lot? (Staff pointed out pros and cons to this suggestion specific to proportions.) (Mr. Neubecker pointed out the current code would allow combining the lots.) Indicated to the Commission the size of the lots across the street, which would be comparable to combining these two lots. Please consider neighbors to these lots because it’s not beneficial for smaller lots.

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

*Commissioner Questions/Comments:*

Mr. Bertaux: Application made sense to him and he supported the variance.

Mr. Pringle: Pointed out this subdivision was unique compared to the others in the neighborhood or even across the street.

Mr. McAllister: Options are a small lot, a bigger lot, or one huge lot. This application was the best option for this unique property.

Mr. Allen: Agreed with both Mr. Pringle and Mr. McAllister.

Ms. Girvin: Appreciated applicants’ proposed setbacks which will allow for re-vegetation.

Mr. Mamula: Agreed.

Mr. Khavari: Supported the application and believed this was the best alternative for this property.

Mr. Pringle made a motion to approve the Partridge Subdivision and Variance, PC#2008059, 215 South Gold Flake Terrace, with the findings and conditions presented. Mr. Bertaux seconded and the motion was approved unanimously (7-0).

2. Shock Hill Tract E Re-Subdivision (CN) PC#2008063; 260 Shock Hill Drive

Mr. Neubecker presented a proposal to Subdivide Tract E into Tract E-1 (4.36 acres) and Tract E-2 (2.31 acres), in order to create a parcel of land (Tract E-2) to dedicate to the Town of Breckenridge as public open space. This dedication

was a requirement of the approval of a Development Agreement (dated March 13, 2007) for the construction of the Shock Hill Lodge, and condition of approval #19 of Development Permit PC#2007108.

Mr. Khavari opened the hearing for public comment. There was no public comment and the hearing was closed.

*Commissioner Questions/Comments:*

- Mr. Pringle: Is the town getting an obligation with this deal? Wanted to bring light to Mayor Warner's prior concerns regarding this application. Are we now assuming the liability for the trees?  
Final Comments: Thanked applicant for land dedication to the town.
- Mr. McAllister: How will beetle kill and re-vegetation be dealt with? (Staff pointed out this wasn't a huge issue due to the layout and that such liability existing on all town owned land.)
- Mr. Mamula: Pointed out the town is better at maintaining its own land than it is at enforcing others. After Certificate of Occupancy it's difficult to enforce landscaping requirements.
- Mr. Khavari: Ready to move forward on this application but pointed out land dedication isn't always best.

Mr. McAllister made a motion to approve the Shock Hill Tract E Re-Subdivision, PC#2008063, 260 Shock Hill Drive, with the presented findings and conditions. Mr. Bertaux seconded, and the motion was approved unanimously (7-0).

**FINAL HEARINGS:**

1. The Shores Lodge (MM) PC#2007155; Tract C, West Braddock Subdivision

Mr. Mosher presented a proposal to Construct a 72-unit condo hotel (8 units are to have owner lock-off rooms) with conference space, lounge, fitness area, guest spa and surface parking.

*Changes since the last submittal*

1. An 812 square foot deed restricted employee unit has been added to the main level. The remaining square footage of proposed employee housing will be found off-site in the Upper Blue Basin.
2. The exterior elevations have been modified per suggestions from the Commission.
3. Geo-thermal assisted heating will be utilized for the snow-melt system.
4. A comprehensive landscaping/hardscaping plan is now included.
5. Staff has obtained data regarding the use of shuttle services for local lodges.

The applicant and agent responded to address concerns expressed at the last hearing. The only negative points incurred were for the height overage and the extensive snow melting system. Staff asked the Commission if they supported awarding positive three (+3) points for heating the public sidewalk. Staff also welcomed any additional comments about this proposal.

Staff noted that, in the report, positive points were awarded for providing 100% extra in required amenity space. However, this number was not reflected in the final point analysis. Therefore, the suggested total score would be positive eleven (+11) points rather than positive eight (+8) points.

Staff recommended the Commission support the Shores Lodge Point Analysis showing a passing score of positive eleven (+11) points. Staff also recommended approval of the Shores Lodge, PC#2007155, with the attached Findings and Conditions.

Steven Speers, Landscape Architect, Design Workshop: site conditions are bleak. There is no vegetation on the property. Objective of landscaping is to help scale the building and reclaim the landscaping along this corridor. Taking an environmental approach with storm water and site drainage. Character of river corridor and mining significance was emphasized in landscaping and hardscape.

Jeff Frahm, Architect, Craine-Frahm Architects: Discussed the changes to the architecture since the last review which included added density in the roof, changes to the windows sizes, enhanced entry features with additional stone, and the enhanced porte-cochere. Handed out samples of exterior materials for Commission's review.

Mr. Khavari opened the hearing for public comment. There was no public comment and the hearing was closed.

*Commissioner Questions/Comments:*

- Mr. Bertaux: Will this building have an elevator? (Mr. Frahm pointed out there will be three elevators.)  
Final Comments: Appreciated changes, landscaping will be a challenge. Significant positive points show a good effort by applicant. Supported the project.
- Mr. Allen: How much of the public (as opposed to guests of the Lodge) will use this sidewalk? (Mr. Mosher: we anticipate very light traffic on this sidewalk compared to downtown.) Can the Commission award negative and positive points under one policy? (Mr. Mosher: yes under separate subsections of that policy.) Energy conservation is meeting this portion of Code but other areas don't. (Mr. Mosher: staff believed that the extensive snowmelt warranted negative points while the geothermal directly mitigated the impacts.) What ensured the longevity of the transit shuttle? Can a future owner abandon this service? (Mr. Neubecker: there will be a covenant recorded running with the land ensuring this. To remove the service would be in violation of the permit and could be punishable.) Is the employee housing being provided for Shock Hill on this site? (Mr. Frahm: no, besides the one unit in this Lodge all housing is being handled off-site.)  
Final Comments: Changes are great. Don't support positive three (+3) points for heating public sidewalk. Supported the project.
- Ms. Girvin: Sought clarification of location of project; could not tell from the site map.  
Final Comments: Nice job on designing large building. Landscaping is progressive. Questioned why the Town would allow a lodge this far out of Town in the first place.
- Mr. Pringle: Asked about any Condition of Approval regarding the transit covenant. (Mr. Mosher: staff failed to add this condition. Will correct this with the approval. Suggest a condition similar to: "Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, that provides permanent non-auto shuttle service available every day for Shores Lodge guests and Shores Duplexes to and from Town. Covenant will be recorded guaranteeing this in perpetuity.")  
Final Comments: Appreciated architectural changes. Supported application and changes to Point Analysis as suggested by the rest of the Commission.
- Mr. McAllister: Final Comments: Much better application after changes. Supported the project.
- Mr. Mamula: Is there a transit condition to ensure longevity of shuttle and geothermal? (Staff: yes, Condition number 12.) Sought location of heated public sidewalk.  
Final Comments: Didn't support positive points for architecture. This building doesn't particularly stand out anymore than any other lodges in Town. Hoped the applicant can pull off landscaping plan. Had concerns about the wind and general exposure on the site. Supported the project.
- Mr. Khavari: Sought clarification regarding points for geothermal as the pond providing the water would be a future application. (Staff pointed out that the applicant would need to come back to the Commission if geothermal wasn't pursued and modify the point analysis.) (Mr. Frahm: pointed out geothermal for snow melt only, not for the building at this time. May modify to heat portions of the building.)  
Final Comments: Thanked applicant for changes. Landscaping may be a challenge on this site, but looking forward to seeing it happen. Supported the application and agreed with positive three (+3) points for sidewalk should be eliminated.

Mr. Pringle made a motion to approve the point analysis for The Shores Lodge, PC#2007155, Tract C, West Braddock Subdivision with modifications to add positive three (+3) points under Policy 24/R and removing positive three (+3) points under Policy 16/R (for the public sidewalk). Mr. Mamula seconded, and the motion was approved unanimously (7-0).

Mr. Pringle made a motion to approve The Shores Lodge, PC#2007155, Tract C, West Braddock Subdivision, with the Findings and Conditions, noting the addition of a new condition #33 to address the shuttle service covenant: "Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the requirements to operate a transit shuttle system for the owners and guests of The Shores Lodge and The Shores Duplex. Such transit shuttle system shall be adequately sized to serve these developments." Mr. Bertaux seconded, and the motion was approved unanimously (7-0).

***TOWN COUNCIL REPORT:***

Mr. Mamula discussed council's decision to move forward with the town council liaison and appoint a 7<sup>th</sup> citizen.

***OTHER MATTERS:***

Mr. Allen pointed out an application that the county reviewed that was denied.

***ADJOURNMENT:***

The meeting was adjourned at 10:15p.m.

---

Mike Khavari, Chair