

**PLANNING COMMISSION MEETING**

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

**ROLL CALL**

Michael Bertaux  
Sean McAllister  
Mike Khavari was absent.

Rodney Allen  
John Warner

Peter Joyce  
Dave Pringle arrived @ 7:03

**APPROVAL OF MINUTES**

With no changes, the minutes of the March 18, 2008 Planning Commission meeting was approved unanimously (5-0).

**APPROVAL OF AGENDA**

With no changes, the Agenda for the April 1, 2008 Planning Commission meeting was approved unanimously (5-0).

**CONSENT CALENDAR:**

1. Revetts Landing, Lot 7 (CK) PC#2008030; 223 Campion Trail
2. Gurlea Residence (JS) PC#2008031; 398 Highlands Drive

Concerning the Gurlea Residence, PC#2008031, 398 Highlands Drive:

Dr. Warner: Asked how long the flat roof line segment was on the east, west, and north elevations. (Staff pointed out that they were 47 ft, 40 ft, and 34 ft respectively.)

Mr. McAllister: Asked what the policy was regarding long ridgelines. (Staff explained that if a ridgeline is over 50 feet, one negative point is assigned under Policy 6/R.) Regarding landscaping points in Policy 22/R: can an applicant receive negative points for too little landscaping? Did not like that positive four (+4) points were assigned for landscaping in applications; believed that it was too much, although understands that this was based on precedent. (Staff explained yes it was possible if there was not adequate site buffering. In this application, the size and number justified the positive four (+4) points per past precedent.) Was the driveway layout by choice of design or due to the steep topography? (Staff explained there were options to the applicant; however, it would have required the owner to enter below the main floor of the home.) Did not want to call this application up.

Mr. Pringle: Was this a double switchback driveway? Thought that double switchback driveway was discouraged in the Highlands. (Staff stated that this was an example of a single switchback drive, although long. Though the applicant had options on designs, this option conformed to Development Code and the Highlands DRC.)

With no motions, the Consent Calendar was approved unanimously (6-0).

**COMBINED HEARINGS:**

1. Partridge Residence (CK) PC#2008029; 215 Highland Terrace

Mr. Kulick presented a proposal to construct a new single family residence within the Conservation District, with five bedrooms, four full bathrooms, a living room, dining room, kitchen, one gas-burning fireplace and a three car garage. Natural exterior materials were proposed, including: 1x6 horizontal siding, cedar fascia and trim, natural "Farmer Brown" stone veneer, wood sided garage doors, and composite shingled roofs. The site was previously disturbed for the construction of a house that was destroyed by fire late October of 2006. No mature trees exist onsite and there were no recorded easements on the property.

Marc Hogan (Architect for the Applicant) wanted to thank staff. He pointed out this was a traditional home that fits with the neighborhood.

Mr. Joyce opened the hearing for public comment.

Grace Keeling (Neighbor) stated the previous house used to shed snow off the roof on the north. She was concerned about parking during construction since there is no parking on this street.

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

*Commissioner Questions/Comments:*

- Mr. Pringle: The old density compared to now would be similar correct? (Staff explained yes.) Pointed out that no additional density or mass was evident.  
Final Comments: Suggested phasing project to reduce parking issues. Rebuild would be fine and met the criteria of non conforming section of the code.
- Mr. McAllister: How many trees were lost to pine beetle? (Staff wasn't sure of the status.) Wanted to ensure the applicant was aware of and conforms to the pine beetle ordinance.  
Final Comments: Agreed with Mr. Pringle.
- Mr. Bertaux: Final Comments: Shared Mrs. Keeling's concern regarding construction but was confident George Gruber (builder for the applicant) would respect the neighborhood during construction.
- Mr. Allen: Did the home back up to the lots or a town right of way? (Staff explained it backed up to the lots.) (The applicant explained no alleys exist in this subdivision.)  
Final Comments: Would snow shed be an issue as it was in the past? (Applicant pointed out the roof would not be metal as in the past which should prevent past issues.)
- Dr. Warner: What is to the east of the house? (Staff explained two empty lots were also owned by the applicant.) Landscaping was awarded positive four (+4) points and thus Dr. Warner wanted to ensure the points were warranted. (Staff explained they sought Jennifer Cram's recommendation on landscaping to ensure adequate amounts and sizes of landscaping to work well with the small size of the lot.)  
Final Comments: Mrs. Keeling made a good point. Application did comply with non conforming section of the code.
- Mr. Joyce: Final Comments: Shared all the commissioner's opinions.

Mr. Pringle made a motion to approve the point analysis for the Partridge Residence, PC#2008029, 215 Highland Terrace, pointing out some parts of the code didn't apply. Mr. McAllister seconded, and the motion was carried unanimously (6-0).

Mr. Pringle made a motion to approve the Partridge Residence, PC#2008029, 215 Highland Terrace, with the findings and conditions as proposed by the staff. He highlighted Findings 7 and 8 as a condition of approval. Dr. Warner seconded, and the motion was carried unanimously (6-0).

2. Grand Lodge on Peak 7: Modifications to the Peaks 7 and 8 Master Plan (CN & MM) PC#2008033; 1979 Ski Hill Road

Mr. Mosher presented a proposal for the applicants to purchase 2.80 Single Family Equivalents (SFEs) from the Town/County Transferable Development Rights program and place them within the Peak 7 and 8 Master Plan area. The density would then be used at the Grand Lodge on Peak 7 to convert the existing employee housing units (with zero density) into market-rate units. The equivalent unit-count and similar square footage for the employee housing units would be relocated in the ConnectBreck Building (1625 Airport Road) under a separate permit application.

Staff had no concerns with the application and had advertised this project as a combined Preliminary and Final Hearing. If the Planning Commission was comfortable with the project, this could be approved as a Final Hearing. If the Commission was uncomfortable with the project, the applicant asked that the proposal be continued rather than denied. Staff asked for any comments on the proposal.

The Planning Department recommended approval of the Peak 7 & 8 Second Master Plan Modification, PC#2008033, with the attached Points Analysis and Findings and Conditions as a Combined Preliminary and Final Hearing as staff believed that there were no outstanding issues to resolve.

Mr. Joyce opened the hearing for public comment.

Tom Shetsell (citizen): Asked if this transfer of employee housing would benefit the Town. Thought the applicant was eliminating employee housing. (Mr. Michael Dudick, applicant, explained this would be a plus for the Town

with the increase in bedrooms over those in the lodge and the fact that these units exist already and are not currently occupied. Those in the lodge are to be built in later phases and would not be “on-line” for years.)

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

*Commissioner Questions/Comments:*

Mr. Pringle: In reviewing the Grand Lodge on Peak 7 approval, was there any mention of where the employee housing should be? (Mr. Mosher and Mr. Neubecker: the Development Code does not specify where the employee housing needs to be other than the Upper Blue Basin. There is no requirement to have the housing on site. In this case, the units will be close to Town and along an active bus route.)

Final Comments: With all the added housing along Airport Road, would like to see Breckenridge more of a pedestrian friendly Town with sidewalks to accommodate pedestrians, especially on Airport Road.

Mr. McAllister: Doesn't the reduced square footage of the employee housing size modify the point analysis? (Mr. Mosher pointed out the change in square footage was nominal and that the numbers still adhered to the negative point range identified in Policy 24/R. The points stay the same.)

Final Comments: This is twice the employee housing bedrooms than originally planned and it will be deed restricted and/or locally owned. Had no opposition.

Dr. Warner: What would the deed restriction be? (Staff explained the units will be sold and conform to the standard county deed restrictions for employee housing but the units will not have pricing caps.)

Final Comments: Airport Road was never intended for as much residential use as it now has. A sidewalk is very much needed along Airport Road. Strongly encouraged all developers to work with the Town in the near future to make a sidewalk a reality.

Mr. Bertaux: Agreed with all said. The sidewalk is really needed.

Final Comments: Agreed with a Dr. Warner's final comments.

Mr. Allen: How does the Master Plan and Land Use Districts apply here? (Mr. Neubecker explained planned density started with the Land Use Guidelines and that the approved Master Plan then becomes the “new” land use policy. Staff conferred with the town attorney.)

Final Comments: No opposition.

Mr. Joyce: Final Comments: Great program with deed restricted units. Agreed sidewalks are needed on Airport Road.

Dr. Warner made a motion to approve the Grand Lodge on Peak 7: Modifications to the Peaks 7 and 8 Master Plan (PC#2008033), 1979 Ski Hill Road, with the findings and conditions as proposed by the staff. Mr. Bertaux seconded, and the motion was carried unanimously (6-0).

***PRELIMINARY HEARINGS:***

1. Peak 8, Building 804 (MM) PC#2008032

Mr. Mosher presented a proposal to construct a 52-unit Condo/Hotel Lodge at the base of Peak 8 totaling 62,480 square feet with 9,974 square feet of commercial space and 20,338 square feet of guest services. Building 804 would be located immediately adjacent (west) to the recently approved Building 801, One Ski Hill Place. Placement of Building 804 would eliminate the existing Ullr Building that currently houses the ski school and ticketing/office functions at Peak 8. Additionally, the lower level supports of the Peak 8 Gondola station would be enclosed in the building. The Cucumber Gulch Preventative Management Area is to the east of the development site.

Staff believed that this application was off to a good start. The plan closely followed that which was delineated on the illustrative Master Plan. With this review, Staff had the following questions:

1. Did the Commission have any comments on the architecture of the building?
2. Would the Commission support awarding positive points for the architecture?
3. Did the Commission believe the proposal warranted negative points for lack of site buffering?
4. Staff welcomed any additional comments and direction.

At this time, Staff recommended this application return for a second review.

Mr. Bertaux noted that, as an employee of Vail Resorts, he would abstain from this hearing. The Commission agreed.

Ken O'Brian, architect and agent, discussed the design highlights of the development with the Commission. Excited about this plan and this building. This project conforms to the Peak 7 and 8 Master Plan. All residential parking would be located under the building per the Master Plan. Two hundred extra surface parking spaces were required by the Master Plan and currently we have provided 250-260 spaces. Discouraged at the negative three (-3) points assigned for the extensive snow melt heated without renewable energy. This plaza was planned with the Master Plan when energy concerns were not as important. Thought at least one positive point could be warranted for creating a ski plaza. This is planned to be a LEED certified building. Should be some environmental positive points awarded for such certification. (Staff noted that LEED certification comes months after the Certificate of Occupancy.) However, there will also be a gas fire pit in the plaza and a heated outdoor bar area. This building will use building 801's aquatic services and other amenities. Building 801 should break ground in a couple months.

Jeff Zimmerman, Vail Resorts Development Company: Discussed drainage design issues on the mountain and where it will go. Four element types of water going through the site would be properly treated prior to entering into the Gulch.

Mr. Joyce opened the hearing for public comment.

Jane Hamilton (citizen): Is there future development planned to the east next to 801? (Mr. O'Bryan - yes there will be buildings south east of 801.)

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

*Commissioner Questions/Comments:*

Mr. Allen: Has any solar/photo voltaic been considered on the roofs? (Mr. O'Bryan - these have been issues in past projects due to the amount of snow that collects on the panels. Tried in Aspen and have had continuing problems. They have to be shoveled off. We are looking at all types of renewable energy.) Architecture didn't warrant negative points or positive points. Believed that the roof does step down and one positive point could be applied. Site and environmental design: would like to see some type of buffering around the property. Plaza is so large some landscaping could help. Anything would be good. Deserved negative points under Policy 7/R as it stands now. Concerned about 65 foot separation between 801 and 804. Move building a bit north without disturbing views. Supported the large daycare center with four positive points. Positive points for buses was also supported. LEED certification should warrant positive points, which would be possible to assign at planning phase. A "point exchange" might be possible, such as adding employee housing, if LEED criteria is not met.

Dr. Warner: What would the square footage of the plaza be? (Mr. O'Bryan wasn't quite sure but stated that the plaza will not be bigger than indicated on the master plan.) Because this is close to Cucumber Gulch; would there be any conflicts with Policy 37? (Mr. Mosher: civil drawings show ground and surface water being handled. We can provide more details at the next hearing.) (Mr. O'Brien pointed out the large detention pond to the north above the Gulch would serve as a water quality pond.) Liked architecture and roof form. Struggled with height of building; seven stories for a "rustic mountain lodge" was still too tall. Summer landscaping would be a concern around the plaza, buffering on both sides was encouraged. Really wanted to figure out Policy 37 issues. Plaza represented a large amount of impervious surface and run-off. Snow melt and energy use as presented warranted negative points. Struggled with transit points using busses and not endorsing the planned use of the gondola. Parking and childcare warranted positive points.

Mr. McAllister: Are there transit points on this building? (Mr. Mosher: no point for shuttle, only for the transit drop off space provided.) Would the plan to use the same detention pond as the other building? (Mr. Mosher explained there would only be one pond for all the base development.) Planter boxes would always be an option for landscaping on top of hardscape. Southwest roof looked good. Front of the building not exciting. Buffers would be needed in the front too. Protection of the Gulch is high priority. Proper hydrology beneath the developed area is essential. Extending the Gondola hours needs to be looked at. Energy conservation should incorporate LEED work if possible. Other energy uses can be explored. Landscaping on the front side was ok but would like to see it broken up naturally.

Mr. Pringle: From the onset we expected large buildings at the base area. We wanted to maintain a substantial base area which would be unique and will change the face of Peak 8. Liked Building 801 architecture, but doesn't have same feeling on this building. Liked the childcare and parking and associated points. Would like to see how to better address how the transition is from hard plaza to ski slopes. Consider all seasons of the year in the plaza design. Needed to have a better feel about the whole experience around the base area. Consider how all deliveries come to the site and address accordingly. Introduce renewable energy wherever possible. Could have a wind farm on the site...who knows. LEED is great and a reward should be awarded but backup data would be needed early. The Commission needs to revisit the Cucumber Gulch protection plan and how this development respects it. Continue on and again make this a base area people look at as being done right. Better understanding of Gondola use and its hours needs to be identified.

Mr. Bertaux: *Abstained as an employee of Vail Resorts.*

Mr. Joyce: Agreed with comments made. Give consideration to how the project would look in the summer months too. Liked roof forms and the west side. Roof line stepping down warranted positive point. Density in roof could warrant positive point too. Greatest opportunity would be to make the plaza work year round. Water management is a big issue and it's so easy to have a disaster. Circulation looked good with good ideas. Extended Gondola use needs some thought. Idea was to get traffic off of Ski Hill Road. This is really not happening yet. Bring a construction staging plan to the next hearing. Underground parking and childcare was applauded. Energy is a great opportunity and challenge. LEED certification plan is terrific but this project as presented this evening will leave a huge carbon footprint.

#### ***TOWN COUNCIL REPORT:***

Council approved the comprehensive plan. An Ex-parte communication occurred with Don Nelson regarding the location of the bike path along the Blue River at the Stan Miller site.

#### ***OTHER MATTERS:***

Mr. Allen: Brought to the commissions' attention that the county planning commission is discussing TDR's from other basins. He suggested the town's planning commission may want to discuss TDR's. (Mr. Truckey pointed out the details of the IGA and four units would need to be sent out before transferring three in.) The question is what would the value of units from another basin be.

Dr. Warner: Asked had the cost of TDR's in the upper blue gone up? (Mr. Truckey explained this is still undetermined.)

#### ***ADJOURNMENT:***

The meeting was adjourned at 9:50 p.m.

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Peter Joyce, Vice Chair