

PLANNING COMMISSION MEETING

THE MEETING WAS CALLED TO ORDER AT 7:06 P.M.

ROLL CALL

Michael Bertaux	John Warner	Rodney Allen
Peter Joyce	Mike Khavari	Sean McAllister (left @ 7:35)
Dave Pringle (arrived @ 7:11pm)		

APPROVAL OF MINUTES

With no changes, the minutes of the February 19, 2008 Planning Commission meeting were approved unanimously (6-0).

APPROVAL OF AGENDA

With no changes, the agenda for the March 4, 2008 Planning Commission meeting was approved unanimously (6-0).

ACTION ITEM:

1. Comprehensive Plan

Commissioner Questions/Comments:

Mr. Pringle: McCain property would be an excellent spot for an additional grocery store. Suggest striking the bullet point and adding, “With commercial retail uses preferred on the first floor.”

Mr. McAllister: Feels a sustainability plan would be sufficient and thus not sure a sustainability chapter would be necessary.

Mr. Joyce: The plan will always have data that needs to be updated, so it will never be entirely current.

Mr. Bertaux: Suggested restricting home size/floor to area ratios “in relation to the lot size”. Suggested the Comprehensive Plan encouraging retail commercial uses on the ground floor, rather than specifying a policy in the development code. The plan is a guide, not a mandate.

Dr. Warner: Regarding community facilities chapter 5 page 69: the last sentence regarding a daycare facility, do not use the singular; we may need more than one new facility. #14 regarding water reservoir, has McCain property been studied enough to commit to a reservoir there and should we have a more generic statement on increasing storage capacity, rather than a specific location? Explore option for additional water storage, period. Should community facilities seeking green standards be addressed in the plan? Maybe a sustainability chapter should be added. Struggles with small FARs recently (like 1:2 or 1:1.8). Would a neighborhood by neighborhood analysis be more practical? (Mr. Truckey explained that staff was initiating contacts with each neighborhood.) Still didn’t know enough about incentives to make ground floor retail a preferred use. Disappointed in BEDAC and would have liked for them to come up with viable incentives for maintaining retail on ground floor, instead of assuming that planning staff could accomplish this. Agreed with focus on ground floor being retail, but eliminate the bullet suggesting code amendments at this time. Chapter 16 page 63, trash is a huge problem in our snow melt; issues and should be added to the discussion. Was comfortable in recommending approval of the plan - the information provided at the open house on each chapter resonated with me.

Mr. Allen: Asked if amendments to the resolution could occur. (Mr. Truckey said he would seek clarification from Tim Berry on how to incorporate any additional changes the planning commission recommends to the February 21 plan document.) Regarding community facilities and sustainability, should we address green-technology snow-melting options to address snow storage? Regarding the land use plan, 9 units per acre may not be working for the vitality of the town. Would an incentive program be possible if retail was required on the ground floor? Public that attended open house indicated maximum square footage for home construction on smaller lots is already covered by other means, such as setbacks. Ground floor office policy is still pretty strong. Page 16 of the packet, Park Avenue Section: remove all examples of traffic management. Personally still not comfortable approving the comprehensive plan as is. Feels more time should be spent.

Mr. Pringle moved to approve the resolution that recommended to the Town Council that the “Town of Breckenridge Comprehensive Plan, Dated February 21, 2008”, with amendments as suggested tonight, be adopted as the master (comprehensive) plan for the physical development of the Town. Mr. Bertaux seconded. The motion was approved unanimously (6-0).

Amendments: Documented above and to be attached to the resolution forwarded to Town Council.

CONSENT CALENDAR:

1. Timberline Spec (JS) PC#2008020; 787 Fairways Drive
2. Burki Residence (CK) PC#2008021; 2446 Highlands Drive

Dr. Warner was happy to see the solar panels proposed on the Burki Residence. Mr. Allen wanted to confirm that the building department would confirm the solar panels were installed and in use before C.O. was issued. Staff explained both the building department and the planning department would determine this during C.O. inspection.

With no motions, the consent calendar was approved unanimously (6-0).

PRELIMINARY HEARINGS: (Presented concurrently)

1. Stan Miller Master Plan (MM) PC#2008006

Mr. Mosher presented. The applicant proposed a Master Plan for the recently annexed Stan Miller property and the adjacent Tract D-2 of The Shores at The Highlands Subdivision, (formerly the West Braddock Subdivision). The Master Plan identified density and uses for 6 development parcels (A, B, C, D, E and F), two public open space parcels (G and I) and a 60-foot right of way (ROW) for Stan Miller Drive. The proposed Master Plan was for a phased, integrated, residential neighborhood containing 100 deed restricted units and 55 market units. Subdivision of the development parcels would create 73 lots, three development Tracts and four pocket parks and connecting trails. This Master Plan included Tract D-2 of the Shores at The Highlands Subdivision.

2. Stan Miller Subdivision (MM) PC#2008007

Mr. Mosher presented. The applicant proposed to subdivide 40.41 acres known as the Stan Miller property and 2.29 acre Tract D-2, The Shores at the Highlands (Previously known as West Braddock) into seventy three (73) lots, three (3) deed restricted development Parcels and associated Rights of Way (ROW) tracts. There are two Public Open Space Parcels (G, I) and three Private Open Space Parcels. The proposal was to subdivide the property in Phases over time. The first subdivision would create the 6.12 acre Public Open Space and Blue River corridor, the parcel separating out the northerly 12 acres known as the “Sale Parcel”, which the owner intends to sell to “Braddock Holdings” (Breckenridge Lands LLC), a 60’ wide right of way for Stan Miller Drive, a deed restricted development Parcel in the location of the Stan Miller Inc. current office and the remaining property as one large Parcel. The property would then be re-subdivided over time.

This Master Plan and Subdivision has not presented any concerns to Staff. There will be further detailed review of the development on this property with each individual application for development. Any proposal will follow the density allocations and design standards established.

1. Did the Commission have any comments regarding waiver request for the smaller lot sizes and resulting reduced building setbacks?
2. Did the Commission have any comments regarding the location of the trail on the west side of the Blue River when the Blue River Restoration Master Plan suggests having trails located only on the east side?

Staff welcomed any further comments from the Commission. With any added comments, the Planning Department recommended these applications return for a second review.

Don Nilsson, Agent for Applicant: 155 total units are proposed on 36 acres or 4.2 units per acre. Proposed commercial uses ended up going away for a variety of reasons. Providing the required housing for the commercial uses is nearly 1 to 1 and does not count towards the suggested 80% requirement for annexation. That’s the main reason for not proposing commercial uses. Additionally, the Council was not supportive of having commercial in this area. An integrated neighborhood feel was sought. When driving down the street, a passerby should not notice any distinction between a deed restricted unit and a market rate unit throughout the neighborhood. The project will

take place over the next 18 years. Stan Miller Inc. has operated on this property for 30 years. Therefore, a phasing plan is being proposed so the business can continue to operate. Construction of the deed-restricted units will be phased as well so they don't all come on line at the same time, or compete with Block 11 housing. The river relocation includes public access and a soft surface trail system. Regarding the trail on the East or West side of river, the applicant is leaning towards keeping it on the east, since once a person crosses to U.S. Forest Service property just outside the Town Open Space, hunters can hunt (just across the river from the subdivision.) The river redevelopment and Stan Miller Drive will be built within the first two years after final approval. Applicant is prepared to install three bridges to access the West side if needed.

Commissioner Questions/Comments:

- Mr. Pringle: What will happen to the homes on the east side with the trail system? (Staff pointed out trails would exist through the back yards of those homes along the east side of river.). A bike path should also be included to reduce intersection conflicts between vehicles accessing Highway 9 and bike path crossings. What is the typical home size to be placed on the smaller lots? (Mr. Nilsson - pointed out the homes would be between 1,100-1,400 sq. ft., plus the garage.) The scope and the scale of single family home on lots 5,000 or less would be nice to know. (It was agreed upon by the applicant to put a maximum cap on the size of homes to be built on lots 5,000 or less.) Happy with applications. Need to address the trail system with Open Space and Trails Staff and their consultants.
- Mr. Joyce: Would there be public access to the County open space? (Staff stated no, access would exist on the west side of the river only.) Would the bridges then go away? (Staff stated yes, the bridges would go away.) Asked about water reclamation and river reconstruction. (Applicant explained that the river would be relocated onto virgin soil, but would still be subject to seasonal flows from areas up stream (McCain)). How would a bike bath on the west side be possible if the county won't grant access through their property? (Mr. Nilsson: we are hoping to eventually get a connection through this section of land. Eventually, County would have to step up to the plate.) Can the existing utility lines be buried? (Staff pointed out that the goal in the future is to bury the lines.)
- Mr. Bertaux: Stepped down due to a conflict of interest. Currently employed by Stan Miller Inc.
- Dr. Warner: Asked the applicant if they purposely avoided sinuosity in the river design? (Mr. Nilsson: seasonal flooding could ruin a winding river if and when it occurs as the channel is deeper and the flood plain is narrower.) Is looking for more sinuosity, but now understands why the applicant avoided it. Would prefer the bike path be on the west side of the river in the future due to vehicular conflicts near Highway 9. Ok with the smaller lot sizes. The proposed streets will allow for some parking and efficient snow staking. With asphalt close to the river, where would the water runoff go? (Mr. Nilsson explained the drainage plan and the series of detention ponds located in the pocket parks. The drainage wouldn't reach the river.) Was BOSAC's opinion considered regarding river trails? (Staff pointed out not yet, they would be consulted before next hearing.)
- Mr. Allen: Asked applicant why only 75% deed restricted is provided when typically annexations ask for 80%. (Staff and Agent pointed out that, when commercial was removed and units were dispersed about the subdivision, the ratio was allowed to be reduced. It is at Council's option on a case-by-case basis.) With 4.5 units per acre allowed in the Land Use Guidelines, could the applicants come back for more density in the future? (Staff pointed out yes, but a Master Plan modification would be needed.) If the annexation agreement specifies something, can an applicant still get positive or negative points when they comply? For example the applicant is getting positive points for affordable housing; should they get these when the annexation agreement required such? Sought clarification regarding lot size in relation to home size. On bike path, safety of our community members should take priority over wildlife protection. On lot size, how are we able to ok a waiver on an absolute policy? (Staff explained that code allows smaller lots on master planned developments.)
- Mr. Khavari: Agreed with all said. Proposal looks fine. Resolve trail issue prior to next hearing. This subdivision proposal is in general compliance with the Subdivision Standards with the exception of lot size and setbacks (discussed in the Master Plan). Additional data regarding the river relocation and treatment of ground and surface water is still pending.

WORK SESSIONS:

1. Landscaping Policy (JC)

Ms. Cram presented. Within the last year, three new ordinances have been adopted, one regarding Noxious Weeds (Ordinance No. 15, Series 2007) another regarding Mountain Pine Beetles (Ordinance No. 16, Series 2007) and lastly one regarding Water Features (Ordinance No. 39, Series 2007). In addition, staff has been discussing the importance of improving forest health through forest management plans, wildfire mitigation and replanting with diverse species. Staff has also discussed the possibility of adjusting the point multiplier for those developments that propose new landscaping with the Town Council.

Staff believes that updating the Town's Development Code with regard to Policy 22 - Landscaping, to include new absolute and relative policies is necessary to be consistent with the recently adopted ordinances noted above and desired forest management goals for future development. This would assist the public in knowing what requirements there are pertaining to these ordinances and provide potential opportunities to mitigate negative impacts when applying for a development permit.

Staff introduced some of the proposed changes to Policy 22 to the Planning Commission. Staff shared these with the Town Council in October and received feedback on what policies should be absolute and those that should be relative. Staff will use Planning Commission feedback to work with the Town Attorney to draft changes to Policy 22.

With the goal of trying to improve forest health, reduce wildfire risk and maintain buffers within Town, it is important to look at updating our existing landscaping policy. Staff welcomed any additional thoughts that the Planning Commission had with regard to landscaping.

During the worksession on February 19th we discussed the water features policy. In general the Commission was concerned about water features with regard to site disturbance and the loss of buffers and energy consumption. We also discussed the replacement of trees from MPB infestation and generally the Commission agreed that replanting should be required, but that it should be reasonable for property owners. Staff is continuing to draft language to incorporate the Commissions comments.

Commissioner Questions/Comments:

- Mr. Pringle: Would suggest the town begin a PR campaign to replace dead trees. Two issues at hand: landscaping plans near the building envelope versus forested areas outside the envelope. Would encourage a landscaping policy that addresses staffs concerns but considering different scenarios. Can we discuss planting trees too close to buildings, which is occurring and shouldn't be? More isn't better, better is better.
- Mr. Joyce: What type of trees would be required? (Staff pointed out that species diversity would be encouraged.) Is the landscape guide on the website? (Staff stated yes.)
- Mr. Bertaux: Planting trees all at the same time is not a healthy alternative. What about 3-4 years down the road when an owner doesn't irrigate and everything dies?
- Dr. Warner: Can't tell if a 1 to 1 replacement is required or not. Wanted to see buffers replaced. An inch and a half aspen is a big tree. Would prefer a height as opposed to a diameter as a rule of thumb. Would it make sense to have #5 read "15 ft from the structure"?
- Mr. Allen: Buffers seem site specific. Clarify what an existing buffer is.
- Mr. Khavari: Does "between homes" include the backside of the home. (Staff: yes.) How would irrigation be addressed in specific places? (Staff recommended at-grade drip irrigation systems would be allowed until trees are established.)

Don Nilsson, local developer: taller trees don't always provide a better buffer. Do not encourage cottonwood trees on a hillside as they will look out of place.

TOWN COUNCIL REPORT:

Town Council discussed solar panels in the historic district. Dr. Warner had a conversation with Mr. Joyce about single pane glass on historic windows in the historic district. Mr. Joyce asked if the state historical society had an opinion.

OTHER MATTERS:

None.

ADJOURNMENT:

The meeting was adjourned at 10:49p.m.

Mike Khavari, Chair