

PLANNING COMMISSION MEETING

The meeting was called to order at 7:05 pm

ROLL CALL

Gretchen Dudney

Jim Lamb

Dan Schroder

Trip Butler

Eric Mamula arrived at 7:08pm

Dave Pringle arrived at 7:10pm

Ben Brewer, Town Council liaison

Kate Christopher was absent.

APPROVAL OF AGENDA

With no changes, the May 6, 2014, Planning Commission Agenda was approved as presented.

APPROVAL OF MINUTES

With no changes, the April 15, 2014, Planning Commission Minutes were approved as presented.

CONSENT CALENDAR:

- 1) Ankenbauer Residence (MGT) PC#2014007, 835 Gold Run Road

With no requests for call up, the Consent Calendar was approved as presented.

TOWN COUNCIL REPORT:

Mr. Brewer:

- First time as Town Council liaison for Planning Commission, Mr. Brewer welcomed any questions or comments during his update.
- Robb Woulfe gave his State of the Arts update for first 100 days as new CEO of Breckenridge Arts and Culture. He is working on new 501c3 non-profit to encompass the Arts and Culture Department.
- Mike Barney gave Recreation Center Capital Improvement update, went over a lot of previous ideas and shared what is still relevant.
- Scott Reid gave a Cucumber Gulch update. Previous years there has been a bad drainage issue and this has been addressed.
- Dan Schroder gave a Wildfire Council update for the County.
- Passed the Water Conservation measures ordinance unanimously. What used to be called Phase 1 measures are now water conservation; there are now water conservation measures all the time. (Ms. Dudney: What does that entail?) If you live East of Highway 9 then you can water every other day (Sunday, Tuesday, Thursday). If you live West of Highway 9 it is Saturday, Monday, Wednesday; does not apply to brand new landscaping. Does not apply to drip systems. Water for health and hydration reasons, there aren't any restrictions. We would rather not have people washing driveways with water and recommend that people wash vehicles on their lawn. Small fines imposed for compliance with escalating scale.
- Two individuals (Cooper and Spears) nominated to the Breckenridge Arts Committee and they were approved unanimously.
- New Council members are active. They are asking a lot of really good questions. The previous council tenor was very much centered on productivity and that is still there with this new Council.

Off Topic Question:

Mr. Mamula: Brought up info about the house at the corner of Wellington, French and Ridge: Did we do site visits to confirm the house is in the right location? (Mr. Thompson: The ILC's have been done; the house is in

the approved location.) This does not read like I thought, but we made the right decision making them have the walkway and a front yard.

FINAL HEARINGS:

1) Epic on French Duplex (MGT) PC#2013113, 308 North French Street

Mr. Thompson presented a proposal to build a 3,634 sq. ft. duplex with an attached 671 sq. ft. garage. Each unit will be comprised of three (3) bedrooms and three and a half (3 ½) baths, two gas fireplaces, a one car garage and one outdoor tandem parking space. Access is proposed via a driveway along the north side of the property. The design includes two small covered porches at the entrance to both sides of the duplex on the west and east elevations. Exterior materials are comprised of horizontal 4” reveal James Hardie Artisan painted lap siding, natural wood trim, and a natural moss stone 16” veneer and chimneys.

Changes since January 7, 2014

- Landscaping has been increased in size from: 6-8’ evergreen trees up to 8-10’ evergreen trees; and, deciduous trees have been increased from 2” to 2.5” caliper; shrubs have been added; vegetable garden from front yard has been removed.
- Driveway has been switched from the south side of the house to the north side of the house. No longer designed as a shared driveway with neighbor to the south. Garage doors have been moved from south side of duplex, to the north side of the duplex, man doors switched from north side of duplex to the south side.
- Above ground UPA has been reduced to below 9 UPA, now designed at 8.98 UPA.
- Final grading has been proposed and the outdoor area on the east side of the property has been designed.
- New colors have been chosen that meet the Development Code requirements on chroma (brightness). A three color scheme was shown with an exempted color sash on the windows.
- Applicant will not be requesting positive points under Policy 33/R Energy Conservation and hence, will not be providing a preliminary HERS report.
- Height of the rear module has been increased by 2 feet.
- R panel roof changed to traditional corrugated roof.

Staff believes the proposal warrants the following points: negative two (-2) points under Policy 6/R Height, positive two (+2) points under Policy 22/R Landscaping for a landscaping plan that provides public benefit of screening and buffering, for a total passing point analysis of zero (0) points. Staff finds that this proposal meets all Absolute Policies of the Development Code.

Staff recommended the Planning Commission approve PC#2013113, Epic on French, located at 308 North French Street, Lots 1-3, Block 1, Abbett Addition, with the presented Findings and Conditions.

Commissioner Questions / Comments:

Mr. Mamula: On the elevations, the roof forms don’t mimic the roof forms on the rendered landscape plan. It doesn’t look as complex on from this view and is only visible on the South and North elevations. (Ms. Mary McCormick, Architect for the Applicant: You are correct those side roof forms are not shown on the landscape plan and it is not accurately displayed on the framing plan.) So you are going to a more complex roof form, like a double gable on the building? I feel like it was missed and I am searching through this to find something that we don’t see in the district. (Ms. McCormick: The roof plan doesn’t show it, shows on the elevation, but the ends still have the full gable look.)

Mr. Garrett Hasenstab, Applicant: I love the project.

Ms. McCormick: The end result of this project is better by moving the to the north driveway, the landscaping works better and the grading works better, the two stories is shielded better. Everything is screened better facing this way on the lot. The gabled feature, the end that faces El Perdido, is a balcony so it is a full gable, the roof over the garage side aligns with the connector so it is contiguous at the corner but you get the full gable look. 80A and resolving the connector issue, this was an error to measuring the existing grade, so it was at 1.7'; now it is at 2'.

Mr. Lamb opened the hearing to public comment. There was no public comment, and the hearing was closed.

Commissioner Questions / Comments:

- Mr. Butler: Show me what a zero (0) point would be for this project related to landscaping. (Mr. Thompson: That would be the 6'-8' evergreen trees, 2" caliper deciduous trees, and no shrubs like we saw at the preliminary meeting. Now the evergreen trees have been increased to 8'-10', the deciduous trees have been increased to 2.5" caliper, shrubs have been added, and a specimen evergreen tree is being saved. With the increased size of the trees and with specific variation between aspen and choke cherry and added shrubs, staff believes this warrants positive two (2) points.)
- Mr. Mamula: Asked if Mr. Thompson understands what his previous question about the roof based on the elevations presented? It has a double gable from the elevations on both sides of the building. I can't tell if it connected to the connectors, more like a split roof midway down the elevation. (Mr. Thompson: It is connected to the connectors. You are right it does have siding on the side.) (Ms. McCormick: The connector is recessed and allows the interior space to turn a corner; when you are in the recessed and look up it appears to be a dormer because it carries the same roof pitch as the connector.)
- Mr. Butler: Isn't this a balcony, on the right side of the South elevation? (Ms. McCormick: Yes, it is hiding a nice private balcony. The gable comes back to the bathtub on the interior. On the other side the balconies are a full gable also, so the connector when it turns the corner has a gable valley as she demonstrated on the floor plan. Allows you to use the interior space but reads as a gable. I see your point with the balcony not having the depth of a gable and that it doesn't read correctly.)
- Mr. Mamula: Is this all picked up in the density calculations? (Mr. Thompson: Yes.) This is a funky roof form in the historic district. You are sort of cheating to pick up extra space, because the connector is supposed to be a connector to a module, this is more complicated than we see typically. I don't understand how this is going to read in the historic district, with a very complicated roof form for a very simple historic district. The connector is still two feet below the roof line, but the roof is raised because it isn't traditional pitch. The perception between the roof and the connector is less because of the complicated roof lines.
- Mr. Schroder: What is the historic district asking for simple roof lines? (Mr. Thompson: Yes, I think it is looking for simple roof forms.) (Ms. Puester: Read from Priority policy 141 regarding roof forms. Need to reflect the same angles, lines as found in the north historic district character area. Sounds like you are having an issue with how this meets this policy.) You referenced minimal dormers reading policy 141. (Ms. Puester: Reread the policy regarding dormers were used but minimally on individual buildings.)
- Mr. Pringle: I do concur with Mr. Mamula that it is a complicated roof line. I don't think this would ever possibly pass with today's 80A that we just revised. (Ms. Puester: We need to make sure we review this application under the policy 80A in the former version when they initially applied.) Says that the connectors should be clearly lower than the adjacent modules. It looks more like an addition to the east module than a connector element. It hits the 2' like the policy says but having issues. (Ms. McCormick: The connector is recessed in this and reads as a connector more so because of this.) I don't think the South elevation reads like a

- connector element between modules, it doesn't read recessed to me. (Ms. McCormick: It is recessed 5'6" from garage to 9" along the elevation.)
- Mr. Butler: I think it is different because the roof forms are complicated and are not following the same line.
- Mr. Mamula: My real problem is because your roof plan is not calling the true roof forms out; there is zero text on this from what we read. We see a roof form on the elevation, but not on the roof plan and it makes it hard for us to understand what we are approving. I feel like we haven't been given the information that we need to approve this project. I should not have to pick up from an elevation. It is an obvious important element and it is one of the reasons that when I look at the diagram it looks like a hotel to me, with a more massive middle. (Mr. Hasenstab: It is a duplex, not common here but allowed.) I understand that but you still need to build it like everything else in the district. (Mr. Thompson: I didn't pick up on anything that is a code violation. We had a code that allowed duplexes and only had the connector drop only 2' per 80A. I don't think the gable roof form will be highly visible and won't negatively affect the historic district.) But you do with a duplex. What is the pitch of the gable? (Mr. Thompson: The pitch is 4:12.)
- Ms. Dudney: Priority Policy 141 the gabled roof should match the slope that is used historically. (Asked Mr. Thompson to point this out which he did.) I'm trying to understand if the dormer part of the policy 141 fits the "gabled roofs" as presented. The connector, the roof and the recesses follow the language. I like the improvement from the front and that fits in nicely with French street. I'm ok with this because I don't see a violation of the code.
- Mr. Pringle: I look at the other duplexes on the street; this seems to be a real deviation from the scale and the massing to the north and south of this property. From this elevation, this looks like a large hotel like building. (Ms. McCormick: Each elevation has broken planes and reads like historic buildings read.) The elevation over the south façade of the garage, the open balcony; would we see that kind of a form historically? I don't think we would see this as meeting true historic guidelines. (Ms. McCormick: I believe I have seen that on French Street.) We don't use bad examples as forms that we mimic for new construction. Also, I have a problem with the triple double hung windows on the garage side. (Ms. McCormick: The goal is to make this look like a single family home, but the center window could easily be deleted.) I would like to hear from other members on this point.
- Mr. Lamb: I don't see that there is a code issue here.
- Mr. Schroder: I didn't pick up the roof forms; I didn't see any deviation from code so I came into the meeting seeing this as passing. I keep leaning on the fact that duplexes are allowed even though we don't see a lot of duplexes.
- Mr. Lamb: I think what is contributing to the massive look is that this acreage is a lot bigger. A normal lot is 0.14 acres while this one is 0.8 acres.
- Mr. Mamula: The windows don't bother me. I disagree with the reading that these roof forms are dormers. What this is doing is taking a roof form and changing its' normal pitch. Nowhere do we allow this in the historic district. I wouldn't count this as a dormer, just changing the roof pitch for the purpose of making the corner to the connector. I know it reads great from the street, but we look at things from all four sides and this is setting precedent. This is a new roof form. It is not characteristic from what we have seen.
- Ms. Dudney: Is this a way to increase ceiling height from the inside? (Ms. McCormick: Yes, but it is crafted as a dormer.)
- Mr. Mamula: But there are no windows (as would be customary in a true dormer).
- Mr. Pringle: We don't acknowledge that this is a 4:12 pitch predominant part of the roof. When you look at the two historic buildings to the right of the El Perdido, this is significantly larger.
- Mr. Mamula: I don't know if we can change this as it is a larger parcel of land, they are meeting everything as far as code goes.

Ms. Dudney: In terms of the Planning Commissions' mandate, do we put the same priorities on all sides of the building even though no one will see some of the sides? (Mr. Thompson: The priority is on the street view, but all elevations are important.)

Mr. Lamb: It is hard to look at this two dimensionally. I'm with Ms. Dudney on this and am in support of approving this. (Ms. Puester: To bring the concerns to the code, I have heard the Mr. Pringle says that it isn't similar to other duplexes. We do have policy 5R that does not encourage for excessive dissimilarity from other existing structures, point based. Mr. Mamula's concerns could be in Policy 140 or 141 which is regarding dissimilar forms and roof design.)

Mr. Mamula: My concerns are addressed by policy 141 in regards the roof issues I've brought up.

Mr. Butler: I think this a dormer. I think this is what dormers do so I'm in support of this project passing.

Mr. Mamula: I move that this project is in violation of priority policy 141. (Mr. Pringle seconded.)

Ms. Dudney: No.

Mr. Mamula: Yes.

Mr. Schroder: No.

Mr. Lamb: No.

Mr. Pringle: Yes.

Mr. Butler: No.

(The Motion failed by a vote of 4-2.)

Mr. Schroder made a motion to approve the point analysis for the Epic on French Duplex, PC#2013113, 308 North French Street, showing a passing score of 0 points. Mr. Butler seconded, and the motion was carried (4-2).

Ms. Dudney: Yes.

Mr. Mamula: No, I don't agree with the point analysis.

Mr. Pringle: No.

Mr. Lamb: Yes.

Mr. Schroder: Yes.

Mr. Butler: Yes.

Mr. Schroder made a motion to approve the Epic on French Duplex, PC#2013113, 308 North French Street, with the presented Findings and Conditions. Mr. Lamb seconded, and the motion was carried unanimously (6-0).

The Planning Commission took a five minute recess.

COMBINED HEARINGS:

1) Alpine Rock Conditional Use Permit (CK) PC#2012056, 13250 CO State Highway 9
Mr. Kulick presented. The applicant is requesting a renewal of a development permit (PC#2009039) to allow for the continuation of an existing processing operation. The operation includes processing and sale of aggregate on a 129.99-acre site just west of Highway 9 and north of County Road 3. Processing includes crushing and washing of material from on and off site, as well as asphalt and concrete manufacturing. No expansion to the existing operation is proposed.

The Alpine Rock Task Force has no remaining members. In addition Alpine Rock believes they have demonstrated a great deal of responsibility by strictly complying with the conditions of previous permits and voluntarily implementing new practices that reduce noise and improve air quality for nearby residents. Staff requested feedback on the possible termination of the Alpine Rock Task Force.

Due to Alpine Rock's strict compliance with previous permit conditions and their operation being subject to a lease agreement with the Town, staff recommended subsequent permit renewals be handled at an administrative level through the Class D review process. Staff requested feedback on the possible amendment of the review process.

This application has been advertised as a combined hearing. The application appears to pass all absolute and relative policies. A final point analysis was included for the Commission's review. If the Commission finds that the Alpine Rock Mining and Aggregate Processing application meets all absolute and relative policies, is comfortable with the modification for the temporary permitting of additional hours of operation, the termination of the Alpine Rock Task Force and amending future renewals to the Class D review process, Staff recommended approval of PC#2012056, with the presented findings and conditions.

Mr. Lamb opened the hearing to public comment. There was no public comment and the hearing was closed.

Commissioner Questions / Comments:

Mr. Pringle: Alpine Rock is a good member of the community and it speaks much to their operation that there is no opposition attending this hearing. In the effort to maintain transparency I think their renewal should come before the Planning Commission so that the public can still have an opportunity to voice any issues in the future.

Ms. Dudney: I agree with Mr. Pringle, even though the task force is not in existence, keeping the renewal a Class B is appropriate.

Mr. Schroder: I think making this available for public to review is appropriate. (Ms. Puester: If we continue the renewal as a Class B will have the 300 foot property notice. A Class C application only appears on the consent calendar, no posting or mailing. If you want to keep it as it is and make sure there is public notice, then it should remain a Class B.)

Mr. Butler: I concur.

Mr. Mamula: I concur.

Mr. Lamb: I concur too.

Mr. Pringle: I remember all the fuss that happened when a convenience store was proposed without public comment opportunities; let's keep this public noticed just in case.

Mr. Lamb: That is a good point.

Mr. Schroder: This is still a 3 year renewal process right? (Mr. Kulick: Yes.)

Mr. Pringle made a motion to approve the point analysis for the Alpine Rock Conditional Use Permit, PC#2012056, 13250 CO State Highway 9, showing a passing score of 0 points. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

Mr. Pringle made a motion to approve the Alpine Rock Conditional Use Permit, PC#2012056, 13250 CO State Highway 9, with the presented Findings and Conditions but changing Finding number 6 to continue this to be reviewed in the future under the Class B category. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

2) Ten Mile Suites Change of Use (SG) PC#2014020, 520 South French Street

Mr. Greenburg presented a proposal to change the use of the lower level of Ten Mile Suites (currently Unit #1) from commercial (retail/office) to four residential condominiums (2-one bedroom, 2-two bedroom condominiums) with common area and storage. Exterior changes include the addition of doors and windows. Ten Mile Suites is a three story building. The proposed change of use is on the main / lower level. Should the condos be individually subdivided for sale, a separate subdivision application to create condominiums would be required.

Staff found that this change of use is in conformance with the land uses in the area and results in less density and

parking required. Staff had no concerns. Staff recommended that the Planning Commission approve the Ten Mile Suites Lower Level Change of Use, PC#2014020 at 520 South French Street, with the presented Point Analysis and Findings and Conditions.

Mr. Lamb opened the hearing to public comment. There was no public comment and the hearing was closed.

Commissioner Questions / Comments:

Ms. Dudney: Will they just be overparked? (Mr. Greenburg: Yes.) Is it possible to sell parking spaces? (Mr. Grosshuesch: If you were a buyer, you couldn't use those to gain points or meet a parking requirement. The code says you have to park on site. You can't park an RV, but they could have people who need parking on site buy it.) I think this seems like a good project.

Mr. Pringle: In the original development, point analysis was there a social need that was considered that it got approved? (Mr. Grosshuesch: I think we down zoned it when the land use guidelines were approved.) (Mr. Kulick: We did some research a while ago on this and found that the property was down zoned like Powder Ridge right next door. We have a couple of legal non-conforming condo buildings on the south end of French Street.) When we start saying these change of uses, when an amenity may have gotten positive points but then we consider this now. (Mr. Kulick: Again, when we looked at the history, the Atrium was developed as residential and Ten Mile Suites was developed as commercial and they chose to do a health club as a commercial use. The health club wasn't an amenity for the Atrium but commercial use on its own. It was always a commercial property when it was a gym. This is the first time that the use is changing.)

Ms. Dudney: Is this changing to the new max density, will they essentially lose that density? (Mr. Greenburg: Yes.)

Mr. Mamula: This is a residential area that I'm glad to see the commercial leave.

Mr. Butler: I concur.

Mr. Schroder: I concur.

Mr. Pringle: I agree.

Ms. Dudney: I think this is a win, win.

Mr. Lamb: I agree too.

Mr. Schroder made a motion to approve the point analysis for the Ten Mile Suites Change of Use, PC#2014020, 520 South French Street, showing a passing score of 0 points. Mr. Mamula seconded, and the motion was carried unanimously (6-0).

Mr. Schroder made a motion to approve the Ten Mile Suites Change of Use, PC#2014020, 520 South French Street, with the presented Findings and Conditions. Mr. Butler seconded, and the motion was carried unanimously (6-0).

TOWN PROJECT HEARINGS:

1) North Main Street Park (SG) PC#2014031, 112/114 North Main Street

Mr. Greenburg presented a proposal to construct a new public park at 112 North Main Street (the lots between The Local Market and Alpine Bank). The park will include a playground, picnic tables, seating, and a handicap accessible walkway from North Main Street to the Edwin Carter museum.

This is a Town Project pursuant to the ordinance amending the Town Projects Process (Council Bill No. 1, Series 2013). As a result, the Planning Commission is asked to identify any concerns with this project, and any code issues. In addition, the Commission is asked to make a recommendation to the Town Council.

Staff suggested that the Planning Commission recommend approval of the North Main Street Park,

PC#2014031 located at 112/114 North Main Street. Staff welcomed questions from the Commission with positive points 20R for recreation and 22 R points for landscaping for a total of positive five (5) points.

Mr. Lamb opened the hearing to public comment. There was no public comment and the hearing was closed.

Commissioner Questions / Comments:

- Mr. Schroder: How was this project received with the Engage Breck group? This seems much more tame. (Mr. Greenburg: There was a climbing wall but that was putting the project over budget.) (Mr. Barney: We had over 100 comments on Engage Breck with the biggest comments centering around water features, but that wasn't reasonable with our location.) This seemed like it got toned down. (Mr. Barney: With the size of the lot, we were restricted and we wanted to leave room for public art.)
- Ms. Dudney: What about the ADA ramp with snow and ice in the winter? (Mr. Barney: It is concrete, but there is a railing.)
- Mr. Schroder: We are not changing grade it is 8%. (Mr. Barney: We can certainly monitor if people have problems on this.)
- Ms. Dudney: Did you ever consider having a shed area? (Mr. Barney: We did consider this, but decided we didn't want to block views, but maybe some temporary options.) When will it be done? (Mr. Barney: Will hope to have it started by mid-June.)
- Mr. Butler: What was budget? (Mr. Barney: \$265,000.)
- Mr. Mamula: I think you need at least one more trash receptacle, especially by the picnic tables. We keep building parks for little kids, if we really need to think about building parks for kids over 6 years old. There are plenty of kids in the age range for 6-13 and the park in Silverthorne is awesome. (Mr. Barney: The playground is for 5 to 12 years old. The rocks will be boulders with a web structure. There will be slide for smaller kids.)
- Mr. Butler: I like it.
- Mr. Schroder: I like it.
- Mr. Pringle: No comment.
- Ms. Dudney: No comment.
- Mr. Lamb: I like it.

Mr. Schroder made a motion to support the point analysis of positive 3 points for public amenities and positive 2 points for landscaping. Mr. Mamula seconded. The motion passed unanimously (6-0).

Mr. Schroder made a motion to recommend the Town Council approve the North Main Street Park, PC#2014031, 112 North Main Street. Mr. Mamula seconded, and the motion was carried unanimously (6-0).

OTHER MATTERS:

1) Class D Major Projects Report – 1st Quarter, 2014

Ms. Puester presented a memo summarizing the Class D Major approvals during the first quarter of 2014 (January 1 to March 31).

Commissioner Questions / Comments:

- Mr. Schroder: This packet seems more robust with a map presented. (Ms. Puester: We probably won't include site plans in the future, unless you would like them.)
- Mr. Schroder: I like them in.
- Mr. Mamula: I would like to see them.
- Mr. Butler: I was just in a planning workshop and they asked about the approach to site visits versus site photos and they encouraged everyone to not make a site visit, unless you can go as a group. There is an assumption of impropriety if you go on your own.

ADJOURNMENT:

The meeting was adjourned at 9:07 pm.

Jim Lamb, Chair