

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Trip Butler Jim Lamb Eric Mamula
Dan Schroder Kate Christopher Dave Pringle
Gretchen Dudney and Ben Brewer, Town Council liaison, were absent.

APPROVAL OF AGENDA

Mr. Mosher noted that the Lincoln Park Master Plan Modification had been withdrawn from the Agenda and would be heard at a later date. With no other changes, the May 20, 2014, Planning Commission Agenda was approved as presented.

Ms. Puester noted that this is Mr. Butler's last Planning Commission meeting as he is resigning. Mr. Butler added as of June 2 after his business partner buys him out, he won't have a business or a home residence in Breckenridge so he's no longer eligible for the Commission. The Commissioners and staff thanked him for his service.

APPROVAL OF MINUTES

Mr. Lamb: On Page 4 of the minutes, please change "0.8 acres instead of the usually 0.4 of an acre" to read "a normal lot is 0.14 acres while this one is 0.18 acres". With no other changes, the May 6, 2014, Planning Commission Minutes were approved as presented.

CONSENT CALENDAR:

1) Schumacher Residence (MGT) PC#2014040; 192 Marks Lane

Commissioner Questions / Comments:

Mr. Schroder: I love that the director approval is required and it is such a small house.

Mr. Mamula: It is a driveway issue, but I agree that I like the small house.

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

TOWN COUNCIL REPORT: None.

OTHER MATTERS:

1) Roundabout Landscaping (Mark Johnston, Public Works)

Mr. Johnston, Town of Breckenridge Streets and Parks Manager, presented a memo outlining the basic process for the median and roundabout beautification project for 2014-2015. Phase 1 is to be hardscape installation for the existing roundabout and median from Valley Brook Road south to the roundabout (fall of 2014). Phase 2 is to be plantings (spring of 2015).

Ms. Puester noted that this is simply a presentation and does not require formal action by the planning commission at this time. (Please note: this type of project is specifically exempted from Planning Commission review by Code Section 9-14-5:A)

Commissioner Questions / Comments:

Mr. Mamula: Why did you change the color of the ski track at the roundabout? (Ms. Elena Scott: This will stay the same color throughout, the drawings are incorrect. Also, we will use real grass. The walls will be dry stacked without mortar, so there won't be problems like the town of Frisco had with their medians. The lower level of the roundabout will continue to be the same

- height as now.) My worry is that everyone one will drive up on the roundabout. (Mr. Johnston: Ours is meant to be drivable for 18 wheelers but it is not supposed to look like you should drive up on it.) (Ms. Scott: All the poles will be breakaway and we are aware of areas of traffic problems.)
- Mr. Schroder: Is this all stamped concrete? I'm worried about the plantings getting washed out when you are cleaning the concrete. (Mr. Johnston: We are looking into covering the plantings during the off season.) (Ms. Scott: Yes, we are putting together some maintenance strategies for the medians too.) Is there anything that will help lead to the interpretive nature of the design, will anyone else know this swale is like a ski trail? (Ms. Scott: You can't advertise on the banners, but they could be more interpretive.) (Mr. Johnston: I like the idea of using these banners to tell the story.)
- Mr. Pringle: I'm worried that all the nuances will be lost on the visitors. I'm worried about introducing more clutter. I don't have any problem with what you are proposing, but the whole nature of people trying to get around the roundabout and then they get distracted by the roundabout. (Mr. Johnston: The design is to become simpler around the areas that are high traffic and more when there is less traffic.)
- Mr. Schroder: Previously the plan was to have this be a large piece of art, is that idea gone now? (Mr. Johnston: The Council selected one of the pieces but chose to put it somewhere else, now the thought is to put an environmental piece here.) (Ms. Scott: Because this is a phased approach to construct this, right now just putting in the hardscape and the lamp poles.)
- Mr. Mamula: Do you find this enticing visitors to get out of their car? (Ms. Scott: No, it is just a way to introduce some of the same elements that you find on main street or in the Riverwalk.) (Mr. Johnston: The nice thing about our roundabout, there is not really a spot to pull over and get out like there is in Frisco.)
- Mr. Pringle: We know that there is no place to park, but there is always that person who doesn't know this but wants to take a picture.
- Mr. Butler: Perhaps the banners could continue just a little past the roundabout as a continuation. (Ms. Scott: In the section towards Main Street in the pork chop there will be 3 more poles.)
- Mr. Pringle: We plant these trees that show a certain age, are we thinking about the impacts of a mature tree here and if that poses problems? (Mr. Johnston: Frankly we won't have trees live there 50 years, but we are trying to select appropriate species. They will eventually have to be replaced.)
- Mr. Lamb: Thanks for your presentation.

PRELIMINARY HEARINGS:

1) Breckenridge Distillery Phase 3 (Class A, Preliminary Hearing; PC#2014036)

Mr. Thompson presented. The proposed Breckenridge Distillery Phase 3 addition of 8,333 sq. ft. (requiring a portion of a TDR) includes storage, retail space, bar, tasting room, catering kitchen, outdoor seating with a "steel barrel" burning top half of gas fire pit, new restrooms, and an attached cigar shack. There is a covered loading dock proposed on the rear side of the building, the end and the side of the loading dock will be open air for ease of trucks entering the area.

Of note: Parking has been upsized to include 25 spaces which meets the requirements of the addition. There is a density agreement for 14,690 sq. ft. recorded in 2010. Applicant is working through purchasing the additional density of at least 537 sq. ft. of Employee Housing to reach 6.51% of the project density for positive points; 5% (412 sq. ft.) is required for no negative points. There is 1,218 sq. ft. of heated area off of the loading dock and they will be adding a fire pit. Building height is 32' to the mean of the roof. The overall ridge height is 34'6" and the top of cupola 36'. The ridgeline is 125' long, hence will have to take a negative point for a ridgeline of over 50' in length. Wood board and batten siding, tasting room has real stone and restored barn planks with chinking. Existing driveway entrance is right on property line and doesn't allow

for snow storage or any landscaping. But pushing the driveway the other direction would be negative to the existing landscaping, so asked the owner to talk to the property owner on Lot 1A to see if an agreement could be worked out for a shared driveway easement or landscaping on the access easement.

Staff believes the application warrants negative three (-3) points under Policy 33/R for excessive energy use; negative one (-1) point under Policy 6/R for a long unbroken ridgeline over 50' in length; and positive four (+4) points under Policy 24/R for providing at least 6.51% of the project density in employee housing, for a passing point analysis of zero (0).

1. Did the Planning Commission agree with negative three (-3) points under Policy 33R for outdoor heated area, driveway and outdoor gas fire pit?
2. Did the Commission agree that the chimney/cupola elements on the elevation do not break up the roofline that is over 50' in length per Policy 6R?
3. Did the Planning Commission find the placement of the northern driveway right on the property line acceptable?
4. Did the Planning Commission believe the placement and screening of the street parking from public view warrants positive two (+2) points?

Mr. Dan Farber with O'Brien Partnership (Architect for the Applicant): The primary focus of the new addition is to get the trucks off of Airport Road and to have a place for them to stage. We would like to shift some of the employee parking to the back so that the existing parking can be for public. Also the focus is to move the tasting and retail function to the front of the building to have a more entry experience. The reason for the stone we used the George Washington Distillery at Mt. Vernon as a model and we wanted to tie in Breckenridge historic feel, like the false front, give it a better feel than just being a warehouse. The purpose of the fire pit is to create the fire and water of the distillery process, this area includes a sluice line. The floor plan is mostly storage and a work area. (Mr. Farber described the flow of the building.) The heated area by the loading bay is important to help make sure that the trucks don't get stuck in the snow, we don't want to clog up the truck staging area. Most of the loading dock is heated because trucks are backing in and their traction wheels are on the front.

Commissioner Questions / Comments:

Mr. Schroder: If the customer parks in the back lot, what is the walking flow for them? (Mr. Farber: They would come in through the back to the retail space.) (Mr. Thompson: The large storage space must be kept at 80% humidity so it won't have a lot of traffic flow at all for this reason.)

Mr. Mamula: I have a question about the cigar shack. With the smoking ordinance in Breckenridge, how are you going to drive business to this? You can't have an enclosed space where you allow smoking. (Mr. Farber: That shack is not meant to be a place to smoke in, it is just a humidor and retail and there is space outside for people to smoke.)

Mr. Danny Teadoru, Attorney, speaking on behalf of the owner: The whole notion of the smoke shack is to have that kind of amenity to be a unique space and we are well aware of the challenges with the smoking ordinances. I want to address on behalf of the Applicant who couldn't be here tonight. We are very appreciative of staff and Mr. Thompson for working with us. Regarding the cupolas, we did as much as we could to break up the ridgeline. In terms of the loading dock heated driveway, we feel that under 33/R that there is a notion of safety and that is why it is heated. But we understand the staff's position. I do want to address the northern driveway. We will make every effort before final hearing to sit down with the other property owner to do as much as we can to get some kind of green strip in there. We will do as much as we can. The property next door is a very odd remnant property, but we don't want to be in a situation where he gets unreasonable rent circumstance. No issues with the points as presented.

Commissioner Questions / Comments:

Ms. Christopher: Are these chimneys? (Mr. Farber: They are kind of flat tops on them; one of them could be used as an exhaust fan. The others are non-functional and just decorative.) I think if you look at old pictures of an historic long warehouse which had little cupolas you could get a better idea of historic perspective.

Mr. Pringle: I think we are misinterpreting the policy, when we talk about cupola we envision something like what sits on the court house building. I didn't want the incremental creep of height. I agree with the negative points.

Mr. Lamb opened the hearing to public comment.

Mr. Mark Thamert owner of the property across the street: I'm supportive of this plan. I built the steel building on Continental Court near here and the Upper Blue Planning Commission took me to task related to my roof form. I think the Distillery owner and architects have done a good job of making this meet code, except for the ridgeline issue could be better.

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

Commissioner Questions / Comments:

Negative 3 points on Heated Driveway Issue:

Mr. Mamula: I could see that this is a safety issue and wouldn't need points. I don't think whether they invite people into the area or not like the gondola should be an issue related to points.

Mr. Pringle: I think this is an accurate assessment of the code and that it does address a safety issue for this project.

Mr. Butler: I think it is correct. (Mr. Thompson read the definition of negative points under 33/R for heated outdoor spaces and points warranted.) (Ms. Puester read the policy section regarding zero points for 33/R that discussed well planned, using southern exposure.)

Mr. Lamb: I think it still needs to get dinged; I could make an argument to drop it down to negative 1 point.

Mr. Schroder: Public or no public this is a business like the ski area is a business, they could have changed their plan to get away from using a heated sidewalk.

Ms. Christopher: I think that Mr. Pringle and Mr. Mamula are bringing up a valid point on the safety topic, but think there should be points.

Mr. Butler: I agree.

Mr. Lamb: I think that negative two (-2) is excessive but this is precedent setting. Maybe negative one (-1) is appropriate.

Ridgeline of 50' in length, do the cupolas break up the roof form:

Mr. Pringle: I think this version better represents what the code says. I will buy that it is an accurate representation of the code but I don't think it does much to the roof line. Still needs to take one negative point for the ridgeline longer than 50'.

Mr. Schroder: I think this is an unbroken elevation.

Mr. Butler: I concur.

Ms. Christopher: I agree, but asked is there more of a negative point assessment if it is longer? (Mr. Thompson: There is no more negative points assessed after 50', negative one is the most points, this ridgeline is 125' in length).

Mr. Mamula: Tonopas Shops historic building has a long unbroken roof line where they made pipe for the mines. If you could mimic this more here it would be a better tie in for what you are trying to

create. We used this picture when we did the ice rink. This would be something great for you to talk about.

Mr. Lamb: I agree with the negative point assessment.

North Driveway:

Mr. Mamula: I don't have a whole lot of heartburn on this one; I would like to see them make an effort with the neighbor. If you make an attempt I'm fine with this.

Mr. Pringle: If we could get an across property line agreement, I think this is a natural / legal solution.

Ms. Christopher: I agree with Mr. Mamula and Mr. Pringle.

Mr. Schroder: I want to stay within the code with snow storage and buffer, as long as we do this; that is fine with me.

Mr. Lamb: The snow storage off to the left, I'm not sure if there is an issue, but I would like to see more vegetation buffer.

Positive points for parking out of public view behind the addition:

Mr. Schroder: We've had lots of precedent with hiding cars behind buildings.

Mr. Pringle: I think that point is being misinterpreted here, so I would not agree with the 2 positive points. I think this section of the code had more to do with pulling parking off the street in a typical residential area.

Mr. Butler: Could please elaborate on your point?

Mr. Lamb: But it definitely screens the parking.

Mr. Pringle: I think this is being applied to the wrong situation not here on Airport Road, it has not been applied to any other buildings on Airport road and they almost all have parking on the back. I think this is a stretch to find points; this has primarily been used in the historic district not in this application of a large commercial application. (Ms. Puester read Policy 18R on parking and did not specify the main street areas.)

Ms. Christopher: I think there is precedent to award the points because it is screened.

Mr. Mamula: I would like to know what exactly do on the rest of Airport Road and know this before I give a yes or no on this point. The ones on that side have put parking in the back. (Ms. Puester: We can come back to you with that information at final.)

Mr. Lamb: I think this is a very good job of screening from the street and that it should get the positive 2 points.

TOWN PROJECT HEARINGS:

1) Skateboard Park Renovation and Addition

Ms. Puester presented a proposal to renovate the existing skateboard park and add 6,000 additional square feet of park area, for a total of 19,000 square feet of feature area.

This is a Town Project pursuant to the ordinance amending the Town Projects Process. 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.

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

Commissioner Questions / Comments:

Mr. Pringle: Of all the things that we've done, the kids really like this and it gets used. I think it is well worth it.

Mr. Mamula: Great project.

Mr. Butler made a motion made to approve the Town of Breckenridge Skate Park Renovation and Addition PC#2014037, 880 Airport Road, including the point analysis. Mr. Mamula seconded, and the motion was approved unanimously (6-0).

OTHER MATTERS:

Mr. Mamula: I want to revisit point analysis for HERS. Why are we giving points for things they are going to do anyway? We've had a couple of projects that they got points for the HERS but they were going to do those things anyway. What we do is how things look from the outside and how that impacts your neighbor. Outward appearance issues are the main goal of our commission.

ADJOURNMENT:

The meeting was adjourned at 8:43 pm.

Jim Lamb, Chair