

Tuesday, January 20, 2015 Breckenridge Council Chambers 150 Ski Hill Road

12:00pm	Site Visit To Lincoln Park (Meet at Town Hall at 12 Noon or at Midnight Sun and Queen of The West at 12:10PM.)				
7:00pm	Call To Order Of The January 20 Planning Commission Meeting; 7:00 P.M. Roll Call				
	Location Map	2			
	Approval Of Minutes	3			
	Approval Of Agenda				
7:05pm	Worksessions1. Public Art (Policy 43, Relative) (JP)	10			
7:45pm	Town Council Report				
8:00pm	 Preliminary Hearings Lincoln Park (Wellington Neighborhood Phase II) Master Plan (2nd Preliminary) (MM) PC#2014038; 710 Stables Road 	14			
9:00pm	Other Matters 1. State of the Open Space Report (MT)	29			
9:30pm	Adjournment				

For further information, please contact the Planning Department at 970/453-3160.

^{*}The indicated times are intended only to be used as guides. The order of projects, as well as the length of the discussion for each project, is at the discretion of the Commission. We advise you to be present at the beginning of the meeting regardless of the estimated times.



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PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Eric Mamula Jim Lamb Gretchen Dudnev Kate Christopher Ron Schuman Dan Schroder Ben Brewer, Town Council Liaison

Dave Pringle was absent.

APPROVAL OF AGENDA

With no changes, the January 6, 2015, Planning Commission Agenda was approved as presented.

APPROVAL OF MINUTES

With no changes, the December 2, 2014, Planning Commission Minutes were approved as presented.

WORKSESSIONS:

1) Planning Commission Top Ten List (JP)

Ms. Puester presented. Each year the Planning Department creates a list of the Top Ten most important policy issues and code amendments for staff to focus on in the upcoming year. Following are the accomplished items from the past Top Ten list within the last year.

- Planning Classification Class A-D modifications- COMPLETED; Adopted January 28
- Condo Hotels Update- COMPLETED; Adopted October 14
- Historic Connector Elements- COMPLETED; Adopted March 25
- Temporary Structures- COMPLETED; Adopted April 8
- Other-Local Landmarking Status of Red, White and Blue Fire Museum; Valley Brook Cemetery; Iowa Hill Site; Old Masonic Hall; Breckenridge Grand Vacations Community Center; Milne House; and Eberlein House

The following items were included in the 2014 Top Ten List which are either in process or have not been started:

- Wireless Communication Towers/Antennas-IN PROCESS
- Mass Policy: Airlock Entries and other mass consuming energy conservation features
- Employee housing annexation positive point allocations
- Transition Standards Near Carter Park-WITHDRAWN; School District not interested in pursuing.
- Wildlife Policy
- Public Art (off-site improvements)
- Parking: Residential parking in garages (positive points)

Staff would like to discuss the following items for inclusion in the 2015 Top Ten list (in no particular order).

- 1. Wireless Communication Towers/Antennas-Currently in process
- 2. Amenity Bonus Square footage/positive points (Policy 24/R Social Community)
- 3. Shuttles/positive point reallocation (Policy 25/R Transit)
- 4. Wood Shake Shingles
- 5. Local Landmarking- Klack Placer Cabin; County Courthouse; Tin Shop; Mikolitis Barn; Barney Ford House; ; Sawmill Wakefield site; Lomax Placer; Dipping Station
- 6. Policy 7R regarding retaining wall heights and site disturbance
- 7. Parking: Residential parking in garages (positive points)
- 8. Public Art (off-site improvements)
- 9. Mass Policy: Airlock Entries and other mass consuming energy conservation features

- 10. Employee housing annexation positive point allocations
- 11. Sandwich board signs/Outdoor display of merchandise
- 12. Development Agreement provisions relationship with point generating Development Code policies.

Staff would like direction from the Planning Commission on the recommended Top Ten list. Staff intends to pursue work on the approved top ten list as soon as time and resources allow. The order that they are forwarded to Planning Commission and Town Council will partly depend on the complexity of the projects.

Commissioner Questions / Comments:

Mr. Lamb:

I have a question on where the wood shingle issue came from. (Ms. Puester: The concern stemmed from a Town Council meeting around the concern of potential fire danger with wood shake shingle roofs after last year's fire south of town and flying embers. This conversation was under the previous Town Council so staff would plan to take this topic to the new Town Council to see if there is interest in pursuing as well as providing additional information. For instance, there was a Class A building code change that would apply to all roofs including wood shake shingle. We will probably take this to the Council first as staff and then if Council wants to pursue it, they will send it back to you. It would result in changes to the Handbook of Design Standards, Development Code and Building Code.)

Ms. Dudney:

Please clarify #3 Shuttles positive points, #10 Employee Housing and the Amenity Bonus to me. All three of these have a double dipping issue where the developer comes in and gets an agreement with the Council and which has an agreement regarding them and then they come to us and then get positive points. Am I thinking that this is the right way to look at these issues?

Mr. Mamula:

Really those are all separate point allocation issues within the Development Code as they would apply to any development without a Development Agreement. In a recent case, a Development Agreement did involve multiple policies and our question was related to points. I think #12 regarding Development Agreement as it relates to points becomes number one to discuss in my mind. I may be the only one thinking so but givens in the Agreement might wan to have a mention if they are to be point neutral or not to give us direction. The Transit conversation is really if it should this still be 4 positive points always. The mass bonus for amenity space is a separate issue too, but I think the double dipping issue is really encapsulated in #12. I want to make sure we all agree with these and then come up with a couple we want to seriously handle and the Development Agreement is really the first focus in my mind. (Ms. Puester: Something to think about in #12 is not only is it a Council call but once you start adjusting points, such as not counting them, it will change the opportunities to receive positive points.) With the development agreement, you can gain positive points for issues that were discussed in the agreement but you can't get negative points for the items in that were already negotiated. So I would like to ask about making these neutral. (Mr. Mosher: These specific things could be discussed in both negative and positive points that are addressed in a development agreement.) I want to see if the Council is ok with addressing development agreements as a general policy change. Does everyone agree that this should be bumped to the top? (The Commissioners agreed by nodding their heads.)

Mr. Schuman: I think #11 (sandwich board signs) should be toward the top.

Mr. Mamula: I think Council is going to address this next week.

Ms. Dudney: I think #1 can drop off too. (Ms. Puester: There is Federal regulation that is going to change

as of February 1 that will change things again so that we will need to redraft the ordinance. Not sure yet if that impacts the general direction we are gong with this or if it is more the

legality of the ordinance. If it is the latter than we will go right to Council.)

Mr. Mamula: The public art offsite improvements, from my history the pendulum has swung both ways. I

think this is an important discussion if we are going to allow the development community to

get offsite points. (Ms. Puester: It is important to note that just because a topic appears on this list; it certainly doesn't mean that we will defiantly be changing the policies or code. This is a list of what we have heard are issues that the Commission wanted further discussion on.)

Mr. Schroder:

Is there any ongoing solar panel discussion in the historic district? (Ms. Puester: We do allow solar panels in the historic district right now even though we try to make them as obscure as possible. We don't have any plan to chance the policy. We should allow them as reasonable as possible. To reduce the number of potential panels in the District, the Council did build a solar garden with preferential treatment given to properties in the historic district.)

Mr. Brewer:

It is my understanding that we did reserve that but not very many people took us up on it, so now these solar panels are on the open market. Once these are all sold out then the opportunities for properties in the conservation district will end at some point. We want to make sure the solar gardens are utilized. (Ms. Puester: Solar panels are not a permanent improvement so they can be removed when installed in the historic district.)

TOWN COUNCIL REPORT:

Mr. Brewer:

- Our last meeting was December 9, 5 weeks ago.
- Here is an update on other things, like the gas leak on Main Street. It just turned out to be a very strange occurrence where they didn't know exactly where it was leaking and has been a long process to rectify. No one knows still to this day where the leaking is occurring. Xcel Energy thinks there is a large pocket of gas leaking and they are going to vacuum it out of the ground, but a lot of uncertainty remains on how long it will take. It could be a naturally occurring event. (Mr. Schuman: I got a call that said they found the leak and that they will be closing it up tonight.) I hope that is the case, but I'm not too sure. There are still many businesses that are closed on the North end; I'm not feeling too confident that it is resolved.
- At our meeting on Dec. 9 we voted 6-1 to ratify the public vote that means that the Cannabis Club will have to move by February 2.

PRELIMINARY HEARINGS:

1) Pinewood Village 2 (MGT) PL-2014-0170, 837 Airport Road

Mr. Thompson presented a proposal to construct a new, 45-unit affordable rental apartment building. There will be 9 studio units, and 36 one-bedroom units. There will be 66 surface parking spaces for the project. The trash collection and recycling will be by way of a centralized dumpster enclosure. The exterior materials will include: natural cedar board and batten, cementitious lap siding, cultured stone veneer, heavy timber accents, and asphalt shingle roof. A material and color sample board was presented for Commission review.

Changes From the Previous Submittal

The applicant heard the concerns of the neighbors, Planning Commission, Town Council, and Staff. Hence, the applicant has revised the 2012 proposal significantly.

- The proposal has been reduced from an 81-unit affordable rental apartment project down to a 45-unit proposal.
- Density has been reduced from 61,054 sq. ft. down to 27,134 sq. ft.
- The total sq. ft. of the building(s), including hallways, stairways, and common areas has been reduced from 104,522 sq. ft. down to 33,175 sq. ft.
- The height of the building has been reduced from 54.7' (4 ½ stories) to the mean down to 36.75' (three stories).

- Two and three-bedroom units have been removed; now the proposal is for all studio and one-bedroom units.
- The previous submittal included underground parking, now all of the parking will be surface spots.
- The previous submittal was for two buildings, which has been reduced to one building.
- Previously the buildings had long unbroken rooflines, now the roofline is broken up in two spots and steps down on the edges of the building.

Policy 24R Employee Housing: Positive ten (+10) points.

Community Need: Positive six (+6) points.

Land use district 9.2: The landscape will provide adequate screening even though trees to the east won't be there.

Height / Number of Stories: Negative ten (-10) points.

Roof lines broken up: Positive one (+1) point.

Architectural Compatibility: Showed the proposed trash and recycling and bus shelter which match and the main building. Discussed the exterior treatments. Per the code the fiber cement board does not have to receive negative points if there are natural treatments too.

Cultured Stone: More than 25% per elevation of cultured stone incurs negative four (-4) points.

Location of bus shelter: Moved the bus stop to work. Positive four (+4) points for providing this shelter and pull out.

Policy 7R: Staff believes that the developer has done a good job of blending the building into the neighborhood. There is a large retaining wall in the rear of the property. Staff asked about stepping the tallest section into the hill above, but this pushes disturbance into Land Use District 1. We think it is better to have taller sections than disturb Land Use District 1. Do you believe that negative four (-4) points should be given for this?

There is also a proposal to use artificial material in the front; Versa Lock on the retaining wall. (Ms. Dudney: Is this stamped concrete or is it piece by piece?) It is piece by piece.

Policy 16 and 17: Access tees up directly across from the Rec Center, grading does work. There will be an emergency entrance provided. Pedestrian path will be put in to connect with the central Pinewood Village office. Good pedestrian access with this project. Staff is recommending positive three (+3) points. (Ms. Christopher: The sidewalk goes all the way to the bus stop?) Yes, it does go all the way to Claimjumper. Sidewalks will be all the way from Claimjumper driveway to the bus stop in Pinewood Village 1.

Landscaping: Positive four (+4) points. 103 trees total are proposed-mistake in the staff report; positive two (+2) points.

Parking: Does meet code requirements, no concerns here.

Utilities / Infrastructure: Sidewalks, 26R policy warrants positive four (+4) points.

Storage: We have asked that they look at providing more storage. Code requires 5% which the Applicant is exceeding this currently.

Recreational Opportunities: Single-track trail and outdoor area are provided; positive three (+3) points.

Snow Removal: Meets the snow storage requirement; Staff asked about removing some trees to better push snow into the retention pond.

Drainage: Engineers are reviewing this for final review.

Point Analysis: Total passing analysis of positive sixteen (+16) points.

Commissioner Questions / Comments:

Mr. Schuman: Who is putting in the sidewalk? (Mr. Thompson: Corum will be putting it along Airport

Road the entire length of their property.)

Ms. Dudney: How is cultured stone made? (Mr. Thompson: It is concrete that is dyed.)

Mr. Schroder:

Is there is precedent for gaining positive four (+4) points for a bus pullout? (Mr. Thompson: Yes, Shock Hill Master Plan Revision, and Sundowner II Condominium Remodel.) Internal circulation, they are earning positive three (+3) points; is this a precedent for positive points? (Mr. Thompson: Yes there are a few like the Breckenridge Design Center.) This seems a little funny that we are giving points for circulation. The retaining wall is our maximum multiplier maxed out on the retaining wall? (Mr. Thompson: Yes.)

Applicant Presentation:

Mr. Tim Casey: I think this is the third iteration and we are significantly down on units and number of buildings but we are pleased with how it works on the site. This is a Town Project that we have been asked to carry the ball on. We believe we have a site that works and is affordable and has the least impact. We appreciate your comments and the comments from the Community.

There were no questions for the Applicant.

Mr. Mamula opened the hearing for Public Comment:

Ms. Carol Rockne, 547 Broken Lance Drive: This project has come a long, long way and I appreciate it a lot. I have some questions. In your point analysis there is an error, there will be about 104 deciduous trees but in another location it says 63, when you have something in the point analysis and the proposal I wanted to know which will prevail. (Mr. Mamula: Once we get through the preliminary then the final we will evaluate again.) The retaining wall will be 16' tall, and then there is a trail above, is there any consideration for putting a fence there? For the construction, I'm hoping that they do things putting up outlets near the eaves that will work for the heat tape down the road. I hope the party walls will have insulation and be staggered. I hope the drainage pipes will be insulated. I really like this. Each unit will have a stacked washer and dryer? (Mr. Thompson: Yes.) That is great. Will there be some metal accents on the roof? (Mr. Thompson: Yes.) (Ms. Dudney: I'm confused on the number of trees.) (Mr. Thompson: The there are 104 trees; this will be corrected in the next staff report.)

Patrick McWilliams, Resident of Claimjumper: The south side Claimjumper residents have concerns on how near the driveway is to the south side of Claimjumper. (Mr. Thompson: Twenty feet at the closest point at the East end.) I appreciate the trees that were added, this is a wonderful new plan; I look forward to the bus stop and the sidewalk. Please put a crosswalk between Kingdom Park and these other units. Is the single track trail the one that will eventually connect to the Pence Miller trail? (Mr. Thompson: With an easement from Claimjumper.)

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

There were two questions for the Planning Commission:

- 1) Did the Planning Commission agree with Staff's preliminary point analysis?
- 2) Did the Planning Commission have other concerns or comments on the proposal?

The Planning Department believes that Pinewood Village 2, PL-2014-0170, located at 837 Airport Road, Government Lot 14, with a passing point analysis, is ready to be scheduled for a Final Hearing.

Commissioner Questions / Comments:

Mr. Schuman: Does the color hue meet the code? (Mr. Thompson: Yes.)

Mr. Mamula: Are the Freeride people ok with the stop? (Mr. Thompson: Yes, this meets the standard and the pullout was requested.) I want to make sure that the Town will service this stop. (Mr.

Thompson: From what Transit tells me, the Yellow is the busiest route, so yes, they plan on using it.) Is there a discussion about a crosswalk? (Mr. Thompson: I was told that the

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sidewalk would get you down to Pinewood Village 1 where there is a crosswalk.) I think we need to ask the Town to add a crosswalk in front of this development because people will be crossing here. You could actually remove the one in front of the library as it is moving.

Mr. Schroder: Do we want to discuss 6R broken roof lines? To me it is not interesting, I feel that it breaks

it falsely; I believe we don't offer the point.

Mr. Mamula: Is it a 50' roof line, have we allowed a 50' roof line with a clear story? (Mr. Grosshuesch:

The elevation is unfair depiction because you won't ever see it this way, the dormers and the

clear stories do break up the roof if we don't look from this vantage point.)

Mr. Lamb: I think there is precedent. (Mr. Mosher: Yes, the brewery and the distillery have this.) (Mr.

Thompson: The distillery was the most recent case of this. The Planning Commission and Staff did ask the Applicant to step down the roof lines. I think they have done a good job. The light story will add light to the third floor hallways. If this isn't positive one (+1) point, then I don't be small this.

then I don't know what is.)

Mr. Schuman: The West elevation has four dormers and the East has three dormers.

Mr. Mamula: We need to be careful of this I don't want to set precedent.

Ms. Dudney: I think it is worth positive one (+1) point because if we don't give it they could get rid of the

clear story.

Mr. Schuman: If the color meets the Town chroma then I'm fine.

Mr. Mamula: Thank you for the change.

Mr. Payne (Developer): I would like to thank the staff and the community for helping us.

Mr. Mamula: Mr. Thompson, the staff report was easy to read. I liked the past precedent references; good

job. Thank you.

COMBINED HEARINGS:

1) Re-subdivision of Tract B-2, Peak 7 Subdivision creating Public Open Space (MM) PL-2014-0164, Ski Hill Road

Mr. Mosher presented. Pursuant to the terms of the Annexation Agreement dated August 12, 2003 (Reception Number 730690, Section 5. 2.), the Applicant is required to transfer the 8.166 acre property (Tract B-4) to the Town as Public Open Space. This subdivision will codify this requirement.

In conjunction with the Peak 7 and 8 Subdivision Plan (PC#2003014) and the Peaks 7 and 8 Master Plan Annexation Agreement (Rec.# 730690), the applicant is required to transfer the subject property as Public Open Space in conjunction with applications for development permits within 5-years of the recordation of the Annexation Agreement. This transfer of this open space should have occurred in 2008, but the dedication is being processed now. Staff has no concerns.

Staff has advertised this application as a combined Preliminary and Final Hearing as the issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings. This subdivision proposal is in general compliance with the Subdivision Standards. Staff recommends approval of Tract B-2 Resubdivision creating Tract B-4 as Public Open Space, PL-2014-0164, with the presented Findings and Conditions.

Commissioner Questions / Comments: None.

Mr. Mamula opened the hearing to public comment.

Mr. Lou Cirillo, Owner of Lot 3, Peak 8 Place: The ponds above the trail (abandoned County Road 3) were maintained by Vail as well as the drainage. The ponds have failed and the drainage has failed over the years. I

want to make sure whoever going forward will be responsible to fix it. (Mr. Mosher: I believe this is outside the boundary so they will be maintained by Vail. However, I believe this will be a good opportunity with Open Space and Trails to address these concerns.)

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

Mr. Lamb made a motion to approve the Re-subdivision of Tract B-2, Peak 7 Subdivision creating Public Open Space, PL-2014-0164, Ski Hill Road, with the presented Findings and Conditions. Ms. Christopher seconded, and the motion was approved unanimously (6-0).

OTHER MATTERS:

- 1) Class C Subdivisions Fourth Quarter Report (Memo Only)
- 2) Class D Majors Fourth Quarter Report (Memo Only)

Ms. Puester presented two memos summarizing Class C Subdivisions and Class D Majors approved since the last updates to the Commission in July of 2014.

Mr. Mamula: Can we have a site visit before the new Lincoln Park Bridge Street review? (Mr. Mosher:

Yes, and I will ask the applicants to stake out some parameters of the site.)

Mr. Schuman: I have withdrawn my company's name from management for Lincoln Park so at that

meeting maybe we can discuss the conflict of interest again.

Mr. Schroder: I had a neighbor ask me who they should send comments to. (Mr. Mosher: Send it to the

Planner on the case which is me.)

Ms. Puester: Saving Places is February 4-6; if you can make it, please register yourself and then we will

reimburse you. Also, we are trying to keep the Planning website up to date under Pending Projects. Feel free to send people to that about upcoming meeting for Class As and Bs. (Mr. Grossheusch: We are a Certified Local Government from the State and one of the things they look for is Planning Commissioner training. We stay in good standing if you attend the

Saving Places conferences.)

ADJOURNMENT:

The meeting was adjourned at 8:25 pm.

Eric Mamula,	Chair



MEMORANDUM

TO: Planning Commission

FROM: Julia Puester, AICP, Senior Planner

DATE: January 13, 2015 for meeting of January 20, 2015

SUBJECT: Public Art (Policy 43) Work Session

The topic of Public Art has been on the Planning Commission Top Ten list since 2013. The concern with the Policy 43 developed when an application for a single family home in the Historic District (PC#2012020, Harris Residence, 206 S. French) proposed one positive point for public art which was to be hung on the historic barn along the alley. A copy of the policy and sections of the Arts in Public Places Master Plan is attached to this memo for reference.

The Breckenridge Public Art Commission (BPAC) reviewed the proposal and thought the art piece was appropriate. However, the BPAC did not like the location proposed by the applicant due to the lack of public accessibility and visibility. The architect then posed the question of allowing the public art piece on a different property in the same neighborhood which was more visible. In this situation, the art piece was proposed to be placed at the historic barn at 100 S. Harris or the BGV Community Center on Harris Street, about a block away from the Harris Residence on French Street. The policy states that one point may be warranted for "...art in publicly accessible areas on private property.." Although the piece was favored by the BPAC and would have had strong visibility to the public, the proposal was denied since the public art was to be located off of the development site, thus not complying with the Development Code policy.

Staff was asked to consider a policy change which would allow for one positive point for art in public places or on a more visible private property. We would like to pose the following questions to the Commission to see if there is any interest in making any alterations to the policy.

- Should one positive point be allowed for public art located off site under certain conditions?
 - o If a positive point is a consideration off site, should it be allowed on public property only or also for an acceptable private property? Should there be a distance limitation from the subject property of the development permit application?
- Should one positive point be allowed only for commercial or multi-family residential properties, thereby excluding single family and duplex developments?

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9-1-19-43A: POLICY 43 (ABSOLUTE) PUBLIC ART:

An application for a class C or class D minor development permit for the placement of public art shall be reviewed only for site function suitability, and not for content of the public art or aesthetics. The public art commission shall not review such applications unless specifically requested to do so by the planning commission. (Ord. 1, Series 2014)

9-1-19-43R: POLICY 43 (RELATIVE) PUBLIC ART:

The placement of art in public places enriches, stimulates and enhances the aesthetic experience of the town. The town's public art program is designed to complement the visual experience that is the cornerstone of the town's identity. The town recognizes and rewards the efforts of applicants who place art in publicly accessible areas on private property by providing an incentive as hereafter provided in this policy.

1 x (0/+1) A. Class A and B development permit applicants may receive a maximum of one positive point (+1) if the planning commission finds, based upon a recommendation from the public arts commission, that public art is proposed to be provided as a part of a proposed project which meets the following requirements: (Ord. 35, Series 1996)

- (1) The public art meets the site selection criteria set forth in the art in public places master plan which is a correlative document to this code.
- (2) The public art meets the artwork selection criteria set forth in the art in public places master plan which is a correlative document to this code. (Ord. 10, Series 2006)
- (3) The internal circulation of the proposed site is adequate to allow for reasonable and safe public access to the artwork.
- (4) The placement of the art on the proposed site does not result in the assessment of any negative points under other policies of this code.
- (5) The placement of the art on the proposed site complies with all applicable building and technical codes.
- (6) The applicant provides the town with adequate assurances that the artwork will be privately owned, maintained and insured.

No more than one positive point shall be awarded to an applicant under this policy regardless of the number of pieces of public art placed on the site.

All public art for which a positive point is awarded pursuant to this policy shall remain permanently on the site, unless removal or relocation of such artwork is approved by the town pursuant to either a modification of the existing development permit or the issuance of a new development permit. (Ord. 35, Series 1996)

ART IN PUBLIC PLACES MATER PLAN

IX. Positive Points for Public Art

A. PAC Review. Development permit applications will be eligible to receive positive points, if the BPAC finds that the proposed piece meets the intent of Sections VI and VII, and the monetary value of the piece proposed is appropriate for the scale of the project with regard to the valuation of the construction costs associated with the project.

Any Call to Artists that is put out to obtain a piece of public art for a positive point will include appropriate language to ensure that the public art that is selected is compatible with the mass and value of construction costs for the proposed project.

- B. Town Planning Commission Review. Public Art is also of concern to the Town from the perspective of proper siting and functional compatibility of the piece with its setting, as opposed to the aesthetic compatibility of the piece with its setting. Upon a recommendation of the BPAC that the proposal meets the criteria under Sections VI and VII, the Planning Commission may award one positive point if it finds the following siting criteria have been met as well.
 - 1. The internal circulation of the site is adequate.
 - 2. The placement of the art does not have a negative impact on the point analysis of the property's development permit (for example, it would have unacceptable consequences for circulation considerations, landscaping requirements or some other planning reason).
 - 3. All applicable Development Code provisions are complied with, including Building and Fire Codes.
 - 4. The Property owner makes adequate assurances that the artwork is to be privately owned, maintained, and insured.

VII. Artwork Selection Criteria

- A. To make the selection process more objective, the following guidelines should be followed when selecting a piece of art.
 - 1. The proposed artwork should be identified as one of the annual project priorities.
 - 2. The proposed art should meet the site selection and art selection criteria.
 - 3. The proposed art should meet the intent of the project description as appropriate to the Call to Artist process.
 - 4. To better represent the character of the community and appeal to a wide range of viewers the PAC shall strive for a diverse collection. Diversity includes:
 - a. Materials
 - b. Style
 - c. Artists
 - d. Form
 - e. Color
 - f. Content/Subject
 - 5. The PAC should consider the permanence of the artwork being proposed both physically and conceptually. Permanence includes:
 - a. Maintenance
 - b. Resistance to vandalism
 - c. Safety concerns
 - d. Timelessness
 - 6. Proposed art should be compatible with the selected site location. Compatibility with the Historic District should also be considered. Basic elements include:

- a. Scale
- b. Materials
- c. Existing Landscaping/Proposed Landscaping
- d. Existing Lighting/Proposed Lighting

VI. Site Selection Criteria

- A. In order to select site locations appropriate for public art the following guidelines should be considered.
 - 1. Locations that are easily viewed and accessible to the public.
 - 2. Locations that allow for reflection and provide a break from social activity.
 - 3. Locations that would avoid excessive visual clutter.
 - 4. Locations that are enhanced by public art (such as, the location is void of visual interest, or the addition of artwork would complete the location's visual experience).
 - 5. Locations that provide a meaningful context for the art.

Planning Commission Staff Report

Subject: Lincoln Park Master Plan Amendment (a portion of Wellington Neighborhood Phase II)

(Class A Second Preliminary Hearing; PC#2014038)

Proposal: A proposal is to amend the approved Wellington Neighborhood Phase II Master Plan

(PC#2006082). This meeting is to review modifications to the site vehicular circulation, traffic calming, pedestrian circulation and trails. This portion of the neighborhood is to be called "Lincoln Park at the Wellington Neighborhood". There is no change in the previously

approved density or uses.

Date: January 13, 2015 (For meeting of January 20, 2015)

Project Manager: Michael Mosher, Planner III

Applicants/Owner: David O'Neil, Poplar Wellington, LLC, Melissa Sherburne, AICP, Project Manager, Brynn

Grey Partners, Ltd.

Address: 710 Stables Road

Legal Description: Lots 1, 2, 3 and 4, Block 6, Wellington Neighborhood

Site Area: 63 acres (2,744,280 sq. ft.)

Land Use District: 16: Residential: Primarily affordable housing with a mixture of free market units not to

exceed 25% of the overall number of units. (4 UPA maximum)

<u>Commercial:</u> "Live-work" commercial appurtenant to the residential neighborhood.

Site Conditions:

- To the **northeast**, there is the existing Wellington Neighborhood (Phase I and a portion of Phase II), largely undeveloped land across French Creek Road, the trailhead to the Gold Run Gulch trail, National Forest Land, and a single family residence.
- To the **southeast** lie the remaining French Creek Valley, National Forest, scattered single-family homes and the Country Boy Mine.
- To the **southwest** at the toe of the hill, there are three homes from the Breckenridge Heights Subdivision (two of the homes are accessed from Stables Drive), the Lodge Pole Stables, and the Town Storage Lot.
- To the **northwest**, lie the Vista Point and Gibson Heights Subdivisions, and the Little Red School House Day Care.
- The **south** edge of the property has a 150-foot wide XCEL utility easement for the existing overhead power lines.

Density: Per Phase I Master Plan 122 SFEs

Per Phase II Master Plan 160 SFEs

Affected by this modification: (a)13.5 acres - 78 SFEs (Phase II)

(To date 204 homes have been constructed.)

Item History

Originally presented to Town Council in 1998 for annexation review, the Wellington Neighborhood was created as a 'new urbanism' neighborhood with smaller lots, alleys, tighter building setbacks, and detached garages. The benefits of this type of design are (per the Applicant):

- improved walkability,
- vehicular and pedestrian connectivity,

- quality of life,
- lower infrastructure costs,
- and better connections to public transit.

As originally presented to Town Council by the Applicant for annexation, the Wellington Neighborhood would address the early needs for affordable workforce housing in Breckenridge. The "Overall Vision" presented by the Applicant in a design handbook to the Town Council in 1998 and to the Planning Commission in 1999 proposed to:

- Provide affordable housing near downtown Breckenridge.
- Create a sense of community within the neighborhood.
- Establish a true sense of place by representing the physical design patterns of a traditional neighborhood.
- Provide needed community housing for a variety of residents.
- Give back life to the land, which has been significantly disturbed by previous destructive mining activities.
- Encourage sustainable development.

To achieve this "vision" with the annexation and to aid the development of affordable workforce housing, the Town provided sizable subsidies to the Applicant as follows;

- providing 278 SFEs of the density (except the 4 SFEs that already existed on the property) for the 282 deed-restricted *and* market rate housing units,
- waiving all annexation, planning, and building, and water tap fees for all of the deed-restricted properties, and.
- providing variances and waivers to many of the Engineering, Street, and Subdivision standards in association with the original design concepts of the Wellington Neighborhood in reliance on this vision plan being constructed for workforce housing.

Changes since the previous submittal

The applicant has requested that the Commission review and comment on the modifications to the vehicular and pedestrian circulation as the proposed design will be key to the layout of the rest of the development.

- Bridge Street has been realigned avoiding any connection to Stables Road until it meets Wellington Road. 1,800 feet long without any substantial turns.
- Right of way connections/bridges from Midnight Sun and Bridge Street are shown connecting to Bridge Street on the south side of French Creek.
- A pedestrian footbridge is shown across French Creek connecting to Central Park.
- 3-way stop signs have been added at the Wolff Lyon Road and Midnight Sun and at Logan Road and Bridge Street.
- 3-way stop signs added at Midnight Sun and Bridge Street.
- Way finding signage to direct foot traffic to the neighborhood trail system.

Staff Comments

Access / Circulation (16/A & 16/R; & 17/A):

16/A - A. Emergency Access: All developments shall provide adequate access for emergency vehicles and for those persons attempting to render emergency services.

16/R - Pedestrian Circulation: Whenever appropriate to the type and size of the development, the inclusion of a safe, efficient and convenient pedestrian circulation system is encouraged. The provision of pedestrian circulation areas adjacent to and at the same level as adjacent sidewalks is strongly encouraged.

17/A - D. Pedestrian Circulation: Development and installation of pedestrian systems which integrate with existing and future town pedestrian systems and with the systems of adjacent developments is required. This will include the provision of sidewalks, where required, and the provision of pedestrian walkways pursuant to the town trails plan. (Ord. 17, Series 1996)

Also Per the **Subdivision Standards**:

- 3. Topography and Arrangement:
 - f. Where the Town determines the street pattern for a proposed development should connect to an existing, proposed or previously laid out street or right of way, the Town may require the extension and construction of the street or right of way by the subdivider to assure a safe, efficient circulation system.
- 4. Location of Roads and Dead End Roads:
 - a. Arrangement of Roads: The arrangement of streets shall provide for the continuation of existing or proposed streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities, and/or where such continuation is compatible with the Breckenridge Comprehensive Plan.

Staff is supportive of the proposed circulation and notes that the extension and continuation of the existing right of ways and the foot bridge to Central Park is also consistent with the previously approved Master Plans.

Vehicular Connections

With the submitted vehicular and pedestrian connections, Staff believes the proposed modification to the 2006 Master Plan will ultimately be in keeping with the intent of the Development Code. Additionally, it abides with the neighborhood concept presented to the Town Council with the original annexation request. Staff supports the access and circulation plans.

At the last hearing, there were expressed concerns over possible traffic impacts, from this portion of the neighborhood. Neighbors expressed concerns about increased traffic and increased speeds resulting from this portion of the Wellington Neighborhood. The design of this phase of the neighborhood and the French Creek crossings have been anticipated and illustrated in all past Wellington Neighborhood master plans.

To address concerns expressed by the public in Phase 1 and the current Phase 2 portions of the Wellington Neighborhood, the submittal now includes traffic calming measures along Midnight Sun and Bridge Street. Where Wolff Lyon and Midnight Sun intersect and where Logan Road and Bridge Street intersect three-way stop signs are proposed. Additionally, a three-way stop is proposed where Midnight Sun and Bridge Street intersect in Lincoln Park. See attached detail drawing.

The drawings show the connection between the existing Midnight Sun and the bridge crossing French Creek not aligning. The Applicant wants to preserve the existing plant material adjacent to the bridge. This offset will aid in traffic calming, but will have a negative impact on the home opposite on Queen of the West. The Master Plan is depicting additional landscaping to buffer the impacts. The Red White and Blue Fire District will require adequate turning radii at all intersections. We will have additional detail at the next meeting.

Additionally, to aid in traffic calming along the extension of Bridge Street in Lincoln Park, crosswalk striping and added landscaping is proposed at each green. These crosswalks will connect the greens to the proposed separated sidewalk that flanks Bridge Street. This and the addition of the narrow paving section should adequately calm the traffic. (Staff notes that Logan Road is 1,200 feet long. The Town has no record of speeding problems or complaints. South Bridge Street, across the bridge, is about 2,100 feet long.) Staff is supportive of the added measures to calm the traffic along the right of ways.

The drawings show that the private alley along the southern portion of Lincoln Park terminates onto the unimproved Stable Road. Detail on this connection will be reviewed by the Engineering department with the subdivision submittal. With a length of about 1,000 feet and 13 garages shown backing onto this alley, Staff has concerns with conflicts between vehicles blindly backing out of a garage and possible speeding vehicles. Staff is

suggesting pockets of landscaping opposite the greens along this alley to provide visual breaks. The applicant has indicated that, with the next submittal, this will be addressed.

Trails and Pedestrian Connections

The applicant has provided a plan (attached) of the entire neighborhood, "Trails", that illustrates the complete trail system for the Wellington Neighborhood and how it ties into the Town's trail plans. In addition to the trail access at the end of Stables Road, the plans show 3 direct connections to the Town's existing trail along the south. It also illustrates the multiple connectivity options for residents within the neighborhood. Including the vehicular bridges, there are 5 ways for pedestrians to cross French Creek. There is also a separated sidewalk along the entire length of the extended Bridge Street. Adding to the connectivity, the applicant is also proposing way-finding signage to direct pedestrians to these connections. Staff has no concerns.

A note on the Trails Plan States:

Note:

☐ Construction of proposed connection trails to existing town of Breckenridge Trails to be a collaborate effort
between the town of Breckenridge Open Space and Trails and Wellington Neighborhood.
☐ Wellington Neighborhood will assist in the rough grading of the proposed trails. Final grading and signage will
be by the town of Breckenridge.
\Box The proposed connecting trails will be natural surface trails, 3' - 4' wide.

Town Open Space and Trails has reviewed this proposal and will agree to provide final grading and signage as long as the Applicant provides the crusher material (likely from on-site crushing of the existing cobble). Staff has no concerns.

Completion of Public Improvements per the Master Plan: As this is the final phase of the Wellington Neighborhood, there were several items and improvements committed to as part of the overall development that the Town will be seeking prior to completion of the project. Staff will include further detail and the phasing of these items at the next review.

- Improvements (stabilization, restoration, rehabilitation) along French Creek.
- Per the Amendment to Annexation Amendment 5.3 French Creek Easement: "Owner shall grant an easement to the Town over those portions of French Creek as are located within the Phase II Property to provide the town with a drainage easement for French Creek, which easement shall allow for, among other things, the Town to obtain access and have the ability to improve water quality and riparian habitat and shall be in a form and contain such terms and conditions as are mutually acceptable to the Town Attorney and Owner's attorney. In addition, Owner shall coordinate with the Town in obtaining a similar easement over those portions of French Creek has had been previously platted as private open space under the control of Wellington Neighborhood Association, if the Town request such easement from said Association."
- Creation of a "River Path".
- Improvements next to Dead Elk Pond (Shown with this Master Plan Modification as "Vern Johnson Memorial Park".)
- The Bridge Street Bus Stop on the north side of French Creek. When Bridge Street is connected to Wellington. Additional Bus Stops.
- Inclusion of a potential Day Care site. (Shown with this Master Plan Modification.)

Phasing:

Phasing for the development is still being discussed between the Town and the applicant. The applicant has indicated (in the attached memo) their desire to have the Midnight Sun bridge constructed in Phase 2 and the

Bridge Street bridge constructed in Phase 5. Overall phasing details will be further discussed at the next hearing.

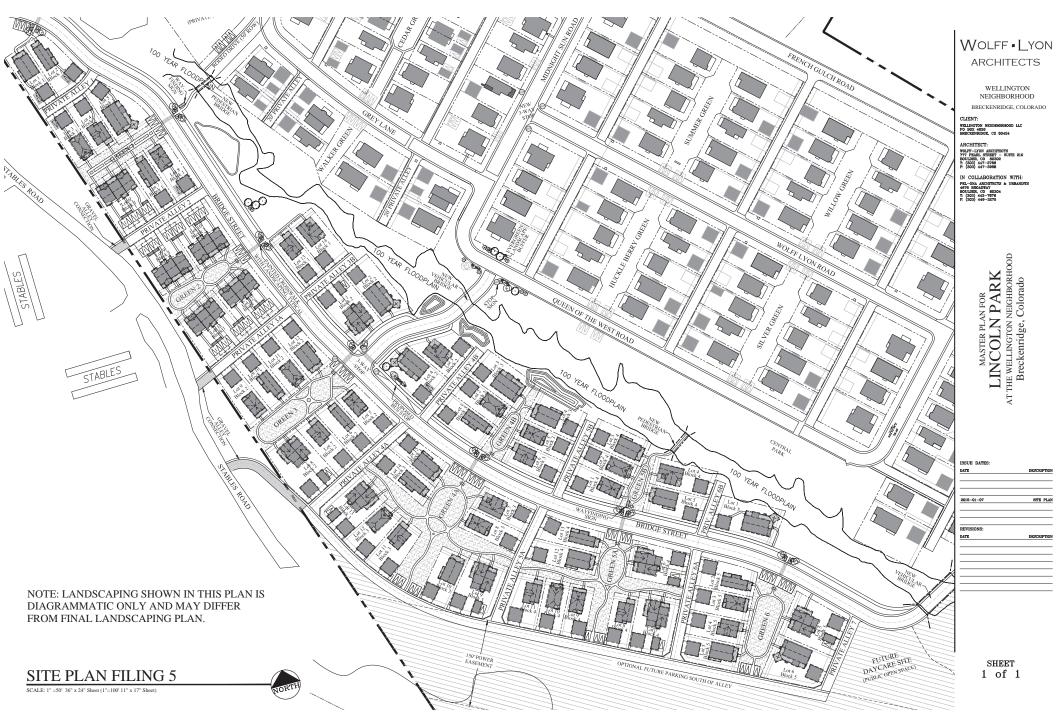
Staff Recommendation

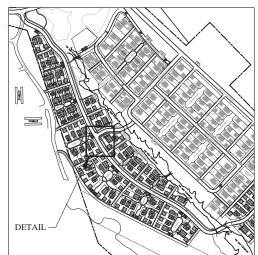
We are pleased to see the modifications to the approved 2006 Master Plan maintain many of the key components that are fundamental to the overall Wellington Neighborhood that was conveyed at annexation. We are also pleased that the concerns from the Red White and Blue Fire District have been addressed.

This report has primarily focused on the key circulation issues that will have graphical impacts on all subsequent plans. Staff has the following questions for the Commission and we welcome any additional Commissioner comments on the proposed circulation as it relates to Policies 16 and 17, Access / Circulation.

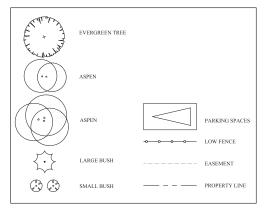
- 1. Does the Commission support the vehicular connections at Midnight Sun and Bridge Street?
- 2. Does the Commission support the traffic calming measures in the existing neighborhood and in Lincoln Park?
- 3. Does the Commission believe that traffic calming measures are needed along the south alley in Lincoln Park?
- 4. Does the Commission support the proposed inter-neighborhood pedestrian circulation and the proposed trail connections?

The applicant is seeking a final review of this Master Plan modification at the next hearing. Staff believes this may be possible if the separate agencies and the applicant can coordinate the necessary details such as the project phasing, public transportation, and the timing of the Public Improvements per the Master Plan.





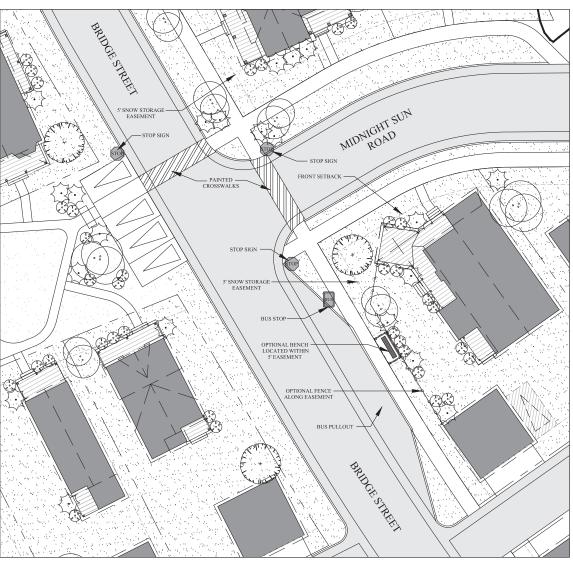




KEY TO SYMBOLS

SCALE: 1" =250' 36" x 24" Sheet (1"=500' 11" x 17" Sheet)

NOTE: LANDSCAPING SHOWN IS DIAGRAMMATIC ONLY AND MAY DIFFER FROM FINAL LANDSCAPING PLAN.



SITE PLAN DETAIL: BRIDGE STREET & MIDNIGHT SUN ROAD

SCALE: 1" =10' 36" x 24" Sheet (1"=20' 11" x 17" Sheet)



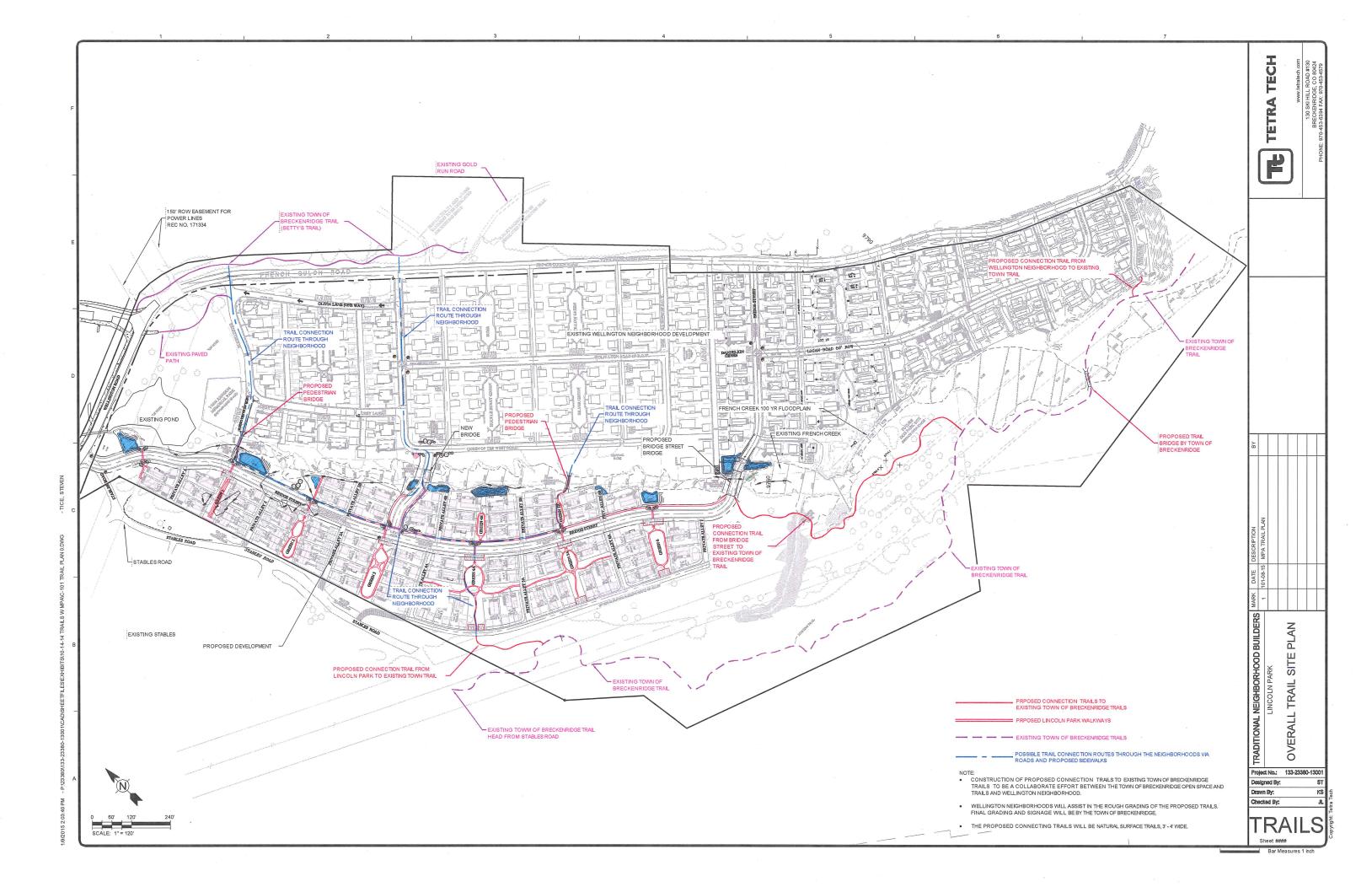
DATE

WOLFF • LYON
ARCHITECTS

WELLINGTON
NEIGHBORHOOD
BRECKENNIDGE, COLORADO

IN COLLABORATION WITH:

SITE PLAN DETAIL: INTERSECTION OF BRIDGE STREET & MIDNIGHT SUN ROAD



From: Jay Nelson [jnelson@rwbfire.org]
Sent: Tuesday, January 13, 2015 11:09 AM

To: Mosher, Mike

Subject: Re: Updated Lincoln Park Plans

Mosh,

We fully support the addition of the new vehicle bridge. We would like to ensure that the turning radius as outlined in the Town Engineering Standard is met, as the new bridge is not in line with Midnight Sun. Call if you have any questions.

Thanks,

Jay T. Nelson
Deputy Chief
Red, White and Blue Fire District
(970) 453-2474 office
(970) 453-1350 fax
www.rwbfire.org

MEMO

TO: Planning Commission FROM: Public Works Department

RE: Lincoln Park Master Plan Submittal – Circulation Review

The Engineering Department has reviewed the updated Master Plan Submittal dated 1/07/15 and has summarized comments on circulation below.

Traffic Circulation

The updated Master Plan submittal fulfills the requests of the Engineering Department by preserving the two vehicular connections to the Phases 1 & 2 of Wellington Neighborhood and adding 3 vehicular connections to Stables Road. This street arrangement provides multiple routes for vehicles traveling through the development to both disperse traffic and offer alternate routes in the event of street closures. The addition of stop signs on both Midnight Sun and the existing Bridge Street is supported to address for traffic calming concerns raised by residents in the Wellington Neighborhood.

Pedestrian Circulation

The proposed Master Plan provides sufficient pedestrian circulation with a detached sidewalk on Bridge Street, 2 additional pedestrian-only bridges to the Wellington Neighborhood, and multiple crosswalks on Bridge Street. The final location of the proposed crosswalks and landscaping in the R.O.W. will be approved during the Subdivision process. An approved maintenance plan for the sidewalks, pathways, and bridges is required prior to Subdivision approval.









Memorandum to Planning Commission, January 20^{th} , 2015

Where We Left Off...

At our last Planning Commission meeting on December 2nd, we heard great feedback from the Commission, the community and also Town Staff. There are so many important considerations for connectivity, character, neighborhood amenities and more that will make Lincoln Park an achievement. We believe that this plan reflects that input and provides thoughtful solutions for each planning challenge.

Before presenting the key refinements, we will begin with what makes this neighborhood unique, special, and appealing. Lincoln Park complements the existing Wellington Neighborhood, but is not its mirror image. The beauty of the design lies in the details, which include:

- Every home enjoys a green or access to open space.
- The departure from a strict grid design creates interest and unique spaces.
- It's highly connected for pedestrians, bikes, strollers, and vehicles through trails, bridges, alleys and streets.
- It responds to the site conditions: homes face towards the Ten Mile Range or onto intimate greens.
- It has an iconic gateway/entrance with incredible views.
- Traditional neighborhood design features continue the elements that have worked so well to build community in Wellington Phase I (front porches, narrow streets, alleys, detached garages).
- This plan responds to resident input, particularly concerning traffic, connectivity, and neighborhood character.

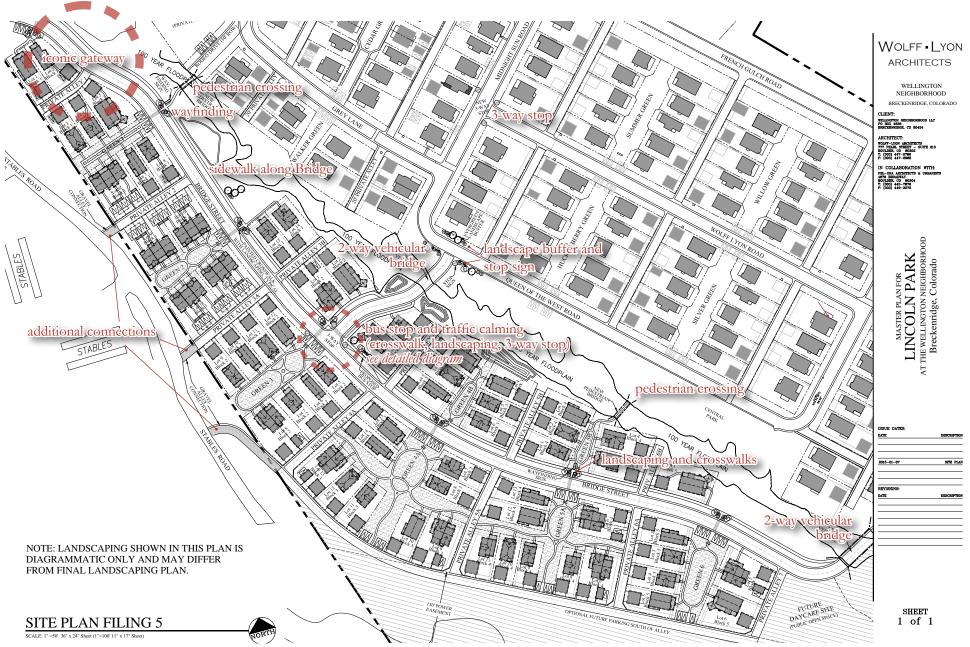
Read on to see the revised site plan, including key refinements based on input from the last meeting and follow up meetings with Town Staff.







Plan Highlights



Key Refinements (since last iteration):

- A 2-way vehicular bridge on Midnight Sun, Phase 2
- A 2-way vehicular bridge on Bridge Street, Phase 5
- A bus stop, crosswalk, and traffic calming via landscaping, a crosswalk and 3-way stop at Midnight Sun and Bridge
- Extension of the southern alley, and northsouth alleys on the west side of the site, to connect into existing unimproved Stables Road
- A sidewalk along north side of Bridge Street, with a 5' setback for all structures
- Gateway features to create identity and celebrate views upon arrival to the neighborhood
- Way-finding signs to point pedestrians in the right direction, walking from Bridge St. along Rodeo towards existing connections and Vern Johnson Park
- A creek crossing in the form of a narrow, wood, low-profile bridge in floodplain (design subject to Public Works approval)
- A landscape buffer to the north end of the Midnight Sun bridge to mitigate impacts to landowner (i.e. headlights)

- Additional stop signs and crosswalks at key locations on both sides of neighborhood, including:
 - 3-way stop at Midnight Sun and Wolff Lyon
 - Stop at Midnight Sun bridge and Queen of the West
 - 3-way stop at Bridge and Logan
 - At Stables/linkage and Bridge
 - At Bridge and Wellington

MEMORANDUM

TO: Planning Commission

FROM: Mark Truckey, Assistant Director of Community Development

SUBJECT: State of the Open Space Report

DATE: January 15, 2015 for January 20 Planning Commission Meeting

Attached please find the 2014 State of the Open Space Report. The report provides an update on the Town's Open Space and Trails program, including data on open space properties acquired and trails constructed in the last year. This is intended as an update for the Planning Commission and no action is required. Staff will be glad to field questions regarding the report.





MISSION STATEMENT:

The purpose of the Breckenridge Open Space Program is to preserve lands and trails thrugh acquisition and stewardship efforts, with the goal of maintaining the unique more tain character of the Upper Blue Basin and our community's quality of life.

Open Space Program At a Glance

1996

Breckenridge voters approve 0.5% sales tax to fund open space acquisitions & management

\$19,300,933

Funds used to date for open space acquisitions

\$11,347,168

Funds contributed by Summit County Government towards joint purchases of open space

\$240,000

Price of the Swan River Placer (AKA, the Sanitation District Parcel), the program's first purchase.

148

Size in acres of the Golden Gate Placer, the first joint purchase with Summit County Open Space

2000

Year the Cucumber Gulch Overlay Protection District was adopted

1,683

Number of acres jointly purchased with Summit County through the B&B Mines acquisition, the program's largest

6

Number of seasonal Town Trail Crew staff charged with maintaining the extensive trail network providing public access to our open space properties

108

otal number of all open space acquisitions

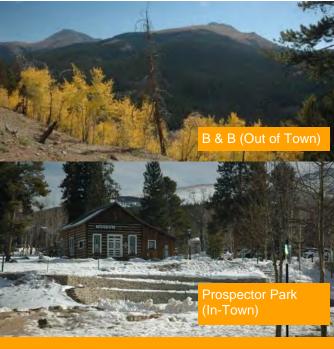
4,544

Total number of acres protected as open space

Open Space Acquisitions

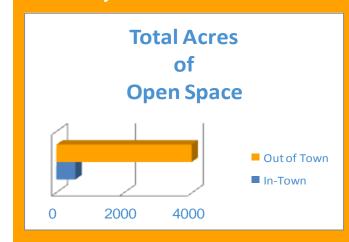
In 1996, a voter initiative passed which dedicated a 0.5% Town sales tax to open space acquisition and management. In the 18 years since its adoption, the Town's open space program has acquired a total of **4,425 acres** of property through purchases, land trades, dedications and joint purchases with Summit County Government. Of the 4,425 acres, 3,884 acres have been purchased and 541 acres have been acquired through land trades and dedications.

	Town & County Jointly Purchased Acres	Town Purchased Acres
Pre-1997	13.68	105.08
1997	171.55	15.5
1998	80.81	63.86
1999	153.69	19.33
2000	34.95	225.67
2001	610.68	10.94
2002	87.47	40.05
2003	38.72	62.02
2004	59.23	154.83
2005	1854.75	2.89
2006	0	6.85
2007	64.83	11.19
2008	27.44	3.64
2009	65.58	7.62
2010	73.78	-
2011	124.29	-
2012	86.25	-
2013	69	5
2014	196	-



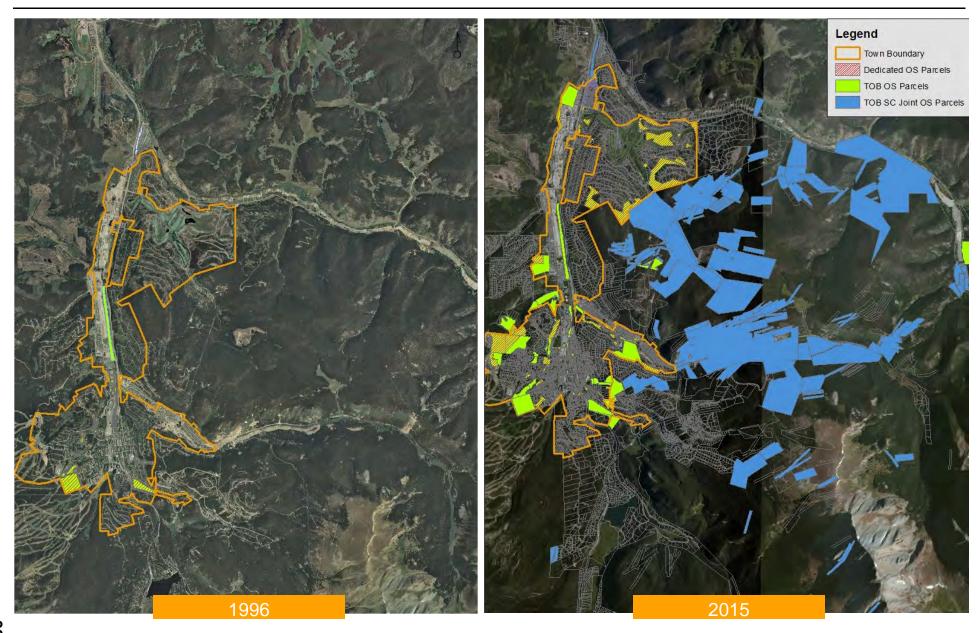
Did You Know?

The majority of open space acquisitions have been located outside of Town limits (3,984 acres out of Town versus 560 acres in-Town). The development philosophy in the Joint Upper Blue Master Plan focuses development in the core of Town and minimizes development in the surrounding backcountry.



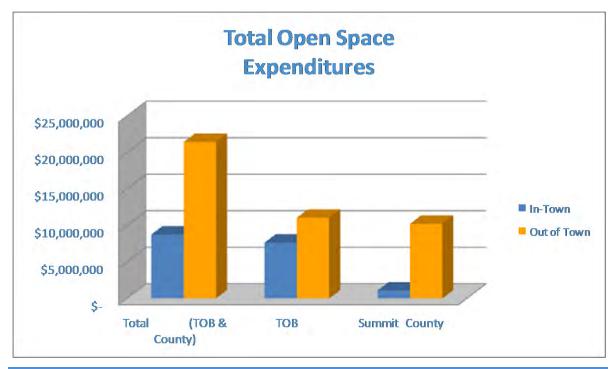
Open Space Comparison 1996 and 2015

Prior to the establishment of the Open Space program in 1997, the Town owned **119 acres** of open space. Today, the program manages **4,544 acres** of open space, **3,784 acres** of which was jointly acquired with Summit Count Government. A number of the joint purchases lie just outside the Town boundary.

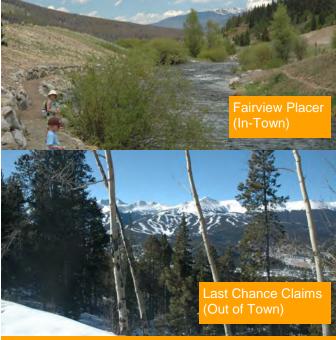


Acquisition Expenditures

The Town has spent \$19,300,933 on open space acquisitions since the start of the Open Space Program. Of this amount, \$8,358,556 (43%) has been used for in-Town acquisitions and \$10,942,377 (57%) has been used for out of Town acquisitions.



	Total (TOB & County)	тов	Summit County	
In-Town	\$9,468,556	\$8,358,556	\$1,110,000	
Out of Town	\$21,179,545	\$10,942,377	\$10,237,168	
Total	\$30,648,101	\$19,300,933	\$11,347,168 *	
	*This is total amount Summit the Upper Blue Basin, Summi		• •	



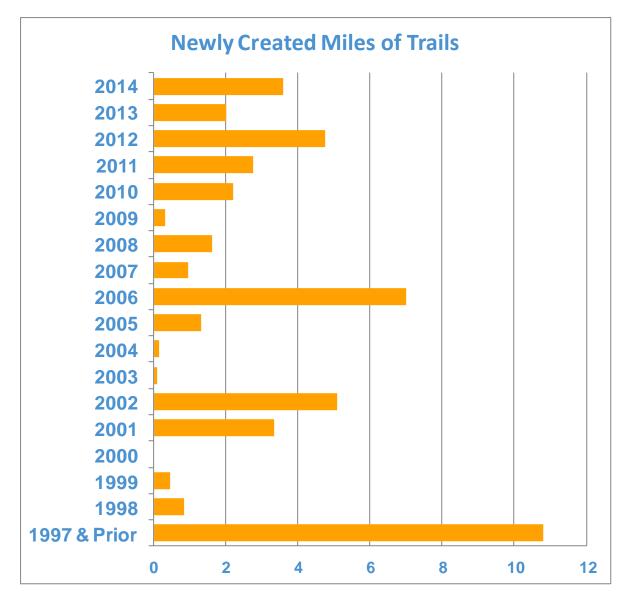
Did You Know?

On a price-per-acre basis, in-Town acquisitions are substantially more expensive (\$59,928 per acre) than out of Town acquisitions (\$5,684 per acre). Of the 560 in-Town acres acquired, only 158 have been purchased.



Trails

Prior to the establishment of the Open Space program in 1997 the Town managed **10.8 miles** of trails. Today the program manages **47.3 miles** of multi-use trails.





Did You Know?

In addition to the Town maintained network of trails, over 100 miles of designated trails can be connected to on nearby National Forest lands. Taken together, this trail network is one of the largest and most diverse in the country.

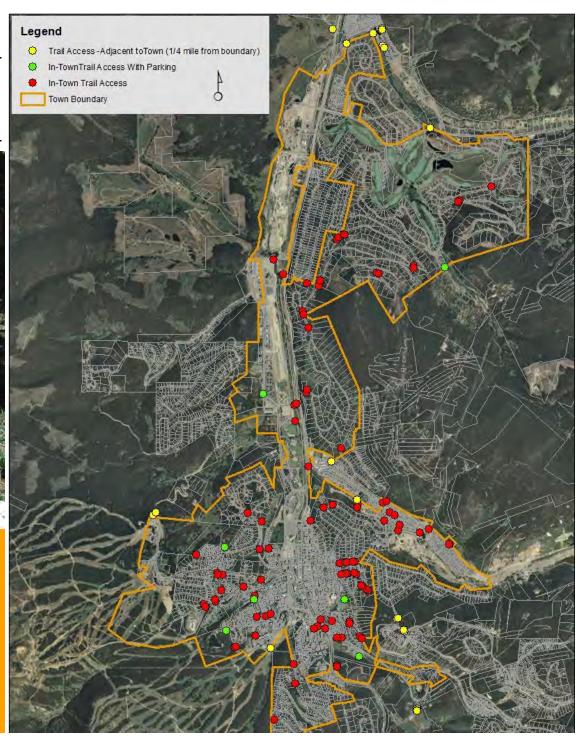
Trail Access

The Open Space program provides 120 trail access portals located within the Town or within 1/4 mile of its boundary. The numerous portals provide convenient, legal access to Town-maintained trails.



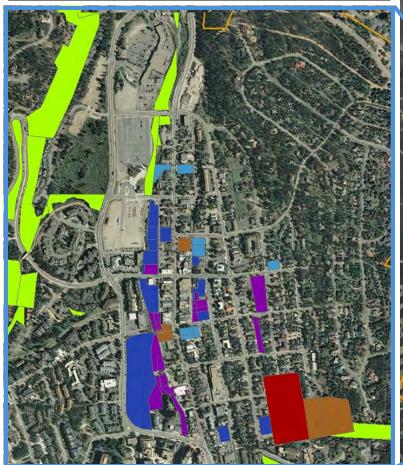
Did You Know?

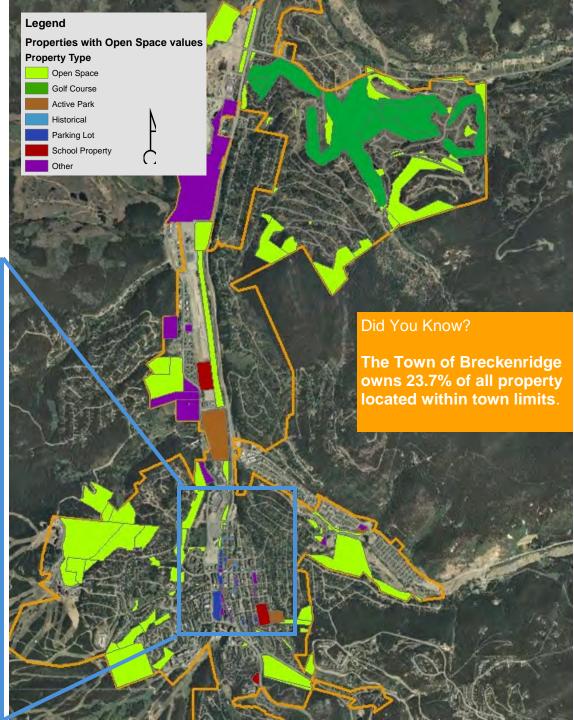
80% of all in-Town properties are within 1/4 mile of a Town maintained trail access portal.



Other In-Town Properties with Open Space Values

Other community properties not managed by the open space program offer open space values such as relief from development, active park space, private open space and visual backdrop. Examples of properties that exhibit these qualities include historical sites, school properties, active parks, and the golf course. Many of the in-Town open space parcels were dedicated through the development permit process.



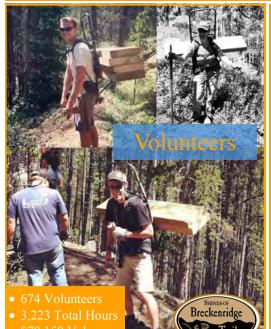


2014 Accomplishments













New Trails & Realignments (3.6 miles)

- Aspen Alley Trai
- B-Line Trail

- Turk's Trail
- Wire Patch Trail
- ZL Trail



In 2014, the Open Space program's budgeted revenues were \$2,495,177.

