

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Gretchen Dudney Jim Lamb
Ron Schuman Eric Mamula Dan Schroder

Dave Pringle arrived at 7:03pm.

Wendy Wolfe, Town Council Liaison

Also in attendance was Ben Brewer, Town Councilman

APPROVAL OF MINUTES

With no changes, the April 7, 2015, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

With no changes, the April 21, 2015, Planning Commission Agenda was approved as presented.

CONSENT CALENDAR:

- 1) Hawks Hideaway (SG) PL-2015-0057, 86 New England Drive
- 2) Liberato Residence Addition (MGT) PL-2015-0065, 220 Royal Tiger Road

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

TOWN COUNCIL REPORT:

Ms. Wolfe and Mr. Brewer:

- Ms. Wolfe is the new Town representative for Planning Commission, but since she missed the last Town Council meeting Mr. Brewer updated Planning Commission and thanked the Planning Commission for the collaborative work over the past year.
- Discussed off street parking ordinance. Council had some questions, but didn't weigh in very heavily one way or another. Questioned why circular driveways are frowned upon and staff did a good job explaining why and Council was not concerned. Passed at first reading.
- Appointed the three returning candidates to BOSAC out of five great candidates.
- John Warner appointed Town Council members to their new committees. Mr. Brewer is off to sustainability, childcare and grants and Ms. Wolfe is on Planning Commission.
- In regard to the Wellington Neighborhood, there were only 4 members of Council who could vote and they voted unanimously to call up the Wellington Neighborhood master plan. Elizabeth Lawrence and Ben Brewer couldn't vote because they were on the list to buy a house in Lincoln Park, but now Elizabeth is buying a house in the existing neighborhood so there may be more voting Town Council members who can weigh in on the discussion.
- This will be the first call up that Mr. Brewer has experienced as a Council Member. The Planning Commission decision is completely vacated and Council hears the issues again to decide. The bulk of the Planning Commission's work will probably stay in place. Effectively the Town Council will become the Planning Commission in theory on this project now, hearing it all over again. The only thing that is really being considered for change is the phasing for the master plan. You made two decisions: the master plan and the points. The Call Up is next Tuesday at Town Council; it is a public hearing meeting so anyone can attend including Planning Commissioners.

COMBINED HEARINGS:

- 1) Shock Hill Overlook Master Plan Modification (MM) PL-2014-0174, 260 Shock Hill Drive

This project was presented at the April 7 meeting, and public comment was taken at that time. For this meeting, we will just hear final comments from the Commission, and then proceed to a vote on the project.

Commissioner Questions / Comments:

- Mr. Schroder: Since I was absent last meeting it I would like it to be noted that I read the meeting minutes and listened to the last meeting on tape as well as the executive session and read the staff reports.
- Mr. Mamula: I did the same and also spoke to Julia Puester and asked her some questions.
- Ms. Dudney: Question for the staff: was there a resolution to the issue of contemporary architecture? It seemed that the applicant said that it may be contemporary but this seemed like something that the neighborhood did not want. (Ms. Puester: I haven't had any other discussions with the applicant since the last meeting. We will be reviewing development permit application per the Development code policies for Architectural compatibility 5/A and 5/R.) There was also a concern about restricting the numbers of future building of duplex homes/ cluster single family. (Ms. Puester: No further discussions have occurred, but the master plan does allow for both duplex homes and single family as presented without specification of numbers of which type.)
- Ms. Christopher: During the last meeting, we said we would like to see 3 of those homes remain single family but Mr. Moser said you can't do that. (Ms. Puester: The Master Plan as presented would allow the applicant to change the type of housing between duplex and cluster single family homes which would likely happen based on market conditions. The intent of the master plan is not to be a site specific plan. That said, a master plan modification could specify the number of a type of structure such as single family or duplex if the applicant agreed however, again, you would not be locating specifically on the site.) (Mr. Berry: You can't ask the applicants a question at this point in the hearing). I don't think that the exact location was important but I would like to see a number of single family residences and duplex units.
- Ms. Dudney: The Master Plan allows for modifications for the future as long as it complies with density.

Commissioner Final Comments:

- Mr. Pringle: I understand the concerns of the neighbors and Shock Hill residences and I personally may share some of them, but I'm looking at plans tonight that comply with all of the Town requirements.
- Ms. Dudney: I agree with Mr. Pringle. The issue of viability came up and that is not relevant to the Commission decision. The issue with density which we received a legal opinion on it is allowable to use the density even though the uses have changed. Given that, I have to approve the plan. It is too bad that we can't stipulate the three single family homes as shown at this point, but that is the way a Master Plan operates. If they decide to come back and modify it this issue, it can be discussed again. The final issue is the guidelines of the HOA of which we have no control or role in relationship to promises to the HOA. I will vote to approve the Master Plan.
- Mr. Pringle: I didn't get the decision in the packet.
- Mr. Mamula: It came as a separate e-mail (read it now).
- Mr. Lamb: I agree that the economic viability and the HOA Design Standards is something we can't address. This meets code.
- Ms. Christopher: I really like how the development is set up to be heavy on one side and preserves the Cucumber Gulch. I encourage the applicant to build the three single families.
- Mr. Schroder: It meets the code and I support what has been presented by staff.
- Mr. Schuman: I want to thank everyone for their time and effort in being present at these meetings. I do approve this.
- Mr. Mamula: I want to thank Ms. Christopher for doing a good job in my absence last meeting. The applicant is allowed two units per acre, even with the 60 SFE's currently allowed on this property, this is under the 2 UPA for the entire subdivision. The plat going back to 1998 has this site shown as a multi-family and a lodge with 60 SFEs plus. The Master Plan and the

land use guidelines are satisfied. As for density, the 60.7 SFEs has been slated since the original Master Plan. I applaud that there is reduced density and commercial SFEs on this property. This plan has 50,000 sq. ft as compared to 96,000 sq. ft. currently approved as a lodge. This is similar UPA's to Shock Hill Condos and Landing next door and from the Gulch there is a height reduction of 55 feet to 35 feet. It's rare we get to see a reduction in density and this meets a goal of the JUMP (Joint Upper Blue Master Plan). I have a concern about the ridgeline. Sites 3, 4, 5 should come back as Class C's and I ask the Planning Staff to keep this in mind as permit come in. I think it is important that we get a close look at those potential locations. Water monitoring needs to be noted and called out as it is important, it's already a condition here. I understand that a lot of people want a lodge but that is not within our scope. I see no way that the Planning Commission can deny this plan.

- Mr. Pringle: I have one question, in the original drawing of Shock Hill subdivision was there ever a change to Tract E and the ridgeline and the subsequent PMA with a greater set back?
- Mr. Mamula: No I don't think so because with the subdivision of E1 and E2 this is a greater setback than before. The Cucumber Overlay District was done after it was already platted.

Mr. Pringle made a motion to approve the Shock Hill Overlook Master Plan Modification, (an amendment of Tract E of the 2007 Second Amended Shock Hill Master Plan for the Shock Hill Subdivision Property), PL-2014-0174, 260 Shock Hill Drive, with the point analysis and Findings and Conditions Mr. Berry sent under separate cover. Mr. Lamb seconded, and the motion was carried unanimously (7-0).

2) Shock Hill Overlook Subdivision (MM) PL-2014-0175, 260 Shock Hill Drive

This project was presented at the April 7 meeting, and public comment was taken at that time. For this meeting, we will just hear final comments from the Commission, and then proceed to a vote on the project.

Commissioner Final Comments:

- Mr. Pringle: My only question is that the PMA regulations are being addressed with this subdivision. (Ms. Puester: It complies and would comply with development per code.)
- Ms. Dudney: No comment.
- Mr. Lamb: No comment.
- Ms. Christopher: No comment.
- Ms. Schroder: No comment.
- Mr. Schuman: No comment.
- Mr. Mamula: No comment.

Mr. Pringle made a motion to approve the Shock Hill Overlook Subdivision, P6-2014-175, 260 Shock Hill Drive, with the presented point analysis and findings and conditions. Mr. Lamb seconded, and the motion was carried unanimously (7-0).

- Ms. Dudney: Is the opinion of the findings and conditions public, the email that we received?
- Mr. Mamula: Yes, it is public record. (Mr. Berry handed out the finding and conditions to interested parties).

TOWN PROJECT HEARINGS:

1) Summit County Recycling Center Drop Off (JP) PL-2015-0051, 284 Coyne Valley Road

(The Agenda listed the plan case incorrectly. The correct plan case for this project is PL-2015-0051.)

Ms. Puester presented a proposal to construct a new, twenty four hour recycling center drop off facility to replace the existing facility on County Road 450. 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 and make a recommendation to the Town Council.

Staff suggested that the Planning Commission recommend approval of the Summit County Recycling Center Drop Off (PL-2015-0051) located at 284 Coyne Valley Road with a passing point analysis of zero (0) points and the presented Findings. Staff welcomed questions from the Commission.

Mr. Mamula opened the hearing to public comment. He acknowledged a letter received from May Siekman Whatley and asked her if she would like to come to the podium to add to the letter. Declining, there was no public comment and the hearing was closed.

Commissioner Questions / Comments:

Ms. Dudney: Is the picture that shows simulated landscaping is that the truly the plan? (The Applicant explained the process of simulating. 6-12' tall trees are shown which is what they are proposing to plant upfront.) Is this possible to receive positive points if they bump up the number of deciduous trees? (Ms. Puester: Yes, if the size of the deciduous trees get larger. Have not addressed this with the applicant).

Ms. Christopher: Is the pedestrian walkway the same grade as the parking? (Ms. Puester: Yes.)

Mr. Schuman: Are you looking for any electricity? (Ms. Puester: Will let the applicant address that.)

Mr. Mamula: Can you explain the 30" wall in the front? (Ms. Puester: It is 30" high drop at the container side and it is a 3'5" tall wall total.)

Ms. Christopher: Will people be stepping up on the wall lip to drop off recyclables?

Applicant Presentation:

Mr. Don Leinweber, Engineer for the Applicant: The 30" drop on the back is with a 1'5" curb on pedestrian side. The 30" is so that it doesn't meet a building code condition for a handrail. We have open at grade access from the parking spaces; there would be no restriction on the site if someone is walking around it carrying recyclables. No trip hazard.

Mr. Leinweber: This is a scaled back version from the earlier plan and serves the recycling function. At the current location there is a lot of conflict for emptying the dumpsters so that was as a priority for designing this site. We over did the snow storage on purpose to show us internally how Aaron's staff can manage it. The fence is very important for Mr. Burn and his staff. Drainage and Water Quality, we worked on a specific site here where it is more industrial.

Commissioner Questions / Comments:

Mr. Pringle: Are you intending to have recycling for oil and how are we going to address spillage since this is adjacent to Blue River? (Mr. Burn: We are considering stopping the oil recycling here. Oil is not something we want to do here moving forward; we do have containment issues. We are seeing large quantities of oil; our intentions are to propose the existing recycling here without the oil.) The fence in front; since the wind comes from the north and northwest, I think it will be beneficial to have a 4 foot fence behind the landscaping also on the south side for trapping the trash. I use the recycling centers and I really like the one in Frisco. I don't know who made the decision to not have lighting. I think it is important to have some even though it should be low.

Ms. Dudney: I think Mr. Pringle makes excellent points.

Mr. Schuman: I do agree with the electricity and lighting. The corner at Airport; are you going to rebuild the entire corner to make it a four way stop? (Mr. Leinweber: Yes, the plan is to make it four way stop and I'd like to see it squared up, the cut is too big right now and tightening it up will make movements safer. On the utility question, we will need to run power for the irrigation system, so there will be a small amount of electricity for now. We did talk about low level pedestrian scale lighting but not proposed here. We may have compacting cardboard dumpsters down the road.)

Mr. Mamula: Please explain the wall. (Mr. Leinweber: At the County Road 450 site, there is a platform

between the dumpsters. With the wall proposed, you can effectively walk up and dump your recyclables. It is a 1' 6" wall on the front and 30" wall on the back by the dumpsters. It will have a structural concrete design with a full footing; it is an engineered retaining wall. One and a half foot curb on the front and screened by the dumpsters on the backside.) Could you stain the concrete? What will stop me from parking in the no parking area? (Mr. Leinweber: Nothing except your good conscience. The issue with putting a curb there is that it becomes a nightmare for snow removal. And we would need one handicap spot but we felt that was restrictive. We feel this is a good compromise, we will do our best to stripe it.) (Mr. Burn: The curb setup, I went to the Breckenridge recycling area and watched people carry so much that they couldn't see where they were walking and I didn't want there to be a trip hazard.) Vehicle / pedestrian conflicts would still be there even if we had a curb. What about bear proofing preventative measures? (Mr. Burn: We have not had any bear issues because recycling is clean at the existing Frisco and Breckenridge sites.)

Mr. Pringle: Are there going to be any duplications of recycling dumpsters? If I had to go to multiple dumpsters, honestly I would move my car. (Mr. Burn: We have more capacity here and we want to move the cans so that it can be as efficient as possible. We will be doubling the capacity of our most popular recyclables. We will be open 24 hours a day, 7 days a week.)

Ms. Dudney: What do you think about the winds blowing and the trash issue? (Mr. Thad Knoll, Assistant Summit County Manager: We originally proposed a fence all the way around and the Town Council said no fence. Yes, a fence is better for trapping trash.) If the Town Council doesn't want to add the fence now for budgetary or aesthetics, could a fence be added later? (Mr. Burn: Yes, we could add the fence later if needed, on the south side of the ditch.)

Ms. Christopher: Has the Town considered putting a regular trash dumpster at the recycling center? Because guests at condos don't have a place to put their trash. (Mr. Burn: Unmanned site, having that access that trash is accepted, we would see trash at that site 7 days a week and a potential bear issue.) There is a problem I see at the Welcome Center that guests are putting trash into the trashcans on the street. (Mr. Knoll: This is a big problem everywhere, but it is the responsibility of the guest.) (Mr. Leinweber: This would be tough.) The fence goes around the back of the property.

Mr. Lamb: I like Ms. Christopher's idea to have trash receptacle but you will have bears and a mess. The existing site doesn't have lighting and it seems to be functioning well without it. I think the screening is good and the layout. I like the size, I think this will work much better.

Mr. Pringle: I appreciate that the landfill is open on Saturday now, because town cleanup day is an issue without a place to put trash. I think we need to be proactive with having a location for oil. People will need to get rid of it. I do recycle late at night and I do like having it lit. The Frisco site is lit with nearby ambient light so I'm a proponent for some sort of subtle lighting even if it is solar. I think that if you put a 4' fence behind the front landscaping that would go a long way to trap the trash and as trees mature they will cover up the fence. I'm looking at the alignment and I don't have a good suggestion except for the barn fence non-defined parking situation; I hope we are not encouraging people to get in their cars and moving down to different spots to recycle. I think it is great. Why can't we find some way to get a fee to pay for this?

Ms. Dudney: No comments; I would encourage the Town Council to approve.

Ms. Christopher: I agree with Mr. Pringle to encourage some lighting and the fence.

Mr. Schroder: I support the project. Staff asked us if we had any issue with policy 7/R with that wall design and I say no concerns.

Mr. Schuman: I don't think policy 7/R applies here. I think it needs electricity. I think it needs better fencing; maybe a public art contest to make the fence look better? I don't think we should have a fee; I pay enough taxes.

Mr. Mamula: I would like to see the concrete wall stained but I'm the only one on that. I think the Council should think about the fence again because I'm worried about the trash blowing. I would like

to see lighting here and would like the oil stay at the landfill. I would like to see you put some cameras up; whether they work or not they will keep people from leaving items that they shouldn't be.

Mr. Pringle made a motion to recommend the Town Council approve the Summit County Recycling Center Drop Off, PL-2015-0052, 284 Coyne Valley Road Town Project, with the presented Findings. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

OTHER:

- 1) Class C Subdivisions Approved for Q1, 2015 (JP) (Memo Only)
- 2) Class D Majors Approved for Q1, 2015 (JP) (Memo Only)

Commissioner Questions / Comments:

No questions or comments.

- 3) Staff Update: Ms. Puester noted that on May 13th, 2015, there would be a County wide Planning Commission training event presented by DOLA from 5:00-7:30pm in Frisco. Location to be announced. Light dinner will be served. Please let Ms. Puester or Ms. Brewster know if you plan to attend. A reminder will be sent out.

ADJOURNMENT:

The meeting was adjourned at 8:38pm.

Eric Mamula, Chair