

## PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

### ROLL CALL

Kate Christopher            Jim Lamb                    Ron Schuman  
Gretchen Dudney         Dan Schroder             Dave Pringle  
Wendy Wolfe, Town Council Liaison  
Mr. Mamula was absent.

### APPROVAL OF MINUTES

With no changes, the August 4, 2015, Planning Commission Minutes were approved as presented.

### APPROVAL OF AGENDA

With no changes, the August 18, 2015, Planning Commission Agenda was approved as presented.

### CONSENT CALENDAR:

1) First Breckenridge Group Master Sign Plan (MGT) PL-2015-0341, 1795 & 1805 Airport Road  
With no requests for call up, the Consent Calendar was approved as presented.

### WORKSESSIONS:

1) Temporary Tents (JP)

Mr. Truckey presented on behalf of Ms. Puester. The last update to the Temporary Structures ordinance was approved by the Town Council on April 8, 2014. That modification did not address temporary tents which were to be discussed further at a later time.

Recently, staff saw a request from Breckenridge Grand Vacations for a private function with a tent for thirty (30) plus days in duration which could not be approved under the current policy. There is a lack of detail in the Temporary Structures Policy as well as the Town Code Special Events Chapter (Chapter 13, Title 4-attached) for such private events, not allowing such tents. Currently, tents are not allowed either inside or outside of the Conservation District unless a permit has been issued per the Special Events Chapter (which applies only to public events).

The Planning Commission held work sessions on June 16 and July 21 and most recently, the Planning Commission discussed this topic at their July 28<sup>th</sup> annual joint work session with the Town Council. At those meetings, the following changes to the policy have been discussed with consensus:

- *In the Conservation District:* A 5 day limit for private event tents with a Class D minor permit, 30 days in between permit issuance, not to exceed 3 permits per year.
- *Outside of the Conservation District:* The Commission was not as concerned with the area outside the Conservation District as properties tend to be larger and do not have the historic character of the commercial core, which is protected by strong design standards. For the majority of properties, a 5 day limit for tents with a Class D minor permit, 30 days in between permit issuance, not to exceed 3 permits per year, was supported.
- *Permit reclassification clause:* To address concerns that may be property location specific, staff has included subsection (G) which allows the director to reclassify applications when deemed appropriate, and requires them to come before the Planning Commission with public notice required.

The following changes proposed to the policy which require Planning Commission input include:

- *Arts District and non-profit/Barney Ford Museum (In the Conservation District):* The Commission and Council seemed to generally support allowing more than three annual private events on public property,

such as weddings (based on past Council discussion during the design and planning phase of the Arts District and Old Masonic Hall). Staff would like confirmation from the Commission on this.

- *Seasonal Tents Outside of the Conservation District:* For large lots with a large number of lodging units (residential SFEs) outside of the District, such as Beaver Run, Breckenridge Grand Vacations, Vail Resorts, etc. support was voiced to allow for private events for up to 4 months between the end of ski season and the start of ski season, 1 per year with a Class C permit *or* up to 2 times per year for 45 days during between the end of ski season and the start of ski season with a Class C permit. (Note: The previously proposed grandfather clause was removed and replaced with this methodology). Staff has provided a chart below with larger lodging properties outside of the District. Staff had proposed the allowance for properties with a minimum of 50 residential SFEs and 4-acres minimum in size. The acreage limitation was added to allow properties which have more land area for tents which would not be adjacent to neighboring properties, or on required parking or landscaping. After reviewing further, staff suggests a minimum of 50 SFEs or 4 acres in size. Some properties, such as One Ski Hill Place, meet one but not both criteria. Staff would like the Planning Commission to weigh in on this.
- *Shade Tents:* A question was raised at the work sessions regarding shade tents for people at the Peak 8 Fun Park and Main Street Station. Staff has added a definition of shade tent and clarified under (1)(D) that shade tents will remain as an allowed use not to exceed 400 square feet.

Staff would like to hear any comments or concerns, specifically on the Arts District, Seasonal Tents and Shade Tents.

*Commissioner Questions / Comments:*

- Mr. Schroder: One Ski Hill Place owns the plaza also? (Mr. Truckey: Vail Resorts owns all of the plaza too, but their site acreage, because of the way it is platted, is smaller than four acres. We suggest either having four acres or 50 SFEs as a criteria. , The Planning Commission will see any of these tents that are proposed because they are Class C applications.)
- Mr. Schuman: Agrees with staff, using 50 units or 4 acres is a better solution to the wording than using “and”. This is a good re-work, but more will come along requiring a change. Barney Ford/Arts District tents could occur more often. (Mr. Truckey: We are working with BreckCreate and the Breckenridge Heritage Alliance to work out these details.)
- Mr. Pringle: Perhaps we should take a big event tent like the ski area and Beaver Run add as a minor modification to their development permit. Don’t grant a variance, but make part of application. Make sure the tent is not associated with specific part; say the bar at the facility, but the whole facility. (Mr. Truckey: The proposed Class C process for these larger tents will essentially accomplish the same thing. The proposed tents will need to demonstrate that they aren’t blocking circulation or impacting parking or landscaping.) Let’s showcase the Historic District.
- Mr. Lamb: We have not thought of everything, but this is a good start. Want to preserve the concept and quality of the Arts District. Any tent that stays up for a long time gets pretty beat up too.
- Ms. Christopher: Is the Main Street Station Band tent using the “Shade Tent” acceptable? (Mr. Truckey: Yes, provided there are no commercial transactions occurring in the tent.) The Historic District is a “bright shiny apple” and the tents should be used sparingly to preserve the district.
- Ms. Wolfe: Remember the evolution of the Barney Ford tent. The lawn is important to the Theobalds, and the length of the tent being up is a function of preserving the lawn. It is an important lawn. If the lawn is not green you don’t want to be there.
- Ms. Dudney: There is no limitation for Town tents. Let’s wait and see if the Arts District needs any limitation before we define some. It could distract from the District if a tent is up all the time.
- Mr. Pringle: The Arts District tent may stand all summer long and would impact the look of the Arts District. (Mr. Truckey: It is exempt from a time limit. We will be discussing this further with Robb Woulfe at the Arts District.) (Mr. Thompson: A small tent is up now for the Arts

Festival.) (Mr. Grosshuesch: Leaving a tent up costs money. The plaza in the Arts District was planned as an event plaza and a tent was expected. The intent was to animate the space with bands and other outside events. This may impact the ability to book events there. The Town can still control the scheduling.)

Ms. Christopher: If these events in the plaza run back to back with private events, the tent may stand up in the space for a longer duration.

Mr. Pringle: I agree with Ms. Christopher's concerns. The events may run together to leave the tent up. Be careful of how this goes forward.

Ms. Dudney: Let's wait and see what happens.

Ms. Wolfe: An empty tent is a problem. It needs to be animated if it is up.

Ms. Christopher opened the worksession to public comment.

Mr. Jeff Zimmerman, Breckenridge Ski Resort: There are lots of different tents you will have to deal with! The fun park operation has a shade tent that is part of the master plan. Plus, "cool-a-roos" or smaller tents to simply cool people off from the sun. Is a Class C permit required annually for any tent? (Mr. Truckey: No, just for the larger tents. Smaller shade tents are exempt.) (Ms. Dudney: The large tents have a time limitation. [Explained the different tents to Mr. Zimmerman.]

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

#### **TOWN COUNCIL REPORT:**

Ms. Wolfe:

- Camping ordinance was discussed. There is even camping around the Riverwalk. We are adding definitions to give police more leeway. Ballot issue about the admissions tax. The community rumors that this tax would go to a plethora of other activities. The Council is restricting this to Ski Area activities. This will be a "Ski Area Admissions Tax" for all events associated with summer and winter activities. The Metro District is already in place for the Ski Area. 4.5% is the decided amount, mirroring the Town's. This will go forward as a Resolution requiring only one hearing. The use is for Parking, Transit, and incidental associated with transit and parking, like management, bus shelters, etc. (Mr. Pringle: The non-town survey indicates that the funds will be use for other things beside parking and transit.) This is incorrect. We are disappointed in the survey.
- Tim Gagen announced his retirement and will work until May of 2016. Rick Holman is next Town Manager as of January 1st. The Town is fortunate that the Town has solid "succession planning", which allows Rick to move into the role with solid experience. (Mr. Pringle: Was there discussion about hiring from outside?) This was discussed. Having someone familiar with the community and the environment is a big factor. We felt, at this time, this was the best choice. (Mr. Lamb: I agree. Finding a "Rock Star" can be very difficult and expensive.)

#### **OTHER:**

1) Wakefield Sawmill Landmarking (CK) PL-2015-0351; 775 Boreas Pass Road

Mr. Kulick presented an application to locally landmark the Wakefield Sawmill Historic Site. The site is an interpretive park, which is owned by the Town of Breckenridge and operated by the Breckenridge Heritage Alliance. The property is at least 50 years old; it exemplifies cultural, political, economic or social heritage of the community; it shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation; and, the structure has been accurately reconstructed or restored based on documentation.

The Planning Department suggested the Planning Commission recommend that the Town Council adopt an ordinance to locally landmark the Wakefield Sawmill Historic Site located at 775 Boreas Pass Road, PL-2015-0351, based on the fulfillment of criteria for Architectural and Physical Integrity significance as stated

in Section 9-11-4 of the Landmarking Ordinance.

*Commissioner Questions / Comments:*

Mr. Schroder: Good job identifying the issues.

Ms. Christopher opened the matter to public comment. There was no public comment, and the matter was closed.

Mr. Pringle made a motion to recommend the Town Council adopt an ordinance to locally landmark the Wakefield Sawmill Historic Site, PL-2015-0351, 775 Boreas Pass Road, based on the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance. Mr. Schuman seconded, and the motion was carried unanimously (6-0).

2) Sign Code Update:

Mr. Truckey updated the Commission on the recent Sign Code changes and the plans for implementation of enforcement methods, including tickets. Starting in September with a letter, a warning, and then issuing tickets. (Ms. Christopher: Is the Welcome Center signage exempt?) No. (Ms. Dudney: When are the Employee Parking changes taking place?) (Mr. Grosshuesch: Sometime in October.) (Mr. Schuman: Does Staff have time for this enforcement?) The tasks are divided among staff members, but yes it will be a challenge.

**ADJOURNMENT:**

The meeting was adjourned at 8:00 pm.

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Kate Christopher, Vice Chair