

**UPPER BLUE PLANNING COMMISSION
SUMMARY OF MOTIONS**

May 23, 2019 - 5:30 p.m.

COMMISSIONERS PRESENT: Ric Pocius, Lowell Moore, Jay Beckerman, Graeme Bilenduke, Keith Gallacher

STAFF PRESENT: Don Reimer, Keely Ambrose, Sid Rivers

Ric Pocius, Chair, called the May 23, 2019 meeting of the Upper Blue Planning Commission to order at 5:30 PM

Approval of Summary of Motions: The Summary of Motions for the April 25, 2019 meeting were approved as submitted.

WORK SESSION ITEMS:

None

PUBLIC HEARING ITEMS:

1. PLN19-010: A request to amend the Official Upper Blue Basin Transfer of Development Rights Map of the Summit County Land Use and Development Code to change Lot 10, The Overlook Retreat at Breckenridge from a Neutral Area to a Receiving Area to accommodate larger home sizes for the remaining 12 units.

Commissioner Moore made a motion to approve PLN19-010 with the following findings:

1. The property has the ability to accommodate additional development densities because, without limitation; a.) the proposal meets the Land Use Goals and Policy/Actions defined in the Countywide Master Plan, Upper Blue Master Plan and Joint Upper Blue Master Plan; b.) access is available to the property; c.) water is available from the Town of Breckenridge; d.) sewer services are available from the Upper Blue Sanitation District.; and, e.) the subject site is appropriate for infill development; f.) 3.31 TDRs will be purchased thereby removing density from the backcountry and elsewhere in the Upper Blue Basin as specifically defined by the TDR program.
2. Designation of the property as a TDR Receiving Area would be consistent with the overall philosophy of directing development to urbanized locations and would be consistent with accomplishing other important master plan goals and policies/actions, because, without limitation; a.) water service is available from the Town of Breckenridge; b.) sewer service is available from the Upper Blue Sanitation District; c.) access is in place and can be improved to all applicable County Road and Bridge standards; and d.) 3.31 TDRs will be purchased which will protect the backcountry areas in the Basin.

Commissioner Gallacher seconded the motion.

Approved, Vote: 5-0

2. PLN19-009: A Major PUD Modification to the Lodge at Breckenridge PUD to bring in 3.31 TDRs in order to increase the permitted unit size for 12 residences; Lot 10, Overlook Retreat at Breckenridge, 5.19 acres zoned Lodge at Breckenridge PUD.

Commissioner Pocius made a motion to approve PLN19-009 with the following findings and conditions. Condition #2 has been modified based on the discussions at the meeting.

Findings:

1. The modification is consistent with the efficient development and preservation of the Lodge at Breckenridge PUD as it promotes the development of units already established within the PUD.
2. The modification does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the PUD or the public interest. Lot 10, Overlook at Breckenridge is bordered by commercial, multi-family, and single-family lots. The proposed development will be compatible with the adjacent structures and uses.
3. The modification is not granted solely to confer a special benefit upon any person. The PUD modification will allow for larger units on Lot 10. The two units already constructed on Lot 10, Overlook at Breckenridge will be able to obtain TDRs, modify the PUD, and increase their home size should they wish to.
4. The proposed PUD modification is in general conformance with the land use, infill development in urban areas, and TDR use goals, polices/actions and provisions of the Summit County Countywide Comprehensive Plan, the Upper Blue River Master Plan, and the Joint Upper Blue Master Plan.
5. The proposed PUD modification is consistent with the purpose and intent of the County's Zoning Regulations. The PUD modification meets the intent of the PUD density, use, and availability of utilities and services for the site.
6. The proposed PUD modification is consistent with the County's Rezoning Policies. The parcel does not contain any areas with development constraints, natural hazards, or extreme wildfire hazard areas. This application further complies with TDR and Public Use Areas Fee regulations.
7. The proposal furthers the policies constituting the purpose and intent allowing for the establishment of Planned Unit Development, as set forth in §12200.01 of this Code, as well as the policies supporting the purpose and intent of allowing a Major PUD Modification Zoning Amendment, per §12202.01 of this Code, as it promotes development in a logical pattern.
8. The proposal furthers the public health, safety, and general welfare, as well as efficiency and economy in the use of land and its resources, as it will increase the size of units allowed on Lot 10 without creating any additional lots or units.
9. The applicant has provided evidence of adequate water, sewer, access, utilities, and other required infrastructure for the site. All services are readily available to the site.
10. The Review Authority has reviewed and approved the PUD text and any revised exhibits, and, for the BOCC's review, the PUD is suitable for the Chairman's signature and recordation.

Conditions:

1. The applicant shall purchase and designate 3.31 TDRs for the site prior to the recordation of the PUD.
2. The applicant shall pay the Public Use Area Fee commensurate with the required TDRs prior to recordation of the PUD.

Commissioner Beckerman seconded the motion.

Approved, Vote 5-0

DISCUSSION ITEMS:

The Planning Commission was updated on the Short Term Rental Regulations Permitting process

ADJOURNMENT: The meeting was adjourned at 8:19 p.m.

Submitted,

Sid Rivers, Planner II