

**UPPER BLUE PLANNING COMMISSION  
SUMMARY OF MOTIONS  
May 27, 2021– 5:30 p.m.**

**Call To Order:** 5:30p.m.

**COMMISSIONERS PRESENT:** Ric Pocius, Jay Beckerman, Keith Gallacher, David Nelson, Graeme Bilenduke, Dan Cleary, Alan Frechter, Peter Grosshuesch and Steve Holcomb.

**STAFF PRESENT:** April Kroner, Lindsay Hirsh, Dan Osborn  
Ric Pocius called the meeting of the Upper Blue Planning Commission to order at 5:30 PM

**Approval of Summary of Motions:** The Summary of Motions for the March 25, 2021 meeting were approved as submitted.

**ELECTION OF OFFICERS**

Election of officers for the Upper Blue Planning Commission – Ric Pocius was re-elected as Chair and Graeme Bilenduke was reelected as Vice-Chair. Jay Beckerman was reappointed as the Countywide Planning Commission Representative.

**APPROVAL OF AGENDA:** Additions, Deletions, Change of Order – None.

**NEW BUSINESS**

No items

**CONSENT AGENDA**

No Items

**PUBLIC HEARINGS**

**(PLN19-023)** Preliminary Plat to create Lots 19 and 20 Western Sky Ranch Filing #8 within the Western Sky Ranch PUD on approximately 7.25 acres. (Applicant, Danny Teodoru)

Commissioner Gallacher made a motion to recommend approval of PLN19-023 as presented with the following findings and no conditions:

Findings:

1. The Preliminary Plat is consistent with the Zoning Regulations applicable to the property in that the newly created lots are platted with disturbance envelopes meeting PUD requirements, and all other applicable requirements, including but not limited to, use and density have been met.
2. The proposed subdivision is compliant with all Subdivision Regulations applicable to the property in that fire protection is available from Red White and Blue Fire Protection District, access has been provided, adequate utilities and services are available to the property, and all geologic hazards/slope stability concerns are addressed through requirements contained on the plat and within PUD.
3. The proposed subdivision is in general conformance with the goals, policies/actions and

provisions in the Countywide Comprehensive Plan, the Upper Blue Master Plan, and the Joint Upper Blue Master Plan including goals relating to the mitigation of visual impacts and protection of open space.

4. Water is provided via Viddler Water and has been addressed through the requirements contained within the PUD.
5. The Lots 19 and 20 can be served by an on-site wastewater treatment systems that are adequately sized and approved by the Summit County Environmental Health department.
6. Soil, topographical, and geotechnical concerns relating to lead remediation and slope instability are addressed via plat notes, in the PUD, and via the standard building/grading permit process.
7. Access to Lots 19 and 20 have been provided by appropriate ROW dedications and public access easements to connect to the County Road and State Highway System.

Commissioner Pocius seconded the motion and all commissioners voted in favor of approval.

**(PLN21-020)** Preliminary plat to subdivide a 23.4 acre parcel into 14 single family lots, 2 Tracts (A & B) for affordable workforce housing, and 2 Tracts for open space (Tracts C & D), common area for a HOA building and one on-site employee housing unit (Tract E), and 1Tract for a transit shelter/improvements (Tract G), Trails at Berlin Placer, A Resubdivision of Tracts A ,B, C, D, E, F-N and F-S, Trails at Berlin Placer, Zoned Trails at Berlin Placer PUD. (Applicant, Jeff Francis)

Commissioner Gallacher made a motion to recommend approval of PLN 21-020 with the following findings and conditions:

Findings:

1. This proposed plat is in compliance with the Summit County Zoning Regulations. The subject plat meets all applicable requirements of the Trails at Berlin PUD and the County's Land Use and Development Code.
2. The proposed plat meets the intent of the Subdivision Regulations. Adequate infrastructure and utilities will be brought to the property, per the requirements of the PUD and the Development Code. As no new density or building sites are being created by the proposed plat, the proposed plat meets the intent of the Subdivision Regulations.
3. The proposed plat is in general conformity with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan, Upper Blue Master Plan, and the Joint Upper Blue Master Plan. The proposed plat will facilitate the development of a PUD that speaks to multiple elements in each of the master plans including but not limited to: affordable housing, transportation, recreation and trails, and open space supporting general conformity with the master plans.
4. The Town of Breckenridge Public Works has indicated that water is available for the intended use as specified on the proposed plat.
5. The Upper Blue Sanitation District was sent a referral on the subject application and they indicated that the District has the capacity to provide service to the Berlin Placer.
6. There are no areas of the soil or topographical hazards present on the site that cannot be mitigated to the satisfaction of the County.

7. The applicant has provided evidence that all lots and parcels created by the Subdivision will have access to the County Road System and to the State Highway System.

Conditions:

1. Prior to the recordation of the final plat, Tract C (Public Open Space) shall be dedicated to Summit County Government no later than at the time of subdivision of the fifth lot on the property.
2. The public open space easement on Tract D will be dedicated to the County no later than at the time of the subdivision of the fifth lot on the property.
3. Prior to recordation of the final plat all pedestrian/non-motorized easements for the trails shown in Exhibit C of the PUD application, along with additional trails on the property shall be dedicated to the satisfaction of the County.
4. Prior to recordation of the final plat, the owner shall grant a perpetual, non-exclusive trailhead parking area to the satisfaction of the County.
5. Prior to recordation of the final plat Tract G (Transit Stop) shall be dedicated to the satisfaction of the County.
6. Prior to the recordation of the final plat, Owner/Developer shall obtain a building permit for at least 6 of the required Affordable Workforce Housing units and achieve "substantial construction" of those 6 units.
7. Prior to the recordation of the final plat, A Master Homeowners Association and the two subsidiary associations—workforce and market must be formed.
8. Prior to the recordation of the final plat, the Declaration of Covenants, Conditions and Restrictions for the Property shall be submitted and approved by the County to ensure on-going responsibility for maintenance of Common responsibilities.
9. Prior to the recordation of the final plat, a Preservation of Association Maintenance Responsibilities Agreement shall be submitted and approved by the County.
10. Prior to recordation of the final plat, Sallie Barber Trailhead dedication and improvements need to be completed.

Commissioner Holcomb seconded the motion and the motion passed unanimously.

**APPROVAL OF AGENDA:** Additions, Deletions, Change of Order

**CONSENT AGENDA** - No Items

**WORK SESSION ITEMS** - No Items

**DISCUSSION ITEMS** – Master Plan Process Update

The meeting adjourned at 7:29.

Submitted,

Lindsay Hirsh, Senior Planner