

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 pm by Chair Mathews-Leidal.

ROLL CALL

Christie Mathews-Leidal	Jim Lamb	Ron Schuman
Mike Giller	Steve Gerard	
Dan Schroder	Gretchen Dudney	

APPROVAL OF MINUTES

The January 16, 2018 Planning Commission Minutes were approved with the change below.

Mr. Schuman - page 6 item #3 should read: I do not support the parking reduction. The town didn't have regulated parking at that time and the Marriott had a different business model and communication plan with their customers.

APPROVAL OF AGENDA

With no changes, the January 30, 2018 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No Comments

CONSENT CALENDAR:

1. McCormick Residence Addition (JL), PL-2018-0002; 121 Royal Tiger Rd. (expiration date corrected)
2. Gold Pan Bar and Restaurant Restoration and Addition Point Analysis Modification (CL), PL-2018-0013; 103 N. Main Street (point spreadsheet line item noted)
3. Cirioli Residence Addition (CL), PL-2017-0687; 82 Sunbeam Drive

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

TOWN COUNCIL REPORT:

Mr. Grosshuesch gave a report on the January 23rd Town Council Meeting:

- The development agreement for the Lionheart hotel was reviewed. Council continued the request and asked the applicant to come back and provide more information.
- Miller Annexation Agreement Amendment was approved. This would allow for a temporary batch plant (10 years).
- Approved a proposal to conduct a study on bringing broadband to Breckenridge. The broadband upgrade would improve the current speed tremendously and allow for unlimited service providers. Installation would include a combination of micro trenching and boring.
- Reviewed the Block 11 housing project next phase which includes both rental and for sale units. The Council supported an additional (3rd phase) concept which included both residential and commercial space although more details need to be provided to determine if feasible.
- Short-term rentals were briefly discussed and will come back as a full discussion topic at the Town Council Spring retreat.
- An MOU with Xcel Energy was approved. This establishes a working partnership between the Town and Xcel to work toward the Town's recently adopted 2025 and 2035 100% renewable energy goals.
- Council denied a request to amend or grant a waiver to a historic structure in the 300 block of North Main Street within the Downtown Overlay Commercial Use District. Request was for a change from commercial to residential within the first 40 feet of the property, District still in tact.
- Changes to the resale calculations for Lincoln Park were approved.

- Council will consider a resolution increasing TDR prices for the Upper Blue Planning Basin at their meeting next week, supported an increase.

COMBINED HEARINGS:

1. Verizon Wireless Communication Facility (CL), PL-2017-0689; 305 S. Ridge Street

Mr. LaChance presented a proposal to install a wireless communication facility, which includes screened antennas on the existing building's roof, equipment in the existing parking garage, and associated cables and conduit.

Commissioner Questions / Comments:

- Ms. Leidal: Informed Commissioners that she was contacted via email by a concerned citizen regarding this application. Since this is a pending application before the Planning Commission, and thus concerns about ex parte contact with the Planning Commission members, she referred the citizen to Chapin LaChance, the staff planner, to obtain the staff report that provides details on the application, and to ask him questions about the project, and that he would also let them know how to provide formal public comment for the project. Did not discuss the citizens concerns with them and do not know what they are. (No Commissioners were concerned with the email)
- Ms. Leidal: Regarding the two parking spaces, will they be accessible? (Mr. LaChance: Yes. The parking will be available.)
- Mr. Giller: Did the applicant consider a micro tower? (Mr. LaChance: I will let the applicant address that.) Regarding collocation with other facilities, what does that mean? (Mr. LaChance: Future proposals would be reviewed on a case by case basis by the Commission.) What does Policy 50 say about towers in the historic district? (Mr. LaChance: Referred to Policy 50. Wall mounted are preferred. Should be on existing building and structures, collocated, must demonstrate they don't have coverage. Meet four criteria: significant gap, least visually intrusive to enclose the gap, no feasible alternative exists to close gap, the provider's existing WCFs lack the capacity to service the wireless users except by the installation of one or more WCF sites in the otherwise restricted locations. No other feasible alternative location is available.)
- Ms. Puester: In regards to collocation, we would prefer the location to be available for collocation in the future so there would be less facility locations in town. Also, in the conservation district, wall mounted is the preference. We asked applicant to discuss this in their presentation.
- Mr. Schuman: Some people in the audience might feel this has been pushed through. Can you explain the timing that we have to abide by? (Mr. LaChance: We have until early May to approve or deny the project, per federal requirements-the "shot clock" timing.) Is this Verizon's 3rd facility in town? (Mr. LaChance: I believe so.)

Applicant, Kristen Cowen with Black and Veatch, on behalf of Verizon: The location was chosen after exhausting other options to close the gap. Collocating with existing facility would interfere with the Cucumber Gulch facility (rec center ball field). Meets town requirements and property owner was willing to work with us. More carriers can collocate at this location. In the future, if another provider wanted to collocate here, they could expand screened area to include other carriers. The increase would depend on what the other carrier wanted, they all have different requirements. Possible making the screened area twice as long.

Bryan Eicens, Verizon Wireless Radio Frequency (RF) Engineer: We looked at small cells as an option. At Snowberry location (the Village), we are maxed out. This site would off load. Small cells would not work for this application to offload Snowberry. (Mr. Schuman: Can they [other providers] collocate in the mechanical room with you here within the existing the garage?) Mr. Eicens: They would do a study because we have distance requirements to meet so that there is no interference, just depends on the specifics of their future application. (Ms. Puester: Can you speak to the wall mounting preference?) Mr. Eicens: If wall mounted, we would lose height. We need to skew the antenna on the wall to make the asmuths work and it will stand out at an

odd angle. It would not be the best design. The wall mounted and roof edge mounts that we previously proposed were not preferred by staff because of appearances and don't blame that, not best design. (Ms. Puester: Can you talk about the 1,500 foot distance requirement?) This new site would pick up capacity. This site maintains line of site with Snowberry location, which is needed. All the traffic is in downtown and we need to solve that.

Ms. Dudney: When would this facility be up and running?

Ms. Cowan, Applicant: Zoning approvals, building permits, federal permits will take a couple months. Looking at early summer.

Public Comment

Maureen Nichols, 302 S. Ridge St. & 304 S. Ridge St.: Years ago I fell in love with Breckenridge. I first lived on Ridge Street, then across from the post office. The first heartbreaker was the construction of the post office. There was a recycle center there and it was quite progressive at the time, mid 1970's. We have dealt with the post office parking and traffic. I don't want to deal with radiation, property value decrease, and other problems the antennas can cause. It can be quite a lot of radiation. In my studies, I read that you don't want a cell phone tower near you. This is near the grocery store, the post office, the elementary school. Now I am a Ridge Street rowdy I guess. I spend a lot of town outside and the radiation will blow my way with the typical wind direction. Property values will also go down in the neighborhood. We have a wonderful historic district and I worked hard with the historical society and planning commission and have done lots of work to preserve the history here, all the photos I have. I hope that the planning commission does not accept this proposal tonight. There are a lot of articles about radiation that you should read. Please preserve our town. Other places around the country don't even allow for wireless facilities.

Ms. Puester: Planning Commissioners, I need to remind you that any regulation regarding radiation is outside of town staff and Planning Commission jurisdiction. That is FCC regulated and the applicant will have to follow and meet the federal requirements. Stick to code issues.

Cornelius Milmo, 84 Broken Lance Drive: I am not representing anyone here tonight but speaking for hundreds of people who did not know this project was being reviewed. There was limited notice about the project. Disappointed the community did not know more about this. I have a lot of questions about the criteria and regulations for the project. I understand the importance of the historic district and am here to urge you to slow down a bit and make sure you get it right. I understand that application came in mid to end of December and its before you already. Let's make sure this is the best site for the facilities. I urge you to take your time and satisfy yourself that this is the right part of town. Collocation will grow the impact. Once you approve here, hard to deny another provider here. I don't understand the technicalities but I want to know that you do understand and agree that this is the best site. The Telecommunications Act does not forbid you from doing your job. In regard to health and safety, you can't base a decision on radiofrequency but you don't have to ignore them. There is nothing wrong with you thinking about this when deciding on the location. What would the alternative locations be?

Mr. Schuman: Can the applicant talk a little more about the radiation?

Mr. LaChance: The Town Attorney advised that the Planning Commission cannot talk about radiation.

Applicant Kristen Cowen with Black and Veatch, Verizon representative: Here are handouts from Verizon on health and safety and property values. 52% of household use wireless. Wireless is a major factor for home buyer. Residences rely on wireless to reach 911. We find that cellular facilities do not decrease home values. Verizon meets all FCC regulation for safety and monitoring.

Mr. Lamb: I know there are people who think we are rushing this. I don't think we are. The towers are all

- over town already. It is sorely needed. I support.
- Mr. Giller: I support Policy 50 and wireless service. But this doesn't meet criteria three, regarding "no feasible alternative exists to close the significant gap." There are other areas outside of Conservation District that this could go. This is an erosion of the Historic District. It is a convenience to Verizon to find a willing renter.
- Mr. Gerard: Concerned about 1,500 foot criteria for separation and the precedent that will be established. Collocation is a concern for the area. My preference is to continue this hearing.
- Mr. Schroeder: There is definitely a need for wireless connection in this community and our everyday life. We are a wireless driven society. It is difficult when service is weak and the need is going to grow as our visitors increase; we will never have less visitors. We need to focus on the code and determine if it meets code. I am concerned about this in the historic district. This would could set precedence, another location? I do not support this application tonight.
- Mr. Schuman: The need is justified. The staff report is good and the point analysis is good. I support the application.
- Ms. Dudney: I support the application. I have reviewed 6 – 8 towers while on Commission and I think this is an easy one. Visibility is not an issue. I don't view as a degradation to the Historic District. I support.
- Ms. Leidal: I appreciate the needs for service and sympathize with the neighbor. I don't feel criteria three has been met and would support further review.

Mr. Gerard made a motion to continue the application, seconded by Mr. Giller.

- Ms. Dudney: Steve, what reasons are you looking for a continuance?
- Mr. Gerard: We should not set a precedent on Policy 50 without further review. I didn't review Policy 50 and don't have it in front of me. I don't want to set precedence for the 1,500 foot rule. I don't want to make a decision until I hear more about if the applicants looked at alternative locations and have met the four criteria.
- Mr. Schuman: You should have read the packet to familiarize yourself by now since you got it on Friday. You should have looked at the code.

Roll call to continue the application:

- Ms. Dudney: No
Mr. Lamb: No
Mr. Schuman: No
Ms. Leidal: Yes
Mr. Giller: Yes
Mr. Schroder: Yes
Mr. Gerard: Yes

Motion passes for continuance, of the Verizon Wireless Communications Facility, located at 305 S. Ridge Street, PL-2017-0689, with a vote of 4-3.

2. 7th Amendment to Peaks 7&8 Master Plan/Density Transfer (CK), PL-2017-0697, 1599 and 1891 Ski Hill Rd.

Mr. Kulick presented a proposal to amend the Peak 7&8 Master Plan by transferring 3.2 SFEs of Guest Services Facilities density from the Peak 8 Base Area to the Peak 7 Base Area, with the intent of using that density to convert the vacant general common element space on the lower level of the Crystal Peak Lodge into administration offices.

Kevin Hopkins, Vail Resorts Development Company did not have anything to add.

Commissioner Questions / Comments:

No Comments and the hearing was closed.

A motion to approve was made by Mr. Gerard, seconded by Mr. Schuman. The motion passed unanimously.

3. Stan Miller Master Plan Fourth Amendment (CK), PL-2018-0014; 13541 CO Hwy 9

Mr. Kulick presented a proposal to modify the existing Amended Miller Master Plan Parcels A, B, & E to allow industrial uses through the year 2027.

Commissioner Questions / Comments:

Mr. Schroder: Will the point analysis carry over for the site plan review of the batch plant? Will we start again with +5 points? (Mr. Kulick: No, this point analysis is related to the Master Plan only. The development permit review for a site plan is separate.)

Public Comment:

John Brownson, owner of Breckenridge Building Center (BBC), 13445 Highway 9: Stan Miller are great neighbors with the BBC. We are wondering if there is a general idea of where the plant will be located. (Mr. Kulick: Showed the location on the plans.) Will it interfere with the Stan Miller Drive? (Mr. Kulick: No)

Mr. Schroder: Is there a limited duration? (Mr. Kulick: Yes, industrial uses are limited until December 31, 2027 per the Annexation Agreement modification.)

Ms. Leidal: Will the limited duration be stated in the Master Plan? (Mr. Kulick: Yes.)

Mr. Lamb made a motion to approve, seconded by Mr. Schuman. The motion passed unanimously.

TOWN PROJECT HEARINGS:

1. River Park (JL), PL-2018-0012; 470 Floradora Drive

Mr. Lott presented a proposal to construct a new park at 470 Floradora Drive, on Block 11, adjacent to the Blue 52 neighborhood. The proposed park will include a pavilion with restrooms, a variety of recreational amenities, and a connection to the Blue River Recreation Path. Chris McGinnis, Civil Engineer with the Public Works Department, was available to answer questions as well.

Commissioner Questions / Comments:

Mr. Schuman: When do you anticipate this being built? (Mr. McGinnis: Phase one would begin in April, phase 2 would be scheduled for 2020.)

Mr. Schroder: Is the pedestrian bridge connection to the Rec Path included in phase 2? (Mr. McGinnis: No, it is phase 1.)

Public Comment:

No Comments and the hearing was closed.

Mr. Giller made a motion to approve, seconded by Mr. Schuman. The motion passed unanimously.

OTHER MATTERS:

No other matters.

ADJOURNMENT:

The meeting was adjourned at 7:16 pm.

Christie Mathews-Leidal, Chair