

PLANNING COMMISSION MEETING

The meeting was called to order at 7:03 p.m.

ROLL CALL

Trip Butler Kate Christopher Gretchen Dudney
Rodney Allen Dan Schroder Jack Wolfe
Dave Pringle arrived at 7:07 p.m.
Mark Burke (Town Council)

APPROVAL OF MINUTES

- Ms. Dudney: Our Commissioner comments for the worksession from March 1st are out of order. (To Mr. Allen) On item 2, my comments were made after your comments – if you don't want to change your comments, I would prefer to have mine moved to the last part of the discussion to reflect this, because I made my comments last. I want to change the part that is not the black and white answer (on the impacts of gas vs. wood burning) to what you are going to be studying.
- Mr. Allen: Agree with Ms. Dudney, the wood burning appliances discussion was left out of the minutes. A whole conversation was omitted from the minutes.
- Ms. Dudney: The whole subject was left out. Also, we need to add my discussion about dead Lodgepole pines and Town policy against wood burning appliances. Let me get this straight, the Council reads these minutes in their packet before we go over them? If there is something that we feel important to say, can we submit this in writing to staff to be sure it gets in the minutes? (Mr. Neubecker: No, these are a record of the comments discussed at the public hearing. We can't take written comments because those comments would not be made in a public hearing. If you have something that you want to make a particular point about, let us know when making the point, and we'll do our best to get it into the minutes the way you want it.)
- Mr. Burke: Can we get a professional typist to get to type the minutes? No offense, but this is such an important part. We need a professional. (Mr. Mosher: Having a typist that has architectural and planning knowledge helps more than a "professional typist" that types everything down and doesn't understand the context or what part is important.) My wife is a court reporter and can get every word. (Mr. Neubecker: We are always trying to recruit typists. However, taking down every word is exactly what we don't want. We've tried it and it didn't work.)
- Mr. Allen: We need to let Council know that the minutes have changed somehow since the Commission reads them two weeks later.
- Mr. Pringle: We've never had to amend the minutes as much as we have in the last 18 months. Council is not getting the full story. I made comment on page 5 that is not written correctly, even I don't understand what I said. Depending on what USE you have one material may be appropriate and ANOTHER use may have another material. Council needs to get the gist of what we're saying. (Mr. Neubecker reiterated the difficulty of taking notes chronologically during worksessions with lively discussion.)
- Mr. Allen: That's why we need to have a girl do it. On page 8: Condo hotels are becoming obsolete, not lodge developments in general. Just insert the word "condo-hotel".

(Staff noted that during worksession discussions, Commissioners are speaking out of sequence and back and forth with one subject. Also, following the exact conversation line among several persons concurrently can be difficult. We (including past typists) try to capture the key points in a concise manner. If the Commission would like to point out key issues after the discussion, or summarize decisions made, this might help.)

With no further changes, the March 1, 2011, Planning Commission meeting minutes were approved unanimously (7-0).

APPROVAL OF AGENDA

Staff noted that there was large public interested in the solar panels and the agenda time was advertised for later in the evening. So, although there have been requests to have this solar panels hearing earlier, Staff did not want to move that portion of the hearing at risk of people that already planned to be here would be missing the discussion.

Also noted, the Columbia Lode Subdivision will need to be heard as a worksession this evening, instead of a Preliminary Hearing, since the Severed Mineral Interests public notice documentation was not submitted to Staff in time. Staff did discuss this with the Town Attorney.

Mr. Stephen West (Attorney for the Columbia Lode Applicant): We would like to have the meeting heard as a worksession to get through some of the key issues and maybe come back as a combined/final if staff is supportive.

Mr. Pringle: I have no problem. This can be heard as either tonight.

Mr. Burke: Do I need to leave for this worksession? (Mr. Neubecker: Yes, since it is an active application.)

With no further changes, the March 15, 2011 Planning Commission meeting agenda was approved unanimously (7-0).

CONSENT CALENDAR:

1. Lot 30, Highlands Golf Course Filing 1 (MGT) PC#2011003; 150 Marks Lane
2. Corkscrew Lot 19 (MGT) PC#2011006; 315 Corkscrew Drive

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

TOWN COUNCIL REPORT:

Mr. Burke: Nothing specific to report; however, I want to be here for the solar panel report this evening. I will need to come back after the Columbia Lode presentations. (Staff will call or text Mr. Burke before the Public Project review of the solar panels at the Riverwalk Center and Golf Course.)

FINAL HEARINGS:

1. Columbia Lode Master Plan (Mr. Mosher) PC#2010017; 400 North Main Street

Mr. Pringle announced that he had talked with the Agent, Steve West, outside of the meeting, concerning some general frustrations he has had with the review processes of some applications, but did not go into detail about this particular project. (The Planning Commission and Applicant did not have any problems with Mr. Pringle participating in this hearing.)

Mr. Mosher presented a proposal for a Master Plan for 24 residential units per an approved Development Agreement made with Town Council. He went into more of the background of the project for those in the audience. In past meetings, we reviewed land use, density architectural character (including the buildings closest to Main Street), building height measurement, road alignment, re-grading of site, view corridors between units, traffic study, Klack drainage, conceptual landscaping, and trails. Workforce housing is not required with the current point analysis at zero points, but the applicants would like to keep this as an option.

Mr. Pringle: Is it safe to say that at this point we are just assigning general uses and density, shown as big bubbles on the map? (Mr. Mosher: Yes. This is the Master Plan sheet. In addition, we will be including the lot grading plan. Workforce housing can still be an option in the future, but won't be a requirement. But this employee housing is taken into account, and there is a specific location in mind shown on the Master Plan.)

Staff will have a Condition of Approval on the final Subdivision approval or a plat note requiring a survey of the site during phases of development to make sure that the grade is recreated according to this plan. This will ensure that building heights for the future buildings are accurately measured. Since the last review, the entire multi-family development area was moved by 6 feet to the north to make sure Klack Drainage easement would fit better. Staff had no concerns about this minimal movement. In the future, individual homes will be reviewed as Class C applications, like the Shores at the Highlands (near Tiger Road). The Master Plan notes indicate that a licensed architect will be required for all designs, including remodels.

Mr. Mosher read the definition of Building Height Measurement from the Development Code, which allows for an average grade to be used to measure building height, since this is a heavily disturbed site. Traditionally we have had 17 to 20-feet or more between units. But some of the units on this plan became closer to each other, due to plan revisions from Commissioner comments. Staff will need to review these plans in detail when individual applications are

submitted, to ensure privacy. Future applications would be reviewed against the language in the Master Plan. Portions of the trail go off the property. The Applicant is working on getting a trail easement from the neighbor, in exchange for some landscaping on the neighbor's lot. Town Staff is working on the easement needed at the north end of the site. That will be presented at the next Subdivision hearing. No negative or positive points are recommended.

On February 10, 2010, the Town Council approved a Development Agreement with B&D Limited Partnership associated with the proposed Columbia Lode Development. That agreement essentially allowed, with Planning Commission and Town Council approvals:

- for limited density to be reallocated from LUD 11 into LUD 1 and 4;
- for the relocation of one single family equivalent (SFE) of existing single family density from the original Corkscrew Subdivision plat to a new location at the north end of the site in LUD 1;
- for any future development associated with the pending Columbia Lode Master Plan to be exempt from receiving any negative points for placing density within LUDs 1 or 4.

Other site specific items were addressed and are to be reviewed as part of the Master Plan permit process with the Planning Commission. After several public meetings and site visits with the Planning Commission, an amendment to the original agreement was approved (based on Commission input) by the Town Council on February 22, 2011.

The amendment retained Lot 1 (the single-family site) back in approximately the location as the original Lot 1 of the Corkscrew Subdivision had shown it; however, the lot and disturbance envelope sizes were both reduced to lessen the visual impacts of future development.

Staff recommended the Planning Commission endorse the Point Analysis and approve the Columbia Lode Master Plan, PC#2010017, with the presented Findings and Conditions.

Marc Hogan, Architect/Agent: Jon Brownson could not make the meeting, but thanks to Mike Mosher, Scott Reid and Engineering staff for their assistance. We agree with staff report. We have worked with neighbors and staff. We think it's a good staff report. Staff did a thorough job on report.

Mr. Allen opened the hearing to public comment.

Bill Tinker: I am a 40-year resident of Breckenridge. I live on the French Street alley between Main Street and Ridge. I wrote a letter to Engineering Department about my concerns with driveway. Letter was sent to Engineering and Planning Department in January 2011. I never saw this letter in the packet. (Mr. Tinker then read his letter out loud to the Commission. The letter focused on safety concerns with the intersection of the new road with French Street and accessing the French Street Right of Way from the alley.) The Town really blew it when Gold Creek Condos was approved so close to the road. The proposed road for the Columbia Lode does not align with the French Street alley. There is poor visibility exiting from the alley to west and east. Both of my kids have had accidents trying to exit from the alley. I suggest that with this application, the Town fix these problems. Put in a sidewalk on south / west side of French Street. We also need a sidewalk across Main Street on French Street. It would be best to have the applicant give 40-50 feet of the south edge of the property to allow the Town to move the French Street ROW toward the north to get better separation from Gold Creek Condos. This has been a problem for a long time. Can't we get a bit more space to get a better view of the traffic?

Peyton Rogers: I work for Great Western Lodging, and also use the alley. I have had many near misses exiting onto French Street. It's a blind spot. Now I don't use this intersection anymore. I head south instead. Maybe install mirrors to help see the traffic coming.

There was no further comment and the hearing was closed.

Commissioner Questions / Comments:

Mr. Schroder: (Referring to the aerial photo of the existing site conditions.) Is the red line on the site plan showing property ownership? (Mr. Mosher: Yes.) All the public comments that were made about the French Street road and alley alignment are outside the purview of this application. The

private road for this project relates to the property the applicant owns. The applicant can't be forced to realign French Street or the alley. I am in support of the Master Plan as presented.

Mr. Wolfe: Please show us on the plan where the original single-family home was approved. (Mr. Mosher showed the original location for the single family home, plus the most recent location.) Mr. Hogan, will the landscaping in front of the first 6 homes on the south impact the appearance of the grid? (Mr. Hogan: It won't appear exactly as the elevation, because the trees shown in the elevation are in the rear.) (Mr. West: We are doing everything that the development agreement requires us to do.) There was something in the plan about an approved color. Who approves the color? (Mr. Mosher: Staff reviews colors.) Is there an HOA Design Review Board? (Mr. West: As part of Class C application, Staff will review.)

Final Comments: I appreciate the changes made so far by the Applicant. The master plan notes will be helpful in the future to Staff and the Commission. The grading of the site is a better transition to the land above it. On the traffic issue, the applicant making the best of a bad situation. But also Staff, please listen to the public comments, and try to address those concerns. I support the master plan as presented.

Mr. Butler: As someone who uses the French Street alley, I can say it's a bad intersection. I agree with Mr. Wolfe on the over lot grading of the site. It will make it better across the board.

Ms. Christopher: Overall, I like the design. I have never been a fan of the traffic on French Street. I would like to see traffic concerns addressed, but the problems are off-site, not part of this application. The existing grading is not natural, it's an eyesore now. I support the proposed the proposed grading, but would like to see it happen in the beginning of the project and finished, not phased over ten years.

Ms. Dudney: How long is the vesting? (Mr. Mosher: The Development Code allows 3 years, but the Town Council can grant longer vesting periods as part of development agreement after the approval.) This is new information to me about the transportation issues on French Street. I would like to refer it to the Transportation Department in the Town to address the safety concerns here. I see that a sidewalk is shown on the Master Plan. Speed bumps could slow down the traffic on French Street; however, I don't believe that it's the property owner's responsibility to solve the French Street visibility problems.

Mr. Pringle: Is there phasing of the improvements? (Mr. Mosher: Yes. Phasing will be shown on subdivision.)

Final Comments: Throughout the review of this application I have raised many concerns. Specifically, on Policy 2 (Land Use Guidelines): There were many cases in the past where commercial uses were converted to residential. This was a highly productive commercial use for past 40 years and in a good location. It's shortsighted of the Town to allow this to become residential. Policy 6, Building Height, I don't recall a situation where we have allowed an applicant to artificially raise the grade of a site to obtain views. Negative points could have been assigned to this under Policy 7/R (Site and Environmental Design), but there was no consensus for assigning negative points; however, I believe that the amount of disturbance and artificially raising the site warrants negative points under this policy. On Policy 17, External Circulation: I took exception with the Town Engineers' review of the traffic study. I agree with the public comments tonight. French Street is dangerous. It's an offset intersection on a hill and on a curve; we will have trouble with this. I have never supported the vehicular circulation plan that was submitted. On burying the Klack: It has been the Town's intent to reinforce waterways where they exist. By putting it in a pipe, I don't think it's in the Town's best interest. We should celebrate waterways, such as at Waterhouse/Main Street Station, and the reclamation of the Indiana Gulch. We have not talked about piping the Klack and the ramifications in detail. However, I would like to thank Mr. Hogan for providing the streetscape elevation. Kudos to the Applicant for trying to make the French and Main intersection better. It is highly used intersection. This corner gets used a lot, and the right turn lane is appreciated. All these un-addressed concerns and comments that I have stated would require a major change to the plan; if there is no consensus to change the point analysis, I won't waste the Commission's time. Just wanted to have the Council hear my concerns.

Mr. Allen: Final Comments: You have come a long way. I agree with previous comment that intersection

with French is a mess, but I'm not sure what you can do (since it's off your site). I agree with Ms. Rogers comments. We can only judge an applicant based on the Development Code. Suggestions made may be good ideas, but they are not for the Applicant, since it's off their property. Pay attention to the proposed changes to Policy 5/R on fiber cement siding. Otherwise, I support the project. I acknowledge Mr. Pringle's issues regarding the site design, but I support this application with no negative points for grading.

Ms. Dudney made a motion to approve point analysis for the Columbia Lode Master Plan, PC#2010017, 400 North Main Street. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

Mr. Wolfe made a motion to approve the Columbia Lode Master Plan, PC#2010017, 400 North Main Street, with the presented findings and conditions. Mr. Butler seconded, and the motion was carried unanimously (7-0).

WORK SESSIONS

1. Columbia Lode Subdivision (Mr. Mosher) PC#2011005; 400 North Main Street

Mr. Mosher presented. As part of the Columbia Lode Development plan, this is a proposal to re-subdivide Lot 1 of the Corkscrew Subdivision Filing 1 and include portions of Columbia Lode and Lousia Lodes into a total of three parcels. One parcel is to be developed as multi-family units, one parcel as a single family home-site and the remaining parcel as Private Open Space. The subdivision will include easements for a public trail and public walkway. A portion of the property will be dedicated to the Town of Breckenridge for the creation of a right-turn lane for westbound traffic at the northeast corner of the French Street and Main Street intersection.

Mr. Mosher discussed the current location of the single family lot, and the location of the proposed sidewalk. The sidewalk location has been approved by Public Works. Engineering staff is in process of reconfiguring the French / Main Street intersection, including the west side of the road. That work is expected to be done in fall of 2011. There may be a bench or public art in the southwest corner of this subdivision. Mr. Mosher showed the trail location on the proposed plan. The trail will mostly be on the Applicant's property. Initial drainage report is still being reviewed by the Town Engineer. Most of the development is in areas that were already disturbed on the site. Driveway location to single family lot will be shown on the plat. The old BBC buildings will be torn down, and then the site will be in-filled and graded. The south end of the site will likely not be fully graded until a later phase. But all of the site, at all of the time, will be re-seeded, irrigated, and will not be a bare hillside. Until site is completely developed, though, it will not have fully finished landscaping.

The Red White and Blue Fire District was supportive of the circulation. With the initial subdivision improvements, the finished landscaping will be installed next to the rights-of-way (along Main Street and French Streets to provide buffers). Staff supports how site drainage and water will be channeled through the site. Water will go to the existing storm drain system. Existing Klack drainage area in southeast of site on neighboring property will also be landscaped. All needed utilities are in the existing rights-of-way.

Street lighting: there are no fixtures currently along Main Street at this site. Engineering has requested four street lights, "Welsbach" style, to be placed along Main Street, but there will be no streetlights within the site. Turning movements at north entrance to the site: Left in, right in, right out (at Main Street). Street names not yet selected. (Mr. West: "Columbia Lode" is planned to be used somehow in the project name or street name.) Private drive is proposed, but it is narrower than the street standards require. Town Engineer will grant a waiver for the reduced width at the next hearing. There is discussion ongoing about the dedication of open space, and if it should be public or private. It may be dedicated as private open space with public access.

Some of the items identified on the plans are associated with the Development Agreement between the applicant, B&D Limited Partnership, and the Town. The agreement identified specific criteria associated with the subdivision permit. These are:

- The extension of the public sidewalk from the north edge of the site to the intersection of French Street and Main Street.
- The dedication of enough land to allow a dedicated right-turn lane at the intersection of French Street and Main Street.

- The creation of a “significant landscaped open space area” along Main Street at the southwest corner of the property.
- Re-routing and burying of the Klack drainage.

This is the initial review of this subdivision and Staff believes it is off to a good start. The general layout and design conforms to the Subdivision Standards. At the next hearing, Staff will present some of the issues in detail. Staff notes that at final review, the Conditions of Approval will address the off-site developments associated with this subdivision.

Marc Hogan (Agent/Architect): Ken Curfman is our civil engineer. There is a lot of detail going into this. Phasing is as follows: Demolish building this summer. We will recycle much material, including the rusty tin; we will put in deep utilities the sewer and water lines; build the road, then install shallow utilities. Curb and gutter on both sides of the new road. Detention and site drainage will be installed. Klack culvert will be installed before the road is built. Ground water will filter through ground and be cleaned. Later this summer we would like to build units 9/10 and 12/13. Engineers have discussed phase one: We need to work out a detailed phasing plan. Exact nature of the initial landscaping has not been decided. We will provide the landscape plan at the next step. Streetlights and sidewalk and French Street turn lane will be in first phase of development. Shannon Smith (Town Engineer) has already explained the traffic report to the Commission. Gold Creek Condominiums building does create some problems on French Street. If they come in for an application, perhaps they could help to solve some of these problems. We generally attach sidewalks, but we are open to whatever the Town wants to see for the sidewalk. We are pleased with the trail location. Open Space and Trails department helped a lot. Town requires dedication of 10% of land for open space. We have looked into land dedication or easement. It’s up to the Town to decide who maintains it. We can write that into the HOA documents. We will also dedicate land for the public park in southwest corner of the site. It could have public art or a landmark in that corner. This is a simple subdivision; three lots, include a development site (for future development), private open space and the single family site, plus easements. Townhome footprints would be platted. Utility layout was also shown.

Staff requested the Commission comment on the initial grading and the proposed phasing of the Base Map Grading plan.

Mr. Allen opened the hearing to public comment.

Eric Buck: What will prevent the public from using this road to avoid the traffic light? (Mr. Mosher: Actually nothing. However, the road meanders and is narrow to discourage this type of cut-through.) (Mr. West: Right turn lane at Main Street will prevent need for that.)

There was no further comment and the hearing was closed.

Commissioner Questions / Comments:

Ms. Dudley: Is the road open to the public before construction is complete? (Mr. Mosher: The road will be accessible to public when the first homes are completed.)

Mr. Schroder: Are you asking one question about the grading? It’s only stated in the report as one item. (Mr. Allen: Give them any comments you may have. The Applicant will want to hear what they are.)
Final Comments: Concerns about the phasing of the grading. I think the full grading needs to be installed before doing Class C applications. It will involve bringing in all the dirt first. I know it will cost more. (Mr. West: Other subdivisions do not build out the entire subdivision all at once before building homes. There will be a grading plan, but it may not be installed all at once.) (Mr. Hogan: We will provide an interim plan that also shows the sidewalks and landscaping.) (Mr. Hogan showed on the plan how the grading and phasing of the subdivision would happen over time.) What if they run out of money in 5 or 10 years? Will we see unfinished construction site? My main concern is on phasing of the site grading.

Mr. Wolfe: Is there a time specific commitment to when the work will be done? Is there a specific time as to when the building will be torn down? (Applicant will explain in a few minutes.) We have gone to a lot of review to maintain the grid. We are asking applicant to install the sidewalk and the streetlamps. It will be too suburban. It will take away from the feeling of downtown. Will you

have a monument sign? (Mr. Mosher: Signs are a separate permit.) What does the Planning Department (not Engineering Department) think of the location of the sidewalk? (Mr. Mosher: The crown of the road (Main Street) slopes down toward this sidewalk.) (Ms. Dudney: What is the reason to meander the sidewalk?) (Mr. Mosher: The drainage vault is one reason.) (Ms. Christopher: I think Mr. Wolfe has a valid point. I'm not sure if it would be a dead zone, but we should look into that.)

Ms. Christopher: I don't want this to be an unfinished site for 5-10 years.

Mr. Butler: All good.

Mr. Pringle: Agree with Mr. Wolfe on the sidewalk. It makes it look suburban. It's easier to maintain if attached to road, and reduces the chance of making this a dead zone. Also makes it easier for the HOA to maintain. It is better planning to have it on the street. If sidewalk goes closer to Main Street, it will make it easier to make the park a green space. On the Klack drainage: When we did the Illinois Gulch drainage next to Main Street Station it turned out to look nice. Disappointed we could not use a similar solution here. I suppose we could have requested a bit more land to realign parts of French Street. (Mr. West: Mr. Pringle has made this point on how nice the Klack drainage could be, but this Klack is dry 9 years out of 10. Also, we had this Klack daylight in some locations, but the engineers said no to that. Illinois Creek actually has water in it on a regular basis.) (Mr. Hogan: We did look into that early on. Problem is that when it runs, it runs a lot of water. We tried various solutions. It got too complicated to make it work. It's a storm sewer, that's what it is. It's a good concept, and we like it.) Maybe get a bit more space along French Street for some visibility.

Mr. Allen: Please talk us through the phasing, landscaping and bonding requirements. (Mr. Mosher: There are requirements to landscape along rights-of-way as part of the subdivision.)

Final Comments: You are heading the right direction. Clean up some loose ends, then maybe you can come in for a final hearing.

PUBLIC PROJECT HEARINGS:

1. Breckenridge Golf Course Clubhouse Solar Project (CN) PC#2011008; 200 Clubhouse Drive

Mr. Neubecker explained how a public project is reviewed against applicable policies, and how the Commission would make a recommendation to the Town Council. The Town Council will then make the final decision.

Mr. Neubecker presented a proposal to install 105 kW of photovoltaic (PV) solar panels solar in the form of 16 pole-mounted systems adjacent to the parking lot at the Golf Course Clubhouse, plus flush mounted solar panels on the Clubhouse roof. The proposed solar panels would produce approximately 145,600 kWh of energy, out of approximately 206,560 kWh consumed annually at the site (71% solar powered).

The solar panels would be owned and installed by Renewable Social Benefit Fund (RSBF) at their own expense. They would then sell electricity to the Town at a rate lower than Xcel Energy. After six years, the Town has the option to purchase the solar panels (at a depreciated price) and receive all of the electricity at no cost to the Town (other than the purchase price of the panels). The estimated lifespan of the solar panels is up to 30 years.

Staff recommends positive three (+3) points under Policy 24/R - Council Goals, for the use of renewable energy, and positive six (+6) points under Policy 33/R - Energy Conservation. Staff recommends negative four (-4) points under Policy 7/R - Site and Environmental Design for lack of buffers. This would result in a passing score of positive five (+5) points.

The Planning Department has concerns with the installation of solar panels in location highly visible from the neighboring residences; however, Staff also supports the use of renewable sources of energy as an active step to reduce the Town's carbon footprint. In this case, a significant portion of the electrical energy use for the Clubhouse will be produced from renewable sources of energy.

Since this is a Public Project, the Planning Commission was asked to make a recommendation to the Town Council, and the Town Council will make a final decision.

Brian Waldes, Town of Breckenridge, Finance Department: The finances are generally a discussion point for the Council. Let me explain the finances to keep things short. The Town is only buying the power, not the hardware. Through the Power Purchase Agreement (PPA), we get a discount on the energy rate, as we cannot get a tax break (we are tax-exempt) to make it worth buying the panels. After 5-years, the Town may buy the panels from RSBF as an option. Purchasing these as soon as possible may be the best option for prolonged use and savings. Town pays insurance on the panels. If we buy the panels we have all responsibilities, otherwise RSBF maintains and looks after the panels.

Commissioner Questions/Comments:

- Ms. Dudney: Finances are details that we will need to make a decision with public property. (Mr. Neubecker: You still have to base your discussion on the code only, not on finances.) “Effective means of renewable energy..”; what does this mean in relation to public benefit? My point is that this is different than other reviews. Positive points are based on vague terms “effective means” what are these? They seem to be financially based. What are the savings? (Mr. Waldes: \$10,000 in the first year.) Is the savings linear? (Sean McPherson, Innovative Energy: Each panel is 240 watts; could be broken down by each pole. Xcel Energy has cut off for the financial benefit at 100 KW.) Is there a roof repair issue? (Mr. McPherson: 5-year warranty on no leaks. They help shield the UV rays, too.) (Mr. Waldes: If repairs were needed on the roof, Town would be responsible for labor and loss of power.)
- Mr. Allen: We are possibly investing in something that may be obsolete. Is there a risk of technology changing? (Mr. Waldes: Yes, there is some risk.)
- Mr. Pringle: What is the agreement? There is a 3% increase each year? (Mr. Waldes: Yes, there is a risk that electricity rates drop significantly. If Excel lowers the price, then we made a bad bet.) 7% savings each year at the Golf Course.

Mr. McPherson from Innovative Energy explained the mechanics of panel placement and angle of arrays. Our alpine environment dictates the design. We want the best energy for this altitude and weather. Each panel is 16-feet by 16-feet and bottom is 8-feet above ground; highest point at 17-feet at a 35-degree angle. They do not “track” the sun. (Mr. Neubecker: “Power Flower” panel design option was looked at and not viable due to costs.)

Mr. Allen opened the hearing to public comment.

- Kim Stevenson: I have only seen one solar panel on a pole, in Blue River. It looks horrible. If everyone did this it would look pretty bad. Can we see other examples somewhere in Colorado? (Mr. McPherson: Fleet Maintenance building in Frisco (the County shops) has a smaller array.) How many panels are proposed at the Clubhouse? (Mr. Neubecker: Sixteen.) In the whole state, are there any examples of where solar panels were installed at a golf course or public music facility?
- Trish Holcroft: Question on the process. Who assigns the points for each policy? (Mr. Neubecker: Staff recommends points for each policy and the Commission agrees or disagrees. Then the Commission makes a recommendation to Town Council.) Some policies were not addressed in the review such as Historic Standards, Adverse Affect, Placement of Structures, and Historic Preservation. I have concerns that some policies were not identified in the report. Was it looked at fairly? This seems rather aggressive.
- Ed Nolan: I agree with Ms. Dudney; you are buying a “pig in a poke”. What are the details on the costs, and is there a guarantee on any savings? We don’t have all the details. We make money three ways: tourism, tourism and tourism! Those who came before us created a beautiful mountain Town and the uniqueness and historic quality are important. The large 16’ x 16’ solar panels at the Clubhouse and along Park Avenue will not add to the beauty of Breckenridge. It may reduce carbon footprint. Tourism is the most important money making we have. We will be stuck looking at these for 30 years. If they run off the tourist, we can do nothing. The provider is out to make money. Do the math, it does not make sense. Too many unanswered questions.
- Sherry Shelton: Technology has already surpassed this proposed technology. Tracking sun is standard. Look into “bloom box” technology - solar window glass. Technology will change faster than you think. Look at the use of satellite dishes. I agree that other energy savings need to be looked at. The company is working with Xcel on the whole deal too. 16’ x 16’ is obnoxiously big. Merchants are opposed.

- Tom Byledbal: Opposed based on aesthetics. I can't believe that the Town can't tell us on how much we spend on electricity bills. How much are we saving? This can be calculated. I would not accept this from any finance people. At my house I would have to cut trees and the panels are eye-sores. If I wanted to put these up in the Highlands, the neighbors would string me up! How can you tell an applicant that they can't do this but the Town can do it? You'll get applications from all over town.
- Ron Shelton: I'm in favor of solar power, but object to the array at the Golf Course. Giving maximum points to solar just because it's solar. The Stovehaven residents would gladly pay the \$30 per day savings. No consideration given to the owners of Stonehaven as it will reduce property values. Find a less obtrusive way to meet goals. Technology will certainly outpace this system. These are ugly. Appalled that the Town Council is making the Planning Commission take the heat. They have a lofty goal and you take the heat. Not in favor. Will shine at Stonehaven. Nobody wants this at Stonehaven. Process is not right. Please recommend a denial of this application to Town Council. The Golf Course is one of the most beautiful places in Colorado.
- Greg Poli: Architecturally these get last place in the ghetto, third-world yard art contest.
- Barbara Gibbs: Support the concept and the panel. They look great. It's the right thing to do. Like seeing a community as environmentally conscientious. As a tourist, I am more likely to go to a place that is environmentally conscientious.
- Trish Holcroft: Do you know the Town of Breckenridge Vision Statement? Places like Boulder or bigger cities are different places. Breckenridge is not the same. Mission Statement is to preserve historic heritage. I worked for the Town for 7 years, enforcing the sign code. Some panels, like Valley Brook and Timberline Learning Center are un-obtrusive. This is a huge leap to a product that does not work with our community. We may be turning people off. Put them on the roof. Why do we need something so large and in plain public view? Does not seem to be coming from the Planning Department, which I greatly respect.

There was no further public comment and the hearing was closed.

Commissioner Questions / Comments:

- Mr. Schroder: Appreciate the attendance of the public. I wholly support the solar. The Golf Course was first undisturbed wetlands and then homes and the golf course club house were built. The homes and the Golf Course are really 'unnatural' in their own sense. Additionally, we are using lots of energy just being there. The aesthetics are unnatural already. We get used to change over time. Breckenridge is very much a historic town, but we have embraced change. This does support tourism. This is emotional and heartfelt. I support the staff report and believe that it does comply with the Code. Detached arrays are the second best option per our Code. I agree with point analysis presented by Staff. The required buffers are the distance these are placed from the property lines. Support negative four (-4) points under Policy 7/R. Support the points under Policy 24/R, Community Need. I support thinking more progressively.
- Mr. Wolfe: Appreciate the public turn-out. I am disappointed in the point analysis. This is not objective. Not all policies were reviewed; Policy 5/R (Architectural Compatibility) and 7/R (Site and Environmental Design) need to be looked at. This is impacting the open space at the Golf Course. I hold the Town to a higher standard with these applications. I do not support the point analysis. (Noted that Mr. Nolan walked out and maybe agreed with him.) What are we famous for? We want to be sustainable but not at all costs. This change is not consistent with the Towns values. We are not being consistent with the standards of the previous values of development.
- Ms. Christopher: 100% for solar; however, this is not the best way to go about it. We should look at integration and screening. These are not an eyesore, but looking at the Code, it needs to better reflect our mountain community. Solar is the future, but we need to think about this carefully and get best application. Freestanding panels are great, but not here. Solar is part of the future, but think about it carefully.
- Mr. Butler: I am a pro-solar guy, but don't think the arrays comply with Policy 5, Architectural Compatibility, both the absolute and the relative portions. They are too visible. Distance alone is not an adequate buffer. Not supportive of this application as presented.
- Mr. Pringle: Expressed thanks to the crowd. Sometimes this (being a Planning Commissioner) is a crappy

job. My issue with the panels at the Golf Course is not the roof-mounts, it's the arrays. The arrays of this size and nature overwhelm everything around them. It will be the first thing you see arriving at the Clubhouse. The policies in the Code did not anticipate arrays of this type. We need to balance interests here. I suggest that we build a solar farm outside of public view. This will proposal overwhelm the site. I believe should give maximum negative points under 5/R for aesthetics. Don't agree with point analysis. Take a closer look. Council may change and we'll still have the panels. Re-think the concept of the arrays. Support on roofs, but not arrays. Recommend that the Council not go forward.

Ms. Dudney: Learned a lot here today. A key issue is the large visual impact. There is a cost associated with the roofs. Technological advancements will surpass this sooner. Aesthetics are a concern to the neighbors. Replacement is not that easy. There are risks of lower energy costs. On the positive, it saves \$30.00/day. Strongly recommend the Town Council not go forward with this.

Mr. Burke To the public - Come to the Council Meeting! Minutes are important. Council may call this up and re-address these issues. My comment is that I heard you. I support solar, but not at all costs. Sometimes you need to follow your heart. It's not all dollars and cents. Too many unknowns. Appreciate Brian Waldes' research and information too. May be a bit misleading in discussion. At my pub, I have heard overwhelming negative comments, no support. If more were in favor, I might think differently. Most object. Was notice sent out? (Mr. Neubecker: Yes, mailing to property owners within 300 feet, and it was posted on-site, plus it was in the newspaper.)

Mr. Allen: Apologize for the lateness of meeting. Agree with Mr. Schroeder. It is a Council goal. There are lots of places that can accommodate solar, but this is not one of them. Fails Policy 5/A. Policy 7/R should have maximum negative points, no buffering to Stonehaven. Policy 9/R, has adverse negative effect. On Policy 5/R, it's not compatible with neighboring buildings. Are these placed on Open Space? These are large structures and we may be placing this on open space. Obsolescence is a concern. Technology will surpass these panels. Concerns about the precedent we are setting. Vendor carts and MMD are examples. In roof of Club House is OK. Arrays are not. I'm concerned about the precedent. When this solar policy was adopted, we were thinking about a small array in the backyard.

Mr. Pringle: If Council gets comments, do we need to officially go through points?

Mr. Schroder made a motion to approve the Point Analysis for the Breckenridge Golf Course Clubhouse Solar Project, PC#2011008, 200 Club House Drive as presented. There was no second and the motion failed.

Mr. Pringle I would recommend to the Council that they reconsider the application because the Commission has concerns with the following: maximum negative points for the relative policies: Policy 5/A Architectural Compatibility (6-1 vote), inadequate buffering and 5/R, (6-1) aesthetics, 7/R (6-1) Site Buffers and Privacy, 9/R (6-1) Adverse Affects adjoining properties. It also fails second 'Finding' in the Findings and Conditions. Are any of these on Public Open Space?

Mr. Burke: Policy 5/A-Architectural Compatibility is the key concern.

Mr. Dudney: The policy seems too vague.

Mr. Pringle made a motion to recommend the Town Council against the Point Analysis for the Breckenridge Golf Course Clubhouse Solar Project, PC#2011008, 200 Club House Drive and the policies and Findings Policy 5/A Architectural Compatibility (6-1), adequate buffering, and 5/R, (6-1) aesthetics, 7/R (6-1) Site Buffers and Privacy, 9/R (6-1) Adverse Affects adjoining properties, Fails second 'Finding' in the Findings and Conditions, which states "The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect." Ms. Christopher seconded, and the motion was carried (6-1).

Commission took a 5-minute break. - Resumed at 11:32 PM

2. Riverwalk Center Solar Project (CN) PC#2011007; 150 West Adams Avenue

Mr. Neubecker presented a proposal to Install 50 kW of photovoltaic (PV) solar panels solar in the form of 9 pole-mounted systems installed adjacent to the Tiger Dredge Lot at the Riverwalk Center, plus flush-mounted solar panels on the roof of the Riverwalk Center. There would also likely be a small flush-mounted system on the roof of

a new dumpster enclosure building at the west terminus of West Adams Street. (The dumpster enclosure has not yet been constructed.) The proposed solar panels would produce approximately 71,000 kWh of energy, out of approximately 300,000 kWh consumed annually at the site (23% solar powered).

The proposed solar panels would be owned and installed by RSBF at their own expense. They would they sell electricity to the Town at a rate lower than Xcel Energy. After six years, the Town has the option to purchase the solar panels (at a depreciated price) and receive all of the electricity at no cost to the Town (other than the purchase price). The estimated lifespan of the solar panels is 30 years.

Staff recommends positive three (+3) points under Policy 24/R-Council Goals for the use of renewable energy, and positive three points (+3) under Policy 33/R-Energy Conservation. Staff recommends negative four (-4) points under policy 7/R-Site and Environmental Design for lack of buffers and negative two (-2) points under policy 7/R-Site and Environmental Design for removal of mature trees. This would result in a passing score of 0 points.

The Planning Department has concerns with the installation of solar panels in such a highly visible location. Our concerns focus primarily on the removal of mature trees, and the highly visible placement of the solar panels. If the northern most panels could be relocated to the south side of the parking lot, where they would be much less visible, then some of our concerns would be reduced. However, we also support the use of renewable sources of energy as an active step to reduce the Town's carbon footprint.

There are a few other panel types that could also be installed at this site. One alternate under consideration is called a Power Flower, which is designed to look like a large flower, but our Finance Department and Consultants have researched these and they are cost prohibitive.

Since this is a Public Project, the Planning Commission was asked to make a recommendation to the Town Council, and the Town Council will make a final decision.

Mr. McPherson explained the re-adjustment of moving two of the arrays to the south of the property to avoid removing the larger trees at the north. Also note removing an array for the dumpster building.

Commissioner Questions / Comments:

- Ms. Dudley: Could this property be redeveloped by the Town in the future? (Mr. Neubecker: Yes, it is possible.)
- Mr. Wolfe: Is this a Riverwalk Improvement area? (Mr. Neubecker: No.) Is this in the Historic District? (Mr. Neubecker: No.)
- Mr. Pringle: Are there roof-mounts? (Mr. McPherson: Yes.)
- Mr. Burke: What percentage of the panels is on the roof? (Mr. McPherson: About 25%.)

Mr. Allen opened the hearing to public comment.

Eric Buck: (HOA Highlands): I solicited comments from HOA (about 6), they were all negative. This is really not for the savings, if you compare \$10,000 to the overall Town budget of about \$37 million. It is a small portion of the overall budget. It's a "feel good" project. Money could be made up with minute cost increase in Recreation Center fees, Riverwalk Tickets, etc. The Council and Commission are to look out of the citizens of Breckenridge. There are no positive impacts to the Town of Breckenridge. The negatives are seen by anyone driving on Park Avenue of playing golf or visiting town. Ski Magazine does not rate whether a ski area is "green", they look at the "feel" of the town. They look at the skiing, the restaurants, etc.

Sherry Shelton: (Retail Association): I am completely opposed to this. Negative impacts will impact the merchants too. If we can show that other resort communities have warmly embraced big solar panels, then I would reconsider. Tourist will not want to be here and spend money. 23% energy savings is not enough.

Ron Shelton: Thank you for the time you put in the Commission, especially Mr. Pringle. I am not against solar. Park Avenue is not the place to install these. They are an eye-sore. No fiscal sense. They do not comply with the mission or vision statement for the Town. The character of the Town is important. It's hard to define character, but these are very negative. The panels will look like

billboards. It's not about the money but bragging rights. These will be backgrounds to every photo taken at the snow sculptures and for a savings of only \$18.35/day. Statement states to "preserve the views from Town". These do not do this. Recommend denial of this application. The look of this Town is most important. Planning Commission needs to preserve, protect and enhance the aesthetic value of the town.

Lee Cohen: I help on the snow sculptures every year. The official portraits look up toward the ski area. How will they look now?? Picture what it will look like with solar panels. Not a strong point analysis at zero points. Staff analysis over-estimates the positives and under-estimates the negatives. In this location, in addition to solar panels we will have "targets". Our guests are not above vandalism.

Peyton Rodgers: (Representing the One Breckenridge Place Townhomes): The owners of One Breckenridge Place are very concerned with these panels. They are unsightly in this location and a loss of values of aesthetic. The Riverwalk Center is near and dear to my heart (I was married there), and the arrays will negatively impact the look of the Riverwalk Center. We sell to groups and use the Riverwalk Center as a sales pitch. That will be much harder with these panels.

Bonnie Smith: I agree with all the public comment so far. I ask the Planning Commission, if you were brought a project like this by a private builder would you approve it? Most likely not. It would be a public outcry. Since it is a Town project it is being treated differently.

Trish Holcroft: We represent several properties in this area. They just got notice yesterday. Park Place board is not happy and will lose views. Try to minimize impacts by keeping them on the roof. Standing arrays impact views. Less concern with panels on the roofs. Same concerns with Code policies that were mentioned on the Golf Course application. Concerns include: Policy 7/R privacy, site impacts, 22/A and 22/R Landscaping, no significant landscaping being added. Park Place is adding \$20,000 dollars of landscaping for a remodel and the Town does not add any for the arrays. Look at the opening paragraph of the Town's Development Code. Review the Code Policies 5, 6, 7, 9, 22, 24. I will process a petition to the unit owners I represent to present to the Council next week. Please add your guidance to the Council. Policy 6/A-Building Height – is this a building, structure, billboard?

There was no further public comment and the hearing was closed.

Commissioner Questions / Comments:

Ms. Christopher: In the design standards solar panels are encouraged outside the Conservation District. The arrays are not the way to do this; put them on the building. It would be different if they were tucked away (in the rear). These are right in the view of the public, next to highway, not right.

Mr. Butler: I reiterate my comments about the Golf Course. They are more visible than those at the Golf Course. Screen these with a wind-farm.

Mr. Schroder: What about the "Progressive Historic" mountain community? I think the point analysis is accurate. I also represent a sector of the community. This is another avenue for a tourist attraction because we do have these. I don't know if this is the right location. But I see it as a passing score.

Ms. Dudney: Shouldn't be doing things because it makes us feel good, the risks outweigh the benefits.

Mr. Pringle: Being "green" doesn't outweigh the other benefits of living in Town; this overwhelms the feeling driving down Park Avenue. We need to protect the historic character. Solar has a place, but I don't know this is the right way of doing this. The Town Code did not envision these arrays. We thought about arrays in backyards. Sustainability means security, preservation. Let's not, in our effort to make statement, override the other values we have. (It's a travesty that the doors to Town Hall were locked during the meeting somehow.) I'll look for negative points in all the usual places.

Mr. Wolfe: Thanks for staying so late. I have same comments as before. Too close to the historic portion of Town. Agree with Mr., Pringle. Arrays are unacceptable, but on roofs they are more palatable. We can't be sustainable at all costs.

Mr. Allen: Same comments as at the Golf Club. In addition, cutting down trees to put up arrays conflicts with Policy 5/A. Taking one tree down is too much. This conflicts with Vision Plan. Note: If Town Council goes forward with this, please send notice every homeowner – not just the HOAs.

We need more input. There could be other places to put the panels.

Mr. Schroder made a motion to approve the Point Analysis for the Riverwalk Center Solar Project (CN) PC#2011007; 150 West Adams Avenue as presented. There was no second and the motion failed.

Mr. Pringle: I would recommend to the Council that they reconsider the application because the Commission had concerns with the following: maximum negative points for the relative policies, Policy 5/A Architectural Compatibility, adequate buffering and 5/R aesthetics, 7/R site buffers and privacy, 9/R adversely affects adjoining properties, fails second “Finding” in the Findings and Conditions.

Mr. Pringle made a motion to recommend that the Town Council not approve the Riverwalk Center Solar Project (CN) PC#2011007; 150 West Adams Avenue. Commission concerns (or where the application does not meet the code or deserves negative points) included: Policy 5/A Architectural Compatibility (6-1 vote), adequate buffering and 5/R aesthetics (6-1), 7/R site buffers and privacy (6-1), 9/R adversely affects adjoining properties (6-1), 22/R. The application also fails second “Finding” in the Findings and Conditions. Also, Mr. Pringle noted that the doors to Town Hall were locked and some public comment was not heard. Ms. Christopher seconded, and the motion was carried (6-1).

Mr. Burke: Noted that the minutes are often not accurate enough and these need to be accurate and detailed.

OTHER MATTERS:

1. Planning Commission Field Trip

Mr. Neubecker presented a memo summarizing potential topics for the Planning Commission field trip, tentatively scheduled for some time in the fall. This topic will be discussed at a future meeting.

ADJOURNMENT:

The meeting was adjourned at 12:30 a.m. on March 16th.

Rodney Allen, Chair