

PLANNING COMMISSION MEETING

THE MEETING WAS CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Michael Bertaux	Rodney Allen	Dan Schroder
Leigh Girvin	Jim Lamb	Dave Pringle

Mike Khavari was absent.
Mayor John Warner, Town Council Liaison, arrived at 8:30 pm for the worksessions.

APPROVAL OF MINUTES

Mr. Allen had a change on page 5 of 100 of the packet. In Neighborhood Preservation policy, his comments should state: “Opposed to 7,000 square foot limit on large lots (over 1 acre)”. With this one change, the minutes of the October 7, 2008 Planning Commission meeting were approved unanimously (6-0).

APPROVAL OF AGENDA

With no changes, the Agenda for the October 21, 2008 Planning Commission meeting was approved unanimously (6-0).

CONSENT CALENDAR:

1. Winterpoint I Exterior Remodel (CK) PC#2008110; 200 Primrose Path
2. Shores at the Highlands Lots 26A & B (MGT) PC#2008111; 209 & 211 Shores Lane

With no motions, the consent calendar was approved unanimously (6-0).

RESOLUTIONS:

1. Adoption of the new Trails Master Plan (SR)

Mr. Reid presented a draft version of the revised Town Trails Plan. The Plan, originally approved in 1996, provides long term direction for various existing and proposed trail connections that would benefit the overall recreational and commuting trail system in and around Town. After twelve years, the original document is outdated and requires additional review and revision.

The attached draft document has been revised by BOSAC and Town staff over the past several months and has been discussed at three public BOSAC meetings. In addition, Town Council reviewed the draft at its meetings on 8/12 and 9/23 and made revisions that are reflected in the attached document.

To complete the revision process to the Trails Plan, the Town’s Master (Comprehensive) Plan must be amended through the adoption of resolution by the Council. Pursuant to Section 9-4-4 of the Town Development Code, the Planning Commission is required to supply Council with a written recommendation prior to Town Council’s public hearing for a Master Plan amendment. Staff will incorporate consensus input from the Planning Commission, then return the plan to Council for the next steps in the public hearing process.

Commissioner Questions/Comments:

Mr. Bertaux: Agreed that there can be conflicts between bikes and pedestrians. Try to reduce risk and liability. (Mr. Reid: we have been working with Town Attorney on determining an acceptable level of risk.) More concerned about risk and conflict on trails close to town. Less concern in Golden Horseshoe, and on trails further out of town core. Concerned about language that some trails will be closed in Shock Hill. (Mr. Reid: there are some trails on private property that are not located in the easements.) Maybe state: relocate trail into easements, rather than close trail. At this point, maybe consider spending more money and effort on maintenance and less on acquisitions.

Ms. Girvin: Peaks Trail relocation of trailhead: Current trailhead starts on contour. Preferred retention of current trailhead, but explore other trailheads too. Concerned about moving trailhead to north. Would result in steep grade at start. (Mr. Reid: Goal would be to move trailhead away from Peak 7, to make it more difficult for alpine users to poach parking spaces.) On Freeride Parks, concerned about having features on trails, since they can be dangerous, and could result in user conflict with pedestrians. Hermit Placer trail looks like it has actual features right on the trail; but there a lot of pedestrians on

that trail. Didn't think integrated features were appropriate where there are many pedestrians. On Bemrose Trail, Warriors Mark through Gold King very important trail. Lately County has not plowed trailheads well. Bemrose trailhead is big, but not well plowed in winter. Work with the County to increase plowing. On Moonstone and Carter Park trails, renegade trails on fall line are causing damage to land. We need plan to close renegade trails. (Mr. Reid: We do close trails currently with our maintenance program. Priority is to maintain existing trails first, so we will address poor alignments and social trails.) In Golden Horseshoe, would like to know where is 'the unnamed trail that crosses Western Sky'. (Mr. Reid explained the location of the trails.) As incentive, Town can also purchase easements.

Mr. Schroder: There are ways to address safety and limit conflicts between users. If signage is used to dedicate Freeride parks for mountain bikes only, then pedestrians will be warned.

Final Comments: After 12 years, it needs to be updated.

Mr. Lamb: Should state "Use Freeride Parks on trails where appropriate".

Final Comments: Good report

Mr. Pringle: Are there signs indicating mix of users? (Mr Reid: yes, we can try to address user conflicts with signage.)

Mr. Allen: Agreed with Ms. Girvin on Peaks trailhead, if trail will be too steep to start. But OK if grade is gradual. Concerned about recommendation to put trailheads in residential areas. (Mr. Reid: In some places, we do have trailheads in residential areas.)

Final Comments: Liked incentives for property owners. That's how they'll be willing to help. How is town affected if County has no money (if 1A fails and County does not have future money to maintain their portion)? (Mr. Reid: acquisitions will be severely affected, but County does recognize obligation to maintain existing trails and open space.)

Mr. Bertaux made a motion to approve the resolution recommending the inclusion of the "Town of Breckenridge Trails Plan (Revised August, 2008)" as part of the Town's Master (Comprehensive) Plan, with the changes as recommend by the Planning Commission during their discussion. Mr. Pringle seconded and the motion was carried unanimously (6-0).

FINAL HEARINGS:

1. O'Rourke Square (MGT for MM) PC#2008091; 226 South Ridge Street

Mr. Thompson presented a proposal on behalf of Mr. Mosher to remove the existing small non-historic house and then construct a new single family residence with an accessory apartment. The main house will have four-bedrooms, four and one-half bathrooms and a three-car garage. The apartment will have one-bedroom and one bath. Changes from the last hearing include an improved landscaping plan with the addition of cottonwood trees, change from wood shingles to a dark asphalt shingle that will blend better with the solar panels, and some minor changes to the north elevation with the addition of a dormer. Staff reviewed landscaping plan with Jenn Cram (our staff landscape architect) and she finds it's a good plan. Proposal deserves positive two (+2) points under policy 18/R for screening parking, and access from alley. Results in passing score of positive three (+3) points based on staff reviews.

Staff recommended the Planning Commission approve O'Rourke Square, PC#2008091, located at 226 South Ridge Street, Lots 17 and 18, Block 10, Abbetts Addition, with the attached point analysis and Findings and Conditions.

Mr. Allen opened the hearing to public comment. There was no public comment, and the hearing was closed.

Commissioner Questions/Comments:

Mr. Bertaux: Final Comments: Not crazy about solar panels in historic district, but it is new construction and it's the future energy. We'll be seeing more solar panel applications. I'll support project.

Ms. Girvin: On positive six (+6) points for solar, what if they don't ever install it? (Mr. Thompson: They would not get a C.O. if panels were not installed.) Goal with solar panels was to be off the electric grid. Is that still the goal? (Amy O'Rourke, Applicant: Yes, as much as possible, but will still tie into grid. 50-75% savings on electric due to solar.)

Final Comments: Great to add cottonwood trees to this character area, house looks good. Appreciated use of solar panels.

Mr. Schroder: Question on amended positive two (+2) points under 18/R Parking. (Mr. Thompson: driveway access is from alley, not road, and screened from public view.) Are there any details required for the new

drainage pan? (Mr. Thompson: I have talked to Town Engineer; they will review design before it's built.)

Final Comments: Agreed, supported use of solar panels.

Mr. Lamb: Final Comments: Agreed with what's been said, supported point analysis.

Mr. Pringle: Is positive six (+6) the maximum points under Energy Conservation (Renewable Energy Sources) 33/R? Are they doing anything else other than the solar panels? (Mr. Thompson: Yes, positive six (+6) is made under Renewable Sources of Energy. According to Glen Morgan, Town of Breckenridge Building Official, it's almost impossible to exceed the new state energy code for insulation. No points awarded for Energy Conservation.) Suggested adding: "Valley pan must be installed prior to C.O." to Condition #12 in the Findings and Conditions.

Final Comments: Previously had concerns with massing of two modules. Don't think it's been addressed. Still seems a bit oversized with three car garage in the Historic District. Believes the garage size has negative influence on the home. But since I don't have support from other Planning Commissioners, will support project. Appreciate changes already made. Not sure if it deserves positive six (+6) points for only solar panels.

Mr. Allen: Final Comments: Concerned about awarding the maximum positive six (+6) points for solar panels. OK if they are meeting 75% of their electricity needs. (Staff pointed out codes and difference between Renewable Energy and Energy Conservation.) I am OK with the point analysis now. Did not realize Policy 33/R had an A and B sections, which allow for a total of positive twelve (+12) points under Policy 33/R.

Mr. Lamb made a motion to approve the point analysis for O'Rourke Square, PC#2008091, 226 South Ridge Street. Mr. Bertaux seconded, and the motion was approved unanimously (6-0).

Mr. Pringle made a motion to approve O'Rourke Square, PC#2008091, 226 South Ridge Street, with the presented findings and conditions, and a new condition prior to Certificate of Occupancy stating "A detailed plan for the valley pan, alley improvements, and new curb and gutter must be approved by the Town of Breckenridge Engineering Department and installed prior to Certificate of Occupancy." Mr. Bertaux seconded, and the motion was approved unanimously (6-0).

WORKSESSIONS:

1. Capacity Analysis (CK)

Mr. Kulick presented an update on the capacity analysis. In May, 2007 the Town Council directed staff to commence work on a capacity analysis for the Town. The capacity analysis is intended to assist the Council in their understanding of the Town's physical capabilities (e.g., infrastructure) to sustain development. The memo presented provided an overview of the capacity analysis. In the past year, staff has completed reports on each of the capacity measurements discussed below and is in the process of creating a synopsis of all the data associated with the capacity analysis and identifying action steps based on that information.

The Capacity Analysis has included information from the following 11 measurements:

Buildout

- Count of existing built residential units
- Count of remaining residential SFEs allowed by LUGs, master plans, etc.
- Inventory of existing built commercial square footage
- Evaluation of development potential of remaining commercial square footage allowed by LUGs, master plans, etc.

Water

- Explanation of historic snowpack, consumption patterns, and how they affect estimations of water capacity
- Existing system water in SFES
- Current system capacity in SFES
- Anticipated buildout in water SFES
- Affordable Housing's impact on water SFE's

Sewer

- Current treatment capacity
- Potential treatment capacity

Roads

- Level of Service Data on Record
- Roadway Congestion Influences
- Areas that are Projected to Experience Higher Traffic Volumes at Buildout

Parking

- Parking Management & Needs
- Number of Town controlled public parking spaces
- Number of skier parking spaces
- Parking Occupancies and patterns

Transit

- Ridership trends
- Ridership numbers: by month, stop and route
- Identification of major hubs & portals: for both departures & arrivals
- Evaluation of areas in need of service

Housing

- Affordability comparison of average median home price to median income trends
- Number of deed restricted affordable housing units
- Number of affordable housing units needed per housing needs assessment, both catch-up and keep up

Childcare

- Number of childcare slots provided
- Number of slots needed per needs assessment

Schools

- Number of students compared to recommended occupancy of buildings
- Number of students per teacher

Parks and Open Space

- Number of acres of open space
- Acres/person of open space
- Number of acres of parks and open space
- Recommended Amount of Park Space

Environmental Quality:

- Air Quality trends, based on Colorado Department of Health data collected
- Forest health
- Wetland health
- Wildlife habitat
- Water quality
- Future Environmental Studies
 - Energy consumption trends in Town facilities
 - Overall carbon footprint

The capacity analysis at this time is limited to an examination of measurements indicated above. A number of communities such as Aspen, Santa Monica and Whistler have taken an additional step of developing a full list of sustainability indicators for their communities. A future step could be for the Town to pursue developing similar sustainability indicators.

Commissioner Questions/Comments:

Mr. Bertaux: Let's keep this document active. Let's not wait 10 more years to update this.

Mr. Pringle: This now shows the forethought of the 1997 Joint Upper Blue Master Plan.

2. Solar Panels Ordinance Amendment (JP/MGT)

Ms. Puester presented. At the October 14th Council meeting, Council requested that the Planning Commission and Staff look at revising the portion of Policy 5 (passed in June, 2008) regarding the placement of solar panels due to public comment from a property owner and solar panel installation company. The concern was that the policy was written to only permit panels to be installed so as to run parallel to the roof line, not to exceed 9" above the roof.

The policy language as written, in some cases, excludes some property owners from greater solar access. There is also a potential risk of damage to the panels due to snow load and snow clearing should they be on a shallow pitched east or west facing roof at 9” above the roof. The argument for changing the policy would be that if panels were permitted at a 40 degree tilt angle, the snow shed is ideal and additional solar gain could be achieved. Current code only allows panels at same angle as the existing roof, both inside and outside of the Conservation District.

Staff requested to hear the Commission’s opinions regarding a change to the policy (rise, tilt, application review process, and any other thoughts).

Commissioner Questions/Comments:

Mr. Bertaux: OK with the change outside the conservation district. Would also be OK in specific cases inside of the district under further review such as Red Roost condos which are not historic and are multifamily.

Ms. Girvin: Thought we need to change the policy if we are serious about renewable sources of energy. Agreed it’s not appropriate in the historic district but some cases such as Val D’Isere would be OK. In favor of making these necessary changes.

Mr. Schroder: Thought the current policy is great first step. Even though this was just approved, it’s good that we reevaluate this. Great that Council recognizes this shortcoming. If we want to be a leader in green technology, we should advocate this. The rise - tilt consideration should be modified. Proper angles should be allowed, both inside and outside conservation district. See this issue like blue recycling containers, that at one time were seen as more clutter, but are now accepted.

Mr. Lamb: Liked the aesthetics of solar panels. Did not have an issue with the change outside of the district. Didn’t agree on taking baby steps. Maybe we should have included this allowance in original policy and not passed it so quickly. As these come online, we realize there is technology that we did not consider.

Mr. Pringle: Are there other models or products that could be pursued in this case mentioned? (Ms. Puester: This issue is for greater solar gain, these additional panels on the east and west facing roofs to be added, but panels have been approved for this application on the south facing roofs already. In this case, the primary roofs are east and west facing.) What about Building Integrated Solar Systems- like the new solar shingles which could have more pleasing aesthetics? (Sean MacPherson, Innovative Energy: We only use applications that have been reliable up here and what is most cost effective for the client. Solar shingles do not work well in an application in Keystone and do not have a Class A fire rating, have lower energy density. It’s a question of “State of the Art” vs. “State of the Shelf”.) Do we want to allow them to get maximum solar gain, or do we also consider aesthetics? Aesthetics used to be one of the most important things to the Town. Didn’t like it when we just recently passed an ordinance and are already finding issues. We should take baby steps. Would solar hot water be effective here? (Mr. MacPherson: No, solar heating does not get the same tax credits as solar electricity, which gets the rebate, not just the tax credit. Also, 55 degrees is optimal for solar hot water, since it is mostly needed in winter.) Disagreed with Mr. Schroder on changing code inside of the conservation district. Conservation district was at one time seen as the most sacred character of town. We need to preserve the character of the historic district. A lot of issues to consider besides just “green” energy. Issue is similar to split level brick buildings on Main Street that we liked at first, but later realized that they impacted this historic district when too many were built. Not opposed to what are trying to do, but would rather take a wait and see approach. If we have panels outside of the District going every which way on every rooftop, which you can see from the core of Town, how will that look? We need to plan ahead and foresee that situation. Need to be careful. Has an angled solar panel system across the street from his house and it looks horrible. Yes, it is old but so will all of these be one day.

Mr. Allen: OK with change outside of district as a Class D, Class C inside district as written to remain. Would be OK with Val D’Isere and Red Roost (examples). Do not want to have it apply all over Town.

Dr. Warner: When we approved this, we were taking baby steps. I never considered east or west facing roofs with no pitch. Council felt that our hearts were in the right place when this code was adopted, but this is something we did not really contemplate.

Sean MacPherson, Innovative Energy: As proposed for this specific case, the panels are about 30” above roof, optimal angel here is 45 degrees for solar gain. Optimal angle for snow shed is 40 degrees. Think changing the code can balance between energy consumption and aesthetics. Solar incentives now take about 75% off the cost for

commercial buildings and 50% off for residential. Will see many more of these applications and panels going up all over. Solar access of this particular system improves by 60% if these panels can be added. Summit County allows for panels to be angled but does not allow panels to exceed elevation of the roof ridge.

3. Park City Planning Commission Field Trip Recap (CN)

Mr. Neubecker presented a memo summarizing the Planning Commission field trip to Park City. The Planning Commission Field Trip to Park City was October 8-10, 2008. Our staff and Planning Commission met with staff from the Park City Municipal Corporation, as well as several developers, architects and realtors working on various developments in the Park City and Deer Valley areas. Staff noted that the visit to the Sky Lodge development was left out of the memo by mistake.

Commissioner Questions/Comments:

Mr. Bertaux: Five years ago when I was in Park City, it was already going downhill (the historic district). Last year we learned a lot in Vail (especially the underground deliveries) on our trip.

Ms. Girvin: We addressed some big picture stuff that was also appropriate for Council to attend. Also, consider two weekdays and a weekend, for those who work. Even though it can be hard to take time off, it was worth it. Thank you to the Town Council for allowing us to take this trip and making budget available. Park City is way ahead of us on their sustainability issues. It was very worthwhile.

Mr. Schroder: On their sustainability analysis, they anticipate the impact on their ski industry. They are at a much lower elevation. In future, snow may not be as much of a draw. It was not just a junket; we all had to make some major changes to our lives to make it happen.

Mr. Pringle: Park City is a wonderful place, but their historic district is ancillary to the experience. But here, we have retained our scale and character. Their historic district is now a just a tourist area, but its not where the locals go. On these trips, all of us get to hear it at the same time from the same person, and develop great team-building. A few years ago, we took a trip around Breckenridge. That was also very effective to take the time to discuss what's been built here. Should we focus more on economic diversity? We may want to diversify, but hold back the impact that jobs create. Do we want to change our niche? In Vail they created density as an incentive, to allow taller more dense buildings.

Mr. Allen: Much of what we saw and heard was policy level, and could have benefited Town Council even more than Planning Commission. Park City had many growth challenges over past 10 years. They have a Department of Sustainability and Economic Development staff. A few years ago they had a disconnect between Town Council and Planning Commission. Then they started to have informal get together at a local bar or restaurant outside of official meetings.

Dr. Warner: Want help from the Commission convincing Town Council members to attend these types of trips. From the staff memo, it shows that there was much more than just planning issues. There was a lot of policy discussion. I attended the trip to Vail last year and Whistler several years ago, and they are worthwhile. Question is what do we want our valley floor to look like in 20 years? Also, where is the density going to come from for our affordable housing? These are questions that we have not yet answered.

OTHER MATTERS: none

ADJOURNMENT:

The meeting was adjourned at 10:45 p.m.

Rodney Allen, Vice Chair