



TOWN OF  
**BRECKENRIDGE**

**Planning Commission Meeting Agenda**

Tuesday, October 16, 2018, 5:30 PM

Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

**5:30pm - Call to Order of the October 16, 2018 Planning Commission Meeting; 5:30pm Roll Call**

*Location Map* 2

*Approval of Minutes* 3

*Approval of Agenda*

**5:35pm - Public Comment On Historic Preservation Issues (Non-Agenda Items ONLY; 3-Minute Limit Please)**

**5:40pm - Work Sessions**

1. Code Amendments: Policy 33R & Carrying Points Forward 12

**6:10pm - Consent Calendar**

1. Gallagher Residence Remodel and Addition (CL) 114 S. Harris St.; PL-2018-0411 22

**6:15pm- Other Matters**

1. Town Council Summary (Memo Only) 53

2. Class D Majors Q3 2018 (JP) (Memo Only) 59

3. Class C Subdivisions Q3 2018 (JP) (Memo Only) 63

4. Gretchen Dudney Recognition

**6:30pm - Adjournment**

**For further information, please contact the Planning Department at (970) 453-3160.**

**The indicated times are intended only to be used as guides. The order of the projects, as well as the length of the discussion for each project, is at the discretion of the Commission. We advise you to be present at the beginning of the meeting regardless of the estimated times.**



Gallagher Residence Remodel & Addition, 114 S. Harris Street



NOT TO SCALE

**Breckenridge South**



## PLANNING COMMISSION MEETING

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

### ROLL CALL

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

### APPROVAL OF MINUTES

With no changes, the September 18, 2018 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the October 2, 2018 Planning Commission Agenda was approved.

### PUBLIC OPEN HOUSE

#### 1. McCain Master Plan Update & Work Session

Mr. Lott presented the updates to the McCain Master Plan. The main function of this proposal is to accommodate a future school parcel. The area is 128 acres in LUD 43. Existing site is heavily dredged and the river has gone through restoration work which is on its way to completion. The property was originally annexed in 2003 under LUD 43. In 2013 the first MP was adopted. In 2015 the original MP was modified to incorporate additional uses including work force housing and service commercial. In early 2018 the Town engaged in conversations with the Summit School district about a property exchange, to switch a parcel in Block 11 with one in McCain. Updates to parking, snow storage consolidated and relocated, solar garden modified, work force housing tracts were also modified. Mr. Lott pointed out parcels on the map and explained the acreage of each, and discussed differences with the 2015 Master Plan. We intend to bring the Master Plan Modifications as an official hearing at a future date.

The Open House was opened for Public Comment.

#### Public Comment:

Gail Quigley, Peak 7: What is the designated TDR space for the housing area? (Mr. Truckey: A potential receiving area. It must go through a fit test first.) What does the Master Plan call it now? (Mr. Truckey: A receiving area.) Is the proposed bike trail where the gravel was just put in? (Mr. Truckey: Roughly, it's on the bank looking toward the river.) Has the school area or recreation area been considered for the new field house discussion? (Mr. Grosshuesch: No.) Have you talked about Tract 10A being a camping area or is that off the table? (Mr. Grosshuesch: It did come up but was rejected as a suitable site.)

Eric Degerberg, 428 Silver Circle: The bike path, by the roundabout, I think you want to consider an underpass due to traffic and safety. (Mr. Grosshuesch: Under Stan Miller Drive?) Yes.

Art Albin, 512 Shekel Lane: I have been to several meetings relating to this property, today I'm here representing the Peak School, an independent school in Frisco. We are looking for school sites that might be an alternative to our current land. We want to keep our options open. When it came to our attention that the council was considering this as a possible school site, I wanted to bring to your attention that we are seeking something similar.

Mitch Ringquist, 13203 Highway 9: I'm right across from the water treatment plant. As feedback, high traffic in that area to do snow storage would be pretty extreme. I think we can deal with it given the fact that the proposed right of way will go in. If I'm correct, that right of way would go from Coyne Valley, past the

Building Center, past Stan Miller if I'm not mistaken? (Mr. Lott pointed on the map where it would be.) Wouldn't snow storage also be available and possible on portion of Tract 8? It would give you some right of way access from Coyne Valley up to the right of way and right into Tract 8. There is a lot of people coming through there right now with the Building Center and the Water Treatment Plant. I look forward to more open dialogue about this.

Tom Vitalone, 741 Fairview Blvd., also own 2V's Landscaping on Tract 2: Were you planning on filling in the pond for snow storage? (Mr. Grosshuesch: Yes.) Well that's a bummer because that's water that flows all year round, there are hundreds of geese and ducks that seem to winter there. And there's a lot of trout in that pond in the summer. It's too bad that can't be an asset as opposed to filling it in. It would be a big mistake.

Lee Edwards: What happened to the open space guys? That's why we got the property. (Mr. Grosshuesch: almost half is open space.) I don't like adding the tagline for housing. We already consumed Block 11 for housing and putting an isolated chunk for housing just doesn't make a lot of sense to me. Housing here and public works and commercial uses and isolating that little chunk doesn't make sense. Leave it open space.

Allen Robertson, 13203 Highway 9: Number 1, that pond is my son's lake for fishing and there is all kinds of wildlife there. I was told that was supposed to be the gateway to Breckenridge. What people saw. I'm being told that we are going to see piles of snow, DOT stuff, open lot possibly for a school, and now we're adding homes. I was told when I moved here that the idea was open space and that's not what I'm seeing. I hope to see open space to make it prettier, not just more stuff. I thought that was what Block 11 was for. And there's no kids out there for a school, no houses with kids.

Tony Lord, 132 Braddock Court: I've been a Summit County resident for 46 years. Talking about the lake, look at the size of the pond. This is 300 yards across by 100 the other way. It's been there a long time. When the Town started this project I talked with the Army Core of Engineers and was told the Town could do what it wanted with it due to no permanent inflow and outflow that was on the surface. So the Town can fill it. However there is a permanent inflow and outflow that goes through the dredge. The water that used to come through has disappeared and that lake is just about gone since the river restoration. I took my kids to learn to fish and it was kind of a local's secret. However, when the reconstruction of river was done, there is one spot that would be a great spot to over dig and channel water to the pond. If it could be lined and made to be year round, it could be a place for the ducks and geese. There is another pond by the Shores. Basically the development is taking over all our open space. I put a bridge in this area that has washed out several times. It would be helpful if Tract 10A would be some sort of parking instead of here on this side. So people can access the Forest Service land. It would help to add open space. We are shutting it off with the bike path. We need to talk about what the town and the county needs.

Leigh Girvin, 13 Meadowlark Green: I've been involved in the Master Planning in our community for over 20 years. We looked at this parcel in 1997 or 98 when we started working on the first ever Joint Upper Blue Master Plan. It was identified at the time as a parcel that was important for service commercial. You need these businesses to run the community and it's important that use is recognized and possibly that's not enough acreage for something like that. That was an important part of the original Master Plan for this parcel. I'm glad the parking area has been removed, I thought that was an eyesore. But my main concern is for open space and scenic views. Peter pointed out that there is a lot of acreage, but it is cut off from the view from the highway by potentially more housing. Tract 8 had long been planned as a reservoir, which would have preserved a sense of open space and that view is gorgeous as you're coming into Breckenridge. Having a reservoir there would have allowed that. Maintaining the view from the highway is an important aspect of Tract 8. In order to help preserve the scenic view and be maintained for open space and recreation.

Paul Semmer, 272 Blue Grouse Trail, Blue River: I'm here representing the Forest Service. I want to make you aware that last year the Forest Service, CDOT and Summit County completed a wildlife connectivity

study to look at safe passages throughout travel corridors in Summit County. I would implore you to take a look at that study for recommendations to apply to this project.

Carol Rockne, 547 Broken Lance Drive: I agree with Lee, I think that snow storage area behind it for housing is ugly. Can you put the housing where the snow storage is and keep the beautiful reservoir? It's a nice area and I think it should have the open feeling when coming down the road. We do need the service commercial because we are losing that to all the pot shops on Airport Road. I hope you massage this whole thing a little bit.

Jan Degerberg, 428 Silver Circle: My biggest concern is the noise of the snow storage. Trucks backing up and that kind of noise, even with the properties around there, I think that is in the wrong spot. Tract 10A would be a good spot because it's off Coyne Valley Rd. It makes more sense. And do something different with that snow storage spot.

*Commissioner Questions / Comments:*

Ms. Dudney: I think the comments are excellent. We as the Planning Commission are just like you – we make comments but Town Council decides. Some of the comments I heard were view corridor, and service commercial – this is an improvement and moving in the right direction. The housing that's in an area by itself might make more sense to be connected with the other housing rather than by itself. There is a notation for bike underpass, can you show that? (Mr. Lott pointed it out on map.) I wonder why you need it there as opposed to off the street. That bike path is a disaster waiting to happen currently. One thing that this does, it allows the parking with the Vail Resorts agreement to remain on Block 11. The last Master Plan showed them moving onto the McCain property. By making the change with the school district, they can leave the parking on Block 11. (Mr. Lott: that's correct.)

Mr. Schuman: Thank you all for your comments, they are all valid. The thing everyone has to understand is that more and more people are coming to Breckenridge to live, and the town and staff have to figure out how to make it work. I've been here 20 years and I remember Lake Breckenridge, but we have great needs in the Town. Glad to see the service commercial is increased. A lot of the trades are being pushed out so this is an improvement. We could use more open space but at the end of the day we are victims of our own success and this is a popular place to live and recreate. Let the Town Council know your priorities because they are trying to juggle the open space, views, and less noise; but here we are.

Mr. Giller: Those are good points, I think that the Town has done a good job. I think service commercial is important but is getting pushed out of other areas. I'm a fan of open space and parks. Breck is fortunate for this Brownfield area to redevelop. The plan needs a little work and I think the comments are great.

Mr. Schroder: Thanks, the Master Plan is something we layout as a future possibility. It's laid out today as a loose idea of what might occur. We are looking at future plans. There is an expectation of more people coming here, and I wonder where do we put them? There might be a few of us that were born here, but most came here. Just like I got that opportunity, more people will come here. This piece of land will have things on it, it's up to us to decide what things. We may see another Master Plan in the future. At one point there was a lake. The solar garden did get put in place. We have competing interests all the time, I'm glad to hear it all so Council can look and make a solid decision.

Mr. Gerard: The chance to have a meaningful dialogue about one of the last buildable parcels in Town is very important. When this is built out we are pretty much done. A lot of people pointed out significant things about the site. I think the river restoration was a great job. The school trade is an important matter for the Town to work out. It lets the town fulfill the skier parking requirement with the mountain. I'm surprised no one asked to push the skier parking further out. The difficulties with F Lot and bringing more people to town, some thoughts are that it's

better further out. The trade keeps the option of the parking. What the school district will do who knows. I hope everyone writes their comments as Planning Commission doesn't make any final decisions. We only offer opinions. Thank you and please continue to send comments to the Planning Department.

Ms. Leidal: We have a lot of pressure and there's so many conflicting opinions on usage. The public brought up a lot of good points on view corridors and service commercial because we need them and they are getting pushed out. Puts more strain in infrastructure for services to travel. There are a lot of good ideas but the plan needs massaging. I'd like to see this come back to us more refined. Thank you everyone for joining us and taking time out of your night.

**CONSENT CALENDAR:**

1. Breckenridge Market and Liquor Exterior Modifications (CL), 311 S. Ridge Street, PL-2018-0320 (Continued from 8/21/18 Meeting)

Mr. Giller: In the packet, there is a cap flashing that needs to be labeled in the drawing. (Mr. LaChance: It's called out in the note section, item number 4 on the elevations. It's not called with a label, but all the cap flashings are proposed to be replaced.) Mr. Giller: Should it be black? That's an unusual color. Mr. LaChance: All of the existing cap flashing is currently a tan color. (Zach Jankonsky, Assistant Store Manager at Breckenridge Market: The color is more galvanized metal. The metal structures are all black. This accented off the brick.) (Mr. LaChance: All of the colors proposed meet the chroma and quantity requirement per Policy 5.)

Ms. Leidal: Thank you.

With no call ups, the Consent Calendar was approved as presented.

**PRELIMINARY HEARINGS:**

1. Casey Residence (CK), 112 N. French Street, PL-2018-0262

Mr. Kulick presented a proposal to rehabilitate, locally landmark, and add a connector and addition to the existing historic residence. For the record, we did a site visit to the residence and Lee Edwards, the applicant, was present. Since the previous meeting the changes outlined in the staff report include reductions to mass and height, reducing the footprint related to setbacks, windows were modified, and glazing reduced. A materials board was provided along with a landscape plan. The project also proposes energy conservation measures.

Mr. Kulick discussed policies relevant to the project, precedent related to preserving outbuildings. Mr. Kulick pointed out on the map outbuildings that are partially on the applicant's property. Sanborn Fire Maps from the 1800's verified the structures were there. Staff supports the outbuildings remaining in their historic locations. We encourage primary structures to stay in place through the code and their inconsistency between primary structures and outbuildings since the policy does say that outbuildings must be moved onto the property to be eligible for historic preservation points. However staff has found precedent for awarding positive points for historic preservation of outbuildings straddling property lines when there is permission from the adjacent owner.

Clarified interpretations on how to calculate mass and density. Explained building height and related policies. The connector was revised to 23 feet in length. Discussed relevant policy for connector. Windows have been simplified and reduced. Landscape plan drawn by Thetford Landscaping. Reduced the number of trees, pointed out cottonwoods, spruce, and aspens and discussed the landscape plan and relevant policies. The footprint has also been revised and shrunk and they are exceeding the relative setback. In terms of landmarking, they are looking to get free density under the historic main structure. The property meets the criteria for local landmarking.

Ms. Puester: Let the record show that the Planning Commissioners were emailed a letter submitted by

Colleen Sheehy, resident of Longbranch condos separate from the packet.

*Commissioner Questions / Comments:*

Mr. Schuman: Have you calculated snow storage? (Mr. Kulick: Yes, and now there is more space.)

Mr. Giller: Have you looked at the North garage and the turning radiuses, and the porch for the connector? (Mr. Kulick: I can't say I have exactly, but we do not have standards for turning radiuses. Looking at similar projects it is probably in the ball park.) Mr. Giller: On the two-story addition, can we get an elevation on that? (Mr. Kulick: Yes, we can request that for next meeting.) Mr. Giller: On elevation of connector, the battle is that the ridgeline is only 8" below the house ridgeline. The idea of the 2' drop is so there is a differentiation. There are three steps between threshold and connector, so it would be easy to drop the height solving that problem. There's a lot going on there and that needs to be more closely considered. (Mr. Kulick: Applicant can speak to that. We did talk about reducing the height of the connector; it was discussed quite a bit with the applicant.)

Mr. Giller: Phase 1 and Phase 2 shown on the plans, is that relevant? (Mr. Kulick: That will be for their building permit, they will separate the project into phases.) Mr. Giller: Did they speak to meeting the HERS requirement? (Mr. Kulick: They submitted a preliminary report, and they are more than comfortable that they can get there using basic building methods. They have a very high score to begin with.) Mr. Giller: How they plan to achieve their HERS score should be in a building section that shows insulation or notes. (Mr. Kulick: It's not required at the planning phase to that level.) Ms. Puester: We require they get a report before final, that shows the calculations not just a letter.

Mr. Gerard: Since we were on site today, I think you told us this once, but what's the height of the roof on the Fireside Inn? (Mr. Kulick: I'm not sure but I may be able to track it down.) Mr. Gerard: Last time we looked at this, it was my recollection that the easements were not worked out, has that been taken care of? (Mr. Kulick: It's in the process of being executed and recorded. What parties did we get easements from? (Mr. Kulick: The Town, the adjacent property owner, and Longbranch HOA.) What about the property to the south? (Applicant: We have an easement signed.)

Ms. Dudney: Chris, what is the height of the historic home? (Mr. Kulick: It is 12.5'.) Ms. Dudney: How does that compare to other one story homes in the historic district? (Mr. Kulick: It's somewhat representative, but many are 1.5 stories. I would guess about 30% are one-story only.) Ms. Dudney: You said the flat roof and shed roof that you wouldn't want that. Can you explain why? (Mr. Kulick: Typically we want to be able to differentiate between old and new, but not too different. We want the building forms to still reflect the character of the Historic District.) Ms. Dudney: Since this is a Priority Design Standard, I was present when we changed this language on the connector, it was never brought up and we didn't consider the situation where you have a very low historic house. Perhaps, it wasn't written right; but how do you get around it? (Mr. Kulick: Looking at the Noble House as precedent, we were trying to achieve the overall spirit and we could add an additional finding stating why. Based on your direction tonight, we could craft a finding support a different outcome.)

Ms. Leidal: Just some clarification, you are suggesting positive points for the landscaping, but the quantities do not match the report. (Mr. Kulick: The plan needs to update the calipers of trees to reflect what has been agreed to.) I have a question, I know accessory apartments are allowed, but there is a pocket door with a few different ways to connect to the room upstairs; has staff looked at this plan for an accessory unit? (Mr. Kulick: No because it hasn't been requested by the applicant but it would have to meet guidelines if that was the case. Since they are not asking for an accessory unit at this time we have not reviewed it as an accessory apartment.)

Mr. Gerard: This is outside of my knowledge, but I am troubled by the two foot separation between the historic home's ridge height and the ridge height of the accessory apartment. Since they are

putting the historic property on a foundation, could they make the foundation taller? (Mr. Kulick: We don't want to change the overall height and alter it.) Ms. Leidal: There is a rule that says you can't. (Ms. Puester: You can't alter the elevation of a historic building.)

Mr. LaChance: The height of the Fireside Inn is 27'8", per the elevation drawings in the December 2017 Work Session packet.

Lee Edwards, Applicant: Thank you for the comments. Chris did a very nice job. Going through the report I highlighted things to touch on. Starting with the mass: we are looking at it a different way. I understand that rule interpretations can change over time. However, I did a spreadsheet that went back as far as May of 2015 and then without researching all the files, back to December 2011. There was a memo by Chris Neubecker describing how the density was to be applied to a property across from the Community Center. From what I can tell, that's how properties have been reviewed. There's a bunch of them. Typically, for the most part, you have used the total density allowed on the property with a 20 percent bonus to arrive at mass. I want to review that with staff and I want you to understand that we are being calculated on above ground density while everything else has been calculated on the entire density of the property. As recently as April of this year you were reviewing projects using the entire density. We are in district 18-2. This came about because the bank of Breckenridge wanted to have an empty lot for a drive up window. So the Town made the block 18-2. If you use the 18-2 multiplier I believe our mass calculation would be over 4000 sq. ft. We haven't got that number quite worked out with staff. We don't feel the 15 negative points applies for a mass overage because of past precedent. Staff and I will continue to work on this but there is seven years' worth of projects using the whole density to calculate the mass. Thank you very much for the positive point recommendation on the shed. We're not hurting for points. Most buildings like the Fireside Inn and Mr. Giller's house have a roof area that you're able to put living space into. We don't have that. However, if we look at the connector, I'd like to point out to the commission: (on map) If push came to shove, you can say the ridge of the connector is higher than two feet to the original roof. The ridge on the historic home is approximately 6 feet from the historic part to the connector ridge. There's a clear distinction between the connector and into the garage itself. Ms. Dudney: Can you estimate the ridge going down to the connector? Mr. Edwards: Yes, it must be 3.5 or 4 feet. It will make more sense when I do a model of that area. We are trying to meet code. Mr. Kulick: I want to point out the connector picture in the staff report is the picture is from the previous plan. I apologize for any confusion. Mr. Edwards: I think that is pretty much it. If I can address some of the comments from the Commission – yes, we will do sections for the final set of plans. We talked about doing a step inside but one level made a lot more sense. HERS, yes, everything will be done to the existing building. Turning radius: we followed the design Tony and Anne Harris used and they can get their vehicles in and out comfortably. Flat roof – I can't really find an example of a flat roof in the residential area of the historic district. And we will update the landscape plan.

Ms. Leidal opened the hearing for public comment.

Public Comments:

Lynn Hoffman, 107 N. Harris, Unit 213: I've owned property for 25 years. I am president of HOA for Longbranch. You asked about the easement agreement; we have signed it and the neighbors have signed it. It protects us and we are excited we got it solved. Anytime there's a transfer of property it will come up. The easement agreement says that we agree to keep the historic buildings on our property as long as they conform to the existing use and don't make it too disruptive. We hope the commission will work with the applicants on different options for stabilizing. We do have some concerns on this project. We are concerned about the height. If you look at the standards, they say additions shall be compatible in size and scale to the main building and character area. Standard 80 says an abrupt change is inappropriate. The houses neighboring are one level houses. The question I'm raising is what is the character area that we're referring to. In that block the historic character is single level buildings. This project is too high.

Gary Branson, 107 N Harris, Unit 216: We've owned the property for 21 years. One of the reasons we



bought that condo was because of the historic district. We wanted to live in the historic district. We appreciate what you all have done in keeping any project consistent with the neighborhood. I piggyback on the previous comment about height. My concern is that my unit sits directly behind the project. I couldn't hear everything, but was it mentioned the new project height compared to the Fireside? (Mr. Kulick: 25.5 feet to the ridgeline on the structure, the Fireside is 27'8".) Consistency of the houses, the houses are small. As I look at this lot, the size of the house will swallow up the lot and seems overbearing. Across the street they finished new houses that appear to be 1.5 stores. They look very consistent with others. My concern isn't seeing a house built there, but the size and the height taking away from the aesthetics and I'd like to see it scaled down. Thank you.

Deb Edwards, 103 N High Street, 50% owner of 108 N French: I believe the building is too high. I'm not an expert, Lee can analyze something to death, but just because something is different than how it used to be done isn't bad. I'm not an expert but I hardly understand. But I would look at that again. Like you Christie, I'm very concerned about the non-accessory space above the garage. If it looks like a duck and quacks like a duck it's most likely a duck. It has all the things you need to make it an accessory unit. You can say it won't, but it doesn't mean it won't and there should be additional scrutiny relative to that space and I speak from experience. It's a huge building compared to the Craig's building and others. You (directed to Mr. Edwards) presented an original project that took up a lot of time, so why didn't you present this plan then? It was a waste of time that Lee knows darn well wouldn't pass. We have preserved two historic buildings in the historic district and I can't believe this plan wasn't presented first. Perhaps a lesson learned so everyone's time is respected and appreciated.

Mr. Kulick: I did a quick calculation and the space above the garage meets the required of being no greater than 1/3 of the total density required for accessory apartment.

Mr. Edwards: We did eliminate the exterior door that could go directly to the area in question and the other comment is that this property is a double lot, as is the Fireside Inn. The property's frontage is 50' wide while the other houses are on 25' wide lots.

Ms. Dudney: The mass; I do not deny that there are precedents that show the mass was calculated on the basis of total density but I have to go by the language in the Code. Lee, it states very clearly that you're allowed 20 percent of above ground area. Mass is the total above ground. The deviations are only allowed with the transfer of density but it's not allowed in the historic district so it's irrelevant. I have to say unfortunately that you're limited in terms of mass to the 10UPA which means you lose 160 some square feet. But I think you could probably challenge this because it seems unfair to be changed midstream. I see no course of action other than following the staff's recommendation. Bad precedent makes bad law. On the connector; I would be in favor of getting relief from the two foot requirement. If you could cut the height of the connector that would be great, but I have confidence in the staff that it's not the best solution. I would be in favor of a special finding. This situation was never considered when Standard 80A was drafted. The issue about the character of one story: We're not given direction as to what is the character area, but considering precedent and language, and all the other projects that have been approved, I think the character area is more than just that small part of the block. I'm sorry for the people in Longbranch that get views obstructed, but we have to consider the property owner rights.

Mr. Schuman: I agree with point one on the mass. I think the staff has it right and two wrongs don't make a right. We shouldn't continue to mess up. I agree with positive +3 points for onsite efforts. Height and roof design I'm ok and I think it does comply. The connector, I think Gretchen was on to something about the connector, we didn't know they were as offset as they were and there's probably more than 2' difference. I appreciate the landscape update. I support the windows and doors. Do think it's eligible for local landmarking. Character area is discussed as the three buildings, but I think it's a full area and you can't just say the large buildings don't count. Also, we have been working long and hard for many years to get

preservation projects going. We've crafted a lot of codes to encourage livability within historic preservation. I think the code allows you to add height and density for the payoff of restoration. I look forward to seeing more detail in the next presentation. Staff has done a great job.

Mr. Giller: I'd like to start with HERS. The applicant's agent spoke to the integrity of the interior, which is special because lots of houses have been gutted. If you are meeting HERS because you're tearing out old materials, that isn't good. Moving on to questions: I agree with Chris's analysis, the mass interpretation is correct. On historic preservation, I agree with three points for outbuildings but please get that right. If you're going to restore the outhouse keep the wallpaper. Under height and roof design, I think it does comply but it feels too tall. Connector, I disagree, I think there's an easy means to correct it with an interior step or two. It's a perfect example of a connector that needs to be differentiated from height. The connector should come down. Landscape yes, windows doors yes.

Mr. Schroder: The issue is the size. I believe the mass is above ground density and it's too big. The size of the property meets the height requirement, but that's counter to the design standards so I'm looking forward to the next review because it's challenging to know that 23' is acceptable. The neighborhood isn't just the three houses, but the whole East Side Character Area of Breck. I look forward to next presentation and think the project needs a little more work. The roof design meets criteria of Design Standard 121. On the site visit, Lee mentioned that 40" frost depth concrete is required by the building code. I am supportive of points for historic preservation. Connector: It seems like a running ridgeline. It's offset in a minor manner. It's perceived as a running ridgeline and needs to be dropped. Landscaping is great, windows doors comply. Support local landmarking.

Mr. Gerard: I agree that we can't make two wrongs into a right. The fact that the mass policy has been mis-applied in the past doesn't mean we can do it again. The points for the restoration of outbuildings is fine, providing easements work. The height and roof design is a tight fit, and I sympathize with those who live behind, but if it is legally conforming that's how it goes. The difference between the historic building and the new part, the average was an 8' difference. The connector, I think the rule is mandatory and it shall not exceed one story in height. I don't see how you get around it. The rule we were working with and tried to be creative just talked about standards and minimums, and some of the applications were ludicrous. The 2' distinction is important to separate the buildings. I'm voting against it if we don't drop to 2'.

Ms. Leidal: Thank you for all the changes. I appreciate them. I agree with number one. Number 2, I support the historic points for outbuilding with a specific finding. In regard to 3, yes, I think you meet height but I don't think we meet mass. The East Side Residential Character area says it's one of the most important parts of the area and protection is extremely important. Most of the historic buildings are perceived as original structures, but some are pockets of historic context. Which is our three buildings in a row. I think that addition overwhelms it and fails to meet a number of policies. I think you can easily remove the roof on the porch. Number 4, I'm not comfortable with the connector. 5, I support landscape points. 6, windows are fine. Additionally, I'm not comfortable with the amount of corrugated metal siding and I think we should assess negative points for exceeding 25 percent. (Mr. Kulick: Past precedent shows we have never awarded negative points under Policy 5/R for the use of rusted corrugated metal on outbuildings, further it is historically accurate.) I think the addition looks like a primary structure. That's my personal interpretation.

**OTHER MATTERS:**

1. Town Council Summary (Memo Only)

**ADJOURNMENT:**

The meeting was adjourned at 8:03 pm.

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Christie Mathews-Leidal, Chair

## MEMORANDUM

TO: Planning Commission

FROM: Mark Truckey, Assistant Director Community Development  
Julia Puester, Planning Manager

DATE: October 10, 2018 for October 16 Meeting

SUBJECT: Worksession: Policy 33 (Relative) Energy Conservation and Positive Point Vesting

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### **Background**

The Planning Commission has previously reviewed and made recommendations on three installments of proposed Code amendments, which were the result of recommendations from the Comprehensive Code Amendments Steering Group. The Town Council has also reviewed these amendments and agreed with the Commission's recommendations. We have concluded our work with the Steering Group and are reviewing some final policies that we request the Commission's input on.

This worksession focuses on several issues, including the following: Policy 33 (Relative) Energy Conservation, Policy 9-1-17-3 regarding the assignment of positive points, and Policy 4R related to mass bonuses. The attached document includes proposed Code amendments associated with these issues.

### **Issues**

#### **Policy 33R Energy Conservation Code Amendment**

The bullets below highlight a few of the more significant changes:

- Several significant changes are proposed to Policy 33R Energy Conservation after further review with energy industry professionals. One of the biggest changes involves changing the positive point assignment for residential construction so that it is based on a percentage improvement in energy efficiency compared to a standard home built to the existing Residential Energy Code. The scoring was previously based on a HERS (Home Energy Rating Survey) score. However, the Energy Code now requires many of the energy saving measures that previously were used to attain a better HERS rating. As a result, the standard home built to Energy Code can routinely qualify for positive points through HERS without implementing any extra energy efficiency measures. The new percentage based improvement, which is similar to how Policy 33R has always treated commercial development, will address this.
- In 2020, the Town will adopt the 2018 International Building and Energy Codes, which have energy conservation rates based on an Energy Rating Index, or ERI. The ERI essentially acts similarly to the HERS index with the same number rating sequencing. However, the ERI is considered to be more universal and staff is recommending we move toward the ERI rating when the International Energy Code is adopted. In the meantime, we will continue to base the policy off the HERS index.
- As noted above, an existing home built to the adopted Energy Code would have a HERS rating of significantly less than 100 and thus qualify for positive points under the existing 33R provisions. As a result, we are recommending that this section of the Code be revised to base positive points on any

improvements beyond a HERS score of 70, for the interim period until the 2018 codes are adopted. We have received recommendations from Matt Wright, one of the primary HERS rating specialists in the County, that homes can typically meet a score of 70 currently by meeting today's code.

- The HERS/ERI base score for existing structures achieving points with percentage of improvement on the existing structure is recommended to have a maximum index of 150. This will prevent extremely “leaky” historic homes that can have a rating of 250+ to achieve positive points easily by simply installing code mandated insulation, for example. We have also included this provision only for remodels to existing structures that include minor additions (10 percent or less).
- Policy 33R also includes a new opportunity for a positive point in association with projects that are built to be solar and electric vehicle ready. This includes considering solar access when designing rooftops and including conduit for wiring and equipment associated with solar power. There is also a provision to ensure that garage bays come with 240v outlets to allow for charging of electric vehicles.

### Positive Point Vesting

Staff has had multiple discussions over the years regarding when points assigned in a development permit expire. The code is lacking any definitive direction. In the past, staff has not allowed “point banking” or reserving points from one project on a property to be transferred to another future project. However, recently, staff has considered allowing for points from a development permit to be vested the length of the development permit it was originally assigned under. For example, per section 9-1-17-8 Duration of Development Permit, Class As & Bs are 3 years, Class Cs & D majors are 18 months and D minors are 6 months. Staff would like Planning Commission input on including provisions in the Code for the length of time points are valid. Below is the code section regarding Assignment of Points for review and discussion.

#### **9-1-17-3: ASSIGNMENT OF POINTS:**

*All policies are applied to all developments: classes A, B, C, and D, unless otherwise expressly provided in a particular policy. Relative policies are assigned points, and unless provided differently in a particular policy, a negative score indicates that the policy is implemented but the proposed development will have a negative impact on the community on the basis of that particular policy. A score of zero indicates either that the particular policy is irrelevant to the proposed development or that a negative impact on the basis of that particular policy is completely mitigated. A positive score indicates that the proposed development implements a policy in such a way that there will be a positive impact on the community (i.e., the community will benefit) on the basis of that particular policy. (Ord. 12, Series 2006)*

*A point analysis shall be conducted for all policies relevant to an application, and shall be completed prior to the final hearing on the application. However, a point analysis is not required for a class D major or a class D minor development permit application. (Ord. 1, Series 2014)*

*Unless otherwise expressly provided in a particular policy, each relative policy is assigned points for the applicant's performance, as follows:*

+ 2 (or greater)	-	Awarded for providing a significant public benefit with no substantial public detriment, or for an excellent job of implementation. The more the public benefit without substantial public detriment, or the better the job of implementation, the more the award of positive points.
+ 1	-	Awarded for providing some public benefits, mitigating a minor public detriment, or for doing a good job of implementation.

0	-	<i>Awarded if the policy is irrelevant, if there is no public benefit and no public detriment from the project, if there is a public detriment which has been fully mitigated, or for an adequate job of implementation.</i>
- 1	-	<i>Assessed for an inadequate job of implementation, or for producing some public detriment.</i>
-2/-3 (or greater)	-	<i>Assessed for substantially no effort at implementation or for an unmitigated significant public detriment. The less the effort at implementation, or the greater the degree of unmitigated significant public detriment, the greater the assessment of negative points.</i>

*Where a different range of points or standards for the award of positive points or the assessment of negative points are provided in a particular policy, such range of points or standards for the award or assessment of points shall apply. (Ord. 12, Series 2006)*

### **Mass Bonus and LUD 18**

In April the Planning Commission held a site visit to look at the residential area associated with LUD 18, which includes the areas of Ridge Street and French Street north of Wellington. The Code makes a distinction for this area and does not allow a mass bonus, whereas other residential land use districts in the Conservation District do allow a mass bonus. At the Planning Commission meeting, the Commission recommended that the mass bonus be allowed in LUD 18, when it was associated with a historic restoration project, as a means of incentivizing the project. A proposed amendment is included in the attached document to address this.

More recently, the Planning Commission has weighed in on how to interpret the mass bonus provision. In the past the mass bonus has been based on the full density assigned to the site per the LUGs. However, staff has recently interpreted the mass bonus to only apply to the above ground density assigned to the property. The Planning Commission has concurred with this more recent interpretation, that the mass is based on above ground density allocated. A proposed amendment is included to clarify this.

### **Planning Commission Action**

Please review the draft and bring any questions and comments you have to the meeting. Staff intends to host a public open house on November 6 on the full package of Comprehensive Code Amendments. This will be at the beginning of the Planning Commission's meeting. In addition, the code amendments will be posted on the Town's website to allow for further public comments. Staff will determine future worksession and ordinance reading dates pending the outcome of the public open house and comment period.

**Code Amendments**  
**10/11/18 Planning Commission Meeting**

*Amend Policy 33 R to set a new standard for residential development regarding energy savings. A HERS rating will now only be incentivized for achieving one positive point. Positive points higher than that will be based on the percentage increased energy efficiency compared to a home built to comply with the existing Residential International Energy Conservation Code. A new table is added to further specify point assignments for outdoor heated spaces, based on past precedent. The table also addresses water features, providing an option to power with renewable sources and increasing the negative point assignments for powering water features with conventional power sources. A new section is also included that awards one positive point for projects that are built solar and electric vehicle ready.*

**9-1-19-33R: POLICY 33 (RELATIVE) ENERGY CONSERVATION:**  

The goal of this policy is to incentivize energy conservation and renewable energy systems in new and existing development at a site plan level. This policy is not applicable to an application for a master plan. This policy seeks to reduce the community's carbon footprint and energy usage and to help protect the public health, safety and welfare of its citizens.

A. Residential Structure Three Stories Or Less: All new and existing residential developments are strongly encouraged to have a home energy rating survey (HERS)/Energy Rating Index (ERI) as part of the development permit review process to determine potential energy saving methods and to reward developments that reduce their energy use.

For new construction, positive points will be awarded for the percentage of energy use reduction of the new residential structure compared to the same building built to the minimum standards of the Town's most recently adopted International Energy Conservation Code Residential Provisions. This shall mean, for an interim period, that the percent energy use reduction shall be compared to a baseline 70 HERS/ERI score. Upon adoption by the Town of the 2018 International Energy Conservation Code, the percent energy use reduction shall be compared to the baseline ERI score required as established in the Code. As subsequent International Energy Conservation Codes are adopted by the Town, the percent energy use reduction shall be compared to the baseline ERI score required established in that Code.

For existing residential development, including minor additions (10 percent or less), positive points will be awarded for the percentage of energy saved beyond the energy consumption analysis of the existing structure(s) as compared to the energy consumption of the proposed structure remodel.

improvement in the HERS index when comparing the HERS index of the existing structure to the HERS index of the proposed structure with improvements. (Example: The percentage shall be calculated as follows: If the existing structure has a HERS index of 120, and has a HERS index of 70 as a result of the improvements proposed in the development permit application, there is a 41 percent improvement in the HERS index over the existing conditions (120-70=50; 50/120=0.41). Such improvement warrants an award of positive three (+3) points.)

Positive points will be awarded according to the following point schedule for new construction (prior to xx, 2018):

<b>Points</b>	<b><u>New Residential HERS Index</u> <u>New Structures; Percent Energy Saved Beyond Adopted Residential Energy Code Standard</u><sup>1</sup></b>
+1	Obtaining a HERS or <u>ERI</u> index
+2	<del>61-80</del> <u>20% - 39%</u>
+3	<del>41-60</del> <u>40% - 59%</u>
+4	<del>21-40</del> <u>60% - 79%</u>
+5	<del>1-20</del> <u>80% - 99%</u>
+6	<del>0</del> <u>100%+</u>

<sup>1</sup>International Energy Conservation Code (IECC) Residential Provisions.

<b>Points</b>	<b><u>New Residential HERS Index</u></b>	<b><u>Existing Residential (Prior To August 14, 2012); Percentage (%) Improvement Beyond Existing HERS Index</u></b>
-	-	-
<del>+1</del>	<del>Obtaining a HERS index</del>	<del>Obtaining a HERS index</del>
<del>+2</del>	<del>61-80</del>	<del>10-29%</del>
<del>+3</del>	<del>41-60</del>	<del>30-49%</del>
<del>+4</del>	<del>21-40</del>	<del>50-69%</del>
<del>+5</del>	<del>1-20</del>	<del>70-99%</del>
<del>+6</del>	<del>0</del>	<del>110%+</del>

Positive points will be awarded according to the following point schedule for existing structures (prior to xx, 2018) which undergo exterior remodels and/or minor additions (additions of 10 % or less):



<b>Points</b>	<b>Existing Residential (Prior To xxxx, 2018); Percentage (%) Improvement Beyond Existing<sup>2</sup> HERS/ERI Index</b>
+1	Obtaining a HERS index
+2	10 - 29%
+3	30 - 49%
+4	50 - 69%
+5	70 - 99%
+6	100+%

<sup>2</sup> Existing HERS/ERI rating shall be for the structure prior to any modifications. Where an existing HERS/ERI score exceeds 150, a maximum score of 150 shall be assigned to the existing structure as a baseline to compare energy improvements to.

B. Commercial, Lodging And Multi-Family In Excess Of Three Stories In Height: New and existing commercial, lodging, and multi-family developments are strongly encouraged to take advantage of the positive points that are available under this policy by achieving demonstrable and quantifiable energy use reduction within the development. For new construction, positive points will be awarded for the percentage of energy use reduction of the performance building when compared to the same building built to the minimum standards of the adopted IECC<sup>12</sup>. The percentage of energy use saved shall be expressed as MBh (thousand BTUs/hour).

For modifications to existing buildings including additions, positive points will be awarded for the percentage of energy saved beyond the energy consumption analysis of the existing structure(s) compared to the energy consumption of the proposed structure remodel. Points shall be awarded in accordance with the following point schedule:

<b>Points</b>	<b>New Structures; Percent Energy Saved Beyond The IECC Minimum Standards</b>	<b>Existing Structures (Prior To August 14, 2012); Percent Improvement Beyond Existing Energy Consumption</b>
+1	10% - 19%	10% - 19%
+3 <sub>2</sub>	20% - 29%	20% - 29%
+4 <sub>3</sub>	30% - 39%	30% - 39%
+5 <sub>4</sub>	40% - 49%	40% - 49%
+6 <sub>5</sub>	50% - 59%	50% - 59%
+7 <sub>6</sub>	60% - 69%	60% - 69%
+8 <sub>7</sub>	70% - 79%	70% - 79%

			+98	80%+	80%+
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Positive points will be awarded only if an energy analysis has been prepared by a registered design professional as required by subsection E of this section, using an approved simulation tool in accordance with simulated performance alternative provisions of the town's adopted energy code.

C. Excessive Energy Usage: Developments with excessive energy components are discouraged. ~~However, if the planning commission determines that any of the following design features are required for the health, safety and welfare of the general public, then no negative points shall be assessed.~~ To encourage energy conservation, the following point schedule shall be utilized to evaluate how well a proposal meets this policy:

			<u>Point Range</u>	<u>Design Feature</u>
			<u>0</u>	<u>If the planning commission determines that any of the following design features are required for the health, safety and welfare of the general public (e.g., heated sidewalk in a high traffic pedestrian area), then no negative points shall be assessed.</u>
			<u>-1</u>	<u>1-500 square feet heated driveway, sidewalk, plaza, etc.</u>
			<u>-2</u>	<u>501-999 square feet heated driveway, sidewalk, plaza, etc.</u>
			<u>-3</u>	<u>1,000+ square feet heated driveway, sidewalk, plaza, etc.</u>
			<u>1x(-1/0)</u>	<u>Outdoor commercial or common space residential gas fireplace (per gas fireplace)</u>
			<u>0</u>	<u>Water features powered completely by a renewable energy source (e.g., solar, wind).</u>
			<u>-1</u>	<u>Water features powered by conventional energy sources utilizing less than 4,000 watts or less than five (5) horsepower.</u>
			<u>-2</u>	<u>Large outdoor water features (per feature) powered by conventional energy sources utilizing over 4,000 watts or five (5) horsepower motor or greater.</u>

D. Other Design Features:

1x(-2/+2) Other design features determined by the planning commission to conserve significant amounts of energy may be considered for positive points. Alternatively, other features that use excessive amounts of energy may be assigned negative points. However, positive points may not be assessed under this Section D. if the project has incurred positive points under A or B above, with the exception of (1) below.

(1) 1x(+1) One positive point may be awarded for new construction that has been built solar and electric vehicle ready. In order to qualify as “Solar and Electric Vehicle Ready”, the following must be provided:

- a. Design of roof shall allow for a minimum of 30% designated area for PV (no obstructions or shading)
- b. Locate and provide space for future required electrical equipment (inverter and meter)
- c. Install conduit from roof to future electrical equipment locations
- d. Main electrical panel shall have space for future solar
- e. Structural live and dead loads included in roof design (only required for existing buildings)
- f. A 240v outlet (or higher voltage) is provided in each garage bay to allow for charging of electric vehicles. For commercial and multi-family projects, one 240v outlet is provided for each 10 parking spaces.

E. General Provisions:

- (1) A projected analysis shall be submitted at the time of development permit application if positive points are requested as well as submittal of a confirmed analysis prior to the issuance of a certificate of occupancy or certificate of completion. A HERS/ERI analysis shall be performed by a certified HERS/ERI rater. An analysis of energy saved beyond the IECC shall be performed by a licensed Colorado engineer of record for the project.
- (2) No development approved with required positive points under this policy shall be modified to reduce the HERS/ERI index, percentage of improvement, or percentage of energy savings above the IECC standards in connection with the issuance of such development permit. ("Required positive points" means those points that were necessary for the project to be approved with a passing point analysis.)
- (3) Prior to the issuance of a certificate of occupancy each development for which positive points are awarded under this policy shall submit a letter of certification showing compliance with the projected energy rating or percentage of energy savings in comparison to the IECC. The required confirmed certification for a residential development three (3) stories or less in height shall be submitted by a certified HERS/ERI rater. The required confirmed certification for a residential development taller than three (3) stories, and for all commercial development, shall be submitted by a licensed Colorado engineer and accompanied by balance and commissioning reports.

~~F. Sliding Scale Examples: Examples set forth in this policy are for purpose of illustration only, and are not binding upon the planning commission. The ultimate allocation of points shall be made by the planning commission pursuant to section [9-1-17-3](#) of this chapter.~~

~~(1) Heated Outdoor Spaces 1x(0/3):~~

- ~~a. Zero points: For public safety concerns on public or private property such as high pedestrian traffic areas or small areas on private property which are part of a generally well designed plan that takes advantage of southern exposure and/or specific site features.~~
- ~~b. Negative points: Assessed based on the specific application of heated area. (For example, a heated driveway of a single family home compared to a driveway apron only; a heated patio). The points~~

~~warranted are dependent on the specific project layout such as safety concerns, amount of heated area, design issues such as north or south facing outdoor living spaces, etc.~~

~~(2) Water Features 1x(0/ 1):~~

- ~~a. Zero points: No water feature or features powered by an alternative energy source or feature utilizing less than four thousand (4,000) watts or less than five (5) horsepower.~~
- ~~b. Negative points: Based on the amount of energy (watts) utilized for the feature (large features of 4,000 watts or more, or 5 horsepower motor or greater). (Ord. 27, Series 2012)~~

***Amend Policy 4R Mass to allow for the mass bonus to apply to LUD 18 for historic renovations. Clarify that the mass bonus only applies to above ground density.***

**9-1-19-4R: POLICY 4 (RELATIVE) MASS:**  

A. Additional aboveground square footage may be allowed over and above the intensity/density calculation based on the following formulas for accessory uses such as garages, meeting rooms, lobbies, hallways, recreational areas, etc.: (Ord. 4, Series 2006)

(1) (Rep. by Ord. 10, Series 1990)

(2) Single-Family, Duplexes, Bed And Breakfasts, And Townhouses: Single-family, duplex, bed and breakfast, and townhouse developments may be allowed an additional twenty percent (20%) of aboveground floor area as specified in Section 9-1-19-5A.C and Section 9-1-19-24A.B for the provision of garages, common amenity areas, and common storage areas. This mass bonus does not apply to single-family or duplex structures listed in section 9-1-19-4A, "Policy 4 (Absolute) Mass", subsection A, of this chapter. (Ord. 32, Series 2009)

(3) Apartments And Boarding Houses: Apartment and boarding house developments may be allowed an additional fifteen percent (15%) of aboveground floor area for the provision of amenities and/or common areas.

(4) Condominiums, Hotels, Inns, And Lodges: Condominiums, hotels, inns, lodges, and other similar uses may be allowed an additional twenty five percent (25%) of aboveground floor area for the provision of amenities and/or common areas. (Ord. 31, Series 2014)

Compliance with the aboveground square footage recommendations as set forth here is encouraged. Mass is the total aboveground square footage of a project (density + common areas). Deviations in excess of the maximum allowed total square footage shall only be allowed through density transfers pursuant to section 9-1-17-12 of this chapter and shall be assessed negative points according to the following schedule:

The following formula shall be utilized to determine any deviations from these guidelines:

	<u>% Deviation Up From Guidelines</u>	<u>Point Deductions</u>
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5 x (point deduction)	0.1 -	5%	2*
	5.01 -	10%	3
	10.01 -	15%	4
	15.01 -	20%	5
	20.01 -	30%	6
	30.01 -	40%	7
	40.01 -	50%	8
	50.01%	and above	20

\*Excess mass is exempt from a 2 point deduction if the density is transferred pursuant to subsection [9-1-17-12B](#) of this chapter and if the total excess mass for the project does not exceed 5 percent of the maximum mass allowed. This exemption does not apply to any transfers of density/mass into the historic district.

B. In a land use district where density is calculated by a floor area ratio only, residential and mixed use projects shall not be allowed additional square footage for accessory uses, and the total mass of the building shall be that allowed by the floor area ratio of the specific districts. In residential and mixed use developments within land use districts 18, and 19, no additional mass shall be allowed for the project and the total allowed mass shall be equal to the allowed density, with the exception that additional mass may be allowed in land use district 18 for projects involving historic restorations and remodels.

C. The mass of property located in land use district 1 which is proposed to be used as an interpretative building in a public park shall not be counted under this policy if the planning commission finds that the proposed use is appropriate for the site based upon good planning practices as reflected by the other absolute and relative development policies of this chapter. (Ord. 4, Series 2006)

## Planning Commission Staff Report

**Subject:** Sisler House (Gallagher Residence) Addition, Restoration, and Landmarking (Class C Minor, PL-2018-0411)

**Proposal:** The applicant proposes to renew the Class B Development Permit PL-2015-0362, issued December 09, 2015 with an expiration date of December 8, 2018. The originally proposal included the restoration and remodel of the historic house, addition of a full basement beneath the historic portion of the house, construction of a small addition to the 1997 portion of the house, and the designation of the historic house as a Local Landmark. This work was never constructed.

**Date:** October 11, 2018 (For meeting of October 16, 2018)

**Project Manager:** Chapin LaChance, Planner II

**Applicant/Owner:** Michael Gallagher, SYNTEC Development Corporation

**Address:** 114 South Harris Street

**Legal Description:** Yingling & Mickles Addition, Block 7, Lot 8A

**Site Area:** 4,209 square feet (0.096 ac.)

**Land Use District:** #17  
Residential (Single Family or Duplex); 11 Units per Acre (UPA)

**Historic District:** #1: East Side Residential

**Site Conditions:** The lot contains the one story house formerly known as the Sisler House, which is owned by the applicant, Mr. Gallagher. A stone sidewalk leads from Harris Street to the front porch. There is a grass front yard, with narrow side yards to the north and south of the house and native landscaping. The rear of the property is enclosed by a wood privacy fence.

**Adjacent Uses:** **North:** Single family residence  
**East:** Single family residences  
**South:** Washington Avenue and single family residences  
**West:** Harris Street, Breckenridge Grand Vacations Community Center and South Branch of the Summit County Library.

**Density:** Allowed under LUGs at 11 UPA: 1,701 sq. ft.  
Existing: 1,696 sq. ft.  
Proposed: 2,657 sq. ft. \*  
\*(counted as 1,445 sq. ft. excluding 1,212 sq. ft. basement area under footprint of historic house, with designation as Local Landmark)

**Above Ground Density:** Allowed at 9 UPA: 1,391 sq. ft.

	Existing:	1,426 sq. ft.
	Proposed:	1,110 sq. ft. (7.2 UPA)
<b>Mass:</b>	Allowed under LUGs:	1,669 sq. ft.
	Existing:	1,426 sq. ft.
	Proposed:	1,495 sq. ft.
<b>Gross Floor Area:</b>	Existing:	1,765 sq. ft.
	Proposed:	3,042 sq. ft.
<b>Height:</b>	Recommended:	23' (mean)
	Proposed (no change):	13'-7" ft. (mean); 17' (overall)
<b>Parking:</b>	Required:	2 spaces
	Proposed:	2 spaces
<b>Setbacks:</b>	Existing:	
	Front:	22'-2"
	Side:	9'-2" to south, 0' to north
	Rear:	8'-8"
	Required:	
	Front:	15 ft. (Relative), 10 ft. (Absolute)
	Side Yard:	5 ft. (Relative), 3 ft. (Absolute)
	Rear:	15 ft. (Relative), 10 ft. (Absolute)
	Proposed:	
	Front:	21'
	Side:	9'-3" ft. to south, 0' ft. to north (no change)
	Rear:	8'-8" (no change)
<b>Lot Coverage:</b>	Building / non-permeable:	2,052 sq. ft. (49% of site)
	Hard surface / non-permeable:	153 sq. ft. (3% of site)
	Open space / permeable area:	2,004 sq. ft. (48% of site)
<b>Snowstack:</b>	Required:	38.25 sq. ft. (25%)
	Proposed:	39.5 sq. ft. (26%)

## Item History

Per 2009 Cultural Resource Survey:

### Statement of significance:

*This building is historically significant, to a modest extent, for its association with the Town Phase and Stabilization Phase periods of Breckenridge's growth. It is also architecturally significant, again to a limited extent, for its vernacular side-gabled plan and representative wood frame construction. The building's level of historical and architectural significance, however, is not to the extent that it would qualify for individual listing in the National or State Registers. Among Breckenridge's five categories for historic significance for individual buildings- Landmark, Contributing, Contributing with Qualifications, Supporting, and Non-contributing – in our opinion, due to some loss of integrity, this building belongs in the Contributing with Qualifications category. Thus it does rate as a contributing resource within the Breckenridge Historic District. The integrity issues are discussed below.*

### Assessment of historic physical integrity related to significance:

*This property's physical integrity was evaluated relative to the seven aspects of integrity as defined by the National Park Service and the Colorado Historical Society - setting, location, design, materials, workmanship, feeling and association. The building is in its original location, and its integrity of setting remains generally intact. Alterations to the building circa 1957, and earlier, are more than fifty years old. As such, they have achieved some level of historical and architectural significance in their own right. Changes to the house in 1997, including a rear addition and alterations to the front porch, have diminished its physical integrity to some extent; however, the addition is quite well executed in terms of its compatibility with the historic building.*

A list of Subdivision and Development Permits that have been issued for the property is provided below:

**PC# 80-6-15:** Class C Development Permit for a horizontally lapped siding board fence in the back yard with decorative gate on carport.

**PC#84-1-5:** Subdivision Permit to subdivide Yingling and Mickles Subdivision, Block 7, Lot 8 into a 4,209 sq. ft. lot (Lot 8A) and a 2,040 sq. ft. lot (Lot 8B)

**PC# 91-8-6:** Repainting

**PC #93-8-23:** Class C Development Permit to replace wooden fence in rear and side yards.

**PC #97-4-10:** Class A Development Permit to construct 493 sq. ft. addition, and to rehabilitate existing structure.

**PC #99-72:** Class D Development Permit to modify PC #97-4-10 to allow use of machine cut wood shingles instead of composition shingles.

**PL-2015-0362:** Class B Minor Development Permit to restore, remodel, rehabilitate historic home and 1950's addition. Local landmark original home and 1950's addition. Small addition to 1997 addition. Build modern foundation, update plumbing, electrical, heating, insulation and other systems. Build basement under historic parts of structure and remodel basement under 1997 addition.



**Photos**



Photo #1 (Above): existing West elevation, Photo #2 (Below): existing South elevation







Photo #3 (Above): existing North elevation, Photo #4 (Below): existing East elevation





Photo #5 (Above): 1975 photo of 114 S. Harris St.

## Staff Comments

There have not been any amendments to the Town Code that would affect this project, since this project was approved in 2015, and the proposal remains mostly consistent with what was previously approved. The proposed driveway and landscaping have been modified on the plans, at the request of staff. Staff has completed a full review of the proposed plans, and evaluated the proposal for compliance with the Land Use and Development Code. Several additional Conditions of Approval are recommended, which were not attached to the previously approved Development Permit. Staff is also recommending negative three (-3) points under Social Community (Policy 24/R), which was not included in the previously approved point analysis.

**Density (Policy 3/A):** The existing original 1930s structure is 751 sq. ft. Subsequent additions include a 484 sq. ft. addition in 1957, and a 484 sq. ft. addition in 1997 (270 sq. ft. of which is below ground). The existing structure totals 1,696 sq. ft. of density, and the applicant proposes a total of 2,657 sq. ft. Per the Land Use Guidelines for District #17, 1,701 sq. ft. is allowed at 11 UPA (11 x 1600 x 0.096625). However, the applicant proposes to designate the structure as a Local Landmark, which would allow the proposed basement area directly underneath the 1,212 sq. ft. historic portion of the structure not to be counted, bringing the total proposed density to 1,445 sq. ft. Staff does not have any concerns regarding the proposed density. A Condition of Approval has been added that the applicant shall obtain approval of an ordinance from the Town Council for designation of this property as a Local Landmark. If designation as a Local Landmark is not granted by the Town Council, the density in the basement of the Gallagher Residence shall count toward the total density on the property, and revisions to the approved plans, final point analysis and the Development Permit may be required. The Applicant may be required to appear before the Planning Commission to process an amendment to the approved plans.

**Mass (Policy 4/A and 4/R):** The staff report for the Development Permit issued in 2015 stated 2,041 sq. ft. of mass was allowed for this property, which is 120% of the density allowed by the Land Use Guidelines. However, this was incorrect. The allowed mass is 1,669 sq. ft., which is 120% of the allowed above ground density of 9 UPA. There is 1,426 sq. ft. of existing mass, and with the addition of a 385 sq. ft. garage, there is 1,495 sq. ft. of proposed mass, therefore it is in compliance with the allowed mass of 1,669 sq. ft. Staff does not have any concerns.

**Architectural Compatibility (Policy 5/A and 5/R):** As the proposed project involves rehabilitating a “Contributing with Qualifications” structure within the Eastside Residential character area, the maximum above ground density per Section C. of this Policy is 10 UPA (10 x 1,6000 x 0.096625 = 1,546 sq. ft. The applicant proposes 1,110 sq. ft of above ground density (7.2 UPA), so staff does not have any concerns. The *Design Standards for the Historic District Character Area #1: East Side Residential* further limit the above ground density to 9 UPA (See Social Community, Policy 24 discussion), which the project is also in compliance with.

The proposed addition and renovation will maintain the original roof pitch and building form, but will include the conversion and addition to the 1997 addition to convert it to a garage, addition of a full basement, a new front porch roof and railing, a new window well on the west, east, and south elevations for required egress from the proposed basement, new windows on the west, north, and east elevations, an extension to the existing carport flat roof, and the lowering of the stone veneer wainscot. The front ¼ light door is proposed to remain. The siding on the garage addition is proposed to match the existing. Staff does not have any concerns regarding architectural compatibility with other structures in the area.

**Building Height (Policy 6/A and 6/R):** The applicant does not propose to modify the height of the building. A Condition of Approval has been added that the applicant shall provide an Improvement Location Certificate both prior to and during the construction process, confirming the existing height of the building has been maintained.

**Placement of Structures (Policy 9/A and 9/R):** The existing house is built across the northern lot boundary. When the original Lot 8 was re-subdivided in 1984, the common lot line was established so that it also created a non-conforming rear setback in the rear (eastern) yard. So, the existing house is considered to be a legal, non-conforming structure in that it does not meet the side (north) or rear (eastern) yard Absolute setback requirements. The applicant does not propose to expand the non-conforming setbacks, therefore complying with the following from [9-1-12: NONCONFORMING STRUCTURE](#).

*“F. No nonconforming structure shall be structurally altered or expanded in any way that would increase the degree or area of nonconformance.*

*G. Any addition to or alteration of a nonconforming structure shall be done only pursuant to a development permit obtained in accordance with the requirements of this chapter. All applicable absolute and relative policies of this chapter shall apply to any such development permit application. Exception: An existing nonconforming structure shall not be required to be brought into compliance with the absolute policies of this chapter in connection with an addition to or alteration of such structure.”*

The only setback that will be reduced with the proposed project will be in the front (west) yard, which will be reduced from 22’-2” to 21’, due to the extension of the porch roof over the existing porch. Staff does not have any concerns regarding setbacks.

**Snow Removal and Storage (Policy 13R and 13/R):** The applicant has designated 39.5 sq. ft. of snow storage area, which exceeds the 25% encouraged by this policy. Staff has added a Condition of Approval that snow storage be designated on the site plan for the front stone walkway.

**Parking (Policy 18/A and 18/R):** As this lot is outside of the Parking Service Area, the parking requirement for a single family residential use is two (2) spaces. Currently, there are not any parking spaces on the property, so the applicant proposes to bring the property into compliance with the Off Street Parking Regulations by providing two (2) off-street parking spaces (one in the garage, and one underneath the carport). These spaces meet the 9’ x 18’ minimum required dimensions, and the driveway meets the 12’ minimum required width. Staff does not have any concerns regarding parking, and appreciates the applicant’s proposal to bring the property into conformance.

**Open Space (Policy 21/R):** The submitted site plan shows 2,004 sq. ft., or 48% of site, of open space, which exceeds the 30% required.

**Landscaping (Policy 22/A and 22/R):** There is an existing 17’ tall Spruce on the lot, eight (8) Aspens along the eastern lot boundary (3” to 7” caliper), twelve (12) Aspens along the southern lot boundary (4” to 8” caliper), for a total of 21 existing trees on the lot, in addition to several shrubs. The applicant proposes an additional 6’ tall Spruce, and 11 shrubs. Staff appreciates the additional landscaping in the front yard and side yards, finding that it will provide buffer and screening along the right-of-way. A Condition of Approval has been added that the right-of-way adjacent to the property be re-vegetated.



**Energy Conservation (Policy 33/R):** The plans approved in 2015 showed the proposed window wells to be heated, totaling 75 sq. ft. of outdoor heated area. Negative points were not assigned for this in 2015, but the applicant has removed this from the plans and does not propose any outdoor heated area. Staff does not have any concerns.

**Exterior Lighting (Policy 46/A):** The applicant does not propose any additional exterior lighting.

**Fences (Policy 47/A):** A 3' tall Cedar picket fence is proposed along the northern, western, and southern lot line, which has been reviewed under the Social Community (Policy 24/R) section.

**Social Community (Policy 24/A and 24/R):** The oldest portion of the house was originally constructed in the 1930's, and falls within the Town's "period of significance" which ended in 1942. Staff was unable to find any historic photographs of this house. The photograph in the property file (See Photo #5 above) shows that the stone wainscot was once as tall as the base of the windows. A more recent remodel reduced this stone as it appears today.

- **General Standards:**
  - Design Standard 14: *"Maintain the alignment and spacing pattern of street trees in the area."* The applicant proposes to maintain the existing aspens on the lot, which serve as street trees along Washington Ave. Staff appreciates the preservation of the existing trees.
- **Design Standards for the Rehabilitation of Existing Buildings in the Historic District:**
  - Design Standard #23: *"Avoid removing or altering any historic material or significant features...Preserve original doors, windows, and porches...Preserve original façade materials..."* The applicant proposes to add an addition to the secondary façade on the south elevation, for the purpose of converting the northeast corner of the building into a garage. This will require the removal of historic fabric on the west façade, including a window. **Staff recommends the Commission assign negative three (-3) points for the removal of historic material.**
  - Design Standard 33-35: Per the 2009 Cultural Resource Survey for the Sisler House, *"the alterations to the building circa 1957...have achieved some level of historical and architectural significance..."* Therefore, staff appreciates the applicant's proposed preservation of the older 1957 addition.
- **Standards for the Rehabilitation of Residential-Type Buildings:**
  - Design Standard 60-62: The proposed wood picket fence is sited at the edge of the front yard, is 3' in height, and maintains an appropriate solid to void ratio (approx. 1:1), all of which is recommended by this Standard. However, the Policy preceding these Standards states that wood picket fences were typically painted, and the applicant proposes to leave the fence as "unfinished cedar." A Condition of Approval has been added that the applicant specify the proposed fence to be painted on the final plans, prior to issuance of a Building Permit.
  - Priority Design Standard 77: *"Maintain original window proportions...do not...enlarge the original opening to accommodate...larger windows."* The applicant proposes to modify the two existing window openings on the west façade on either side of the front door, in order to install new taller, vertically oriented windows that will match the height of the other existing window on the west façade. Although staff does not have access to any historic photograph showing the original windows, staff supports the more historically accurate, vertically oriented windows. Staff has added a Condition of Approval that that applicant shall demonstrate to staff during the construction process that the historic window openings are being maintained, in order to ensure historic fabric

is not removed. This is a Priority Design Standard which equates to an Absolute Policy and must be complied with in order to pass a point analysis.

- **Design Standards for the Historic District Character Area #:**

- Priority Design Standard 114: The Commission had concerns in 2015 Preliminary Hearing regarding the form of the front porch. The applicant reduced the proposed porch depth from 15' to 12' to address Commission's concerns, which was approved. With this application, the applicant has provided a graphic demonstrating that the proposed porch roof will maintain the alignment of setbacks along the block. The porch roof is proposed to be approximately 21' from the property line, and there is a historic structure on the block with a porch set closer to the street (102 S. Harris St.). As such, staff does not have any concerns regarding maintaining the typical building setback.
- Priority Design Standard 118: This Standard requires less than 9 UPA of above ground density, and the preceding Policy establishes a module size of between 500 and 2,300 sq. ft. As the proposed project has an above ground density of 7.2 UPA and a module size of 1,495 sq. ft., (above-ground mass), staff does not have any concerns.
- Priority Design Standard 125: *"Maintain the present balance of building materials found in the Character area... Use painted wood lap siding as the primary building materials..."* At the Preliminary Hearing for PL-2015-0362 in 2015, staff indicated that it was not conclusively known whether or not the existing wood shingle siding on the house is historic, as there is not a historic photo of the house available. Staff also stated that they found the shingles to be fairly old, and of a non-typical size, smaller than modern shingles. Photo #5 in this report shows the building in 1975. Although it is difficult to determine in the photo, it is possible that the photo shows wood shake shingles on the house at that time. The applicant has stated that they believe the wood shingle siding is the original siding. Staff is supportive of allowing the wood shingle siding to remain. The applicant also proposes to lower the existing undulating stone wainscot, which will be more similar to other stone foundations in the Historic District.
- Design Standard 129: *"Use porches to define primary entrances to buildings. Roofs over porches are usually arranged in one of two ways... Where the ridge line of the main roof is parallel to the street, the porch usually appears to be a more integral element to the building."* Staff is supportive of the proposed front porch addition, finding that it is integrated into the structure and that it defines the primary entrance. The Commission was also supportive of the porch in 2015, after it was revised from 15' to 12' in depth, as is currently proposed.
- Design Standard 131: At staff's request, the applicant has added an evergreen tree in the front yard, as is recommended by this Standard.
- Design Standard 132: This Standard encourages the planting of cottonwood trees along street edges, in order to reinforce the alignment of street trees along property lines. Staff has added a Condition of Approval that a Cottonwood tree be added in the front yard along Harris St.

#### **E. Conservation District, (1) Primary structures:**

The criteria for awarding positive points for historic preservation are listed under this policy:

*"Positive points shall be awarded according to the following point schedule for on site historic preservation, or restoration efforts, in direct relation to the scope of the project, subject to approval by the planning commission. Positive points may be awarded to both primary structures and secondary structures.*

*A final point allocation shall be made by the planning commission based on the historic significance of the structure, its visibility and size. The construction of a structure or addition, or the failure to remove noncontributing features of a historic structure may result in the allocation of fewer positive points:*

**+3: On site historic preservation/restoration effort of average public benefit.**

***Examples: Restoration of historic window and door openings, preservation of historic roof materials, siding, windows, doors and architectural details, plus structural stabilization and installation of a new foundation.***

The Commission previously awarded positive three (+3) points under this Policy with PL-2015-0362. It is difficult to determine historic window and door openings without a historic photograph. The applicant proposes to replace what is likely a non-historic circular window on the north elevation with a rectangular window, and to replace the trim of an existing window on the west elevation. The applicant proposes to maintain the existing wood shingle roofing, wood shingle siding, and the front ¼ light door. The proposed installation of a new basement will involve structural stabilization and installation of a new concrete foundation. **Staff is supportive of positive three (+3) points for historic preservation/restoration effort of average public benefit.**

**9-1-17-3: Point Analysis:** Staff has evaluated this application for compliance with all Absolute and Relative Policies, and finds that the proposal meets all Absolute Policies. In regards to Relative Policies, staff recommends the following point analysis:

- 3: Policy 24/R, for the removal of historic fabric which is conflict with Design Standard #23.
- +3: Policy 24/R, for historic preservation/restoration efforts of average public benefit.

TOTAL: Passing score of zero (0) points, with the Condition of Approval that the historic window openings be maintained on the west elevation.

**Title 9: Land Use and Development, Chapter 11: Historic Preservation, Section 2: Definitions:** The applicant proposes the historic structure be designated as a Local Landmark with this project. A “Landmark” is defined by Town Code section 9-11-2 as follows:

*"A designated individual building, structure, object or an integrated group of buildings, structures or objects having a special historical or architectural value." Unless otherwise indicated in this chapter, the term "landmark" shall include both federally designated landmarks and town designated landmarks.*

**Title 9: Land Use and Development, Chapter 11: Historic Preservation, Section 4: Designation Criteria:**

Town Code section 9-11-4 contains specific criteria to be used to determine whether a proposed landmark has the required special historical or architectural value. To be designated as a landmark, the property must: (1) meet a minimum age requirement; (2) have something special about either its architecture, social significance, or its geographical/environmental importance as defined in the ordinance; and (3) be evaluated for its “physical integrity” against specific standards described in the ordinance.

Staff has found that with the restoration the building could meet three of the required criteria listed below. The property is over 50 years old and is historically significant for its association with residential



development in Breckenridge during the Stabilization Phase (1921-1942). Alterations to the building circa 1957, and earlier, are more than fifty years old.

The property is of a style particularly associated with the Breckenridge area. This building is historically significant, to a modest extent, for its association with the Town Phase and Stabilization Phase periods of Breckenridge’s growth. It is also architecturally significant, again to a limited extent, for its vernacular side-gabled plan and representative wood frame construction. The property retains original design features, materials and/or character. The building is in its original location, and its integrity of setting remains generally intact.

Staff has included a chart below as a tool. To be designated as a landmark the property must: (1) satisfy the **sole** requirement of Column A; (2) satisfy **at least one** of the requirements of Column B; and (3) also satisfy **at least one** of the requirements of Column C. Suggested selections are in **bold** and Staff Comments on how the property meets the criteria are in *italics*.

COLUMN “A”	COLUMN “B”	COLUMN “C”
<p><b>The property must be at least 50 years old.</b> <i>The original structure is 80 years old (circa 1938).</i></p>	<p>The proposed landmark must meet at least ONE of the following 13 criteria:</p> <p><b>ARCHITECTURAL IMPORTANCE</b></p> <ol style="list-style-type: none"> <li>1. The property exemplifies specific elements of architectural style or period.</li> <li>2. The property is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally.</li> <li>3. The property demonstrates superior craftsmanship or high artistic value</li> <li>4. The property represents an innovation in construction, materials or design.</li> <li>5. <b>The property is of a style particularly associated with the Breckenridge area.</b> <i>The building is significant for its association with residential development in Breckenridge during the Stabilization Phase (1921-1942)</i></li> <li>6. The property represents a built environment of a group of people in an era of history.</li> <li>7. The property includes a pattern or grouping of elements representing at least one of the above criteria.</li> <li>8. The property is a significant historic remodel.</li> </ol> <p><b>SOCIAL IMPORTANCE</b></p> <ol style="list-style-type: none"> <li>9. The property is a site of an historic event that had an effect upon society.</li> <li>10. The property exemplifies cultural, political, economic or social heritage of the community.</li> <li>11. The property is associated with a notable person or the work of a notable person.</li> </ol> <p><b>GEOGRAPHIC/ENVIRONMENTAL IMPORTANCE</b></p>	<p>The proposed landmark must meet at least ONE of the following 4 criteria:</p> <ol style="list-style-type: none"> <li>1. The property shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation.</li> <li>2. The property retains original design features, materials and/or character.</li> <li>3. <b>The structure is on its original location or is in the same historic context after having been moved.</b> <i>The building is in its original location, and its integrity of setting remains generally intact.</i></li> <li>4. The structure has been accurately reconstructed or restored based on documentation.</li> </ol>

- |   |  |
|---|--|
| 12. The property enhances sense of identity of the community.<br><br>13. The property is an established and familiar natural setting or visual feature of the community |  |
|---|--|

**Staff Recommendation**

Staff recommends the Planning Commission approve the Sisler House (Gallagher Residence) Addition, Restoration, and Landmarking, PL-2018-0411, showing a passing score of zero (0) points, with the attached Findings and Conditions.

Staff recommends the Planning Commission recommend that the Town Council adopt an ordinance to designate the Sisler House (Gallagher Residence) as a Local Landmark, based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in the Town Code, section 9-11-4.

<b>Final Hearing Impact Analysis</b>				
Project:	Gallagher Residence Renovation, Addition and Landmarking	<b>Positive</b>	<b>Points</b>	<b>0</b>
PC#	PL-2018-0411			
Date:	10/11/2018	<b>Negative</b>	<b>Points</b>	<b>0</b>
Staff:	Chapin LaChance, Planner II			
		<b>Total</b>	<b>Allocation:</b>	<b>0</b>
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	<b>Codes, Correlative Documents &amp; Plat Notes</b>	Complies		
2/A	<b>Land Use Guidelines</b>	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	The applicant does not propose to change the use of the building.
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	<b>Density/Intensity</b>	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	Allowed under LUGs: 1,701 sq. ft. Proposed: 2,657 sq. ft.; counted as 1,445 sq. ft. excluding 1,212 sq. ft. of basement under historic portions of Locally Landmarked building.)
4/R	Mass	5x (-2>-20)	0	Allowed under LUGs: 1,669 sq. ft. Proposed: 1,495 sq. ft.
5/A	<b>Architectural Compatibility</b>	Complies		Allowed: 10 UPA (1,546 sq. ft.) Proposed: 1,110 sq. ft. (7.2 UPA)
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
6/A	<b>Building Height</b>	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)	0	Recommended: 23 ft. mean Proposed (no change): 13'-7" ft. (mean); 17 ft. (overall)
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex/Multi-family Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	<b>Ridgeline and Hillside Development</b>	Complies		
9/A	<b>Placement of Structures</b>	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)	0	<b>Required:</b> Front: 15 ft. (Relative), 10 ft. (Absolute) Side Yard: 5 ft. (Relative), 3 ft. (Absolute) Rear: 15 ft. (Relative), 10 ft. (Absolute)  <b>Proposed:</b> Front: 21' Side: 9'-3" ft. to south, 0' ft. to north (no change) Rear: 8'-8" (no change)
12/A	<b>Signs</b>	Complies		
13/A	<b>Snow Removal/Storage</b>	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)	0	Adequate snow storage provided

<b>14/A</b>	<b>Storage</b>	Complies		
14/R	Storage	2x(-2/0)		
<b>15/A</b>	<b>Refuse</b>	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
<b>16/A</b>	<b>Internal Circulation</b>	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
<b>17/A</b>	<b>External Circulation</b>	Complies		
<b>18/A</b>	<b>Parking</b>	Complies		Two (2) onsite parking spaces are provided.
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
<b>19/A</b>	<b>Loading</b>	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)	0	The submitted site plan shows 2,004 sq. ft., or 48% of site, of open space, which exceeds the 30% required.
21/R	Open Space - Public Open Space	3x(0/+2)		
<b>22/A</b>	<b>Landscaping</b>	Complies		
22/R	Landscaping	2x(-1/+3)	0	There is an existing 17' tall Spruce, eight (8) Aspens (3" to 7" caliper), and twelve (12) Aspens (4"-8" caliper), for a total of 21 existing trees on the lot, in addition to several shrubs. The applicant proposes an additional 6' tall Spruce and 11 shrubs.
<b>24/A</b>	<b>Social Community</b>	Complies		
24/A	Social Community / Above Ground Density 12 UPA	(-3>-18)		
24/A	Social Community / Above Ground Density 10 UPA	(-3>-6)		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
5/R	Social Community - Conservation District	3x(-5/0)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Primary Structures - Historic Preservation/Restoration - Benefit	+1/3/6/9/12	0	Staff recommends negative three (-3) points for the removal of historic material and therefore non-compliance with Design Standard #23, and positive three (+3) points for on site historic preservation/restoration effort of average public benefit.
24/R	Social Community - Secondary Structures - Historic Preservation/Restoration - Benefit	+1/2/3		
24/R	Social Community - Moving Primary Structures	-3/10/15		
24/R	Social Community - Moving Secondary Structures	-3/10/15		
24/R	Social Community - Changing Orientation Primary Structures	-10		
24/R	Social Community - Changing Orientation Secondary Structures	-2		
24/R	Social Community - Returning Structures To Their Historic Location	+2 or +5		
25/R	Transit	4x(-2/+2)		
<b>26/A</b>	<b>Infrastructure</b>	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
<b>27/A</b>	<b>Drainage</b>	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
<b>28/A</b>	<b>Utilities - Power lines</b>	Complies		
<b>29/A</b>	<b>Construction Activities</b>	Complies		
<b>30/A</b>	<b>Air Quality</b>	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
<b>31/A</b>	<b>Water Quality</b>	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
<b>32/A</b>	<b>Water Conservation</b>	Complies		

33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)	0	There are not any outdoor heated areas proposed.
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
<b>34/A</b>	<b>Hazardous Conditions</b>	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
<b>35/A</b>	<b>Subdivision</b>	Complies		
<b>36/A</b>	<b>Temporary Structures</b>	Complies		
<b>37/A</b>	<b>Special Areas</b>	Complies		
37/R	Special Areas - Community Entrance	4x(-2/0)		
37/R	Special Areas - Individual Sites	3x(-2/+2)		
37/R	Special Areas - Blue River	2x(0/+2)		
37/R	Special Areas - Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Special Areas - Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
<b>38/A</b>	<b>Home Occupation</b>	Complies		
<b>38.5/A</b>	<b>Home Childcare Businesses</b>	Complies		
<b>39/A</b>	<b>Master Plan</b>	Complies		
<b>40/A</b>	<b>Chalet House</b>	Complies		
<b>41/A</b>	<b>Satellite Earth Station Antennas</b>	Complies		
<b>42/A</b>	<b>Exterior Loudspeakers</b>	Complies		
<b>43/A</b>	<b>Public Art</b>	Complies		
43/R	Public Art	1x(0/+1)		
<b>44/A</b>	<b>Radio Broadcasts</b>	Complies		
<b>45/A</b>	<b>Special Commercial Events</b>	Complies		
<b>46/A</b>	<b>Exterior Lighting</b>	Complies		There is not any additional exterior lighting proposed.
<b>47/A</b>	<b>Fences, Gates And Gateway Entrance Monuments</b>	Complies		A 3' tall Cedar picket fence is proposed along the northern, western, and southern lot line, which has been reviewed under the Social Community (Policy 24/R) section.
<b>48/A</b>	<b>Voluntary Defensible Space</b>	Complies		
<b>49/A</b>	<b>Vendor Carts</b>	Complies		
<b>50/A</b>	<b>Wireless Communication Facilities</b>	Complies		

## TOWN OF BRECKENRIDGE

Gallagher Residence Addition, Restoration, and Landmarking  
Yingling & Mickles Addition, Block 7, Lot 8A  
114 South Harris Street  
PL-2018-0411

### FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **October 11, 2018** and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **October 16, 2019** as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
6. **The Planning Commission recommends that the Town Council adopt an ordinance to designate the Sisler House (Gallagher Residence) as a Local Landmark, based on proposed restoration efforts and the fulfillment of criteria for Architectural and Physical Integrity significance as stated in the Town Code, section 9-11-4.**

### CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **October 23, 2021**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.

6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. **Applicant shall notify the Town of Breckenridge Community Development Department (970-453-3160) prior to the removal of any building materials from the historic building, including the material surrounding the existing windows on the western facade. Applicant shall allow the Community Development Department to inspect the materials proposed for removal to determine if such removal will negatively impact the historic integrity of the property. The Applicant understands that unauthorized removal of historic materials may compromise the historic integrity of the property, which may jeopardize the status of the property as a local landmark and/or its historic rating, and thereby the allowed basement density. Any such action could result in the revocation and withdrawal of this permit.**
8. Applicant shall field locate utility service lines to avoid existing trees.
9. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

10. **Snow storage area shall be designated on the final plans for the stone walkway in the front yard, and the site coverage calculations updated accordingly.**
11. **The final plans shall specify the proposed fence to be painted.**
12. **The final plans shall specify a Cottonwood tree of a minimum 2" in caliper be planted in the front yard along Harris St.**
13. Applicant shall submit proof of ownership of the project site.
14. **The Applicant shall obtain approval of an ordinance from the Breckenridge Town Council for designation of this property as a Local Landmark. If designation as a Local Landmark is not granted by the Town Council, then the density in the basement of the Gallagher Residence shall count toward the total density on the property, and revisions to the approved plans, final point analysis and this development permit may be required. The Applicant may be required to appear before the Breckenridge Planning Commission to process an amendment to the approved plans.**
15. **An Improvement Location Certificate (ILC) from a Colorado registered surveyor showing the top of the existing historic buildings' ridge heights shall be submitted to the Town.**
16. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
17. Applicant shall contact the Town of Breckenridge and schedule a preconstruction meeting between the Applicant, Applicant's architect, Applicant's contractor and the Town's project Manager, Chief Building Official and Town Historian to discuss the methods, process and timeline for restoration efforts to the historic building(s).
18. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
19. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or

debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.

20. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
21. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
22. The road shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
23. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
24. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
25. Applicant shall submit to and obtain approval from the Department of Community Development a defensible space plan showing trees proposed for removal and the approximate location of new landscaping, including species and size. Applicant shall meet with Community Development Department staff on the Applicant's property to mark trees for removal and review proposed new landscaping to meet the requirements of Policy 22 (Absolute) Landscaping, for the purpose of creating defensible space.

#### PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

26. **An ILC showing the top of the existing buildings' ridge heights shall be submitted to the Town after construction activities. The building is not permitted to increase in height due to the construction activities, other than what the Town has approved.**
27. **All areas within the Town right-of-way adjacent to the property shall be revegetated.**
28. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
29. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
30. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
31. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
32. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.



33. Applicant shall screen all utilities.
34. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
35. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
36. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
37. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**
38. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
39. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

---

(Initial Here)

MICHAEL F GALLAGHER  
architect

September 6, 2018

Community Development Department, Planning Commission and Town Council  
Town of Breckenridge  
Breckenridge, Colorado

RE: Development Permit PL-2015-0362  
Remodel and Landmarking of existing single family residence at 114 South Harris Street  
Lot 8A, Block 7 Yingling & Mickles Addition Sub

Greetings,

The above referenced permit is due to expire in December 8 of this year and I have not been able to start the approved work yet. I request a renewal or extension of that permit for another three years.

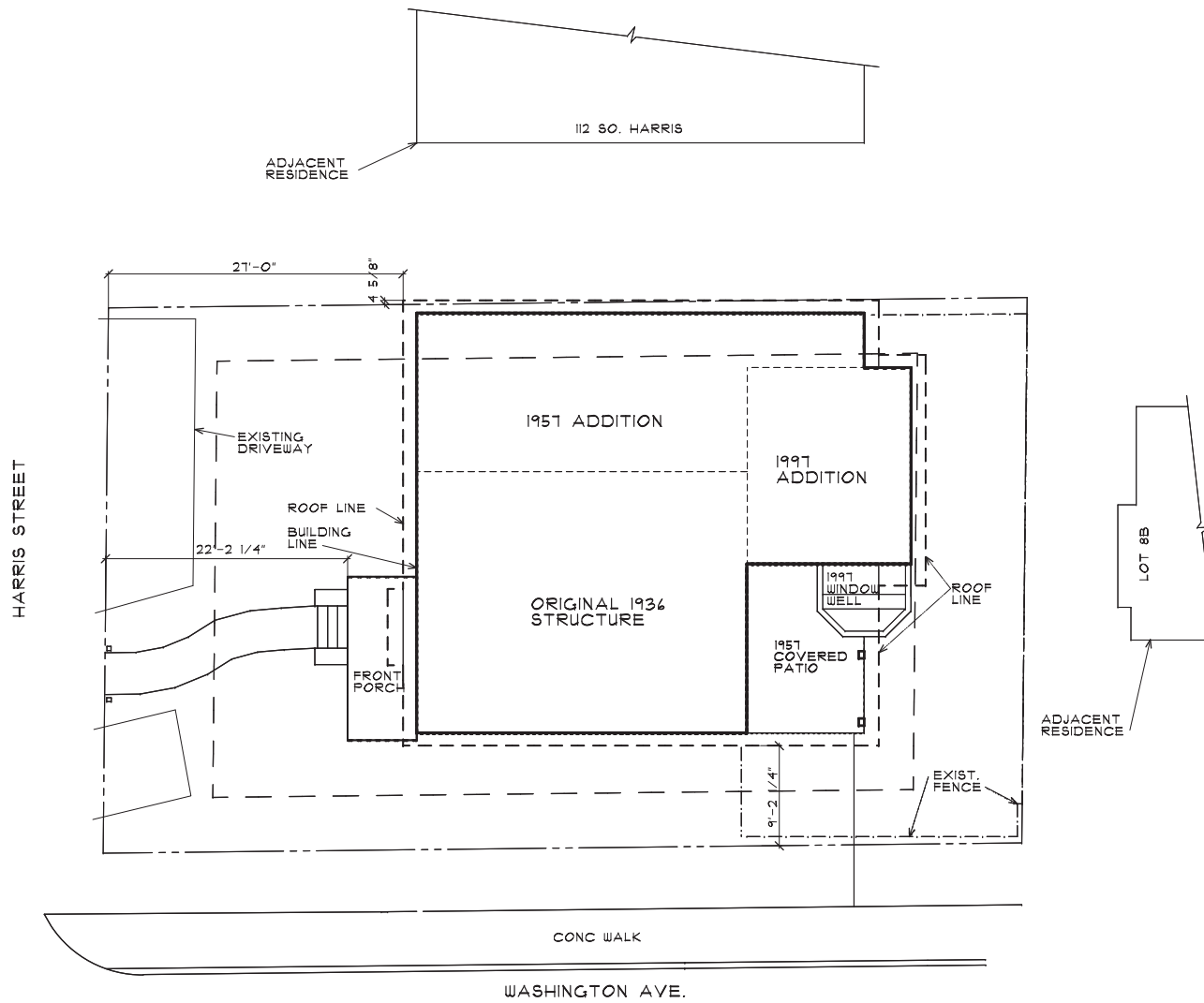
I am requesting the same plans be approved. There are no changes to the Development Permit being proposed except the duration.

There are no changes from the existing materials and colors of the house being proposed. Photos of the existing house are included with the application to illustrate those materials and colors.

Thank you,

Michael F Gallagher  
Property Owner 114 South Harris Street

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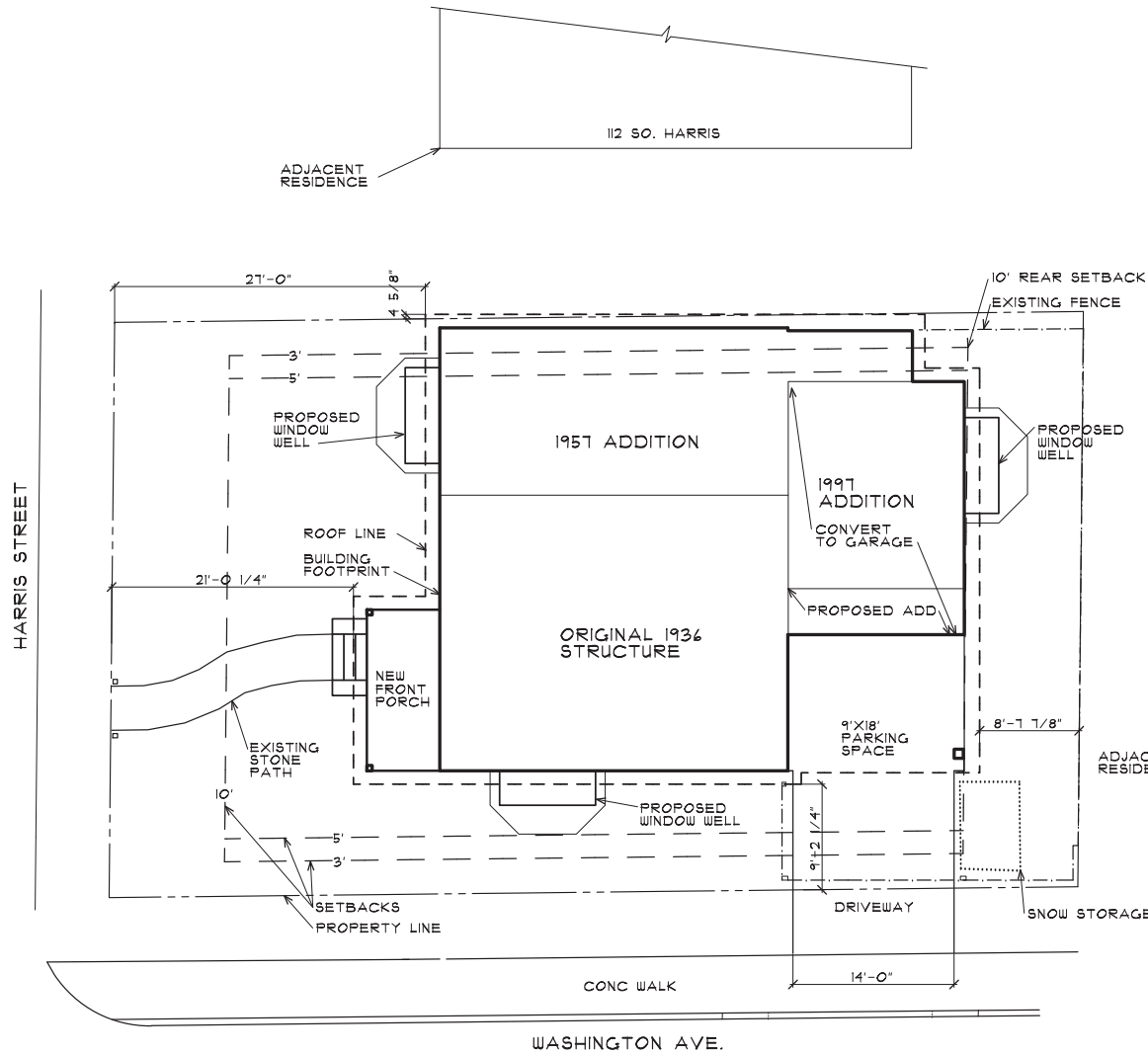
**EXISTING SITE PLAN**

**SCALE:** 1" = 10'-0" 3/32" = 1'-0"

GALLAGHER RESIDENCE REMODEL  
 OCT 5, 2018 DEVELOPMENT PERMIT RENEWAL



**PRELIMINARY  
 NOT FOR CONSTRUCTION**



LOT AREA= 4209 S.F.  
 DRIP LINE AREA= 2052 S.F.  
 HARD SURFACE AREA= 12.2 S.F.  
 DRIVEWAY AREA= 141 S.F.  
 SNOW STORAGE AREA= 39.5 S.F.

NOTE:  
 THERE IS NO CHANGE TO DRAINAGE  
 OR GRADING FOR THIS PROJECT.

# PROPOSED SITE PLAN

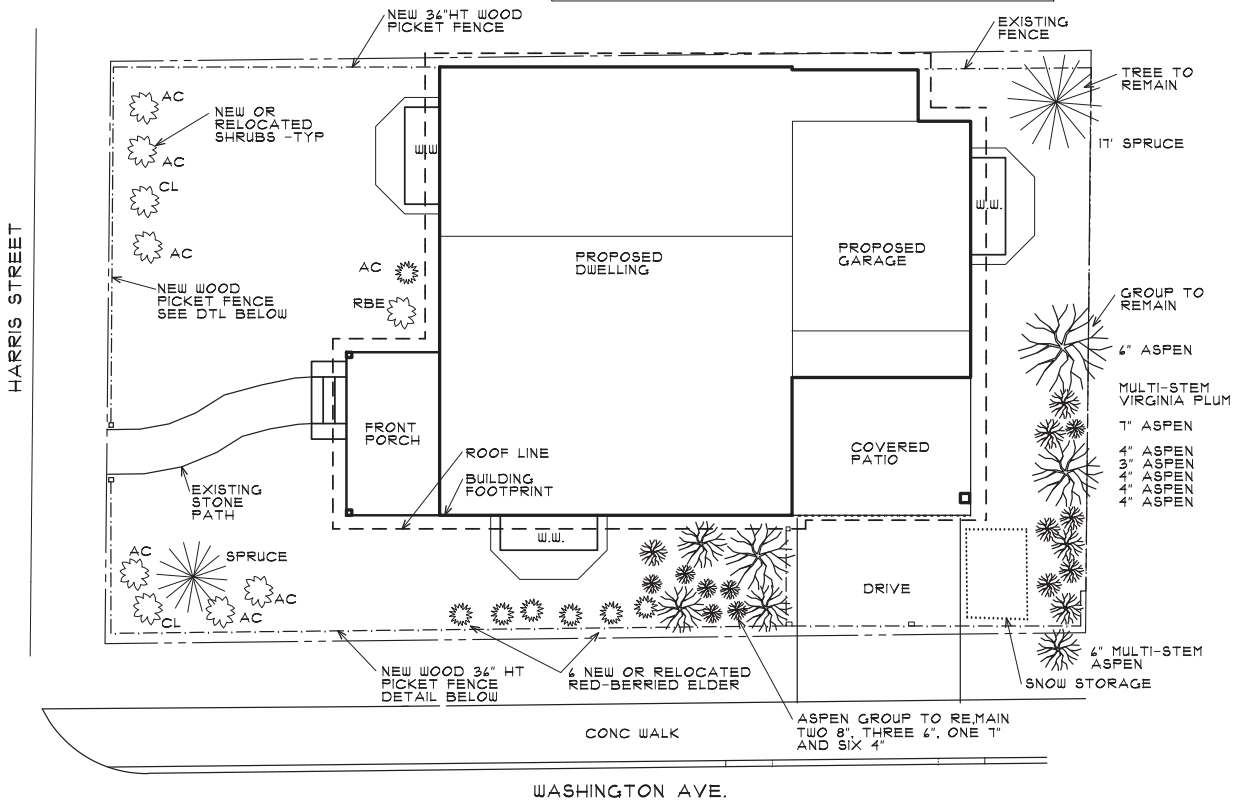
SCALE: 1" = 10'-0" 3/32" = 1'-0"

GALLAGHER RESIDENCE REMODEL  
 OCT 5, 2018 DEVELOPMENT PERMIT RENEWAL



LANDSCAPE LEGEND			
SYMBOL	NAME	SIZE	QUANTITY
AC	ALPINE CURRANT	5 GAL	SEVEN
CL	CANADIAN LILAC	5 GAL	TWO
RBE	RED-BERRIED ELDER	5 GAL	TWO
SPRUCE	ENGLEMAN SPRUCE	4 FOOT	ONE

GRADING, DRAINAGE, AND IRRIGATION TO REMAIN AS EXISTING.



# PROPOSED LANDSCAPE PLAN

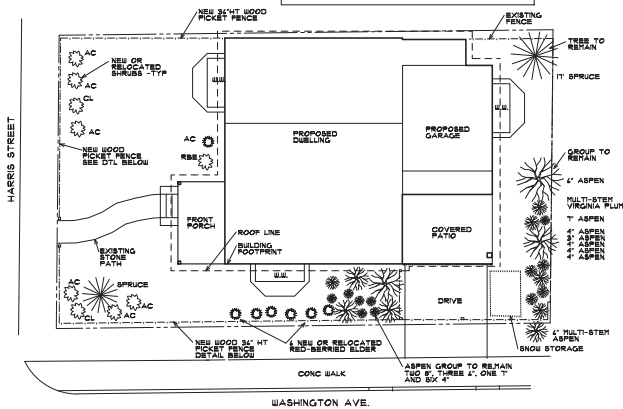
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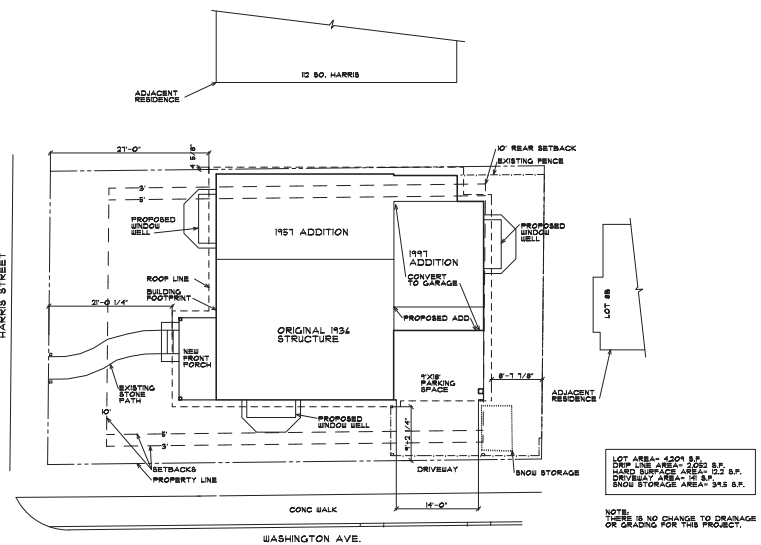
GALLAGHER RESIDENCE REMODEL  
OCT 5, 2018 DEVELOPMENT PERMIT RENEWAL

LANDSCAPE LEGEND			
SYMBOL	NAME	SIZE	QUANTITY
AC	ALPINE CURRANT	5 GAL.	SEVEN
CL	CANADIAN LLAC	5 GAL.	TWO
RBE	RED-BERRIED ELDER	5 GAL.	TWO
SPR	SPRUCE	4 FOOT	ONE

GRADING, DRAINAGE, AND IRRIGATION TO REMAIN AS EXISTING.



**PROPOSED LANDSCAPE PLAN**  
SCALE: 1" = 10'-0"

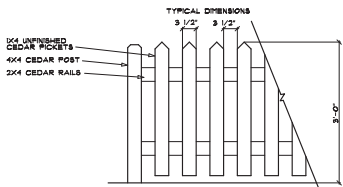


**PROPOSED SITE PLAN**  
SCALE: 1" = 10'-0"

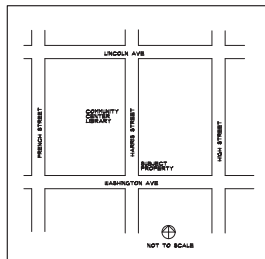


LOT AREA= 4201 S.F.  
OVER LIME AREA= 2062 S.F.  
PAVED SURFACE AREA= 102 S.F.  
DRIVEWAY AREA= 16 S.F.  
SNOW STORAGE AREA= 345 S.F.

NOTE: THERE IS NO CHANGE TO DRAINAGE OR GRADING FOR THIS PROJECT.



**PROPOSED FENCE DETAIL**  
NOT TO SCALE

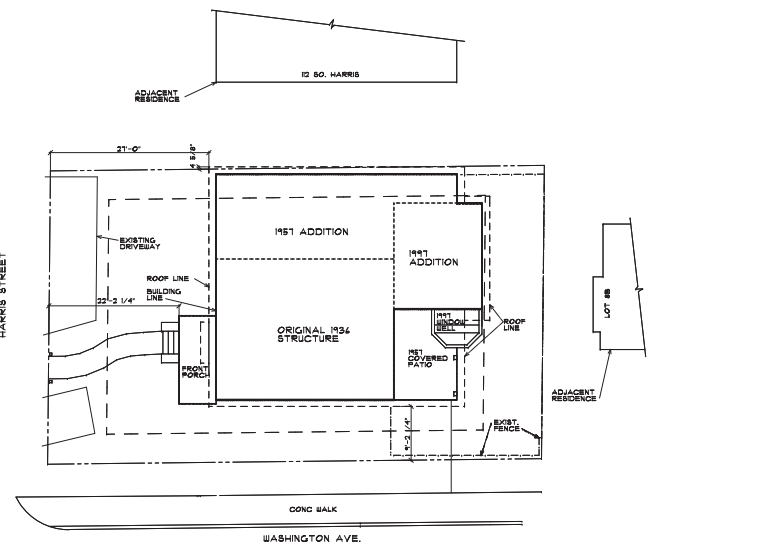


VICINITY MAP

**PLAN CERTIFICATION**

Upon the issuance of a development permit by the Town of Breckenridge, this site plan shall be binding upon the applicant, and the applicant's successors and assigns, until such time as the Town has issued a final certificate of occupancy or a certificate of compliance. Prior to the issuance of a final certificate of occupancy or certificate of compliance, this plan shall limit and control the issuance and validity of all building permits, and shall restrict and limit the construction location, use, occupancy and operation of all land and structures within this plan to all conditions, requirements, locations and limitations set forth herein and in the development permit for this site. Abandonment, withdrawal or amendment of this plan may be permitted only in accordance with the Breckenridge Development Code. This document represents the entire understanding between the applicant and the Town of Breckenridge with regard to development rights and density remaining on this site.

Owner Signat ure: \_\_\_\_\_  
Owner Name (please print) \_\_\_\_\_  
Architect Signature: \_\_\_\_\_  
Director of Community Development: \_\_\_\_\_



**EXISTING SITE PLAN**  
SCALE: 1" = 10'-0"



PRELIMINARY  
NOT FOR CONSTRUCTION

**SYNTEC DEVELOPMENT CORPORATION**  
MICHAEL F. GALLAGHER, ARCHITECT  
www.michaelgallagher.com  
FORT OFFICE BOX 1006  
BRECKENRIDGE, CO 80404  
9701 455-0872  
michaelgallagher.com

GALLAGHER RESIDENCE REMODEL  
114 SOUTH HARRIS STREET  
LOT 8A, BLOCK T, YINGLING MICKELS ADD  
BRECKENRIDGE, COLORADO 80424

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Issue Date:  
OCT 5, 2018  
DP RENEWAL

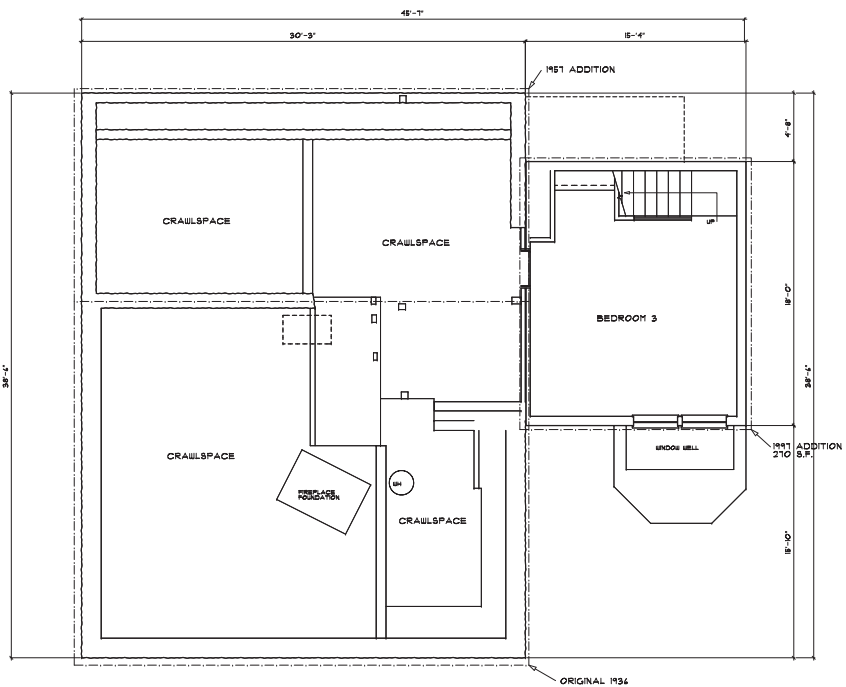
Revisions:

Job Codes:  
114

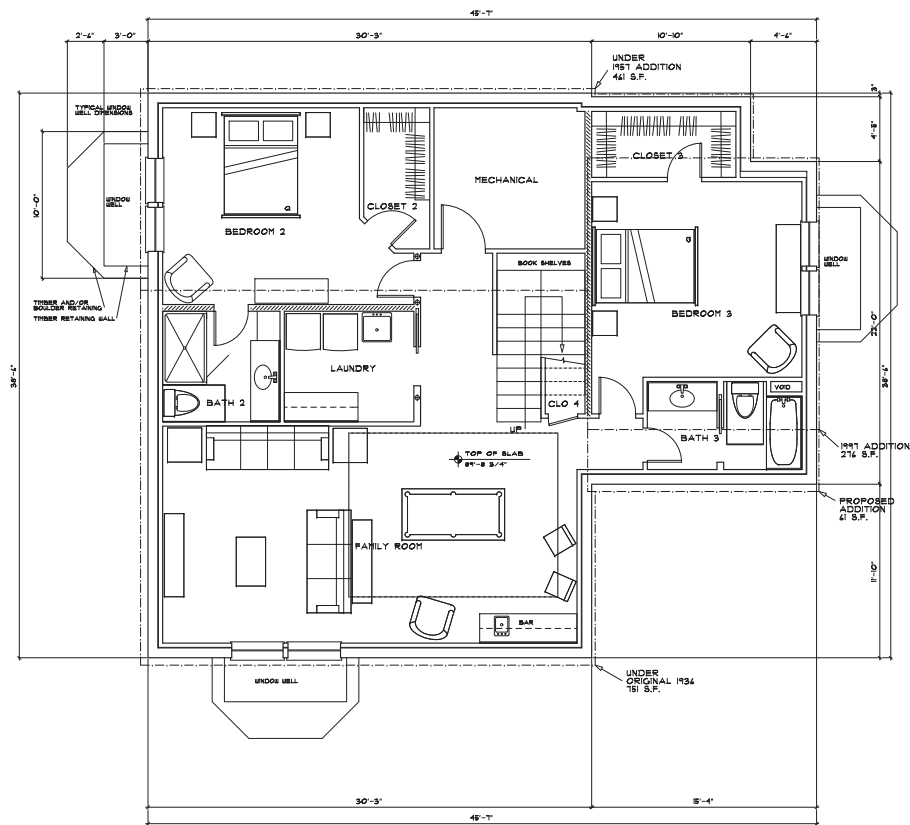
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114-814a.rvt

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CALLAGHER RESIDENCE REMODEL  
 114 SOUTH HARRIS STREET  
 LOT 8A, BLK T, YINGLING MICKELS ADD  
 BRECKENRIDGE, COLORADO 80424



EXISTING FLOOR PLAN  
 FLOOR AREA = 230 S.F.



PROPOSED FLOOR PLAN

LOWER LEVEL FLOOR AREA:  
 1951 ADDITION 19 S.F.  
 1981 ADDITION 21 S.F.  
 TOTAL 40 S.F. (230 S.F. TOTAL) INCLUDES 22 S.F. MECHANICAL ROOM

PRELIMINARY  
 NOT FOR CONSTRUCTION



LOWER LEVEL FLOOR PLAN  
 SCALE: 1/4" = 1'-0"

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Issue Date:  
 OCT. 8, 2018  
 OF RENEWAL

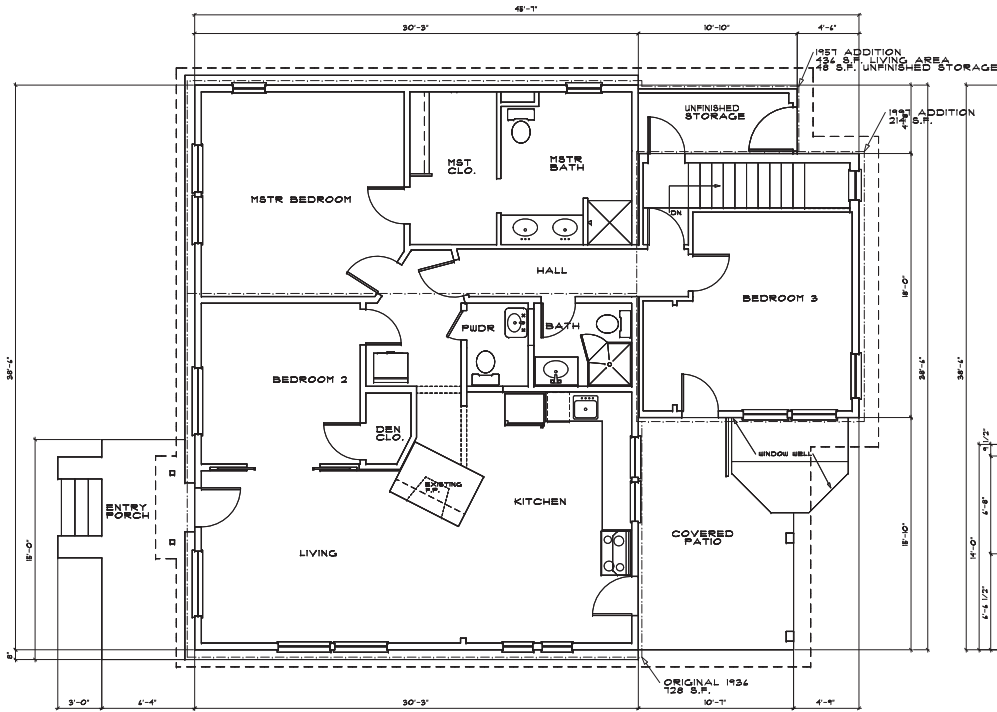
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Job Code:  
 114

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GALLAGHER RESIDENCE REMODEL  
 114 SOUTH HARRIS STREET  
 LOT 8A, BLK T, YINGLING MICKELS ADD  
 BRECKENRIDGE, COLORADO 80424

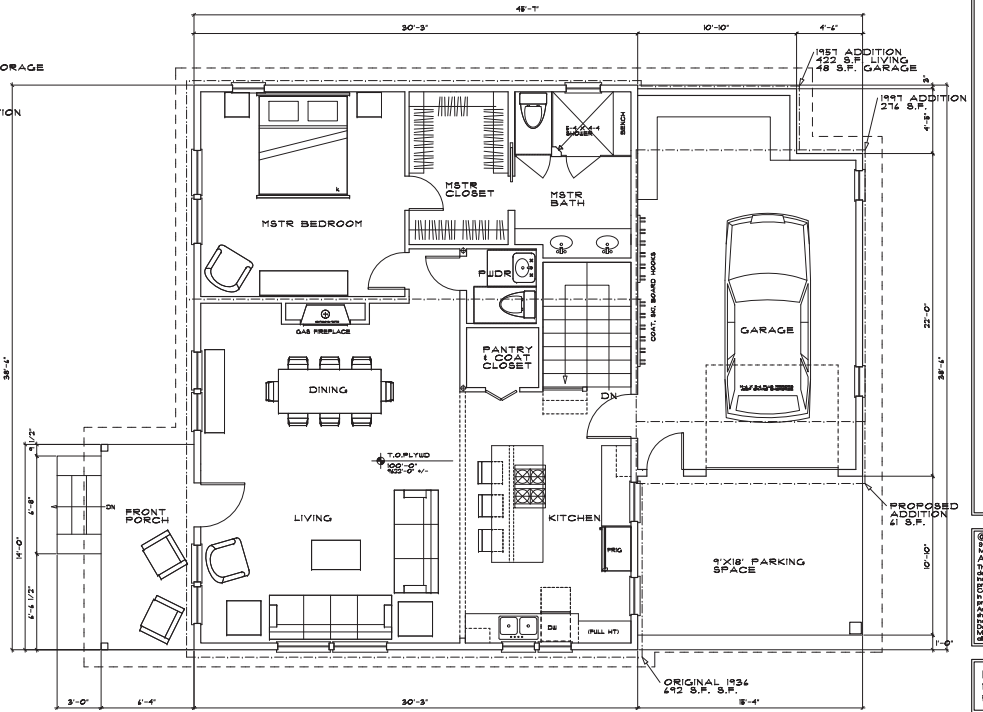


EXISTING FLOOR PLAN

FLOOR AREA AND OTHER DATA

LOT SIZE: 4201 S.F.  
 ABOVE-GROUND CONSTRUCTION: 1228 S.F.  
 BELOW-GROUND CONSTRUCTION: 14 S.F.  
 FINISHED FLOOR AREA: 1242 S.F.  
 MAINTENANCE: 141 S.F.  
 ALLOWED TOTAL: 1414 S.F.

MAIN LEVEL: 1278 S.F.  
 LOWER LEVEL: 210 S.F.  
 STORAGE: 18 S.F.  
 3 BEDROOMS  
 2 BATHS  
 1 WOOD-BURNING PREPLACE



PROPOSED FLOOR PLAN

FLOOR AREA AND OTHER DATA

LOT SIZE: 4201 S.F.  
 ABOVE-GROUND CONSTRUCTION: 2422 S.F.  
 BELOW-GROUND CONSTRUCTION: 14 S.F.  
 FINISHED FLOOR AREA: 2436 S.F.  
 MAINTENANCE: 141 S.F.  
 ALLOWED TOTAL: 2577 S.F.

MAIN LEVEL FLOOR AREA:  
 LOWER LEVEL: 331 S.F., PLUS 122 S.F. SUBMITT  
 GARAGE: 348 S.F.  
 3 BEDROOMS  
 2 BATHS  
 1 GAS PREPLACE  
 TOTAL LIVING AREA: 2436 S.F.  
 TOTAL BUILDING: 2577 S.F.

MAIN LEVEL FLOOR AREA:  
 LIVING AREA: 412 S.F., (P)41 + 422 (P)10 + 104 (P)1  
 GARAGE: 214 S.F., (P)11 + 19 (P)11 + 41 (P)11 = 268 S.F.

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Issue Date:  
 NOV 4, 2016  
 FIN PLANNING

Revisions:

Job Code:  
 114

File Name:  
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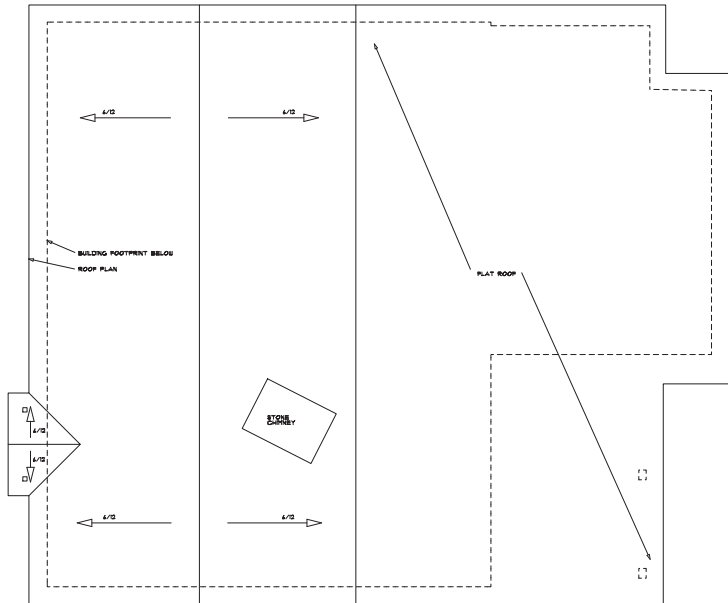
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 NOT FOR CONSTRUCTION

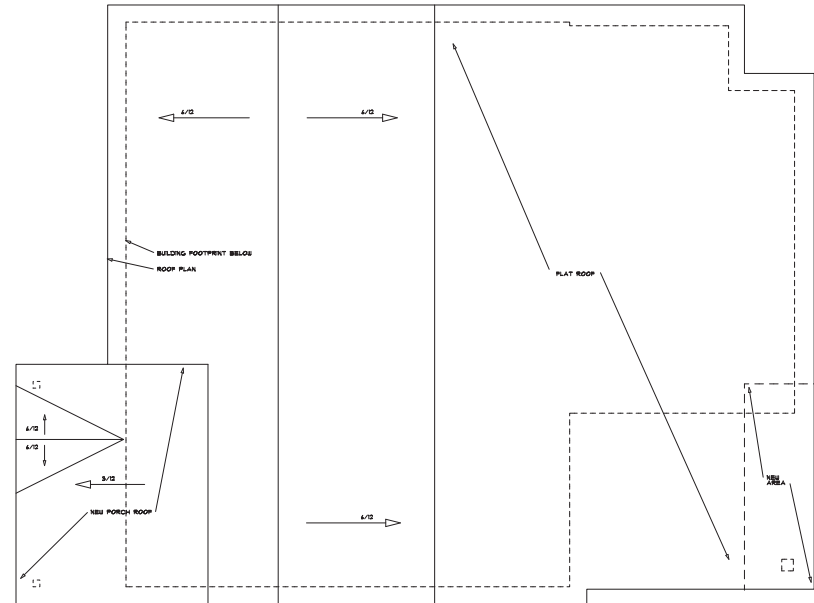


MAIN LEVEL FLOOR PLAN  
 SCALE: 1/4" = 1'-0"





EXISTING ROOF PLAN

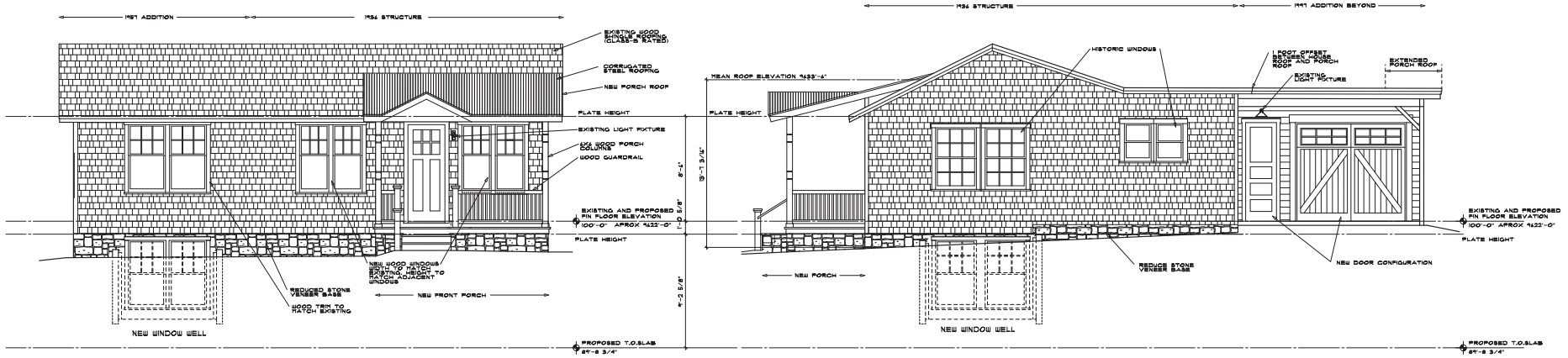


PROPOSED ROOF PLAN

PRELIMINARY  
NOT FOR CONSTRUCTION



ROOF PLAN  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION**

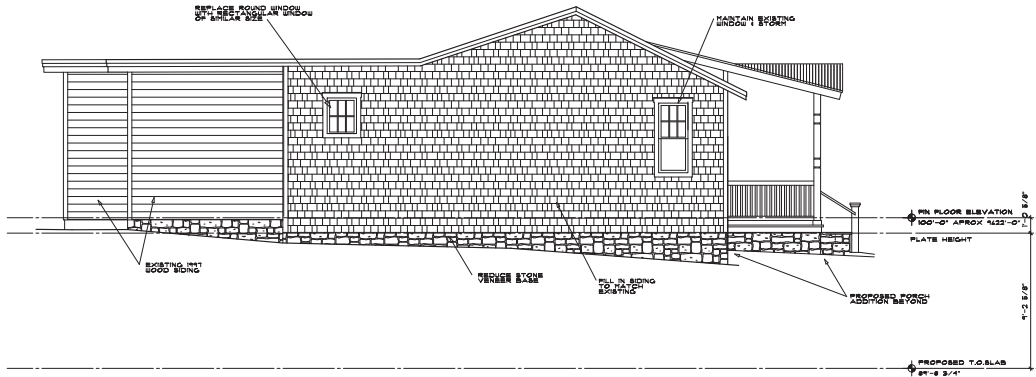
NOTE: MATERIALS AND COLORS TO MATCH EXISTING UNLESS NOTED OTHERWISE

**SOUTH ELEVATION**

NOTE: MATERIALS AND COLORS TO MATCH EXISTING UNLESS NOTED OTHERWISE

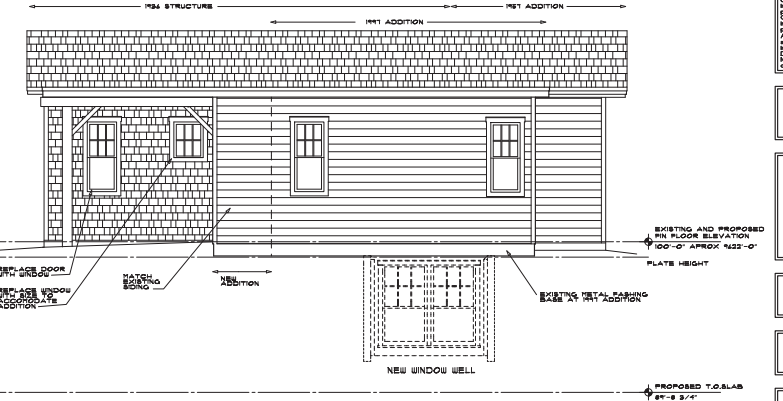
**RESTORATION NOTES**

THESE NOTES SHALL APPLY TO THE RESTORATION OF THE 'HISTORIC' PORTIONS OF THE HOUSE.  
 EXISTING FLOOR ELEVATION SHALL BE MAINTAINED.  
 EXISTING HISTORIC WINDOWS HAVE PREVIOUSLY BEEN RESTORED AND PROTECTED WITH HISTORICALLY ACCURATE STONE WINDOWS. THESE SHALL BE FURTHER PRESERVED AND RESTORED IF NEEDED.  
 THE TWO EXISTING LARGE PICTURE WINDOWS ON THE WEST SHALL BE REPLACED WITH WOOD DOUBLE HUNG WINDOWS AS SHOWN.  
 ROUND WINDOW ON NORTH WALL SHALL BE REPLACED WITH SIMILAR-SIZED RECTANGULAR WINDOW AS SHOWN.  
 EXISTING SHINGLE SIDING SHALL REMAIN AND ADDITIONAL MATCHING MATERIAL PROVIDED AS SHOWN.  
 ROOF RAFTERS AND SHEATHING MAY BE REINFORCED WITH APPROPRIATE RAFTERS AND STRUCTURAL SHEATHING.  
 EXISTING STONE VENSER SHALL BE REMOVED. SIMILAR THIN-CUT STONE MATERIAL SHALL BE APPLIED AS SHOWN.



**NORTH ELEVATION**

NOTE: MATERIALS AND COLORS TO MATCH EXISTING UNLESS NOTED OTHERWISE



**EAST ELEVATION**

NOTE: MATERIALS AND COLORS TO MATCH EXISTING UNLESS NOTED OTHERWISE

**PRELIMINARY NOT FOR CONSTRUCTION**

**ELEVATIONS**  
 SCALE: 1/4" = 1'-0"

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Issue Date:  
**OCT 5, 2018**  
 DP: RENEWEL

Revisions:

Job Code:  
 114

File Name:  
 114-Eliv8ect.sec

Sheet:

**A.5**  
 of . sheets



## 100 BLOCK OF SOUTH HARRIS STREET GIS IMAGE

GALLAGHER RESIDENCE REMODEL  
DEVELOPMENT PERMIT RENEWAL OCTOBER 2018



GALLAGHER RESIDENCE REMODEL 114 SOUTH HARRIS STREET  
MATERIAL COLOR SAMPLE BOARD

DEVELOPMENT PERMIT RENEWEL OCTOBER 5, 2018

MICHAEL F GALLAGHER, ARCHITECT 970-453-6872 PO BOX 1636, BRECKENRIDGE, CO 80424

ALL MATERIALS AND COLORS SHALL MATCH EXISTING

GABLE ROOFING: CEDAR SHINGLES

NEW PORCH ROOF: 7/8"  
CORRUGATED STEEL



MAIN SIDING: CEDAR SHINGLES PAINTED SHERWIN WILLIAMS-GULFSTREAM

TRIM: WOOD PAINTED SHERWIN WILLIAMS-BILTMORE BUFF

STONE VENEER: TELLURIDE STONE – TELLURIDE GOLD

FLAT ROOFING: RUBBER MEMBRANE



REAR SIDING: WOOD LAP WITH 5 1/4" EXPOSURE. PAINTED SHERWIN WILLIAMS-GULFSTREAM

TRIM: WOOD PAINTED SHERWIN WILLIAMS-BILTMORE BUFF



## TOWN OF BRECKENRIDGE TOWN COUNCIL

### Budget Retreat + October 9 Meeting



Welcome to the newsletter summarizing The Town of Breckenridge's latest Council Meeting. Our goal is to provide our citizens with thorough and reliable information regarding Council decisions. We welcome any feedback you may have and hope to see you at the meetings.

### Funds Review & Capital Decisions

#### Reserved Funds

- **Water:** Fund Balance decrease due to \$3.2M debt service for new water plant. Rate increases make up deficit over time. Future Tarn Dam repairs are in the CIP and Pro Forma. 2019 Budgeted balance is \$10,376,172. 2019 budgeted revenue is \$5,864,222. Total expenditures are \$7,179,189.

- **Housing:** 2018 Includes \$5.5M transfer to General Fund. 2019 Budget includes \$25M COP borrow for Breck 365 (Block 11). 2018 Projected Revenue includes unit sales (Blue 52). 2019 Budgeted balance is \$4,339,705. 2019 budgeted revenue is \$30,460,183. Total expenditures are \$15,359,214.
- **Open Space:** Fund includes reserves for the Hoosier Bike Path and Wellington Oro Plant Capital. Debt payments back to General Fund Expire in 2020. 2019 Budgeted balance is \$2,856,438. 2019 budgeted revenue is \$3,599,117. Total expenditures are \$2,528,666.
- **Golf:** 2017 Revenues were up due to favorable weather. 2018 Includes capital expenses for the Clubhouse remodel. Pro Forma shows fund balance growing for next 6 years (no major capital). 2019 Budgeted balance is \$456,301. 2019 budgeted revenue is \$2,652,882. Total expenditures are \$2,427,955.
- **Marijuana:** MJ has been lower than expected. Transfer to child care has been adjusted to \$320k per year. 2019 Budgeted balance is \$74,071. 2019 budgeted revenue is \$641,200. Total expenditures are \$559,444.

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#### Government Service Funds

- **Excise Tax Fund:** (Estimated 2018 Revenues)
  - Sales Tax - \$23,743,300
  - Cigarette Tax - \$49,630
  - Franchise Taxes - \$772,700
  - RETT - \$5,400,000
  - Accommodation Tax - \$3,479,400
  - Investment Income - \$20,350
  - Total 2018 Revenues - \$33,465,380
  - Transfer of revenues:
    - General Fund - \$13,600,000
    - Capital Projects - \$2,257,000
    - Marketing Fund - \$812,400
    - Special Projects - \$3,863,290
    - Parking/Transportation - \$3,017,500
    - Debt Service - \$535,615
- **General Fund:** Preliminary Property Tax Assessment is up 8%, or \$216K to General Fund. 2018 revenue accounts for \$5.5M transfer/payback with the Affordable Housing Fund. 2019 Budgeted balance is \$27,748,794. 2019 budgeted revenue is \$23,295,300. Total expenditures are \$23,070,996.

- **Marketing Fund:** 2018 fund increase due to increased revenues. 2019 reflects full BTO ask of \$4.77 million. 2019 Budgeted balance is \$811,776. 2019 budgeted revenue is \$4,515,004. Total expenditures are \$4,876,676.
- **Childcare Fund:** Fund is sustainable until 2021. Future depends on what happens with 1A ballot initiative. 2019 budgeted revenue is \$2,699,014. 2019 budgeted revenue is \$396,788. Total expenditures are \$1,127,775.
- **Special Projects Fund:** Reflects full BCA funding amount. 2019 lower due to IT allocation decrease. Last year of BCA funding plan. Reusable Bag Program reserve line. 2019 budgeted revenue is \$224,903. 2019 budgeted revenue is \$4,053,698. Total expenditures are \$3,851,290.

**Parking & Transportation Fund:** Third full year of the fund. Revenues reflect full year of parking management revenue. 2019 budgeted revenue is \$1,758,734. 2019 budgeted revenue is \$9,298,747. Total expenditures are \$8,332,919.

### Fund Balances/Reserves

Reserves Analysis					
	Projected Fund				
	Balance 12/31/19	Required	Council Policy	TOTAL Reserves	Net Balance
General Fund	\$ 27,973,098	\$ (1,510,714)	\$ (7,690,332)	\$ (9,201,046)	\$ 18,772,052
Excise Fund	24,149,557	(267,465)	(24,136,802)	(24,404,267)	(254,710)
Capital	9,703,124	(9,703,124)	-	(9,703,124)	-
Marketing	450,100	(450,100)	-	(450,100)	-
Spec. Proj	202,408	(137,853)	-	(137,853)	64,555
Child Care	1,968,027	-	(1,968,027)	(1,968,027)	-
Parking & Tran.	2,724,562	-	-	-	2,724,562
	\$ 67,170,876	\$ (12,069,256)	\$ (33,795,161)	\$ (45,864,418)	\$ 21,306,459
<b>General Fund:</b>	Operations, Medical, and TABOR reserves				
<b>Excise Fund:</b>	C.O.P. Debt Service Reserve (2 years), Capital Reserve				
<b>Marketing:</b>	Fund Balance reserved for marketing efforts				
<b>Spec. Projects</b>	Bag Fee program reserve				
Capital Reserve Calculation					
	2020	2021	2022	Total	
Capital	\$ 6,557,000	\$ 7,107,000	\$ 7,427,000	\$ 21,091,000	
P&T	2,996,100	-	7,761,487	10,757,587	
Base Funding	(2,750,000)	(2,750,000)	(2,750,000)	(8,250,000)	
	\$ 6,803,100	\$ 4,357,000	\$ 12,438,487	\$ 23,598,587	

### Funding Decisions

- **Breckenridge Tourism Office**
  - 2019 budget ask: \$4,768,008
  - Expenses come from administration, marketing, research, PR, internet, sales, special events, Welcome Center/Guest & Community services
- **Breckenridge Creative Arts**
  - 2019 budget ask: \$2,902,290
  - Reduction in TOB grant due to adjusted IT and facilities allocations. Increased third-party grants, including confirmed NEA funding. Reduction in BCA Presents revenue and outside facility rentals,

both due to changing market conditions. Increase in Facilities Allocation by \$2,676, offset by confirmed additional NEA grant revenue. Includes anticipated employee pay raises and health insurance cost increases.

- **Breckenridge Heritage Alliance**
  - 2019 budget ask: \$693,000

Additions: Breckenridge Archives & Museum Collections Storage, Modern Breckenridge history collection, Welcome Center display updates, interpretive signs, outdoor artifact displays, and museum acquisitions/displays/collection care.

### Capital Decisions

Five Year Capital Improvement Plan Summary 2019 to 2023						
Capital Fund Projects						
	2019	2020	2021	2022	2023	TOTAL
<b>Recreation</b>						
River Park	-	700,000	-	-	-	700,000
Breckenridge Campground	-	-	-	1,000,000	-	1,000,000
Ice Arena Locker Room Addition	?	-	-	-	-	?
<b>Total</b>	-	700,000	-	1,000,000	-	1,700,000
<b>Public Works</b>						
McCain Property Improvements- School Parcel	350,000	1,000,000	3,750,000	150,000	43,000	5,293,000
Coyne Valley Bike Underpass	75,000	?	-	-	-	75,000
Airport Road Improvements	250,000	3,750,000	3,750,000	-	-	7,750,000
Riverwalk Center Lobby Improvements	200,000	-	-	5,000,000	-	5,200,000
Undergrounding of Overhead Utilities	200,000	-	200,000	-	200,000	600,000
Roadway Resurfacing	850,000	850,000	850,000	850,000	850,000	4,250,000
Sand Storage Structure	250,000	-	-	-	-	250,000
River Walk Extension & Utility Relocation	250,000	-	-	-	-	250,000
Fiber Infrastructure	10,000,000	10,000,000	-	-	-	20,000,000
Infrastructure Improvements- Culverts	?	350,000	350,000	350,000	350,000	1,400,000
McCain Property Improvements- Landscape Berm	-	-	250,000	-	-	250,000
Blue River Crossing at Coyne Valley Road	-	2,200,000	-	-	-	2,200,000
<b>Total</b>	12,425,000	18,150,000	9,150,000	6,350,000	1,443,000	47,518,000
<b>100% Renewable Energy</b>						
Town Facilities Energy Upgrades	100,000	100,000	90,000	85,000	0	375,000
Solar/Renewable Implementation	40,000	40,000	40,000	40,000	40,000	200,000
Small Scale Wind & Hydro Power	0	50,000	50,000	50,000	50,000	200,000
<b>Total</b>	140,000	190,000	180,000	175,000	90,000	775,000
<b>GRAND TOTAL</b>	12,565,000	19,040,000	9,330,000	7,525,000	1,533,000	49,993,000
<b>Capital Funding Sources</b>						
Excise	2,397,000	6,557,000	7,357,000	7,427,000	1,435,000	25,173,000
McCain Rents	43,000	43,000	43,000	43,000	43,000	215,000
Open Space Funds (River Park)	-	105,000	-	-	-	105,000
GOCO Grant for Oxbow Park	-	350,000	-	-	-	350,000
Housing Fund (50% for Airport Rd. Improvements)	125,000	1,875,000	1,875,000	-	-	3,875,000
Conservation Trust Transfer	-	110,000	55,000	55,000	55,000	275,000
COP Funding for Broadband Project	10,000,000	10,000,000	-	-	-	20,000,000
<b>Total</b>	12,565,000	19,040,000	9,330,000	7,525,000	1,533,000	49,993,000

Parking and Transportation Fund Projects						
	2019	2020	2021	2022	2023	TOTAL
Dynamic Wayfinding	1,000,000	1,500,000	500,000	-	-	3,000,000
S.Park Ave & Main Street Roundabout	250,000	250,000	-	-	7,000,000	7,500,000
F-Lot Pedestrian Connection Improvements	200,000	2,000,000	-	-	-	2,200,000
B11 Parking- School Parcel	400,000	-	-	-	-	400,000
River Walk Repairs	137,500	137,500	137,500	-	-	412,500
Transit Stop Shelters	150,000	-	-	-	-	150,000
Pedestrian Corridor Lighting	200,000	100,000	100,000	100,000	100,000	600,000
Sidewalk Master Plan Implementation	250,000	250,000	250,000	250,000	250,000	1,250,000
Village Road Roundabout	-	-	-	3,500,000	-	3,500,000
French St Roundabout	-	400,000	-	4,000,000	-	4,400,000
Four O'clock Pedestrian Improvements	-	-	-	1,400,000	-	1,400,000
Village Road Pedestrian Improvements	-	-	-	300,000	3,000,000	3,300,000
Transit Center	-	-	-	-	5,000,000	5,000,000
<b>Total</b>	2,587,500	4,637,500	987,500	9,550,000	15,350,000	33,112,500
<b>Parking and Transportation Funding Sources</b>						
Lift Tax Agreement	1,570,000	1,641,400	1,714,228	1,788,513	1,864,283	8,578,423
Excise Fund Transfer	1,017,500	2,996,100	-	7,761,487	13,485,717	24,534,077
<b>Total</b>	2,587,500	4,637,500	987,500	9,550,000	15,350,000	33,112,500

Campground was removed from CIP.



## Other Presentations

### Fiber Infrastructure

- Overall approval to move forward and budget \$8M in the CIP for Phase 1 construction and development of fiber infrastructure for the Town of Breckenridge (creation of the backbone network).
- "Like roads, fiber is the next key infrastructure for local governments to own and control their technological destiny. To be progressive and ready for new developments, fiber is a key 50-year investment for the Town that has public benefits like the redundancy of telecommunications, public safety, school development, and wireless coverage," Tim Scott, fiber consultant.
- Construction would be completed over 2 years with first provisional service being ready for customers during the 3rd quarter of 2019. Sign up for services would begin once the providers are all identified and agreed upon – scheduled to be ready by Q1 2019 to begin marketing and awareness.
- During 2019 the Town would construct the infrastructure for the backbone (17 miles of fiber) and to certain addresses that sign up for service within the phase 1 boundaries The network would be constructed all the way to the end user with a piece of equipment on the side of the house where the fibers terminate.
- The goal will be an initial 1 – 2 service providers for services in the Town. Initially, one focused on the residential market (this includes TV, internet, phone and over the top services) and perhaps a second provider focused on local businesses.
- The fiber infrastructure will be appropriately sized to support possible future uses, such as assisting wireless infrastructure for improved cellular coverage, and other potential smart city applications.

## Regular Council Meeting

### Legislative Review

- **Flood Damage Prevention Ordinance (Second Reading):** As a participating community in the National Flood Insurance Program (NFIP), the Town is required to adopt floodplain regulations that meet the standards of the NFIP. Modifications have been made to the Flood Insurance Rate Maps and Flood Insurance Study for Summit County, effective November 16, 2018, requiring minor changes to existing Flood Damage Prevention Ordinance. **(Passed 7-0)**

- **Liquor Code Reference Amendment (Second Reading):** This Council Bill changes references in the Breckenridge Town Code to correspond to the changes made to the State liquor codes of the C.R.S. **(Passed 7-0)**
- **Conveyance of One-Half Interest of Block 11 Apartments to Summit County (First Reading):** The ordinance will execute a special warranty deed to convey one-half interest of the Block 11 Apartments to Summit County for \$2,100,000. The Town and the County will own the 47,394 sq. ft. parcel and the two apartment buildings as tenants in common. **(Passed 7-0)**



# Memo

To: Breckenridge Planning Commission  
 From: Julia Puester, Planning Manager  
 Date: 10/11/2018 (For October 16, 2018 Meeting)  
 Subject: Approved Class D Majors Quarterly Report (Q3 2018)

## BACKGROUND

Effective January 1, 2014, Section 9-1-18-4-1 of the Breckenridge Development Code authorized the Director to review and approve Class D Major applications for single family or duplex structures outside of the Conservation District administratively without Planning Commission review. For an application to be classified as a Class D Major development permit, the property must have a platted building or disturbance envelope and warrant no negative points under Section 9-1-19 Development Policies. Staff regularly reports recently approved Class D Major development permits to the Planning Commission.

We have included a list of the Class D Major development permits that have been approved for the third quarter of 2018 since we last reported to you in July of 2018.

If you have any questions about these applications, the reporting, or the review process, we would be happy to answer. Otherwise, no discussion on this matter is required.

Permit #	Address	Project Name	Description	Approval Date	Planner
PL-2018-0200	66 Marksberry Way	Badwan Residence Addition & Accessory Apartment	A 720 sq. ft. garage and accessory apartment	July 6, 2018	Chapin LaChance
PL-2018-0264	155 Lake Edge Drive	155 Lake Edge Drive Single Family Residence	A new 5,605 sq. ft. home with 5 bedrooms and 6 bathrooms	July 13, 2018	Chapin LaChance
PL-2018-0242	156 Highlands Drive	David Residence Addition and Remodel	An addition of a 3 car garage with bunk rooms above	July 26, 2018	Jeremy Lott
PL-2018-0303	1496 Highlands Drive	Dickerson Residence	A new 4,712 sq. ft. single family residence with 5 bedrooms and 5.5 bathrooms	August 10, 2018	Chris Kulick
PL-2018-0296	18 Iron Mask Rd.	Fowler Residence	A new 6,326 sq. ft. single family residence with 6 bedrooms and 7.5 bathrooms	August 23, 2018	Jeremy Lott

PL-2018-0297	93 Penn Lode	McMillan Residence	A new 10,404 sq. ft. residence with 6 bedrooms and 7 bathrooms	August 29, 2018	Jeremy Lott
PL-2018-0343	2003 Highlands Drive	Gandomcar Residence	A new 5,536 sq. ft. single family residence with 5 bedrooms and 5.5 bathrooms	September 5, 2018	Chris Kulick
PL-2018-0274	153 Southside Drive	Brownson Residence	A new 6,326 sq. ft. single family residence with 6 bedrooms and 7.5 bathrooms	September 6, 2018	Jeremy Lott
PL-2018-0410	126 Red Quill Lane	The Shores Lot 7B	A new 2,757 sq. ft. single family residence with 3 bedrooms and 3.5 bathrooms	September 24, 2018	Chris Kulick
PL-2018-0381	396 Lake Edge Drive	Burns Residence	A new 5,022 sq. ft. single family residence with 5 bedrooms and 6 bathrooms	September 25, 2018	Jeremy Lott

The Shores Lot 7B, 126  
Red Quill Lane

Badwan Residence Addition &  
Accessory Apartment, 66  
Marksberry Way

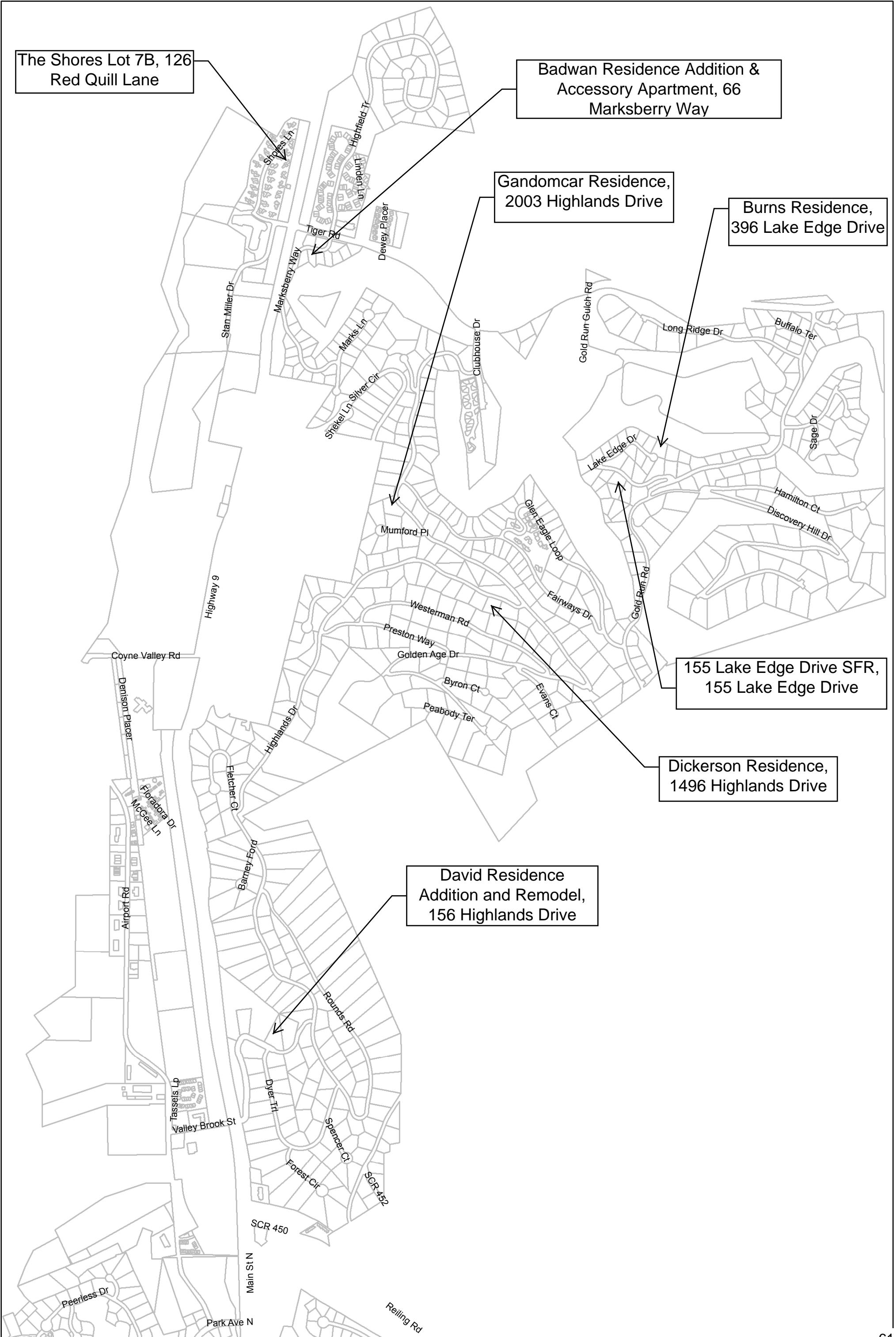
Gandomcar Residence,  
2003 Highlands Drive

Burns Residence,  
396 Lake Edge Drive

155 Lake Edge Drive SFR,  
155 Lake Edge Drive

Dickerson Residence,  
1496 Highlands Drive

David Residence  
Addition and Remodel,  
156 Highlands Drive





NOT TO SCALE

McMillan Residence, 93 Penn Lode

Fowler Residence, 18 Iron Mask Rd.

Brownson Residence, 153 Southside Drive



Breckenridge South







# Memo

To: Breckenridge Planning Commission  
 From: Julia Puester, Planning Manager  
 Date: 10/11/2018 (For October 16, 2018 Meeting)  
 Subject: Approved Class C Subdivision Quarterly Report (Q3 2018)

Section 9-2-3-3 of the Breckenridge Subdivision Code authorizes the Director to review and approve Class C subdivisions administratively without Planning Commission review. “Administrative Review: The processing of a class C subdivision application shall be an administrative review conducted by the director. No public hearing shall be required”. (Section 9-2-3-3 B)

Class C Subdivisions are defined as follows:

“CLASS C SUBDIVISION: A subdivision of structure(s) into separate units of interest, including, but not limited to, condominiums, timeshare interests, cooperatives, townhouses, footprint lots in conjunction with an approved master plan, and duplexes when done in accordance with a previously approved subdivision plan, site plan, development permit or site specific development plan; the modification or deletion of existing property lines resulting in the creation of no additional lots (lot line adjustment); an amendment to a subdivision plat or plan which does not result in the creation of any new lots, tracts or parcels; or the platting or modification of easements, building envelopes or site disturbance envelopes. A class C subdivision application may be reclassified by the director as either a class A or class B subdivision application within five (5) days following the submission of the completed application if the director determines that the application involves issues which make it inappropriate for the application to be processed administratively as a class C application”.

The Subdivision Code indicates that the decision of the Director on Class C Subdivisions shall be forwarded to the Planning Commission:

“D4. Decision Forwarded to Planning Commission: All of the director's decisions on class C subdivision applications which are not appealed shall be forwarded to the planning commission for its information only”.

As a result, we have included a list of the Class C Subdivisions that have been approved since you were last updated in July 2018. If you have any questions about these applications, or the review process, we would be happy to answer. Otherwise, no discussion on this matter is required.

Permit #	Project Name	Address	Description	Approval Date	Planner
PL-2018-0295	Moore Building Envelope Modification	265 Southside Drive	Building envelope modification to accommodate an addition to the SE corner of the envelope	August 1, 2018	Chapin LaChance
PL-2018-0317	BIC/Reliance Place Subdivision	224 S. Main St.	Resubdivision of BIC and Reliance Place Building	August 10, 2018	Chris Kulick

PL-2018-0265	Fairways Lots 28, 29, 30 Replat	145, 155, 173 Glen Eagle Loop	Vacate the 40' access and utility easements on Lots 29 and 30; vacate the site access restriction on Lot 28 partially	August 16, 2018	Chapin LaChance
PL-2018-0344	Grad Duplex Subdivision	302 S. Harris Street	Resubdivide existing lot to create lots 2A and 2B for duplex	August 20, 2018	Chris Kulick
PL-2018-0413	Shores Filing #10	349 Shores Lane	Subdivision to create duplex lots 3A, 3B, 23A, 28A, 28B and a geothermal easement	September 12, 2018	Chris Kulick



Shores Filing  
10, Shores Lane

Fairways Lots 28, 29, 30  
Replat; 145, 155, 173  
Glen Eagle Loop





**Breckenridge South**



**Grad Duplex  
Subdivision, 302  
S. Harris Street**

**BIC/Reliance Place  
Subdivision, 224 S.  
Main Street**

**Moore Building Envelope  
Modification, 265 Southside Drive**