



PLANNING COMMISSION AGENDA

Tuesday, November 17, 2015
Breckenridge Council Chambers
150 Ski Hill Road

7:00pm	<i>Call To Order Of The November 17 Planning Commission Meeting; 7:00 P.M. Roll Call</i>	
	<i>Location Map</i>	2
	<i>Approval Of Minutes</i>	3
	<i>Approval Of Agenda</i>	
7:05pm	<i>Worksessions</i>	12
	1. Planning Commission Field Trip Recap (JP)	
7:30pm	<i>Town Council Report</i>	
7:45pm	<i>Preliminary Hearings</i>	13
	1. Marvel House Restoration, Addition and Landmarking (MM) PL-2015-0328; 318 North Main Street	
8:45pm	<i>Combined Hearings</i>	31
	1. 6th Amendment of the Amended Peak 7&8 Master Plan (MM) PL-2015-0444; 1595 Ski Hill Road	
9:45pm	<i>Other Matters</i>	
	1. Chair and Vice Chair Elections for 2015-2016	
10:00pm	<i>Adjournment</i>	

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 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.**

6th Amendment of the
Peak 7 & 8 Amended
Master Plan
1595 Ski Hill Road

Marvel House
318 North Main Street



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Breckenridge South

Not to Scale

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Kate Christopher Ron Schuman Dan Schroder
Eric Mamula Jim Lamb Gretchen Dudney
Dave Pringle arrived at 7:05pm
Wendy Wolfe, Town Council Liaison, was absent

APPROVAL OF MINUTES

With no changes, the October 20, 2015, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

The Town Council Report was removed. With no other changes, the November 3, 2015, Planning Commission Agenda was approved as presented.

CONSENT CALENDAR:

- 1) Cottage #1, Cottages at Shock Hill (CK) PL-2015-0466, 12 Regent Drive
- 2) Cirillo Residence (CK) PL-2015-0484, 30 Peak 8 Court

Commissioner Questions / Comments:

Mr. Mamula: Is this the first Cottage to be built? (Mr. Kulick: No, this is one of the last Cottages to be built.)

With no requests for call up, the consent calendar was approved as presented.

WORKSESSIONS:

- 1) McCain Master Plan Modification (MT) PL-2015-0501, 13965, 13215, 13217, 13221, 13250 Colorado Highway 9

2)

Mr. Truckey presented. In 2013 the McCain Master Plan was adopted by the Town Council through the Town Project Process. The Plan provided general guidance regarding the types of uses that would be allowed within the 128 acre McCain site. The McCain Master Plan identified two tracts for the property. A number of governmental uses were allowed on the larger 90 acre tract and the smaller 38 acre tract was limited to open space and trail uses. McCain was seen as the future location for a number of governmental uses that now are located closer to the Town core, many on Block 11 (e.g., overflow skier parking, snow storage). As the plan for Block 11 is implemented, affordable housing units will displace these uses. In addition, it was recognized that McCain provided the best location for other uses such as a second water treatment plant and solar gardens.

The Town is now actively pursuing locating several of the uses outlined in the 2013 Master Plan on the McCain site. In particular, the Town is moving forward with plans for the second water treatment plant and a second solar garden. In addition, the Town Council has subsequently identified a couple uses (affordable housing and service commercial) for the property that were not identified in the 2013 Master Plan. As such, it was felt that a more detailed site plan/master plan to identify the specific locations of these and other uses was warranted.

Mr. Truckey discussed Town Council and BOSAC review. The Town Council has given direction to include affordable housing and service commercial as uses on the McCain site. They also wanted to ensure that a placeholder is made in the plan for a reservoir, if a future Council determines that a reservoir is needed. The BOSAC has reviewed the plan twice and supports the proposed Open Space Plan and trail concepts.

The concepts for the plan from north to south include: water treatment plant, affordable housing residential use, public works storage, solar gardens, service commercial, snow storage, open space, river corridor / open space, overflow parking, and the recycling center.

This worksession is intended to get the Planning Commission familiar with the proposed McCain Master Plan Modification and to see if there are any concerns the Commission has with the proposed plan. Any feedback the Planning Commission has is appreciated.

Ms. Elena Scott, Norris Design:

We had a public meeting earlier today so it was good to see a lot of public interest. I'm showing you an image with existing conditions today. Three goals: create a functional and aesthetic campus for governmental uses, second goal is to make this look good as it is our gateway and third goal is to restore river and the natural characteristics pre-dredge mining. (Explained the map that was shown.) Thought process was that Open Space was a big stakeholder and so there is a large open space tract of 23.5 acres. The goal is to create a beginner bicycle loop that is scenic, picnic friendly, fishing, developed series of trails and a multi-use rec path that connects to the blue River bikeway and loops through. Also, would like to make better use of snow storage space that isn't used in the summer. The second main use is solar. There is an existing 2.7 acre solar field with a 50 year lease. We would like to locate another there so that the electrical lines can be shared but have it be screened from Highway 9. This could be moving forward sooner than later as it doesn't need a lot of grading. Snow Storage is the next largest space, as this will be moved from Block 11. We want it to make sense from an access perspective. It will have some screening to it with berms and landscaping and how we plan for water to leave the site is built into the plan. Overflow parking is another primary use on the parking plan. It will accommodate up to 500 cars on the site and allow buses to turn around. We want this to be accessible and visible from the highway. Recycling center is in southwest corner and is under construction now, with close in access. The water treatment facility location is driven by the proximity to the utility lines. We also want to design the aesthetics of this building well as it is in the gateway view of the property. The residential is 10 acre portion and is located near the future Stan Miller residential and close to the Summit Stage bus system. This would be planned out over time with future studies. Service commercial 1.6 acres similar to the amount of acreage that is being leased now, for landscaping and other services. The reservoir location is going to be maintained as a future option if the Town decided that it was needed. (Showed an overlay of how this could be accommodated in the future.) Lastly, here is an illustrative overlay to showing how the trails and landscaping could be laid out with dual use between summer and winter.

Commissioner Questions / Comments:

Ms. Dudney: What acreage is used for overflow parking now in block 11? (Mr. Truckey: What we determined was that in 5 acres you can get 500 cars, which is what the town is obligated to provide for the ski area.) So in terms of the amount of space for parking, do the lost cars tie into parking garage? Are we thinking about how much we should provide versus what is required? (Mr. Truckey: Yes, there is a lot in play here; it is still kind of up in the air. The issue of the extra spaces (beyond 500) has not been accommodated in the Plan.) (Ms. Scott: When we started this planning, we met with Police Chief Shannon Haynes and we started with the premise of 500 spaces.) Doesn't Block 11 also allow people to park trailers short term? (Ms Scott: Yes, I think there are about 16 permits and they can be accommodated.)

Mr. Schuman: How much of the trails get lost if the lake is put in? (Ms. Scott: If they do have a reservoir, then the trails plan will have to be completely looked at again.)

Mr. Truckey continued. The policies that will be addressed here:

2A , 2R and 3R. Land Use District (LUD) 43 covers the entire site and all the uses that we've described are

allowed in LUD 43. The 2013 McCain Plan didn't include things like housing. It did allocated density at 1 unit per 20 acres (6.39 units of density), but since then the 6.39 units were extinguished and moved to another site, Pinewood II. Council thought we wouldn't need the density on McCain. LUD 43 also recognizes about 3.7 units of density for affordable housing--you can also transfer additional density for affordable housing in and no negative points are accrued. The governmental uses such as water treatment plant are exempted from the density plan. We don't actually recognize the density for things like outside commercial storage—only improved structures. Staff recommends setting an FAR for service commercial uses at 1:25; we know we want something that is less dense than Airport Road and Block 11. The LUGs for the adjacent Tatro parcel allow up to a maximum of 1:25 FAR. We will be looking for some Commission input on this. As far as architectural review there is some standards already set in the 2013 Master Plan and we plan to continue these. Site design (Policy 7/R) there will need to be a lot of disturbance, but there has already been a lot over time and this will improve conditions. Placement of structures, we have good setbacks. We have 150' setback implemented along the highway as a visual corridor. We believe that the circulation is addressed well in this plan. Also a good system of pedestrian and biking trails with a good connection to Stan Miller Drive that will be good for cyclists, moving the road crossing back away from the roundabout. We believe circulation will be improved. Landscaping is anticipated to be a big part of the future restoration budget. This accomplishes a lot of goals of Town Council: open space on river corridor, recycling facility, water treatment plant and affordable housing. At this point, we haven't identified any negative points for the project and believe it warrants a passing point analysis.

Commissioner Questions / Comments:

Mr. Schuman: When BBC was approved there were 2 additional buildings approved. Are those parcels or buildings still there? (Ms. Puester: Yes, they are still there and they are north of the McCain site.)

Mr. Mamula opened the worksession to Public Comment, and stated to remember that the Planning Commission is tasked to see if this meets the code of the Town. It is to make sure that what is planned fits with the Town's development code. There was no Public Comment and the worksession was closed.

Commissioner Questions / Comments:

Mr. Schuman: I think it is a good, well thought-out plan. The one concern I have is do we have enough commercial service in the mix. I see service commercial uses on Airport Road getting squeezed in the future.

Mr. Schroder: I think this is a good forward thinking idea and we know that Block 11 will no longer be available for its current uses. I think the design is strong with a lot of opportunities and future opportunities. I think that the residential component is in question of does it fit, but I think that we do want to pursue it here and I'm not concerned about it being too far away from Town.

Ms. Christopher: I don't see any code based issues. I do think that the residential is a little far away from Town. I think it might be better if the area was used for service commercial uses instead of residential but that is a personal opinion. I do think that the aesthetic look of the water treatment plant is important and this needs to be discussed.

Mr. Lamb: This is an evolving process and I don't see any code related problems with this. I'm ok with the residential area especially with the river. I think that commercial could fit too, but we need the residential there also.

Mr. Pringle: This is one in a series of master plans that we've seen over the years for McCain. I don't have a problem with this presentation. I think we should look at the amount of parking because we already exceed a need for parking and if we further reduce parking, we better have a good plan. In the end, making sure we can accommodate our winter guest is the key to our future. At one time we started talking about does affordable housing work if we take it that far out of town, does this still work if it is far away from existing services and

amenities? But with other public works and commercial traffic, I think we really need to be careful of how many units we would put here on the 10 acres. I want to make sure we get the amounts correct.

Ms. Dudney: I have some concern about the parking requirements and I urge the Council and staff to study the parking needs of the town. I don't have an opposition for the residential. I applaud moving the bike path and I love the children's beginner biking areas.

Mr. Mamula: I agree that it meets the code for the uses. I think the parking is a little light. Once it is all residential on Block 11, I feel like having a chunk for residential here is too much. I do agree with 1 to 25 FAR for the service commercial uses. I think with the price that weed pays for spaces on Airport Road, it would be nice if there were no weed stores here on McCain. I would like to see height set at 2 stories period rather than just be discouraged off of the 150 setback. I would like to have a building height discussion at least in the first 200 feet setback from LUD 4. I want to see that sidewalks are contemplated early in the residential planning. The trail situation is something that we desperately need in town. We have no beginner mountain bike trails around town. It would be nice to have something at grade so that we don't become a mountain bike Mecca for the hard core.

(Mr. Grosshuesch announced that both local Breckenridge ballot measures have passed with an 80% plurality.)

FINAL HEARINGS:

1) Casey Residence (MM) PL-2015-0310, 108 South Harris Street

Mr. Mosher presented a proposal to remodel the interior and exterior of the existing house.

Changes since the September 15, 2015, Meeting:

1. Removal of the 5 aspen trees located on the Solar Easement located on Lot 6, Block 7 to the south.
2. Lowered the 6-foot tall fence at the south side of the yard to 36-inches.
3. The transom windows have been removed.

The requested modifications to the initial plans for this project were minor. The overall plans have remained as they were presented at the preliminary hearing. Staff welcomed any Commissioner Comments.

Staff recommended the Planning Commission support the presented Point Analysis for the Casey Residence Remodel, PL-2015-0310), showing a passing score of zero (0) points.

Staff recommended that the Planning Commission approve the Casey Residence Remodel, PL-2015-0310, with the presented Findings and Conditions.

Mr. Mamula opened the hearing to Public Comment. There was no Public Comment and the hearing was closed.

Commissioner Questions / Comments:

Ms. Dudney: Great project.

Mr. Pringle: Thank you for making all the improvements.

Mr. Lamb: What's not to like? It is great to see the block get cleaned up.

Ms. Christopher: This is great.

Mr. Schroder: Let's do it.

Mr. Schuman: Great project.

Mr. Mamula: I agree too, great project.

Mr. Pringle made a motion to approve the point analysis for the Casey Residence, PL-2015-0310, 108 South

Harris Street, showing a passing score of zero (0) points. Mr. Schuman seconded, and the motion was carried unanimously (7-0).

Mr. Pringle made a motion to approve the Casey Residence, PL-2015-0310, 108 South Harris Street, with the presented findings and conditions. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

Mr. Tim Casey, Applicant: It was a pleasure working with Mr. Mosher, and with his help the project went smoothly.

PRELIMINARY HEARINGS:

1) Huron Landing (CK) PL-2015-0499, 0143 Huron Road

Mr. Kulick presented a proposal to construct a 26-unit workforce housing rental apartment building. All units are proposed as 2 bedroom units and range in size from 768 to 944 sq. ft. There will be 52 surface parking spaces for the project. The trash collection and recycling will be by way of a centralized dumpster enclosure. The exterior materials will include: cementitious vertical siding, cementitious lap siding, powder coated corrugated steel base siding, wood post, beams, rails and trim, and an asphalt shingle roof.

Summit County Government and the Town of Breckenridge are developing the Huron Landing workforce housing project at 0143 Huron Road. The 2013 Summit County Housing Needs Assessment suggests that between 200 and 370 additional rental units are needed in the Upper Blue Basin by 2017. Since the time of the study, Breckenridge has been proactively working on developing rental housing, including Pinewood II (45 units by end of 2016) and Denison Placer (60 units by end of 2017). With the completion of these projects, the estimated housing need in the Upper Blue Basin will be cut to approximately 95-220 rental units. On September 1, 2015, the Planning Commission reviewed Huron Landing during a work session. During the work session staff received direction on relative policies. The property is currently going through the Town's Annexation process and is anticipated to be formally annexed on November 24th. Property annexation is required prior to the project being reviewed at a final hearing.

The only substantial changes from the work session to the preliminary hearing is a proposed retaining wall located behind the building and off-site grading and drainage improvements. Staff is looking for guidance on the possible assessment of points under Policy 7/R Site and Environmental Design related to the proposed retaining wall and off-site grading and drainage.

Point Analysis (Section: 9-1-17-3): Staff believes the proposal warrants the following points for a total passing point analysis of positive five (+5) points.

- Policy 24/R Employee Housing positive ten (+10) points and positive three (+3) points for meeting a Council Goal
- Policy 6/R Building Height positive one (+1) point for providing an interesting roof form that steps down at the edges
- Policy 16/R Internal Circulation positive three points (+3) for installation of a recreation path adjacent to Huron Road and the sidewalk that rings the parking lot
- Policy 20/R Recreation Facilities positive three points (+3) for the Flume Trail easement from Huron Road
- Policy 33/R positive two points (+2) for achieving a HERS score below 80,
- Policy 6/R Building Height negative ten points (-10) as the building height is more than one half (½) story over the land use guidelines recommendation, but are no more than one (1) story over the land use guidelines recommendation
- Policy 9/R Placement of Structures negative three (-3) points for not meeting the relative rear setback of 15'

- Policy 7/R Site and Environmental Design negative four (-4) points for a retaining wall over 4' in height

Matt Stais/ Tim Gerken (Architects) on behalf of Developers / Owners:

Concepts have not changed greatly from the September 1 worksession. Two driveway accesses, 26 units, the community needs and goals are still present. The revisions done since September 1 are the retaining walls on the back. We worked with some of the neighbors in the Highlands lots above to work with the existing grading and minimize impacts. We are also trying to improve some of the drainage issues. We want this to function better and in concert with the overall improvements to the road. Included an outdoor community area and worked with the County standards for a 10' paved walkway out front and continue to plan to take over the flume trail and revegetate the Kennington property. (Mr. Stais continued on to show 3D views, existing view with the massing of proposed buildings to better illustrate the proposal. The renderings displayed proposed roof, siding, fascia, with wood beams and base corrugated metal siding. Also went over the roof plan, 33' according to Town Code.) Plan to continue to work with neighbors and with staff and hope to submit for final review from the Commission.

Staff had the following questions for the Commission:

1. Did the Planning Commission agree with Staff's preliminary point analysis?
2. Did the Planning Commission have other concerns or comments on the proposal, specifically the proposed off-site grading and drainage improvements?

The Planning Department believes that Huron Landing, PL-2015-0499, located at 0143 Huron Road, Parcel E-1, Industrial Area Sub & Government Lot 45, 30-6-77, with a passing point analysis and addressing remaining staff concerns and easement approvals, is ready to be scheduled for a Final Hearing.

Commissioner Questions / Comments:

Mr. Schuman: We talked about the sidewalks; will they make it all the way to the corner which I know is off the property, as we are horse trading are we getting the sidewalk all the way to the highway? (Mr. Jim Curnutte, Summit County: We are currently discussing sidewalks all the way for County Road 450 and we have money in 2016 for design.) This project has 50 more people in who will want to get to the bus stop who will have to cross to do so. (Mr. Stais: The project should be completed by 2017 and the plan is to have the sidewalk all the way down to the corner before the project is completed. There is a host of other issues with County Road 450 which is out of the scope of this project.)

Mr. Pringle: Please show picture number 2 with the proposed elevation of the West building but from the facing east perspective, this doesn't look like a 2 story building. (Mr. Stais: If you look back on the existing conditions, the low site is where the ambulance building used to be and this is where we snuck in the accessible unit with a garden level unit. We were able to give it a bigger footprint. I agree that we should massage this a little more.) (Mr. Kulick: The shed roof that is presented here; does make it look more like a 3 story. They have already received negative ten (-10) points for being between a ½ story and 1 over the recommended two-story height in LUD 5 in the North building.)

Ms. Dudney: Do you have anything to show us the 7' retaining wall area to show us the danger level? (Mr. Kulick: Overall, the wall is generally 4' or less but there are a couple places that I'll point out that are above 4'.) (Mr. Stais: Above the storage area is a fill area it will be 4-7'. Do you have any safety concerns? (Mr. Stais: Yes we will have a split rail on top of it as a visual deterrent. Additionally the neighbors want to keep the residents of Huron Landing from sheet flowing across their property as they go up to the existing trail. The retaining wall will be visible from the storage area but not CR 450. The wall is not a 7' wall all over the place, for the most part it is below 4'.)

Ms. Christopher: Is the corrugated metal tested for our weather elements? (Mr. Stais: It will be a powder coated treatment. We have used this type of finish before on corrugated metal.)

Mr. Mamula: Is there discussion at the County level about a crosswalk? (Mr. Curnutte: Yes.)

Mr. Mamula opened the hearing to Public Comment:

Ms. Barbara Campbell, Property Owner, Highlands, Lot 13:

I didn't know anything about this project until late September. I did meet with Don Reimer in late October. I do have concerns about the project. I have owned the lot since 1996. I am displaying pictures from the recycle center. I was notified by the County that the survey markers show that they were over the property line. We granted a trail easement to the Town of Breckenridge in 1998 so that they could connect the lower flume trail. We see a lot of usage on our lot. Trail users go around our fence on both sides; we can't seem to keep the traffic out even with the fence. The retaining wall of 4' won't be enough to keep people off our property. We would like to encourage you to build a fence that is higher, like the chain-link fence that is on the storage property. Also, we do have concerns with the 3 story building and the close proximity to the lot lines. (Mr. Schuman: Have you spoken to Breckenridge Trails about your ongoing concerns?) Yes, they put the fence up and now we have more traffic than ever. We are already having problems and I can't see how putting more people living in close proximity to our property would make it any better. The trail easement said that the Town would maintain and remedy the use of the trail on our property. (Ms. Dudney: Where is your home?) We haven't built yet, but we plan to build in the future. It is a little over an acre lot on Forest Hill. We might be open to selling the lower portion to you. (Mr. Mamula: That is not for us to decide.) (Mr. Kulick: Please point out on the plans the area you are having problems.) Yes (she proceeded to show on her photographs the areas of problems.) (Mr. Kulick: On behalf of the trails department, we would like to work with you to try and remedy these issues.) Thanks, but without a fence I don't think this will improve.

Ms. Betsy Ruskreig, Lot 14 at the Highlands:

We just have one favor to request, when we looked at the current and proposed pictures they were all taken on CR 450 but nothing was taken from either my lot or Ms. Campbell's lot. Could you also take the current pictures from our lot down so that we can see where the roof lines go? Then we could see what the roof lines do. (Mr. Stais: I would like to work with you to take the pictures.)

Ms. Katherine King, HOA President at Kennington Townhomes:

We appreciate our opportunity to comment and the efforts of staff and the efforts to screen this from Kennington. We were concerned about not having enough parking and so we thank you for addressing this. We would like to see as much screening landscaping as possible and if you are agreeable of planting the landscaping on Kennington property we will irrigate. Our main concerns are how this property will be managed but this is beyond the Commission. I think there could be issues with dogs going all over where there isn't fencing. We are looking forward to a long term improvement plan on CR 450. (Ms. Dudney: You feel pretty good about the proposed parking spaces?) Honestly, two per project is not enough but it is better than 1.5 spots. (Ms. Dudney: Can't you give a permit to your resident and then police it?) Yes, but it is hard to enforce.

Ms. Kim Bentley, Kennington Resident:

I disagree with Ms. King on the parking issue. Kennington has more than 2 spaces and it still not enough. People park at Kennington to use the Flume trail and that will increase even more with Huron. I would like to see more vegetation for screening. The setback is proposed at 10' off the rear property line instead of the recommended 15'. I feel like the building height coming up CR 450 is huge and doesn't fit in.

Ms. King: I agree that the east building does look really big and anything we can do to make it look less imposing would be appreciated.

There was no more Public Comment and the hearing was closed.

Commissioner Questions / Comments:

- Mr. Lamb: This is how the point system works. I do agree with Staff's preliminary point analysis. I'm ok with the grading and draining changes. I think that Mr. Stais and others can come up with better screening. It may not be 100% of what everyone wants, but I think in the end it is important and good.
- Mr. Pringle: I'm not sure I agree with the point analysis. They were given positive three (+3) for policies 16R and 20R for dedicating the Flume and rec path; that seems disproportionately generous as far as taking care of the height that is a problem. The rear building seems to be proportional; the western building comes right out to the road and looms on CR 450. I think massaging this building is going to take some real effort to reduce the height impact. I think everyone is going to be disappointed with this if it remains. If all we are here for is to say yes or no it meets the code then you only need one of us, but I think it is our place to point out issues of aesthetics.
- Ms. Dudney: I like the project and I support it. I agree that it is more density and more height but I think it will tuck into the hillside. I think it would be interesting to have a view from the upper lots. I understand the concerns but I don't think that a chain link fence is the answer.
- Ms. Christopher: I like the project but as other Commissioners have said, I would like to see the height massaged coming up CR 450. I think the trail signage at the road would help a lot.
- Ms. Schroder: I do agree with the point analysis. Circulation seems good, employee housing and Council goals, we are good shape that the County is working with us on the height. We should probably be thankful that the height is only 33' because it could be more under the County's zoning. I would like you to be accommodating to the neighbors. Setback and retaining walls will earn negative points but I understand why these are here. I think the project looks good on the land that was once a recycling center.
- Mr. Schuman: I think it is a good project. I do support the preliminary point analysis. I do have concerns on policy 20/R I think the Town and the County have a responsibility to manage the trails. I think they have to address the unruly riders that get off the trail and abuse land.
- Mr. Mamula: I'm not buying policy 16/R getting three (+3) points. As far as the flume trail, somehow we've got to make sure that there isn't a problem with the neighbor or that this is a trailhead. This right now goes into emptiness; I worry about Ms. Bentley's problem with this becoming a trailhead and aggravating the parking and I want to see Mr. Kulick take this and talk more about this because it is going to be a Town problem, not a County problem. We need to make sure that our management is correct for this trail because the visitor center is sending people from out of town to go bike the Lower Flume. (Mr. Kulick: The answer is to park at the Rec Center.) But the people that come to this town are looking for an easier bike trail and this is the easiest and they won't park at the Rec Center. If this wasn't a governmental agency we wouldn't be tolerating this. You are asking people to put up with this on a trail that we are sending people from out of town to use. We need to have a good plan to handle this trail in terms of parking. Please make sure that we are working with the neighbors especially for neighbors on Lots 13 and 14 in the Highlands; now is the time to study it. Also, I have a problem with the side of West building; it is a blank wall, there are only 2 tiny windows, you are presenting a huge face to the road. (Mr. Stais: Maybe we can re-orient the end units. We will work on this.)

COMBINED HEARINGS:

- 1) Crepes a la Cart Exempt Large Vendor Cart (JP) PL-2015-0396, 309 South Main Street
Ms. Puester presented a proposal to issue a permit that classifies the existing Crepes ala Cart vendor cart as an "exempt large vendor cart" under Policy 49 (Absolute) of the Development Code. The vendor cart has operated at this location since 1982. The existing cart is yellow with white trim, measuring 14'2"x6', no changes are proposed to the exterior of the cart. A relocated and expanded deck has been recently constructed. A permit to relocate the cart 3' within the property boundary has been approved.

The Planning Department recommends that the Crepes ala Cart vendor cart, PL-2015-0396, located at 309 S. Main Street, Lot 5, Block 6, Stiles Addition Subdivision, be determined to be an “exempt large vendor cart” under Policy 49 (Absolute) of the Development Code with the attached findings and conditions.

Commissioner Questions / Comments:

Ms. Christopher: This is a grandfathered item? Stella’s? (Ms. Puester: Stella’s also has a permit renewal timeline as well; 3 years.)

Mr. Mamula: The way the policy was written this has always been here, but at some time it will go away. (Ms. Puester: This was put originally on two lots, but was then combined on one lot.)

Mr. Schuman: I’m ok.

Mr. Schroder: I support.

Ms. Christopher: I support.

Mr. Lamb: I’m fine.

Mr. Pringle: I’m fine.

Ms. Dudney: I’m fine.

Mr. Mamula: I’m fine too.

Mr. Pringle made a motion to approve the Crepes a la Carte Large Vendor Cart, PL-2015-0396, 309 South Main Street, with the presented findings and conditions. Ms. Christopher seconded, and the motion was carried unanimously (7-0).

OTHER BUSINESS:

Mr. Mamula: The house that is on the downside of Wellington (513) that is below Matt Stais; they’ve been doing a ton of work with a retaining wall. It doesn’t have any windows, are they paving? (Ms. Puester: I will look into it.)

Ms. Puester: The chair election will occur at the next meeting, and we will be advertising the position vacated by Mr. Mamula and we will have a new Commissioner in January. I want to schedule a Planning Commission field trip recap with photos and discussion for the Town Council. I will have that hopefully on the next agenda. (Mr. Schroder: Will lifestyle centers be on the agenda too, not just parking?) Yes.

Mr. Pringle: I think that we learned a lot on that field trip and that it was very beneficial.

ADJOURNMENT:

The meeting was adjourned at 9:15pm.

Eric Mamula, Chair



MEMORANDUM

TO: Planning Commission

FROM: Julia Puester, AICP, Senior Planner

DATE: November 11, 2015 for meeting of November 17, 2015

SUBJECT: Planning Commission Field Trip Wrap Up

The Planning Commission held their annual Field Trip in Boulder and Westminster October 22. The primary topic was parking structure design and lifestyle center development. Staff will be presenting the Planning Commission field trip summary to the Town Council at a future meeting. Staff would like to have a discussion with the Commission to summarize your thoughts on the sites visited for the Town Council presentation. Staff will have a powerpoint with photos from the field trip at the meeting.

Parking structures visited included:

- CU Folsom Field, Boulder
- 14th & Canyon (includes transit center), Boulder
- 15th & Pearl, Boulder

Lifestyle centers visited included:

- 29th Street, Boulder
- The Shops at Walnut Creek, Westminster
- Bradburn Village, Westminster

We look forward to hearing Commissioner thoughts.

Planning Commission Staff Report

Subject: Marvel House Addition, Restoration, and Landmarking
(PL-2015-0328, Second Preliminary Hearing, Class B Minor-Historic)

Proposal: To restore portions of the historic Marvel House (remove some non-compliant additions and restore the remaining portions), add a full basement with a separate living unit, connect a new residence to the back of the historic house and build a new separate garage (with an accessory apartment above) along the alley and to seek local landmark designation from the Town Council. The property will be re-subdivided under a separate application.

Date: November 5, 2015 (For meeting of November 17, 2015)

Project Manager: Michael Mosher, Planner III

Applicant/Owner: Kathie Sieben

Agent: Janet Sutterley, Architect

Address: 318 North Main Street

Legal Description: Lot 16, Snider Addition

Site Area: 0.28 acres (12,143 sq. ft.)

Land Use District: 11, Commercial - 1:3 Floor Area Ratio (FAR); Residential - 12 Units per Acre (UPA)

Historic District: 4 - North Main Street Residential Character Area

Site Conditions: The existing historic house is located at the west portion of the property with an ample front yard setback. A specimen spruce tree is located along the mid portion of the south edge of the lot. A non-historic trash enclosure sits adjacent to the alley at the northeast corner of the property.

Adjacent Uses: North: A small historic residential cabin East: Alley and Residential
South: Red, White, and Blue Fire Station No. 1 West: North Main Street

Density:

Allowed Density:	Allowed under LUGs:	
	Commercial (proposed)	1,770 sq. ft.
	Residential (remaining after commercial use):	3,012 sq. ft.
Existing Density:	Marvel House:	1,550 sq. ft.
Proposed Density:	Marvel House main (commercial):	1,410 sq. ft.
	Marvel House lower (commercial):	360 sq. ft.
	<u>Basement under Historic Portion (will not count towards overall density)</u>	

Marvel House lower (residential):	950 sq. ft.
Marvel House lower (commercial):	210 sq. ft.
1/2 of the Connector (commercial):	76 sq. ft.
New House upper (residential):	574 sq. ft.
New House main (residential):	1,002 sq. ft.
New House lower (residential):	850 sq. ft.
Barn main (residential):	61 sq. ft.
Barn upper (residential):	401 sq. ft.
<hr/>	
Total density:	4,734 sq. ft.

**Above Ground
Density:**

Recommended @ 9 UPA:	4,104 sq. ft.
Proposed @7.67 UPA:	3,420 sq. ft.

Mass:

Allowed Mass:

Allowed under LUGs:	
Commercial (proposed)	1,770 sq. ft.
<u>Residential (remaining):</u>	<u>3,614 sq. ft.</u>
Total Allowed:	5,384 sq. ft.

Existing Mass:

Marvel house (commercial):	1,550 sq. ft.
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Proposed Mass:

Marvel House main (commercial):	1,410 sq. ft.
1/2 of the Connector (commercial):	76 sq. ft.
1/2 of the Connector (residential):	76 sq. ft.
New House upper (residential):	574 sq. ft.
New House main (residential):	974 sq. ft.
Barn main (residential):	61 sq. ft.
Barn upper (residential):	401 sq. ft.
Barn Garage:	601 sq. ft.
<hr/>	
Total Mass:	4,049 sq. ft.

Height:

Recommended:	23 ft. to mean
Proposed (New House):	23 ft. (mean)
	25.5 ft. (overall)

Lot Coverage:

Building / non-Permeable:	4,073 sq. ft. (34% of site)
Hard Surface / non-Permeable:	3,032 sq. ft. (25% of site)
Open Space / Permeable Area:	5,038 sq. ft. (41% of site)

Parking:

Required:	6.28 spaces
Proposed:	6.00 spaces*

* Remaining parking to be fee in lieu in Service Area

Snowstack:	Required:	758 sq. ft. (25%)
	Proposed:	760 sq. ft. (25%)
Setbacks:	Front (15 ft. suggested):	28.2 ft.
	North Side (5 ft. suggested):	5 ft.
	South Side (5 ft. suggested):	5 ft.
	Rear (15 ft. suggested):	15 ft.

Property History

The Marvel house was built in 1899 as the new home for the Danford P. Marvel family. As it then existed, the house consisted of a front parlor, a sitting room, a dining room, an upper half-story bedchamber, and two porches. In 1901, a new kitchen and bathroom were added to the original structure. A small addition to the northeast corner was constructed during the 1980's. The building has hosted several different businesses over the years, including: retail, restaurants, funeral home, and current use as a Montessori School.

Changes since the October 6, 2015 Planning Commission Meeting

1. The relocated Marvel house is proposed to meet Relative Setback requirements.
2. The setback off of the alley for the new development has been increased from 5-feet to 15-feet.
3. The overall density and mass of the proposed additions has been reduced.
4. The connector has been reduced in length.
 - a. Access to the commercial building is on one half of the connector and a storage closet for the residential is located on the other half.
5. The Connector between the New House and the Barn has been eliminated.
6. There are four parking spaces provided off the alley and two parking spaces off of Main Street.
7. The massing of the New House has been modified.
8. All specimen trees are to be preserved.
9. The Employee Housing unit has been eliminated and is now an apartment.
10. A landscaping plan is provided.

Staff Comments

The last meeting introduced a long list of Policies from the *Handbook of Design Standards for the Historic and Conservation Districts* and the *Design Standards for the Historic District Character Area #4: North Main Residential*. Staff has worked with the applicant addressing many of the concerns listed in the last report. In this report, we will discuss the pertinent policies as they apply to the revised plans.

Connectors - Priority Policy 80A of the *Handbook of Design Standards for the Historic and Conservation Districts*:

The revised plans show a shorter (18-foot) long connector than what was presented previously (30-foot). Staff heard some Commission support during the last meeting that the connector length should not be the cumulative addition of the height difference between building plus one half the historic building length. This would have resulted in a minimum 37-foot long connector for this property. Per Priority Policy 80A:

1. *The connector and addition should be located at the rear of the building or in the event of a corner lot, shall be setback substantially from significant front facades.*
2. *The width of the connector shall not exceed two-thirds the width of the façade of the smaller of the two modules that are to be linked.*
3. *The wall planes of the connector should be set back from the corners of the modules to be linked by a minimum of two feet on any side.*
4. *The larger the masses to be connected are, the greater the separation created by the link should be; a standard connector link of at least half the length of the principal (original) mass is preferred, a minimum of six feet is required. (In addition, as the mass of the addition increases, the distance between the original building and the addition should also increase. In general, for every foot in height that the larger mass would exceed that of the original building, the connector length should be increased by two feet.)*
 - a. The Marvel House is 51.5' in length, half of the length is 25.75', plus for every foot in height that the larger mass would exceed that of the original building, the connector length should increase by two feet. The larger mass is 6' taller than the original building, hence $25.75' + 12' = 37.75'$.

Staff notes that the language in this policy is “should” instead of “shall”. With the length of the existing historic house, adding any addition, and connector per this policy, would be difficult to meet.

The plans show that the height of the one-story connector is clearly lower than either structure. The edges step in at least 2-feet (2 to 10-feet). The proposed form is a simple gable with a door, barn doors for trash, and a window. The length of the connector separates the historic structure front the new by 18-feet. Staff believes the design meets the intent of Policy 80A by clearly separating the massing modules with a subordinate form and design. Does the Commission concur?

Priority Policy 178: *New buildings should be in scale with existing historic and supporting buildings.* (Staff comments are non-italicized.)

- *Development densities of less than nine units per acre are recommended.*
 - As noted above, the proposed overall above ground density for this development is 7.67 UPA, which is less, then the recommended 9 UPA.
- *Locating some building area below grade to minimize the mass of structures is encouraged.*
 - The Marvel house and the New House both have basement density.
- *Locate larger masses back from public view.*
 - The larger masses (the New House and the Barn) are located at the back of the site along the alley.
- *Use landscaping, especially large trees, to screen larger building masses.*
 - The large specimen spruce west of the Barn is now to be saved, which will screen the Barn from Main Street.

Priority Policy 81. *Build to heights that are similar to those found historically.*

- *This is an important standard, which should be met in all projects.*
- *Primary facades should be one or two stories high, no more.*

- *The purpose of this standard is to help preserve the historic scale of the block and the character area. The primary façade is the 1-1/2 story Marvel House. The taller 1 1/2 story additions are at the back of the lot behind the historic house and a specimen tree.*

The building scale for this Character Area is between 700 and 1,600 square feet with the average being 1,200 square feet. The module size for the New House is 1,548 square feet and within the range identified in this area. The Barn is 1,063 square feet and is also within the range identified in this area. The above ground density for this proposal is 7.67 UPA. Similar to the Judge Silverthorne House development (PC#2007004), the North Main Street Residential Character Area does not require that the average module size be met when within 9 UPA. As the masses are at the back of the lot and screened from Main Street, staff believes the intent of this policy has been met and we have no concerns. Does the Commission concur?

Policy 82. The back side of the building may be taller than the established norm if the change in scale will not be perceived from major public view points.

- *This may be appropriate only where the taller portions will not be seen from a public way.*
- *The new building should not noticeably change the character of the area as seen from a distance. Because of the mountain terrain, some areas of the district are prominent in views from the surrounding areas of higher elevation. Therefore, how buildings are perceived at greater distance will be considered.*
- *As pedestrian use of alleys increases, also consider how views from these public ways will be affected. When studying the impact of taller building portions on alleys, also consider how the development may be seen from other nearby lots that abut the alley. This may be especially important where the ground slopes steeply to the rear.*

This property does not slope steeply to the rear. Across the alley the properties slope uphill to the east. The Giller duplex (PC#2011054) was a recent example of a lot where the ground slopes steeply to the rear. As a result, the Giller development buried much of the building mass into the slope to reduce the impacts from the abutting properties. For this property, the neighboring lots are above this site. The garage below is similar to this proposal.



The properties across the alley slope uphill behind this property to North French Street feet above. *Staff notes: The views from the primary living areas of the neighboring properties are well above the roofs of the proposed New House and Barn. But, the living space above the garage on the left in the photo above would be similar to this proposal.*

The views from Main Street are buffered by the distance to the new additions (50-feet back to the New House) and the existing large specimen spruce tree blocking the Barn. Staff notes that, if at some future date, the property owner eliminated the Main Street driveway and parking by paying into the Parking Service Area, there would likely be additional landscaping buffer (and side yard) to the development betond.

Per the Development Code the suggested building height in this Character Area is 23-feet measured to the mean. The height of the New House is 23-feet meeting this policy. Heights along this Character Area vary from single story to over 3-stories for non-conforming structures. We believe the range of conforming building heights of historic buildings and supporting buildings should be used - 1 to 1-1/2 stories. Since the larger mass of the New House is at the back of the lot, preserving the character of the Marvel House, we believe the 23-foot tall addition meets the intent of this policy. Does the Commission Concur?

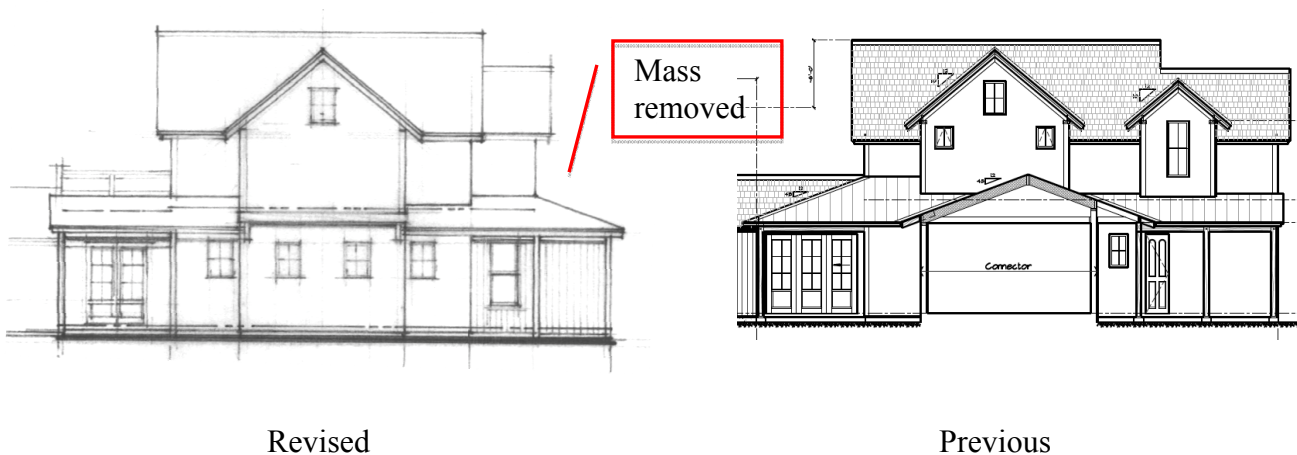
Building Mass

Policy:

Historic and supporting buildings found in the character area should be the dominant forms that establish the perceived mass of the neighborhood. New structures should not appear appreciably larger in mass than these buildings.

Priority Policy 86. Design new buildings to be similar in mass with the historic character area context.

- *The overall perceived size of the building is the combination of height, width and length and essentially equals its perceived volume.*
- *This is an extremely important standard that should be met in all projects.*



Since the last review, the drawings show that the façade of the New House facing the alley has been changed. An upper space has been eliminated reducing the building massing and allowing the roof forms to step down along this edge.

Additionally, both the New House and the Barn have been moved west 15-feet from the alley reducing the visual impact. Staff believes the massing is compatible with historic and supporting buildings along the alley. Does the Commission agree?



The map above (north to the left) highlights the historic properties along this side of Main Street. The surviving 1 to 1-1/2 story historic buildings on some of these lots are generally located to the west on the lots. Newer compatible development along the alley generally has larger 1-1/2 to 2-story buildings. The attached compilation of alley photos shows the general character of the alley.

Building Setbacks

9-1-19-24R: Policy 24 (Relative) Social Community:

F. Moving Historic Structures: A structure derives part of its historic significance from its setting, which includes the property itself, associated landscaping, view corridors, and other buildings...

-10 points: Relocating a historic primary structure between five feet (5') and ten feet (10') from its current or original location, but keeping the structure on its original lot and maintaining the historic orientation and context.

The drawings now show that the Marvel House will be moved 10-feet west and 3-feet south (enough to meet the suggested relative setback of 5-feet). As a result of the move, negative ten (-10) points will be incurred at final review.

Priority Policy 174. Reinforce the typical historic setback of buildings and the resulting alignment of facades along the block.

- *This is a very important standard, which must be met.*
- *No new buildings should project in front of the typical historic setback line for the block. There are a variety of historic setbacks along this block.*
 - The Swisher Cabin, to the north, is setback 70-feet (the historic shed is at front property line).
 - The Looney House is setback 32-feet.

- The Dewers House (RWB Fire Museum) is 52-feet back.
 - The Schatz Cabin is 14-feet back.
 - The Silverthorne House (moved 20-feet west) is 33-feet back.
 - The O.K. Gaymon Cabin (on the west side of Main Street) is 24-feet (although this building was moved to this location and is not in its original location).
 - We believe the adjusted front setback of the Marvel house at 28-feet back falls within this range. We have no concerns.
- *The original setback line should be maintained to avoid overwhelming the historic structures in the area.*
 - *Hard surface plazas in front of the building are generally inappropriate because they convey a more urban character than existed historically.* The plans show that the front deck will be removed with this proposal. We have no concerns.

Building architectural details, finishes, and materials

Historic Marvel House: The historic painted lap siding will be preserved and repaired in kind. A new roof will be an asphaltic composition shingle with a wood look. All historic windows will be repaired and restored.

The Connector will have rough sawn vertical with an ‘old oily’ stain.

The New House will have a combination of smooth vertical & horizontal channel rustic siding (more detail at the next meeting). The paint and stain will complement the Marvel House. The roof will be a dark charcoal asphaltic composition shingle on steep roofs and dull or rusted corrugated metal on the lower accents roofs.

The Barn will have vertical wood siding with the ‘old oily’ stain. The roof will be dull or rusted metal-or asphaltic composition shingle.

The New House has a west facing upper level deck that is behind the Marvel House. Similar to other approved upper level decks in the Historic District, the deck railing is incorporated with a roof form to give it the appearance of a roof.

Staff has no concerns and will have more detail at the next meeting. We welcome any Commissioner comment.

Proposed Historic Preservation of Marvel House

The drawings show the removal of the non-historic upper level roof to the east of the original historic ridgeline. The historic windows, doors, siding, and architectural details will be restored.

A full basement, new plumbing, new electrical, and reinforcement of walls and roof is planned for the Marvel House to be used for commercial uses, mechanical needs and an apartment. Staff believes the proposed preservation on the Marvel House warrants positive six (+6) points as described below.

(1) Primary structures:

+1: On site historic preservation/restoration effort of minimal public benefit.

Examples: Restoration of historic window and door openings, preservation of historic roof materials, siding, windows, doors and architectural details.

+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.

+6: On site historic preservation/restoration effort of above average public benefit.

Examples: Restoration/preservation efforts for windows, doors, roofs, siding, foundation, architectural details, substantial permanent electrical, plumbing, and/or mechanical system upgrades, plus structural stabilization and installation of a full foundation which fall short of bringing the historic structure or site back to its appearance at a particular moment in time within the town's period of significance by reproducing a pure style. (Emphasis added)

A list of similar development with historic restorations that received positive six (+6) points include: Silverthorne House (PC#2012035); Gaymon House (PC2011057); Gold Pan Saloon (PC#2011013); St. Mary’s Church Rectory Renovation (PC#2005109); and the Cooney Residence Addition, Historic Renovation and Variance (PC#1999008). Does the Commission agree with the suggested positive points?

9-11-3: Designation of Landmarks, Landmark Sites, Historic Districts And Cultural Landscape Districts: The applicant is seeking local landmark status for the Marvel House.

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>The property must be at least 50 years old. <i>(The Marvel Residence was built 1899.)</i></p>	<p>The proposed landmark must meet at least ONE of the following 13 criteria: ARCHITECTURAL IMPORTANCE 1. The property exemplifies specific elements of architectural style or period. <i>(This building is historically significant under National Register of Historic Places Criterion A for its association with Breckenridge’s socioeconomic development from 1899 through the middle of the twentieth century. The building is also architecturally significant, for its distinctive vernacular wood frame design.)</i> 2. The property is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally. 3. The property demonstrates superior craftsmanship or high artistic value. 4. The property represents an innovation in construction, materials or design. 5. The property is of a style particularly associated with the Breckenridge area. 6. The property represents a built environment of a group of people in an era of history. 7. The property includes a pattern or grouping of elements representing at least one of the above criteria.</p>	<p>The proposed landmark must meet at least ONE of the following 4 criteria: 1. The property shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation. <i>(This building is historically significant for its association with Breckenridge’s socioeconomic development from 1899 through the middle of the twentieth century.)</i> 2. The property retains original design features, materials and/or character. 3. The structure is on its original location or is in the same historic context after</p>

	<p>8. The property is a significant historic remodel.</p> <p style="text-align: center;">SOCIAL IMPORTANCE</p> <p>9. The property is a site of an historic event that had an effect upon society.</p> <p>10. The property exemplifies cultural, political, economic or social heritage of the community. <i>This building is historically significant for its association with Breckenridge's socioeconomic development from 1899 through the middle of the twentieth century.)</i></p> <p>11. The property is associated with a notable person or the work of a notable person.</p> <p style="text-align: center;">GEOGRAPHIC/ENVIRONMENTAL IMPORTANCE</p> <p>12. The property enhances sense of identity of the community. <i>(Historically a residence, the Marvel House has been part of the downtown Breckenridge landscape for well over a century.)</i></p> <p>13. The property is an established and familiar natural setting or visual feature of the community.</p>	<p>having been moved. <i>(Marvel House is in its original location, although proposed to be moved 10' forward.)</i></p> <p>4. The structure has been accurately reconstructed or restored based on documentation. <i>(The house will have restoration efforts to remove the non-historic roof and porch.)</i></p>
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Staff believes that the above required criteria have been met with this application and the building can be recommended for local landmarking.

Placement Of Structures (9/A & 9/R): The drawings show the Marvel House 28-feet off the front property line and 5-feet from the north property line. Both the New House and the Barn are shown 5-feet from the side property lines, meeting the suggested relative setbacks. The New House is shown 15-feet from the public alley, meeting the relative setback. The Barn is 23-feet off the rear property line. We have no concerns.

Parking (18/A & 18/R): This property has an existing driveway that runs through to the alley in the south side yard. The driveway cut from Main Street is proposed to remain with two parking spaces and the connection to the alley eliminated. This property is also within the Town's Parking Service Area. This allows commercial/retail uses to pay for parking off-site. Parking for all residential uses must be provided on-site. The required parking for the New House is 2-spaces. The accessory apartment over the Barn requires 1-space. The apartment below the Marvel House requires 1-space. The commercial uses require 2.28 spaces. All parking is shown on-site with the exception of the 0.28 space needed for the commercial use. This will be required as a Condition of Approval, to be purchased from the Town in the Parking Service area.

The parking strip off the alley will require a variance from the Town Engineer as the number of driveways cuts exceed what is allowed per code. Staff has consulted the Streets and Engineering Department and they have no concerns at this time with the additional curb cut. A variance will be processed at the final hearing.

Snow Removal and Storage (13/R): The required snow stack is 25% of all paved exterior parking spaces, which in this case is 3,032 sq. ft. x .25 = 758 sq. ft. 760 sq. ft. of snow stack is proposed, meeting the minimum requirement. Staff has no concern with the proposed snow stack.

9-1-19-22: Policy 22 (Absolute and Relative) Landscaping: The applicants are seeking positive two (+2) points under this policy. For positive two points, the Code suggested the following: *Proposals that provide some public benefit. Examples include: the preservation of specimen trees as a result of a new building footprint configuration to preserve the trees; preservation of groupings of existing healthy trees that provide wildlife habitat; preservation of native ground covers and shrubs significant to the size of the site; xeriscape planting beds; the planting of trees that are of larger sizes (a*

minimum of 2.5 inch caliper for deciduous trees and 8 feet for evergreen trees); utilizing a variety of species; and the layering of ground covers, shrubs, and trees that enhances screening and assists in breaking up use areas and creating privacy. In general, plantings are located within zone one.

Recent past precedent for a project that was awarded positive two points was the Epic on French Duplex (PC#2013113) which provided the following: (6) 8'-10' tall spruce trees, (12) 2.5" caliper aspen trees, (4) chokecherry 2.5" minimum caliper, (2) narrowleaf cottonwood 3" minimum caliper, various shrubs to screen service areas, and the preservation of a specimen evergreen tree on east side of property, provides some public benefit of screening and buffering. The Marvel House plans are showing:

- Preservation of the 4 existing specimen spruce trees
- 4 (8-10 ft tall - 50% of each size) native engelwood spruce trees
- 10 (2.5 to 3.0 in. caliper- 50% of each size) aspen (50% multi-stem)
- 3 (2-2.5 in. caliper) spring snow crabapple
- 12 (5 gal.) mixed native shrubs

The proposed sizes show that 50% of the spruce and aspen meet suggested positive two (+2) point minimum and the other 50% are larger. But, the quantities are less than past precedent shows. Staff is suggesting the quantities be increased to meet the positive two (+2) point threshold. The applicant is seeking Commissioner input.

9-1-19-33R: Policy 33 (Relative) Energy Conservation: The applicants intend to provide a draft and final HERS analysis showing the finished building with the final submittal to meet the index below.

<u>Points</u>	<u>New Residential HERS Index</u>	<u>Existing Residential (Prior To August 14, 2012); Percentage (%) Improvement Beyond Existing HERS Index</u>
<u>+2</u>	61 - 80	10 - 29%

We are suggesting positive two (+2) points under this Policy at final review.

Point Analysis (Section: 9-1-17-3): Reviewing a draft analysis of the Point score, we have the following:

9-1-19-24R: Policy 24 (Relative) Social Community:

- Negative ten (-10) points - Moving the historic Structure 10-feet.
- Positive six (+6) points - On site historic preservation/restoration effort of above average public benefit.

9-1-19-22R: Policy 22 (Relative) Landscaping:

Preservation of the four existing specimen spruce trees; 6 (8-10 ft tall) native Engelmann Spruce trees; 12 (2.5 in. caliper) aspen (50% multi-stem); 4 (2-2.5 in. caliper) spring snow crabapple ; 2-(3in. caliper) Narrowleaf cottonwood; and 12 (5 gal.) mixed native shrubs. Positive two (+2) points - Providing some public benefit.

9-1-19-33R: Policy 33 (Relative) Energy Conservation: Positive two (+2) points for achieving a HERS Index of 61-80 on the new buildings and a 10-29% improvement on the existing building. Achieving these scores would provide a passing point analysis of zero (0) at final review.

Staff Recommendation

Since the last review, the applicant and agent have responded well to concerns expressed by the Commission with a comprehensively revised set of drawings. The density and massing has been reduced to allow the proposal to achieve a preliminary passing Point Analysis. We welcome any Commissioner comments. We have the following questions for the Commission:

1. Does the Commission support the length and design of the revised connector?
2. With the density and mass reduction and the stepped roof form off the alley, does the Commission believe the height of the New House meets the intent of Priority Policy 81 (Build to heights that are similar to those found historically) and Policy 82 (The back side of the building may be taller than the established norm if the change in scale will not be perceived from major public view points)?
3. Does the Commission believe the additions are similar in mass with the historic character area context?
4. Does the Commission support the proposed architecture?
5. Does the Commission support the landscaping plan as presented for positive two (+2) points?
6. Does the Commission support locally landmarking the historic Marvel House?
7. Does the Commission support the proposed point analysis?

We recommend this application return for a final review.



Looking West—208 N MAIN ST



Looking West—210 N MAIN ST



Looking East—215 N RIDGE ST



Looking West—302 N MAIN ST



Looking West—304 N MAIN ST—BRITTANY PLACE



Looking West—304 N MAIN ST—BRITTANY PLACE



Looking South-304 N MAIN ST



Looking East
304 N MAIN ST



Looking West (RWB)
3048 N MAIN ST



Looking Northeast - 311 & 315 N RIDGE ST

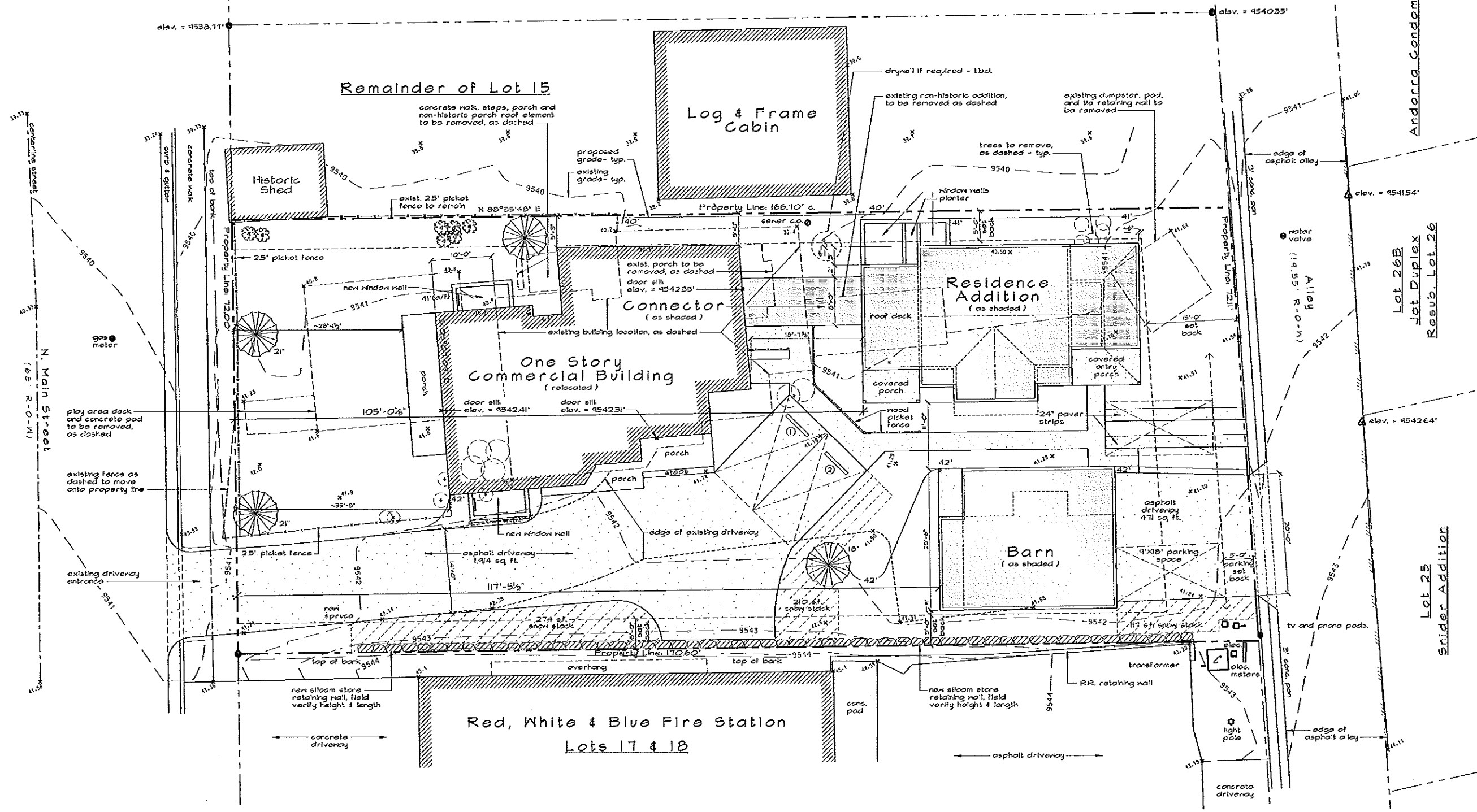


Looking East behind Marvel House



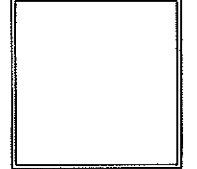
Looking West behind Swisher Cabin

Dosse Court Subdivision
Resub. Lot 15

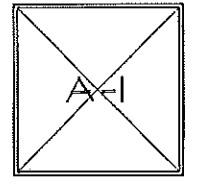


MARVEL HOUSE
ADDITION & RESTORATION
LOT 16, SNIDER ADDITION
TOWN OF BRECKENRIDGE, CO.

Master Plan,
Site Plan
Scale: 1/4" = 1'-0"
Date: 11-11-2015



architectural
consultation
J.L. SUTTERLEY ARCHITECT
P.O. Box 3039 Breckenridge, CO. 80424 (970) 459-0718



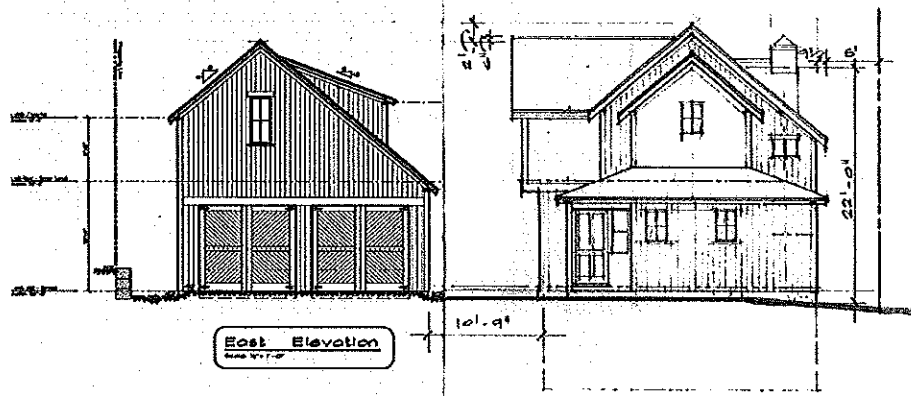
Site Calculations

Historic Footprints	1,601 Sq. Ft.
New Building Footprint	1,620 Sq. Ft.
Porches, decks and walks	613 Sq. Ft.
Driveway & Parking	2,385 Sq. Ft.
Total Lot Coverage (54.5%)	6,619 Sq. Ft.
Lot Size	12,143 Sq. Ft.
Open Space (45.5%)	5,524 Sq. Ft.
Snow stock provided	601 Sq. Ft.
Required 2,385 Sq. Ft. x 25%	596 Sq. Ft.

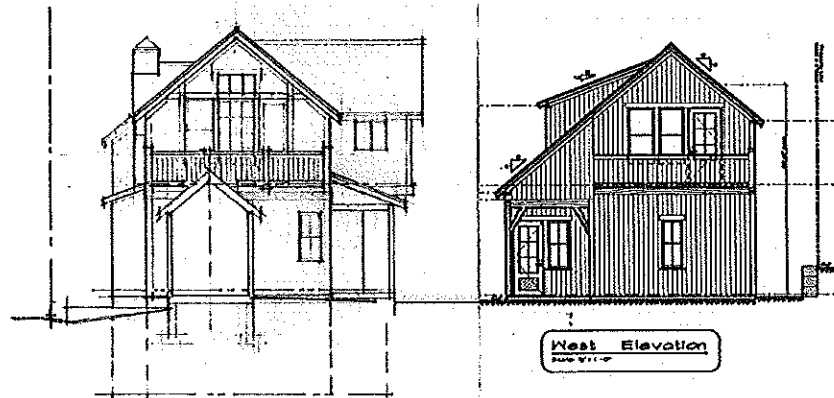
Marvel House
LOT 16, SNIDER ADDITION
ADDRESS: 318 N. Main Street
LOT = 12,143 SQ. FT. / 0.219 ACRES

UPPER LEVEL HOUSE ADDITION USGS. 9553.00'	= ARCH. 10'-0"
MAIN LEVEL HOUSE ADDITION USGS. 9543.00'	= ARCH. 100'-0"
BARN ADDITION USGS. 9542.50'	= ARCH. 93'-6"
MAIN LEVEL HISTORIC COMM. / RES. USGS. 9542.75'	= ARCH. 99'-5"
EXISTING USGS. 9542.35'	= ARCH. -99'-4"
LOWER LEVEL HISTORIC COMM. / RES. USGS. 9533.17'	= ARCH. 90'-2"

Site Plan, Master Plan
Scale: 1/4" = 1'-0"

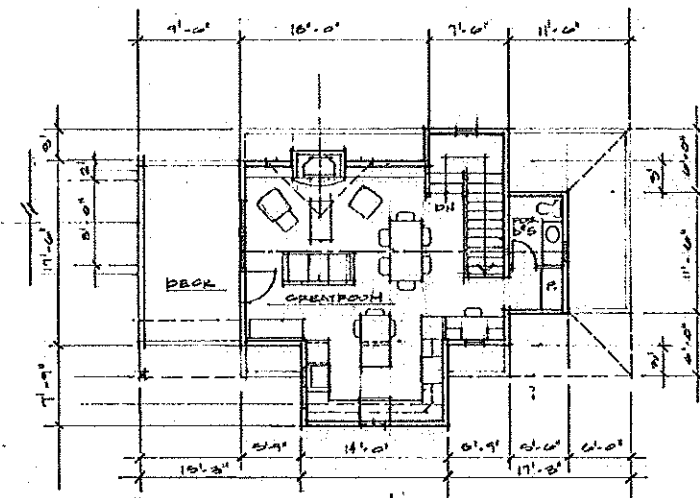


East Elevation

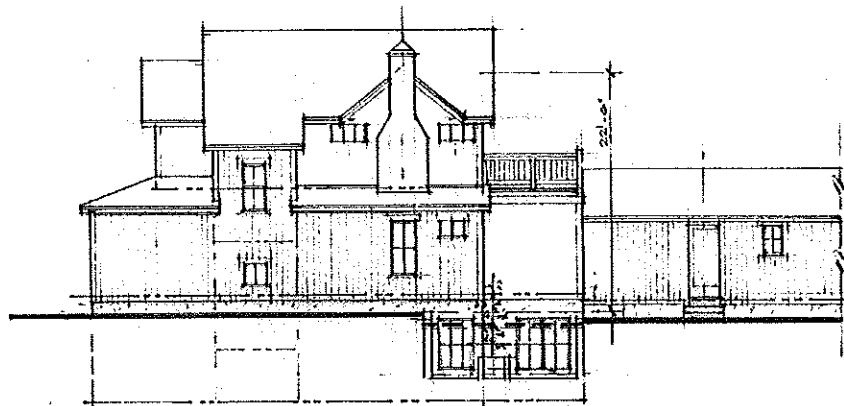


West Elevation

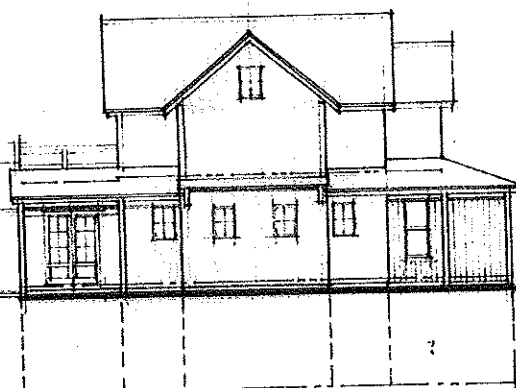
MARVEL HOUSE ADDITION
WEST ELEVATION
1/8" = 1'-0" 21 OCT. 15



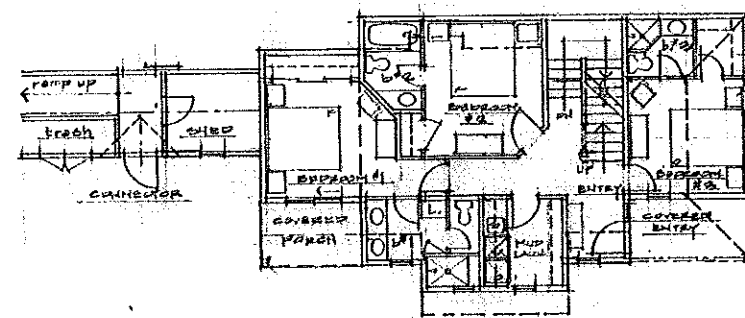
MARVEL HOUSE ADDITION
UPPER LEVEL PLAN
1/8" = 1'-0" 20 OCT. 15 574 sq



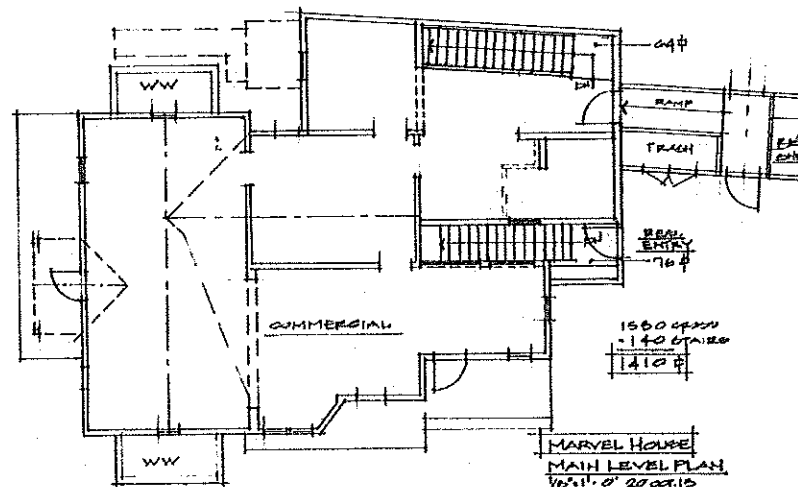
MARVEL HOUSE ADDITION
NORTH ELEVATION
1/8" = 1'-0" 21 OCT. 15



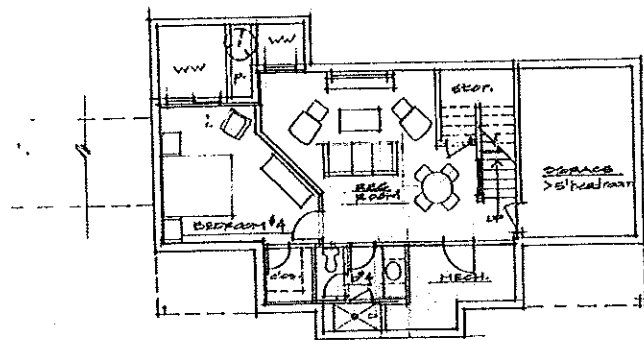
MARVEL HOUSE ADDITION
SOUTH ELEVATION
1/8" = 1'-0" 22 OCT. 15



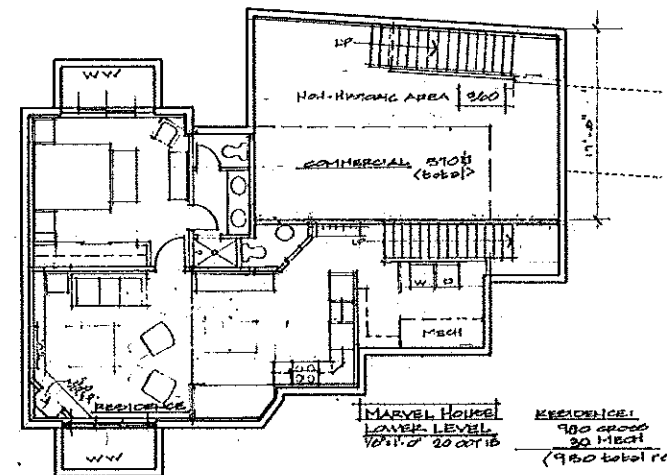
MARVEL HOUSE ADDITION
MAIN LEVEL PLAN
1/8" = 1'-0" 20 OCT. 15 974 sq



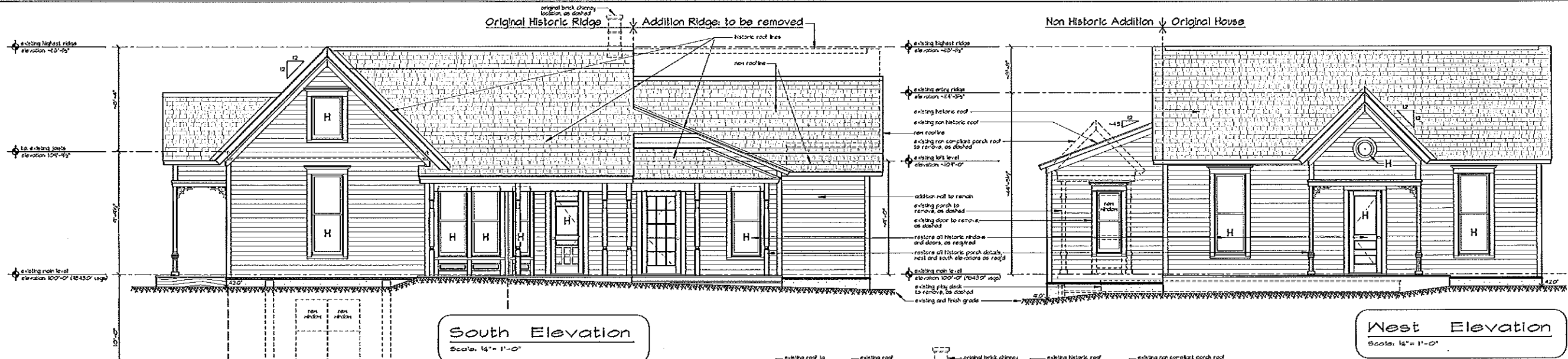
MARVEL HOUSE
MAIN LEVEL PLAN
1/8" = 1'-0" 20 OCT. 15
21 OCT. 15



MARVEL HOUSE ADDITION
LOWER LEVEL PLAN
1/8" = 1'-0" 20 OCT. 15
660 sq
187 sq
847 sq
77' MECH

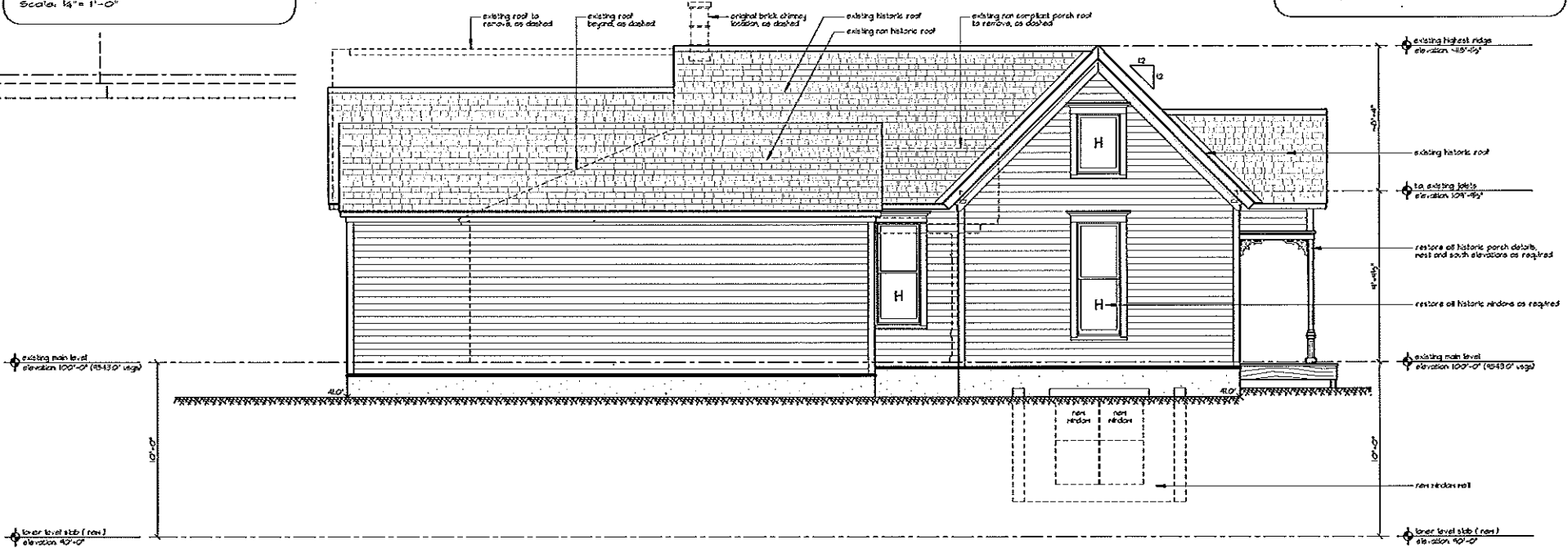


MARVEL HOUSE
LOWER LEVEL PLAN
1/8" = 1'-0" 20 OCT. 15
RESIDENCE
180 sq
90 MECH
(950 total res.)



South Elevation
Scale: 1/4" = 1'-0"

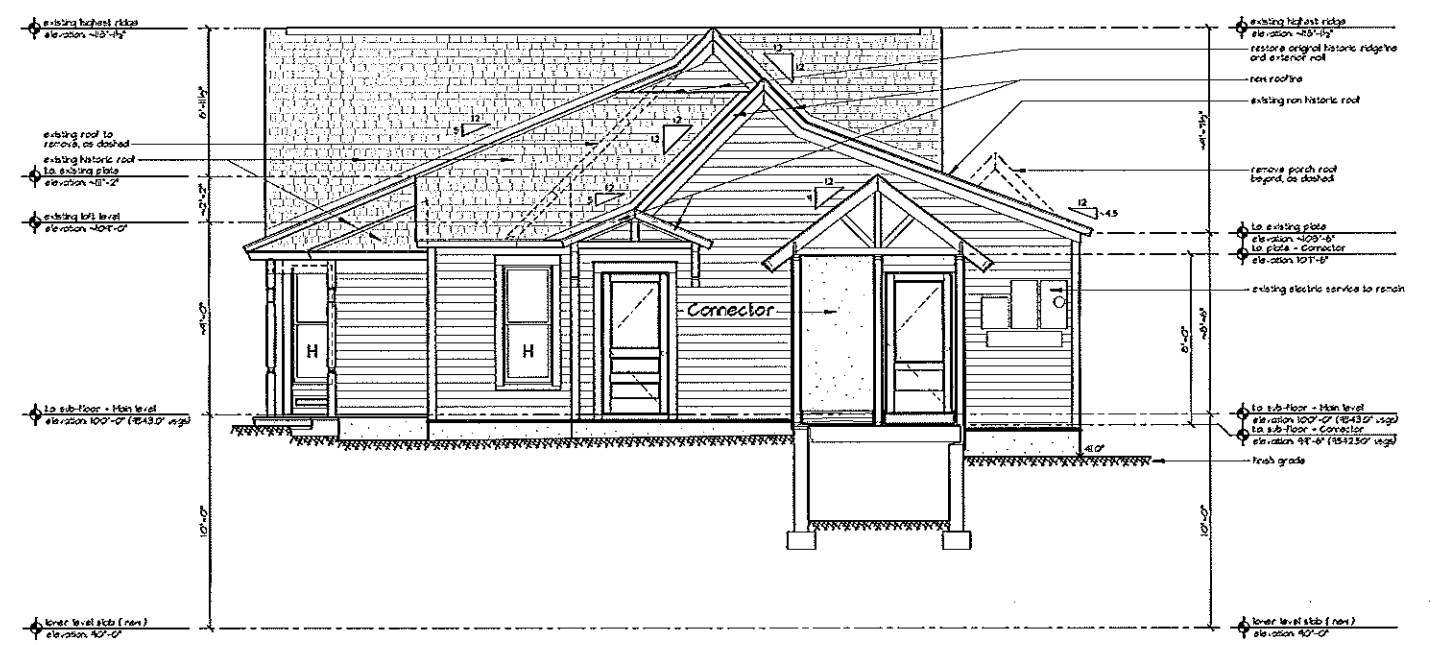
West Elevation
Scale: 1/4" = 1'-0"



North Elevation
Scale: 1/4" = 1'-0"

- General Notes: Restoration
1. Restore all historic windows and doors and trim as required.
 2. Restore all architectural details, fascia and miscellaneous trim as required.
 3. Repair and restore south and west porch elements as required.
 4. Remove non-historic non-compliant upper level attic / mechanical area and restore original roof termination.
 5. Remove non-historic non-compliant north west porch, steps and roof as noted.
 6. Provide all code required mechanical, plumbing and electrical upgrades. Relocate mechanical to basement as shown on plans.
 7. Restore front yard per historic guidelines.
 8. Remove non-compliant concrete and decking.
 9. Restore and replace front yard fencing as required.

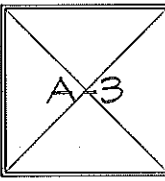
East Elevation
Scale: 1/4" = 1'-0"

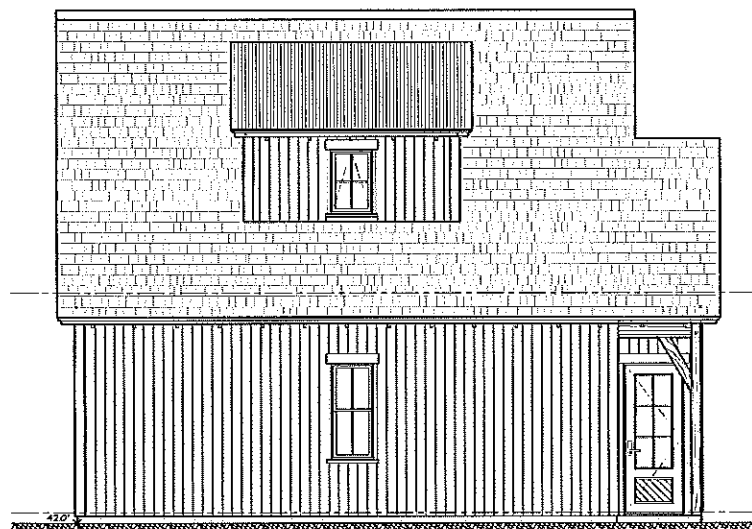


MARVEL HOUSE
LOT 16, SNIDER ADDITION
TOWN OF BRECKENRIDGE
SUMMIT COUNTY, COLORADO

Exterior Elevations
Scale: 1/4" = 1'-0"
Date: 10-23-2015

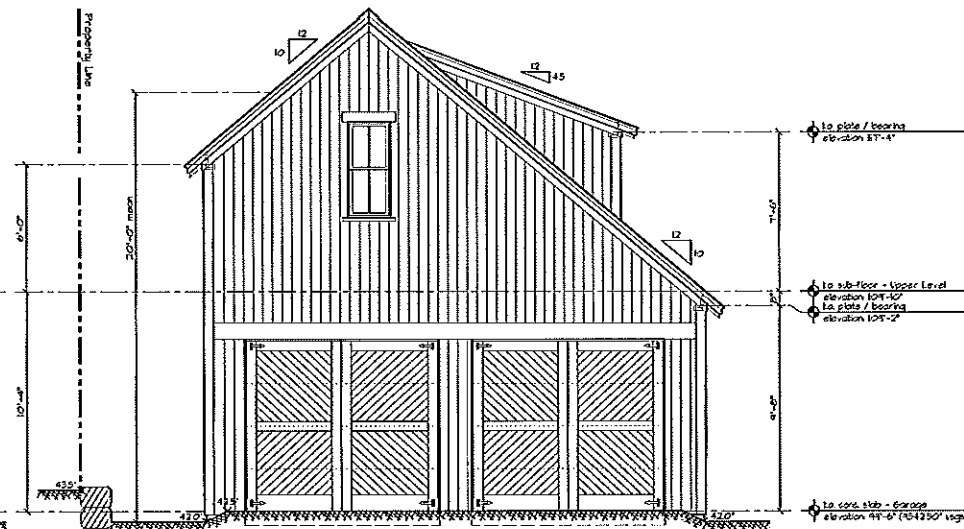
architectural
consultation
J.L. SUTTERLEY ARCHITECT
BRECKENRIDGE, CO. 80424
p.o. box 80386 (970) 453-3726





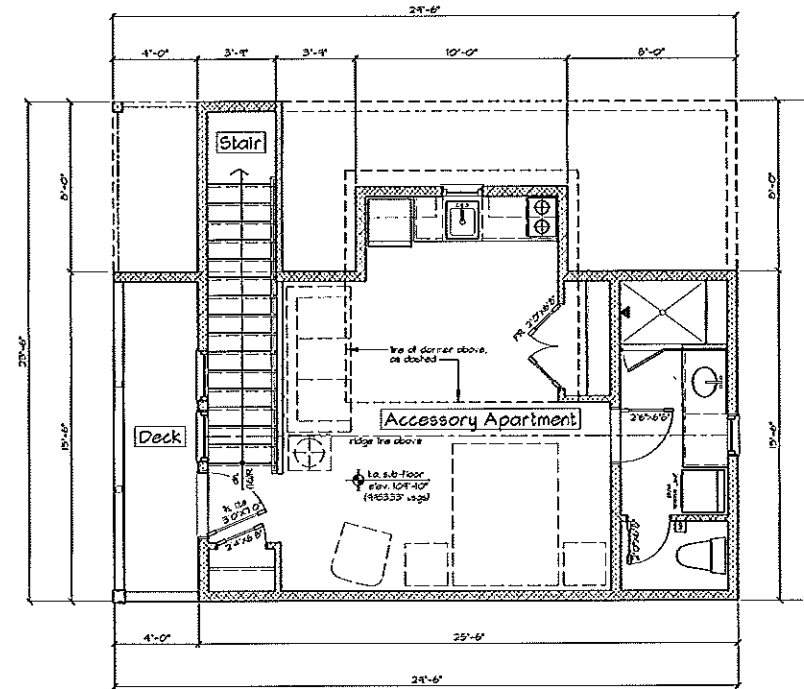
North Elevation

Scale: 1/4" = 1'-0"

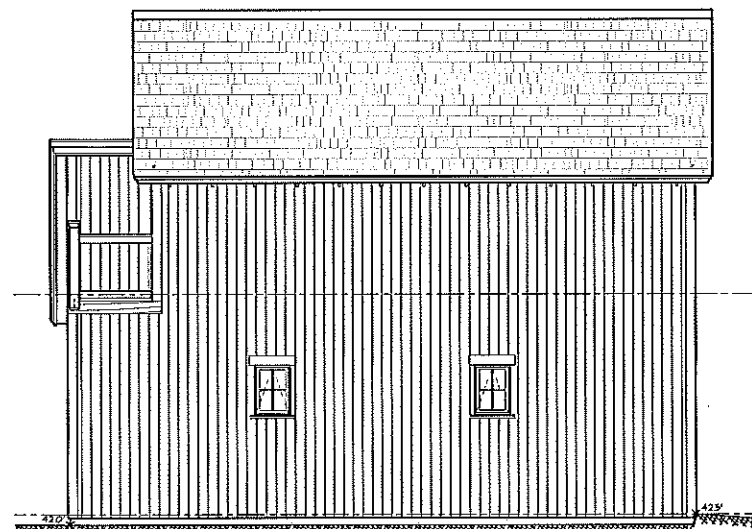


East Elevation

Scale: 1/4" = 1'-0"

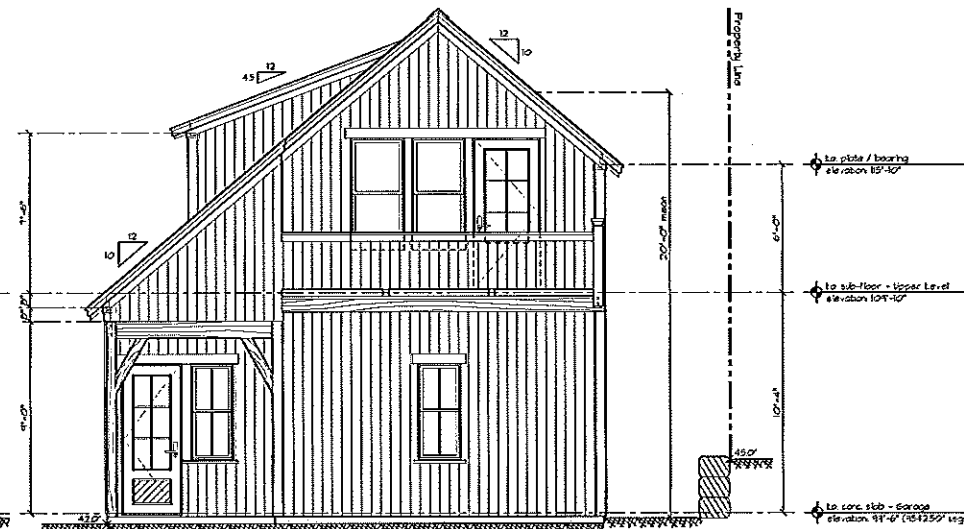


Upper Level Floor Plan
Scale: 1/4" = 1'-0"
Upper Living Sq. Ft. = 401 density



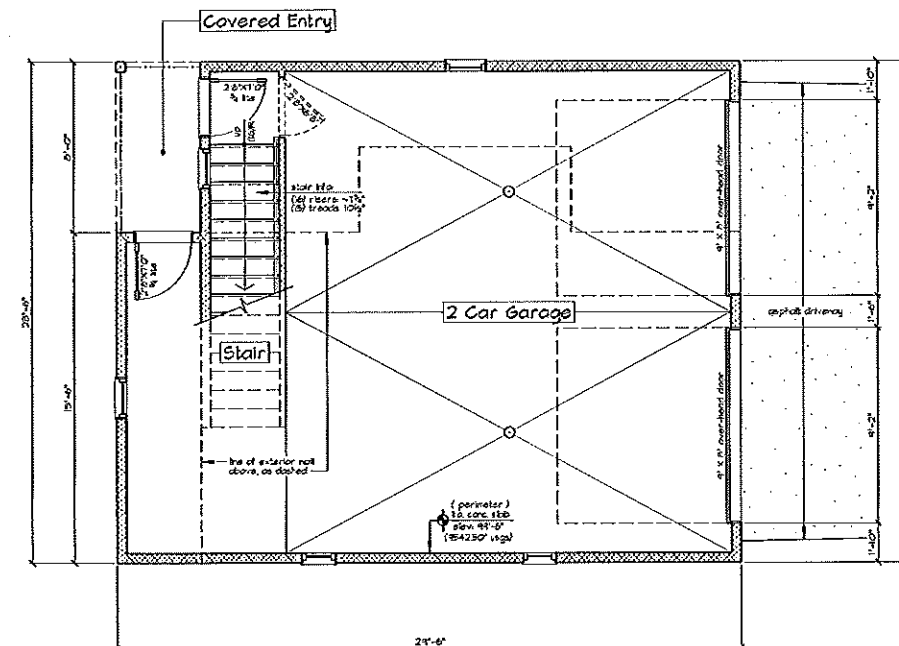
South Elevation

Scale: 1/4" = 1'-0"



West Elevation

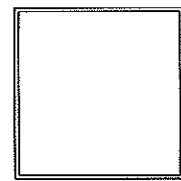
Scale: 1/4" = 1'-0"



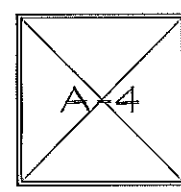
Main Level Floor Plan
Scale: 1/4" = 1'-0"
Garage Sq. Ft. = 601 mass
= 60 density

MARVEL HOUSE
ADDITION & RESTORATION
LOT 16, SNIDER ADDITION
TOWN OF BRECKENRIDGE, CO.

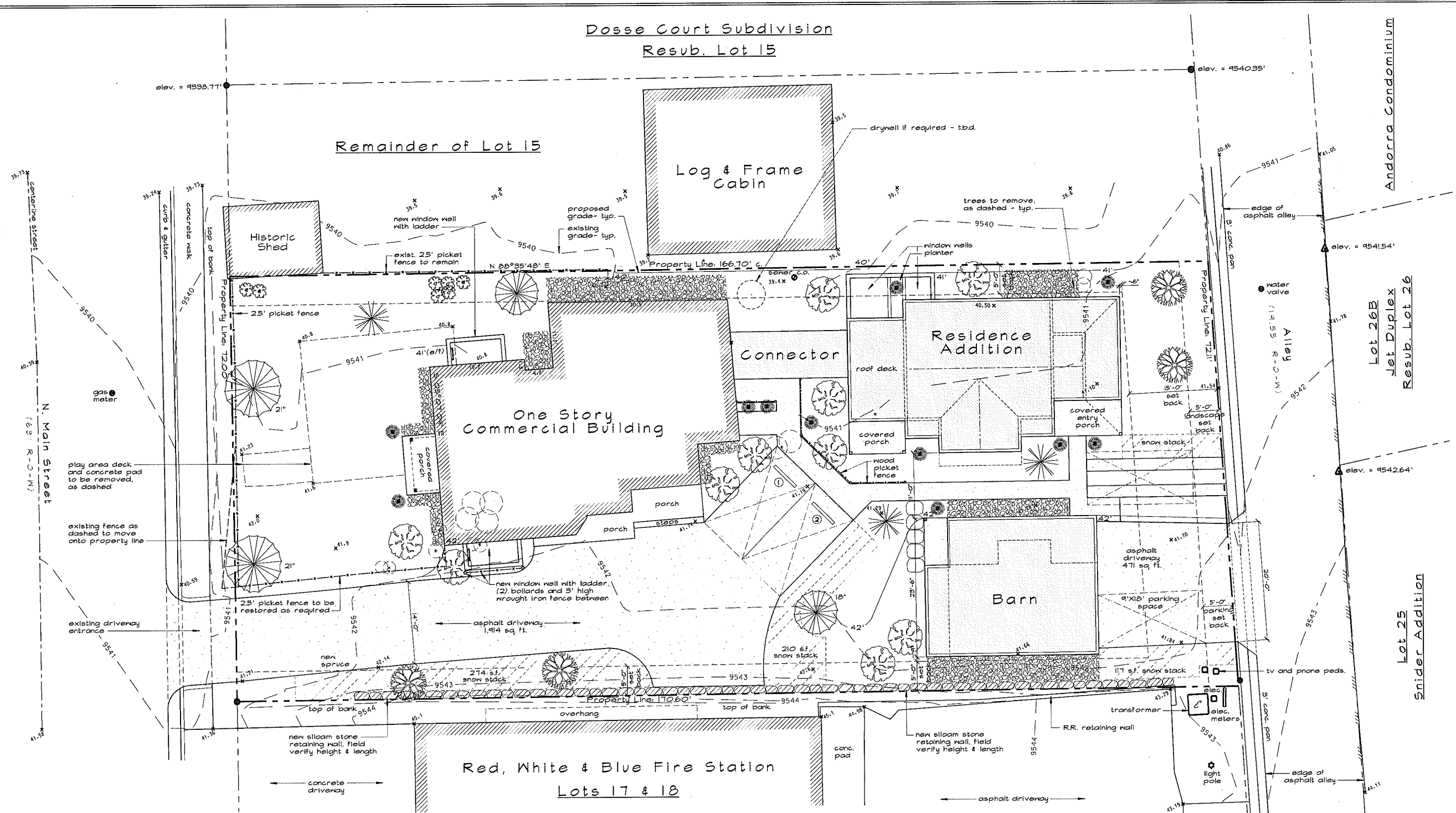
Barn Plans:
Floor Plans
Exterior Elevations
Scale: 1/4" = 1'-0"
Date: 10-20-2019



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consultation
J.L. SUTTERLEY ARCHITECT
Breckenridge, CO. 80424
p.o. box 9580
(970) 455-1726



Dosse Court Subdivision
Resub. Lot 15

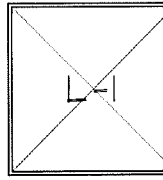


MARVEL HOUSE
ADDITION & RESTORATION
LOT 16, SNIDER ADDITION
TOWN OF BRECKENRIDGE, CO.

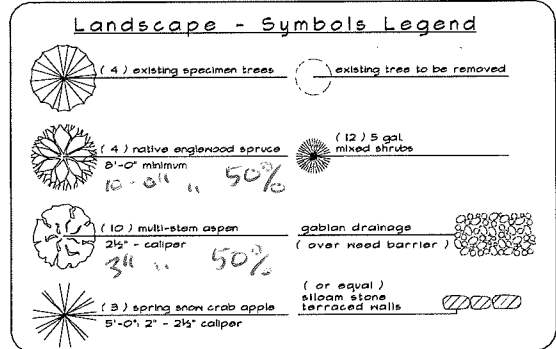
Landscape Plan
Scale: 1/8" = 1'-0"
Date: 11-13-2015

architectural
consultation

J.L. SUTTERLEY ARCHITECT
BRECKENRIDGE, CO. 80424
P.O. Box 3838 Breckenridge, CO. 80424
(970) 463-3718



- Landscape General Notes**
- All trees shown are existing unless otherwise noted. Dashed circles indicate trees to be removed. Trees are to be permanently protected with rock walls where finish grade differs from existing grade.
 - Existing trees: erect snow fencing where necessary to protect trees.
 - All stone retaining walls to be flat 'silliam' stone or equal.
 - Dirt work: remove all construction debris, concrete, mortar, etc. from site prior to landscape work. Grade subgrade to within 2" of final grade. Provide positive drainage at building perimeter. Place 3" of approved top soil over all disturbed property and the grade top soil for seeding.
 - Locate all plant material to avoid snow shed areas from roof.
 - Revegetate all disturbed property with summit county short dry grass mix. Rake out areas to be seeded and apply starter fertilizer, seed and lightly rake soil, apply hay and net to any revegetation on slopes greater than 3 to 1.
 - Rock drip lines shall be of 3" minimum diameter cobble rock at all eaves, valley, and other snow shed locations, over need barrier.
 - Provide rock rip-rap where required for erosion control.
 - All shrub beds and tree beds to receive 2 inches minimum, bark mulch.
 - Bark mulch under all rock terrace plantings.
 - Perennial plants to be mixture of native alpine plants such as lupine, delphinium, poppy, phlox, columbine, garra, etc.
 - Provide drip irrigation system as required to maintain all plantings.



Site Calculations

Historic Footprint:	1,601 Sq. Ft.
New Building Footprint:	1,820 Sq. Ft.
Porches, decks and walks:	813 Sq. Ft.
Driveway & Parking:	2,885 Sq. Ft.
Total Lot Coverage: (34.5%)	6,619 Sq. Ft.
Lot Size:	12,149 Sq. Ft.
Open Space: (45.5%)	5,524 Sq. Ft.
Snow stack provided:	601 Sq. Ft.
Required: 2,885 Sq. Ft. X 25%	716 Sq. Ft.

Landscape Plan
Scale 1/8" = 1'-0"

Planning Commission Staff Report

Subject: Sixth Amendment to the Amended Peak 7 & 8 Master Plan (PL-2015-0444, Combined Preliminary and Final Hearing)

Date: November 5, 2015 (for the November 17, 2015 Meeting)

Project Manager: Michael Mosher, Planner III

Owner/Applicant: Vail Summit Resorts, Inc. (“VSRI”)

Agent: Steve West - West, Brown, Huntley, P.C.

Proposal: Pursuant to the terms of the approved Development Agreement (Rec. #1095228) between the Town of Breckenridge, Vail Summit Resorts, Inc. and Peak 8 Properties, LLC ("Properties") VSRI proposes to modify the Amended Peak 7 & 8 Master Plan with the following:

1. Residential density at Peak 8 is to be increased by 18.0 SFEs
2. Commercial density at Peak 8 is to be increased by 1.3 SFEs
3. The definition of Guest Services Facilities is to be amended (delete "patrol and first aid facilities" from the definition of Guest Services Facilities and add "patrol and first aid facilities" to the definition of space that is not included as Guest Services Facilities).
4. Expanding the use of authentic stone foundations to include chimneys and other accent elements.

Legal Description: Tracts B-1, B-2 and C, Peaks 7 & 8 Perimeter Subdivision Ski Hill Road/County Road 3 (CR 3)

Site Area: 251.4 Acres (No changes to the boundaries are proposed.)

Site Conditions: Most of the Peak 8 site is characterized by existing cleared areas (for the existing ski area and base area buildings), or monoculture Lodgepole forests, presenting few development constraints. Slopes vary from fairly flat tiers in the existing developed areas, to approximately 18% in the area of Trygve’s Run. The Peak 7 area has more varied vegetation, with wetlands occurring in both Cucumber Gulch and up both sides of the existing Peak 7 development. Slopes in the area generally range up to 15%.

Density Changes from the last (5th) Master Plan Amendment:

DENSITY PER 6TH AMENDED MASTER PLAN				
	Residential SFEs	Commercial SFEs	Guest Services	Total SFEs
5th Amended MP	288.0 SFE	19.5 SFE	48.0 SFE	355.5 SFE
6th Amendment	18.0 SFE	1.3 SFE	0.0 SFE	17.3 SFE
Current Density	306.0 SFE	20.8 SFE	48.0 SFE	372.8 SFE

Item History

To date there have been five previous amendments to the Peak 7 & 8 Master Plan. In summary:

- PC#2000155 – The major amendment to the old 1984 original Breckenridge Ski Resort Master Plan (which was also amended in 1986).
- PC#2005105 – Modify the PC#2000155 amendment to transfer of 48 Single Family Equivalents (SFEs) of density to Peak 7 - 41.5 residential SFEs and 6.5 commercial SFEs. Also a reallocation of 9 SFEs of Skier Services density from Peak 7 to Peak 8.
- PC#2006131 – Modify the PC#2005105 amendment to convert 2.0 SFEs of commercial density to 2.0 SFEs of residential density.
- PC#2008033 – Modify the PC#2006131 amendment to purchase 2.80 Single Family Equivalents (SFEs) from the TDR program and place them within the Peak 7 Master Plan area. The density was used at the Grand Lodge on Peak 7 to convert the existing employee housing units into market-rate units. (The required employee housing was relocated per the Code requirements.)
 1. Residential density was increased by 11.5 SFEs for the Grand Vacations Lodge at Peak 8 (PC# 2012075).
 2. Commercial density was increased by 5.0 SFEs for the Grand Vacations Lodge at Peak 8 (PC# 2012075).
 3. The additional 16.5 SFEs (11.5 residential and 5 commercial) was added to the density from transferable development rights (TDR) pursuant to the Intergovernmental Agreement between the Town and Summit County. (Rec#1050481)
 4. The definition of Guest Services Facilities was amended, first, to delete lockers for employees, restrooms, storage areas not used for recreational equipment for sale or rent, and lift and lift personnel facilities and, second, to provide for those four categories of uses to be defined as “Support Facilities” and for Support Facilities not to be assessed against density or mass provided that the Support Facilities areas are legally guaranteed to be used only for those limited uses and do not exceed 17,594 square feet.
 5. The amenities multiplier allowed in section 9-1-19,24 of the Development Code was increased for the Peak 8 portion of the Master Plan from 200% to 600%.
 6. The parking required for each unit for the Grand Vacations Lodge at Peak 8 (PC# 2012075) was reduced from the 1.0 space per unit to 0.77 spaces per unit.
 7. For clarification only, the description of the heights of buildings was revised to make it clearer that the LUD 39 heights are recommended and not absolute height limitations, grade is to be measured from proposed grade (with more detailed description) and that the provisions of the Development Code in effect in 2003 providing for negative points to be assessed for heights in excess of the heights provided for in the applicable LUD apply to the approval of buildings proposed within the Master Plan area.

Portions of this proposal are related to the development review for the Grand Colorado at Peak 8 - East Building (PL-2015-0215). The last preliminary public hearing for the development was heard by the Planning Commission on September 15, 2015. This is still an active permit application.

Applicant's Proposal

This master plan amendment is essentially a housekeeping matter to reflect the allowances of the Development Agreement between the Town, VSRI, and Peak 8 Properties, LLC. There are no substantive changes to the master site plan, architectural character or circulation. This amendment will simply clarify on the plan the density transfers and the definition of Guest Services Facilities per the Development Agreement and the use of authentic stone foundations, chimneys and other accent elements.

Staff Comments

Policy 39/A Master Plans: Policy 39/A Master Plan of the Development Code allows for modifications to master plans with a few stipulations. It states:

(1) At the request of the owner of any portion of property which is subject to an approved master plan, such master plan may be amended or modified at any time. Any such amendment or modification shall apply only to the property of the owner who requested such amendment or modification. Such owner may request an amendment or modification to an approved master plan without being required to join in such application all of the other owners of the property which is subject to the master plan. (Ord. 22, Series 1994)...

(3) At the time of any amendment or modification, a master plan shall be brought into compliance with the then-current development policies of the Town and the Town's Master Plan.

A Preliminary Agreement and a Development Agreement between the Town and Vail Summit Resorts were executed in conjunction with the PC# 2000155 Master Plan Amendment approved in 2003. These documents provided general understandings and agreements for the 2003 Amendment. The Agreements specifically authorized the Commission to review and approve (subject to compliance with all other applicable Town development policies) an amendment to the original Master Plan that was not in compliance with the Town's Land Use Guidelines (LUGs).

The 2003 Master Plan Amendment also memorialized certain policies of the 2003 Development Code to govern future development—the Density/Intensity (Policy 3), Height (Policy 6), and Employee Housing (Policy 24) policies. The Vesting Agreement then extended the vesting of the Master Plan for 20 years. However, since the Applicant is proposing to amend the Master Plan, Policy 39/A (3) requires the Master Plan to be brought into compliance with the “then-current” development policies of the Town. In this case, there are no new codes that will affect the point analysis of the Master Plan or current development permit applications, but developments will need to now follow Code policies, rather than 2003 polices previously locked-in.

A 2002 Development Agreement between the Town and Vail Summit Resorts (reception number 697853; recorded October 8, 2002) modified the earlier May 20, 2002 Development Agreement in order to allow the Council and Commission to consider an Amendment to the Master Plan that would allow density greater than that allowed by the Land Use Guidelines (LUGs). No Development Code Policies have changed that would require any other actions to bring the Plan into compliance with Policy 39A's requirements.

As with any master plan, the total density represents a maximum and is not necessarily attainable. Any proposed development still needs to obtain further site specific approval through a separate site

plan level development permit for the development of the property. Staff has no concerns with this policy.

Master Plan Notes: The wording for the master plan notes is attached separately.

9-1-19-5A and 5R: Policy 5 (Absolute and Relative) Architectural Compatibility: The Section of the current Master Plan related to architecture, “Design Standards”, will be changed as follows (in **RED**):

Design Standards:

*The architecture will present a rustic mountain lodge style through the use of authentic stone foundations, **chimneys and other accent elements**, large sheltering roof forms, large shaded windows, simple but strong detailing and a sense of informality. Natural and natural appearing materials such as lap and shingle siding, board and batten siding, and real stone faced foundations, **chimneys and other accent elements** will enhance the character and blend with natural surroundings..(Highlights added.)*

These changes still conform to the criteria identified under Policy 5, Architectural Compatibility. Staff has no concerns. .

Point Analysis (Section: 9-1-17-3): The proposed amendment of the Master Plan has no impact on the previous point analysis as this proposal abides with the Development Agreement and the current Development Code. This proposal shows a passing score of positive two (+2) points for the original 2006 (attached) Point Analysis.

(Staff notes that we are working with the applicants and agents on an additional Condition of Approval regarding the 200 parking spaces located at the Peak 7&8 Area. We will have more information at the evening meeting.)

Staff Recommendation

Staff views this application as fulfilling the conditions of the 2015 Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc., and Peak 8 Properties, LLC.

We welcome any additional comments. We have two proposed motions recommending approval for this application:

1. Staff recommends approval of the Point Analysis for the Sixth Amendment to the Amended Peak 7 & 8 Master Plan, PL-2015-0444.
2. We also recommend approval of the Sixth Amendment to the Amended Peak 7 & 8 Master Plan, PL-2015-0444, with the attached Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Sixth Amendment to the Amended Peak 7 & 8 Master Plan	Positive	Points	+10
PC#:	PL-2015-0444			
Date:	11/5/2015	Negative	Points	- 8
Staff:	Michael Mosher, Planner III			
No changes from the original 2000 Master Plan				
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		Proposed land areas to utilize existing Land Use District designations.
2/R	Land Use Guidelines - Uses	4x(-3/+2)		Single Family Residential, Multi-family Residential, Commercial, and skier service facilities allowed per executed Development Agreement.
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		Proposed uses designed to be compatible with existing nearby uses.
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		None anticipated.
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		Policy calls for natural materials, and for cuts and fills to be minimized. Proposed Master Plan notes call for natural and "natural looking" materials. Wood to be stained, real rock foundations, and synthetic materials to be used where required by Building Code for fire protection on higher elements not easily viewed by the public. Negative points assessed under Policy 8/R for non-natural materials of the walls and their scale/height, and the site disturbance.
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	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)		
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 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)	+4	No additional wetlands to be disturbed beyond existing ACOE approval. (ACOE permit allows small expansion of existing Peak 8 ponds.) Site grading mitigated through revegetation and BMPs. Project located to avoid existing ski terrain and provide buffers to adjacent properties. The relocation of CR 3 will eliminate steep grades and sharp switchbacks. Efficient site circulation to project and Peak 8 area. Project benefits the Peak 8 area, just not the proposed development.

7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)	- 4	Policy calls for projects to be designed in a safe, efficient and aesthetically pleasing manner based on the characteristics of the property. It is recognized that the relocation of CR 3 will eliminate steep grades and switchbacks (see Policy 7/R), and that the topography of Peak 8 has already been altered and has little vegetation. However, Peak 7 is well wooded and steep. Project has avoided filling in additional nearby wetlands beyond existing ACOE permit, but concerns have been expressed over the installation of the Gondola towers. Gondola has been granted a variance from the Cucumber Ordinance. Degradation may possibly occur, but thought not to be "substantial". Negative points assessed now for the disturbance associated with the relocation of CR 3, the detention ponds, and walls (non-natural and up to 22' tall) to be constructed. We are assigning the negative points for all the disturbances associated with the road on both Peaks 7 and 8. Thus, the Peak 8 road request shall not receive additional negative points. However, negative points have also been assigned for the Peak 7 Site Improvements for disturbance with the ski run, parking lots, and associated walls, and detention ponds.
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)	- 2	Retaining Walls (See above).
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)	- 2	Wetland Impacts (See above).
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		None Anticipated
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		Relocated CR 3 designed with adequate public snow storage areas.
9/R	Placement of Structures - Setbacks	3x(0/-3)		Setbacks to be evaluated at site specific review.
12/A	Signs	Complies		Separate permit(s) required.
13/A	Snow Removal/Storage	Complies		All snow storage to be on site, not in public right-of-way.
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Beyond scope of the Master Plan Amendment.
14/A	Storage	Complies		Beyond scope of the Master Plan Amendment.
14/R	Storage	2x(-2/0)		Beyond scope of the Master Plan Amendment.
15/A	Refuse	Complies		Beyond scope of the Master Plan Amendment.
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		Beyond scope of the Master Plan Amendment.
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)	+3	Sidewalk provided internal and external to the project along the length of relocated CR 3, existing CR 3 to be revegetated with a trail connection, and vertical challenges minimized within the project.
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		Adequate Parking Study provided.

18/A	Parking	Complies		Parking requirements per the executed Development Agreement and further clarified with Master Plan notes.
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		Surface parking proposed with separate Peak 7 Site Improvement application and assessed negative points under 8/R at that time. All residential parking to be provided underground or directly below new development.
18/R	Parking - Joint Parking Facilities	1x(+1)		Amount and "pooled" parking style required per the executed Development Agreement.
18/R	Parking - Common Driveways	1x(+1)		Shared driveways between uses (i.e. lodge and skier parking areas) on Peak 7 but not on Peak 8. Points assigned under separate Peak 7 Site Improvement request.
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		Beyond scope of the Master Plan Amendment.
20/R	Recreation Facilities	3x(-2/+2)		Beyond scope of the Master Plan Amendment.
21/R	Open Space - Private Open Space	3x(-2/+2)		Beyond scope of the Master Plan Amendment.
21/R	Open Space - Public Open Space	3x(0/+2)		Subdivision requirements met, and additional public open space required per annexation and extended vesting requests. Nothing additional proposed at this time.
22/A	Landscaping	Complies		Beyond scope of Master Plan Amendment.
22/R	Landscaping	2x(-1/+3)		Beyond scope of Master Plan Amendment.
24/A	Social Community	Complies		Beyond scope of Master Plan Amendment.
24/R	Social Community - Employee Housing	1x(-10/+10)		None required or provided.
24/R	Social Community - Community Need	3x(0/+2)	+3	Updating the Master Plan listed as one of the top Council priorities in the yearly goals and objectives report. (Per original Points.)
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		Beyond scope of the Master Plan Amendment.
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		Project's detention facilities acceptable and were further reviewed with the subdivision request.
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		Beyond scope of the Master Plan Amendment.
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		Measures required above the Town's standards due to project's location within the PMA of the Cucumber Overlay Protection District. Improvements outside of subdivision request (Peak 7 Site Improvements) have been awarded points under this policy.
32/A	Water Conservation	Complies		Beyond scope of the Master Plan Amendment.
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)		
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)		
34/A	Hazardous Conditions	Complies		Erosion control measures part of BMPs to be implemented for construction of Gondola and relocation of CR 3.
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		Separate subdivision application reviewed.
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		Policy calls for development to maximize distances between disturbance and the PMA. Project could have been pushed further away from the PMA to the west. Variances had to be granted for the relocation of CR 3 and the construction of the Gondola.
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		Complies per terms of the executed Development Agreement.
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		
47/A	Fences, Gates And Gateway Entrance Monuments	Complies		
48/A	Voluntary Defensible Space	Complies		
49/A	Vendor Carts	Complies		

TOWN OF BRECKENRIDGE

Sixth Amendment to the Amended Peak 7 & 8 Master Plan, PL-2015-0444; (a Modification to PERMIT #2000155)

STAFF RECOMMENDATION: The staff recommends the Planning Commission approve this application with the following Findings and Conditions

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 **November 5, 2015** 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 the 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 **November 17, 2015**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are recorded.
6. Applicant has determined from a title report that the real property which is the subject of this application is not subject to a severed mineral interest and, therefore, the applicant has not provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. The Town Council entered into the original Development Agreement on September 10, 2002 (Rec# 697853) with the Applicant (Development Agreement) and a Development Agreement to Amend Prior Development Agreement and Authorize the Transfer of Density on **July 14, 2014** (Development Agreement) which together authorized the Planning Commission to review and approve, subject to compliance with all other applicable development policies of the Town, an amendment to an approved master plan that is not in compliance with the current Town Land Use District Guidelines.
8. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

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. The vested period for this master plan expires on May 27, 2023 (twenty years from the date of the original Amended Peak 7 & 8 Master Plan, PC#2000155), per the Extended Vesting Development Agreement (approved on May 27, 2013 and recoded at Reception Number 730692) and in accordance with the vesting provisions of Policy 39 (Absolute) of the Development Code.
4. The Master Plan Amendment is approved pursuant to Policy 39 (Absolute) of the Breckenridge Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code). Uses specifically approved in this Master Plan Amendment shall supersede the Town's Land Use Guidelines and shall serve as an absolute development policy under the Development Code during the vesting period of this Master Plan Amendment. Except as provided in the Development Agreement for Extended Vesting dated May 27, 2003, the provisions and procedures of the Development Code (including the requirement for a point analysis) shall govern any future site-specific development of the property subject to this Master Plan Amendment.
5. Approval of the Master Plan Amendment is limited to the general acceptability of the land uses proposed and their interrelationships, and shall not be construed to endorse the precise location of uses or engineering feasibility.
6. Upon issuance of the Development Permit, applicant shall submit a 24"x36" mylar document of the final master plan, including all maps and text, as approved by Planning Commission at the final hearing, reflecting any changes required and in the a form acceptable to the Town attorney. The name of the architect, and signature block signed by property owner of record or agent with power of attorney shall appear on the mylar.
7. Applicant shall record with the Summit County Clerk and Recorder a notice of approval of the Master Plan Amendment in a form acceptable to the Town Attorney.
8. Applicant shall reimburse the Town for the costs incurred for the services of the Town Attorney and other consultants hired by the Town in connection with the review of the Master Plan Amendment.
9. The additional density authorized by the Development Agreement between the Town of Breckenridge, Vail Summit Resorts, Inc. and Peak 8 Properties, LLC on July 14, 2015 (and Recorded with the Summit County Clerk and Recorder at Reception #1095228) shall be purchased and transferred to the receiving parcel prior to issuance of a building permit for such development. The density transfer shall be memorialized by a covenant and agreement, running with the land, in a form acceptable to the Town Attorney.

	PLANNING AREA	APPROX. AREA ACRES	RESIDENTIAL SFES _c	COMMERCIAL SFES	GUEST SERVICES FACILITIES SFES	TOTAL SFESSES	ALLOWED USES
A	PEAK 7 BASE	19.6	171.3	5.0	<u>5.79-0</u>	<u>182+85.3</u>	MULTI-UNIT RESIDENTIAL, DUPLEX, COMMERCIAL, GUEST SERVICES FACILITIES, GONDOLA, PARKING
B	PEAK 8 BASE	22.7	<u>306293.5</u>	<u>20.819.5</u>	<u>51.348</u>	<u>378.1361</u>	MULTI-UNIT RESIDENTIAL, DUPLEX, COMMERCIAL, GUEST SERVICES FACILITIES, GONDOLA, PARKING
C	PEAK 8 SKI TERRAIN	121.5	0	0	0	0	GUEST SERVICES FACILITIES AND SKI RUNS
D	TIMBER TRAIL	16.3	22	0	0	22	SINGLE FAMILY RESIDENTIAL
E	MAINTENANCE CTR	15	0	0	0		MAINTENANCE FACILITY
F	CUCUMBER GULCH	56.3	0	0	0		OPEN SPACE, TRAILS, GONDOLA AND WATER QUALITY AND DRAINAGE FACILITIES
	TOTAL	251.4	<u>499.3475.3</u>	<u>25.819.5</u>	57	<u>582.1551.8</u>	

NOTES:

1) MAINTENANCE CENTER:

Existing density is assigned per the 1986 BSA MASTER PLAN. No additional square footage may be developed unless transferred to the site.

2) DENSITY ~~TRANSFERS~~:~~TRANSFER~~:

11.5 of the Residential SFES and 5 of the Commercial SFES at the Peak 8 Base ~~were authorized~~~~are subject~~ to ~~and may~~ be developed on what became Lot 2, Peak 8 Subdivision ("Lot 2") upon the transfer of 16.5 transferable development rights pursuant to the Intergovernmental Agreement concerning transfer of development rights between the Town and Summit County ("TDRs"), but the transfer that actually occurred was of a total of 11 TDRs for 6 Residential SFES and 5 Commercial SFES after Development Permit # 2012075 for the development of Lot 2 was approved and the Residential SFES provided for in the February 26, 2013 Amendment to the Amended Peaks 7 & 8 Master Plan thus have been reduced by 5.5 to reflect the fact that those TDRs were not and will not be transferred to Lot 2.

18 of the Residential SFES and 1.3 of the Commercial SFES added to the density for the Peak 8 Base and included in the density above are subject to and may be developed only upon the transfer of 19.3 TDRs, which transfer may occur only after a development permit providing for the additional Residential and Commercial SFES has been approved for what will be Lot 3, Peak 8 Subdivision ("Lot 3"). Such TDRs may only be transferred to and used for development on

what will be Lot 3 and to the extent that less than 18 TDRs are transferred for Residential SFEs or less than 1.3 TDRs are transferred for Commercial SFEs, then the Residential or Commercial SFEs permitted for the Peak 8 Base will be automatically reduced by the number of TDRs not transferred for such use.-

3) COMMERCIAL:

Commercial: The ~~20.84~~^{9.5} Commercial SFEs at the Peak 8 Base and .5 of the Commercial SFEs at the Peak 7 Base are commercial SFEs as provided for in the Town Development Code, subject only to the Development Plan Concept and Design Standards below.

Spa Commercial: ~~2.54~~⁵ of the Commercial SFEs at the Peak 7 Base may be used only for facilities providing activities, services or sales related to health, relaxation and well-being, including, but not limited to, saunas, steam room, whirlpools, hot tubs, massages, aerobics, weight training and cosmetology services.

Restaurant Commercial: 2 of the Commercial SFEs at the Peak 7 Base may be used only for a restaurant at the Peak 7 Base, provided that such restaurant may be combined with adjacent Guest Services Facilities to provide a cafeteria encompassing both the space provided with Guest Services Facilities density and the space provided with the 2 Restaurant Commercial SFEs.

4) GUEST SERVICES FACILITIES:

Guest Services Facilities include space for the following primary activities or facilities: ticket sales, administration, nursery or child care facilities, lockers for guests, cafeterias, lounges, storage areas for recreational equipment for sale or rental), ~~patrol and first aid facilities,~~ and instruction related activities. Each SFE of Guest Services Facilities shall be allowed 1,000 sq. ft. of density. Guest Services Facilities constructed using the 57 SFEs, which were excluded from total density for purposes of a separate density reduction calculation, may not be used as a private club or other restricted access facility requiring membership. Cafeterias constructed using Guest Services Facilities density may be used from time to time outside of the winter recreation season, but may not be used as full service restaurants open to the public on a regular basis outside of the winter recreation season.

Guest Services Facilities will not include patrol and first aid facilities, lockers for employees, public restrooms, storage areas (not including storage areas for recreational equipment for sale or rental) and lift and lift personnel facilities (“Support Facilities”) already constructed at the time of approval of this Amendment or to be constructed. Support Facilities will not apply against the 57 SFEs authorized under this Master Plan for Guest Services Facilities and shall not be assessed against the density and mass of any building within which they are located or are to be located provided that the Support Facilities are legally guaranteed to be used only for the foregoing described purposes and do not exceed a total of 17,594 square feet.

As the result of the application of the above definitions to the Guest Service Facilities at the Peak 7 Base, the SFEs of those Facilities at the Peak 7 Base have been reduced from 9 to 5.7 and the resulting 3.3 SFEs reduction has been transferred to the Peak 8 Base to increase the Guest Services Facilities SFEs at the Peak 8 Base from 48 to 51.3, while the total Guest Services Facilities SFEs remain at 57.

5) AMENITIES:

The provisions of subsection 9-1-19:24 (Relative):D of the Breckenridge Town Code, in effect on the date of approval of this Amendment, notwithstanding, in connection with the future development of the Property pursuant to the Master Plan, meeting and conference facilities or recreation and leisure amenities over and

above that required in subsection 9-1-19:24 (Absolute) of the Breckenridge Town Code, in effect on the date of approval of this Amendment, shall not be assessed against the density and mass of a project when the facilities or amenities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities and they do not equal more than 600% of the area required under said subsection 9-1-19:24 (Absolute).

6) PARKING AND TRAFFIC REQUIREMENTS:

Residential: 1 space/unit, except single-family and lock-off units, which shall comply with the Town's Off-Street Parking Regulations provided that the parking required for lock-off units may be reduced from the requirements of such Regulations if the Town finds that a written analysis provided at no cost to the Town and prepared by a qualified parking consultant supports a decrease from the 2 off-street parking spaces otherwise required to be provided for each 2 bedroom unit with a lock-off or divisible room. All spaces shall be pooled and available on a first come first served basis.

Commercial: 0, ~~provided~~Provided by common parking spaces. However, parking must be provided for the ~~2.54.5~~ SFEs of Spa Commercial at Peak 7 in compliance with the Town's Off-Street Parking Regulations. In addition, when the Restaurant Commercial space at Peak 7 is not used together with the Guest Services Facilities cafeteria at Peak 7, parking within Lot 1, Peak 7 Subdivision shall be provided in accordance with the Town's Off-Street Parking Regulations in effect when application for a development permit for construction of the Restaurant Commercial space is made (such parking may be the same as and not in addition to the Common Parking), or other arrangements for parking in the Peaks 7 & 8 Base Areas, such as providing shuttle for customers, shall be made at the time such permit is approved.

Guest Services Facilities: 0, ~~provided~~Provided by common parking spaces.

Common Parking: 200 or more spaces within Planning Areas A & B to be used in connection with Commercial, Guest Services and Peak 8 Ski Terrain by employees, visitors, guests, and invitees subject to such restrictions as may apply from time to time, with the goal being to limit vehicular trips on Ski Hill Road at peak travel times around the beginning and end of the operation of the Peak 8 Ski Terrain for winter and summer recreational activities each day.

~~Common Parking: 200 or more spaces within Planning Areas A & B.~~

Traffic Study: Applicants for site specific development permits within the Master Plan area shall submit to the Town Engineering Department the total number of actual units (as opposed to SFEs or other factors used for conversion to square footage) within the proposed development so that the Engineering Department can confirm that the traffic study submitted in connection with ~~the this~~ Master Plan and based on the total of 446 units, and updated to account for the anticipated 488 units and approximately 200 Common Parking spaces anticipated as of the date of approval of this Amendment, remains valid.

7) HEIGHTS OF BUILDINGS:

Heights of buildings shall be established in accordance with the Development Code ~~-~~applied against the recommended heights for Land Use District 39, as they are in effect at the time of the approval of this Amendment on February 26, 2013 and point assessments will be applied in accordance with such Code based on the recommended heights for such Land Use District, provided:

~~A.4.~~ That, for buildings at the Peak 8 Base area only, the measurement to be made in accordance with the definition of Building Height in Section 9-1-5 of the Development Code, to account for the lack of natural grades and the anticipated filling of the lowered and generally flat grades currently existing at the Peak 8 Base area, shall be made "to the proposed finished grade elevation at the exterior wall below", and not to natural grade, which generally does not exist in the area,

provided that such proposed finished grades shall not include artificial appearing berming or fill. Artificial appearing berming or fill is characterized by excessive rise and steep grades in the vicinity of building foundations.

~~B.2.~~ That, for the entire Master Plan area, if the Town imposes any limitations on the depth of foundation for buildings or underground parking proposed at depths no more than 12' below existing grade, the height limitations provided for in the Development code shall be increased to take into account the increase in height resulting from such foundation depth limitation.

~~C.3.~~ That, height measurement for all single-family lots shall comply with the applicable policies of the Development Code in effect at the time of the approved May 2003 Master Plan and be exempt from Relative Policy 6 of Section 9-1-19 of the Code.

8) PEAKS 7 AND 8 BASE DEVELOPMENT PLAN CONCEPT AND DESIGN STANDARDS:

I. Development Plan Concept:

Construction of a new base area at Peak 7 and redevelopment of the base area at Peak 8 will create two new high-quality mountain resort neighborhoods. A seamless plan is envisioned with diversity of premium lodging units, expanded Guest Services Facilities and limited retail and restaurant uses. These portals will serve the needs of the Breckenridge community and its many visitors by:

~~A.4.~~ Developing new family oriented base neighborhoods that will position Breckenridge effectively among other winter and summer resorts.

~~B.2.~~ Developing in a manner that protects and preserves critical natural features, including Cucumber Gulch wetlands, wildlife corridors and significant wildlife habitat.

~~C.3.~~ Developing uses that help fulfill needs for additional and diverse short term ski in - ski out lodging units and new base Guest Services Facilities.

~~D.4.~~ Improving non-auto oriented transportation within the community.

~~E.5.~~ Developing meeting space that helps fulfill community needs for additional meeting facility spaces.

II. Development Plan:

The objective for the development of the Peaks 7 and 8 Bases is to reinforce Breckenridge's position as one of the premier resort destinations in North America. The focus of the two base areas is on convenience, mountain ambience, and a high level of amenities. Together, these portals will provide a full-range of Guest Services Facilities and a variety of lodging units, organized around mountain-front plazas with limited retail and dining experiences. The mountain-front plazas will provide gathering areas for resort guests and events, except for such areas as are adjacent to buildings and include such things as swimming pools, hot tubs, patio areas for individual units, restaurant seating areas and similar areas to which access may be restricted. As a key component of this development plan, the natural resources of Cucumber Gulch will be preserved. This plan moves all development approved in the Gulch in the 1986 Master Plan onto more suitable sites. Hydrogeologic and other forms of mitigation will be provided if necessary to ensure that groundwater resources now feeding Cucumber Gulch will be uninterrupted and substantial degradation of wildlife resources will be prevented.

Peak 8 Base:

The Peak 8 Base is planned as the main guest arrival location and the terminating point for the future gondola. As the busier, higher-energy area, the plan for Peak 8 Base includes outdoor plazas with space for events, new Guest Services Facilities, fitness centers and other facilities to serve Peaks 7 and 8 guests, modern meeting facilities and some shops and restaurants. The focal point of Peak 8 is the “Grand Lodge”, a new Breckenridge landmark that establishes a high standard of quality for the new development. Adjacent lodging designed in a mountain-resort style will cradle the mountain-front plazas. Toward the ends of the Peak 8 Base area the buildings will be lesser in height and density as compared to the center or core of the Peak 8 Base. Visual impacts adjacent to Four O’Clock Subdivision and Skiwatch Condos will be minimized by utilizing roof forms that step down at the edges, while still maintaining steeply pitched roofs, which are characteristic of mountain architecture. The impact of parking will be minimized by locating all residential parking spaces underneath the buildings, with some surface parking available for employees and guests.

Peak 7 Base:

The Peak 7 Base will be a compact village, providing a variety of accommodations. Here, residential units, with potential for both sun and views, will be clustered around a mountain-front plaza where all new modern Guest Services Facilities, a mountain view restaurant and a limited but critical amount of retail space will be located. Toward the north and south ends of the Peak 7 Base area, the overall buildings will be lesser in height and density as compared to the center or core of the Peak 7 Base. Visual impacts adjacent to the Forest Service land immediately to the north will be minimized by utilizing roof forms that step down at the edges, while still maintaining steeply pitched roofs, which are characteristic of mountain architecture. Guests will have the option to disembark the gondola at the Peak 7 Base, with a short walk to the Independence chair lift which will be extended to the Peak 7 Base. The impact of parking will be minimized by locating all residential parking spaces underneath the buildings, with some surface parking available for employees and guests.

Design Standards:

The architecture will present a rustic mountain lodge style through the use of authentic stone foundations, chimneys and other accent elements, large sheltering roof forms, large shaded windows, simple but strong detailing and a sense of informality. Natural and natural appearing materials such as lap and shingle siding, board and batten siding and real stone faced foundations, chimneys and other accent elements will enhance the character and blend with natural surroundings. Natural appearing synthetic materials may only be used as exterior building materials where fire retardant materials are required by building and/or fire codes, or for elements, where in the determination of the Planning Commission, the synthetic material is indistinguishable from pedestrian level. The use of synthetic exterior building materials is subject to the Town of Breckenridge Development Code. No stucco will be used on any exterior building elevation. Wood elements will be stained, with muted colors chosen from a natural palate of weathered browns and grays. Brighter hues may be chosen for elements such as windows and window trim. Design diversity will be achieved with each type of building, or cluster of buildings, which may have their own style based on these qualities. This is one of the few places in Breckenridge, where larger buildings can comfortably be in scale with the mountain backdrop and clearly be dominated by the surrounding natural mountain setting.

9) PLAN COMPONENTS:

The Town’s approval of this plan is based on the development being carried out substantially in keeping with the foregoing Notes on this Amended Sheet 4, the Fit Test on Sheet 5, the plan for Circulation and Trails on Sheet 6 and the View Corridors Study on Sheet 8. While it is acknowledged that the Fit Test and View Corridors shown on Sheets 5 and 8 are conceptual in nature and that actual locations, configurations and numbers of buildings have not been established by this plan, it is also acknowledged that a substantial deviation having a significant negative impact on the plaza areas, circulation, or views of lifts and the mountains may require a further amendment to the plan. In addition, in connection with the site specific development permits for buildings, the adjacent exterior

improvements shall be included as a part of the development if it will not be necessary to remove such adjacent exterior improvements in connection with the future construction of other buildings. The plan for Circulation and Trails shown on Sheet 6 is not conceptual in nature and any significant deviation may require an amendment to this plan. In addition, to the extent not already existing, trails shall be constructed as and when improvements adjacent to such trail occur.

10) VESTING:

The terms, conditions and provisions of the Master Plan, as amended by this Amendment, are subject to the extended vested property rights provided for in the Development Agreement for Extended Vesting dated as of May 27, 2003 and recorded in the Summit County, Colorado real estate records on September 24, 2003 at Reception No. 730692 (“Agreement”). Pursuant to the Agreement the vested property rights period for the Peaks 7 & 8 Master Plan were extended until November 8, 2025, which date is 20 years from the November 8, 2005 effective date of Development Permit 2000155, subject to the terms and conditions of the Agreement. Interested parties should review the Agreement, and should further check with the Town of Breckenridge Department of Community Development for further information concerning the vested property rights associated with the Master Plan, as amended by this Amend.