

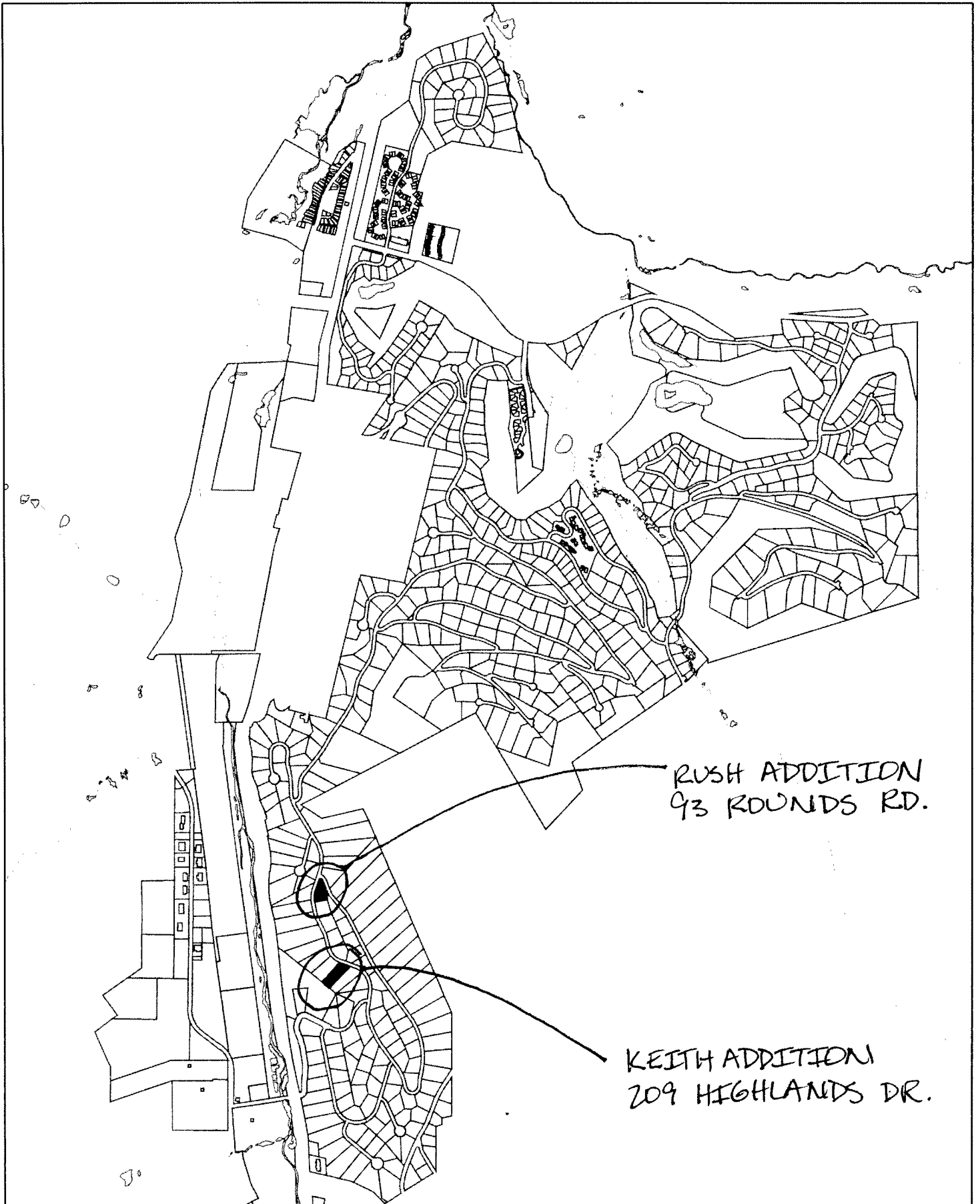
Town of Breckenridge
Planning Commission Agenda

Tuesday, November 18, 2008
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the November 18, 2008 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes November 4, 2008 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Consent Calendar</i>	
	1. Keith Addition (JP) PC#2008115 209 Highlands Drive	11
	2. Rush Addition (JP) PC#2008116 93 Rounds Road	23
	3. Chlipala Residence (MM) PC#2008118 0088 Snowy Ridge Road	29
7:15	<i>Final Hearings</i>	
	1. VRDC Building 804 Lodge (MM) PC#2008032 1521 Ski Hill Road	36
8:30	<i>Combined Hearings</i>	
	1. Shock Hill Cottages Footprint Lots (CN) PC#2008117 16 Regent Drive and 48 Regent Drive	73
9:15	<i>Worksessions</i>	
	1. Maggie Placer (MM) PC#20080024 9525 CO Highway 9	81
	2. PC Norms (CN)	Verbal
10:45	<i>Town Council Report</i>	
10:55	<i>Other Matters</i>	
11:00	<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.*



RUSH ADDITION
93 ROUNDS RD.

KEITH ADDITION
209 HIGHLANDS DR.



Town of Breckenridge and Summit County governments
assume no responsibility for the accuracy of the data, and
use of the product for any purpose is at user's sole risk.

Breckenridge North

printed 2007

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Town of Breckenridge and Summit County governments assume no responsibility for the accuracy of the data, and the product for any purpose is at user's sole risk.

Breckenridge South

printed 2007



PLANNING COMMISSION MEETING

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

ROLL CALL

Rodney Allen	Dan Schroder	Leigh Girvin
Jim Lamb	Dave Pringle	JB Katz

Michael Bertaux was absent.
Eric Mamula, Town Council Liaison, arrived at 7:50pm for the worksession.

APPROVAL OF MINUTES

Page 8 of 38 of the minutes, Ms Girvin's comments on Park City, should state: "Park City is way ahead of us" rather than "ahead of use." With no other changes, the minutes of the October 21, 2008 Planning Commission meeting were approved unanimously (5-0). Ms Katz abstained.

APPROVAL OF AGENDA

With no changes, the Agenda for the November 4, 2008 Planning Commission meeting was approved unanimously (6-0).

ELECTION OF PLANNING COMMISSION CHAIR AND VICE-CHAIR FOR 2008-2009:

Mr. Pringle made a motion to elect Mr. Allen as Chair and Mr. Lamb as Vice-Chair for November, 2008 to October, 2009. Mr. Schroder seconded, and the motion was carried unanimously (6-0).

CONSENT CALENDAR:

1. Lot 2, Timber Trail (MGT) PC#2008112; 198 Timber Trail Road
2. Village at Breckenridge Exterior Remodel (CN) PC#2008114; 505-655 South Park Avenue
Several Commissioners had questions, and suggested a call-up of the Village at Breckenridge Remodel.
3. Oakley Rolling Lab Fuel TV Shoot (MGT) PC#2008113; 201 South Main Street / Blue River Plaza

Ms. Girvin asked what the daily hours would be for the Oakley Rolling Lab Fuel TV Shoot. (Mr. Thompson pointed out that all activities would occur during daylight hours with no activity occurring at night.) Ms. Girvin sought clarification regarding the term "bread truck". (Staff explained the applicant didn't provide input on what they meant by this term. But its about the size of a bread truck.)

Mr. Pringle made a motion to call up consent calendar number #2 (Village at Breckenridge Exterior Remodel, PC#2008114), and approve consent calendar items 1 (Lot 2, Timber Trail, PC#2008112) and 3 (Oakley Rolling Lab Fuel TV Shoot, PC#2008113). Ms. Katz seconded, and the motion was carried unanimously (6-0).

Village at Breckenridge Exterior Remodel, PC#2008112:

Staff presented the application. There is currently all stucco on the building. Proposal included less stucco, cementitious siding, and natural stone. Staff struggled with allocation of negative points, and found the proposal to significantly improve on the existing buildings. No negative points were recommended.

Architect, Tobias Strohe, JG Johnson Architects: Pointed out changes which occurred since his last presentation to the Commission. Explained that real stucco (rather than EIFS) would be used on this project. May still make minor changes and may reduce stucco a bit more on some buildings. Use of natural materials would have required sprinklers on decks, which would be a problem with freezing in winter. Actual stucco colors were presented at the meeting, since color copies did not accurately reflect colors. Mr. Strohe also presented a window color sample (dark bronze) and stone samples.

Commissioner Questions/Comments:

Ms. Girvin: Thanked the Village Homeowners for taking on this huge and expensive project which will provide a public benefit.

- Mr. Schroder: Agreed this is an upgrade to the property. Could less stucco be used to mitigate negative points for its use? Is there a way to get it under 25% on a few more elevations? (Mr. Strohe pointed out stucco is being used to balance the use of materials.) He sought clarification regard the term EFIS. (The applicant defined EFIS.) Would suggest not awarding positive points, since some elevations exceed 25% stucco.
- Mr. Lamb: Averaged the five buildings viewing this as one project and can live with stucco being used as an accent. Was concerned about awarding positive points when an applicant does not meet the 25% requirement because this is a code requirement in the first place. Those points could be used elsewhere to mitigate negative points. When looked at as a whole, the project would be right at 25% stucco. They are doing the best they can with a challenging project.
- Mr. Pringle: Would suggest a finding pointing out the reduction of stucco was almost 75% from existing when taking an average of all buildings, and this would be such a big public benefit. These were significant improvements but unclear why this project can be broken up from the other three buildings at The Village when they were all approved by one master plan. If this trend continues all the buildings at Main Street Station could spin off and take on their different architecture. (Mr. Neubecker explained that the Village Master Plan is very old, and does not specify architecture and materials. Barring this, we revert to the Development Code.) Worried about the potential that only five of the eight buildings in the Master Plan would be remodeled, and breaking away from a unified look. What sort of precedent would we be setting?
- Ms. Katz: Wouldn't want to get hung up on a particular policy which could prevent improvements about to happen on an existing project which would be of public benefit. Couldn't think of other properties with as much stucco as this property. (Staff pointed out other similar properties.) As a resident of Longbranch, I can tell you that a major remodel is worth it.
- Mr. Allen: Sought comment on Mr. Pringle's concerns regarding the original Master Plan. No other members expressed concern or had any comments. Could even support positive points for this improvement. Would any wood burning fireplaces be removed with this project? (Mr. Strohe: No.)

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

Mr. Pringle moved to approve this application with a finding pointing out that the un-official average of stucco usage on all five buildings was 25%, and that the significant reduction from the amount of existing stucco on the five buildings is of such public benefit that the Commission used all five buildings to determine an average of 25% stucco per elevation, and this amount was used as a guide to assign zero points under Policy 5 (Relative) Architectural Compatibility. Ms. Katz seconded and the motion was approved unanimously (6-0).

WORK SESSIONS:

1. Locomotive Train Park (JP)

Ms. Puester presented a memo and some conceptual drawings of the train park, which Town Council directed the Breckenridge Heritage Alliance to pursue at the Wellington Lot, 123 North Main Street. Engine #9 is owned by the Town of Breckenridge through an agreement with the Colorado Historic Society (CHS), and after its restoration by the CHS, may be arriving in Breckenridge as soon as April, 2009. The Engine was the operating steam locomotive in the Breckenridge area from 1884-1937.

The presented site plan showed the engine on the south side of the Wellington parking lot with associated landscape and park area, pedestrian pathways, benches, shelter location, and boardwalk. Twenty three parking spaces will be lost with the application.

The Colorado Historic Society has required the Town to shelter the locomotive as part of the restoration contract. The shelter proposed will be an open air shelter which would allow for pedestrians to get up close and view the locomotive. Some conceptual renderings were included in the packet.

Staff requested comments and input from the Planning Commission on the site plan and conceptual shelter architecture. As this shelter would be within the Conservation District, Staff also requested to hear any comments the Commission may have regarding the historic character and elements of the structure. Specifically, would a brick or masonry column base be acceptable, favored roof material (corrugated metal, wood shingle, standing seam, etc),

cupolas, steel or wood wrapped columns? This project will be processed as a Town project and come back before the Planning Commission and Town Council as a combined public hearing.

Mary Hart, agent/designer of the project, gave an overview of the proposal and asked the Commission for comments on the materials for the structure.

Commissioner Questions/Comments:

Ms. Girvin: Agreed corrugated roof would be best. Would like to see metal or wood instead of masonry at the bottom of the columns. Make this as simple as possible so individuals focus on Engine 9 as opposed to the building. Liked the lawn space shown.

Mr. Schroder: Asked where the metal idea originated from; was metal used in the historic district at inception? (Ms. Hart pointed out that the manufacturer provided this option.) Suggested corrugated roof and favored wood as opposed to steel since wood seems to be more historic. Liked the platform for viewing.

Mr. Lamb: Liked corrugated roof, standing seam metal roofing seemed inappropriate. Suggested using posts at the bottom to eliminate the bottom-heavy look of the masonry.

Mr. Pringle: The corrugated roof would look great and would come off well. If the structure were steel then would suggest a column base like the Welsbach light poles. Pointed out all comments made are specific to engine # 9, not #111.

Ms. Katz: Liked corrugated roof. Did think the structure looked “bottom-heavy” and would lighten up the look, simplify it. No strong feeling for steel or wood. I park in this lot every day and this lot does not fill up.

Mr. Allen: What would the height of the roof be compared to adjoining buildings and roof pitch? (Ms. Hart pointed out the roof would be comparable with a 6/12 pitch.) Asked the applicant if the minimum number of parking spaces were being eliminated. Concerned with the numbers of spaces being lost in the North Main Street area. (Mr. Mamula pointed out Council had vetted this issue and the decision has been made by Council.) Agreed with Mr. Schroder that corrugated roof should be used and would like to see more wood than steel. Would like to see the structure height stay in scale with the surrounding properties. Asked about the train moving or operating. (Linda Kay Peterson, of the Breckenridge Heritage Alliance, explained that the mechanics were being worked out and that the train would not be planned to move much.)

Mr. Mamula: Pointed out the Town agreed to cover the train and allow it to move in accordance with the Colorado Historic Society agreement. Suggested Council be briefed if a different engine (other than #9) is being considered. Had a bit of an issue with the height and wanted to make sure this structure would not be too tall, which would take away from the adjoining structures.

TOWN COUNCIL REPORT: Council is wrapped up in the budget and trying to maintain services and staff in light of the reduced funds that the Town will have to work with. Discussed that the home size limitations would need to be discussed further with the individual neighborhoods that this policy would affect, and to move forward with a FAR and maximum size approach that would be neighborhood specific.

OTHER MATTERS:

None.

ADJOURNMENT:

The meeting was adjourned at 8:35p.m.

Rodney Allen, Chair

TOWN OF BRECKENRIDGE

Standard Findings and Conditions for Class C Developments

STAFF RECOMMENDATION: Staff has approved this application with the following Findings and Conditions and recommends the Planning Commission uphold this decision.

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have 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 13, 2008, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on November 18, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on May 17, 2010, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.

7. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the residence. This is to prevent snowplow equipment from damaging the new driveway pavement.
8. Applicant shall field locate utility service lines to avoid existing trees.
9. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
10. At no time shall site disturbance extend beyond the limits of the platted building/site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.
11. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
12. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

13. Applicant shall submit proof of ownership of the project site.
14. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
15. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
16. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
17. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
18. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
19. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
20. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is

installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.

21. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
22. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

23. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
24. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
25. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
26. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that

the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

32. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
33. Applicant shall construct all proposed trails according to the Town of Breckenridge Trail Standards and Guidelines (dated June 12, 2007). All trails disturbed during construction of this project shall be repaired by the Applicant according to the Town of Breckenridge Trail Standards and Guidelines. Prior to any trail work, Applicant shall consult with the Town of Breckenridge Open Space and Trails staff.
34. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

(Initial Here)



Class C Development Review Check List

Project Name/PC#:	Keith Addition	(PC#2008115)
Project Manager:	Julia Puester, AICP	
Date of Report:	November 3, 2008	for meeting of November 18, 2008
Applicant/Owner:	Robert Keith	
Agent:	Darci Hughes, Riverbend Architecture and Planning	
Proposed Use:	Single family home addition to add 123 sq. ft. expansion to study, 590 sq. ft. to the main level for one additional bedroom and bathroom and extension of the existing dining room	
Address:	209 Highlands Drive	
Legal Description:	Lot 77, Filing 3, Highlands Subdivision	
Site Area:	67,082 sq. ft.	1.54 acres
Land Use District (2A/2R):	LUD 6: Platted single-family residential (subject to Delaware Flats Master Plan)	
Existing Site Conditions:	The existing home was built in 1997. The lot is located on the south side of Highlands Drive and slopes to the southwest at approximately 8%. There is a 25' sewer easement located at the rear of the building envelope and wetlands located at the rear of the lot.	
Density (3A/3R):	Unlimited	Proposed: 4,987 sq. ft.
Mass (4R):	Unlimited	Proposed: 5,951 sq. ft.
F.A.R.:	1:11.27 FAR	
Areas:		
Lower Level:	1,761 sq. ft.	
Main Level:	2,340 sq. ft.	(590 sq. ft. new)
Upper Level:	886 sq. ft.	(123 sq. ft. new)
Accessory Apartment:	None.	
Garage:	964 sq. ft.	
Total:	5,951 sq. ft.	
Bedrooms:	6	(1 new)
Bathrooms:	6	(1 new)
Height (6A/6R):	34 feet overall	(existing height; addition will be 20' from existing grade)
(Max 35' for single family outside Historic District)		
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 3,543 sq. ft.	5.28%
	Hard Surface / non-Permeable: 3,538 sq. ft.	5.27%
	Open Space / Permeable: 60,001 sq. ft.	89.44%
Parking (18A/18/R):		
	Required: 2 spaces	
	Proposed: 3 spaces	
Snowstack (13A/13R):		
	Required: 885 sq. ft.	(25% of paved surfaces)
	Proposed: 1,450 sq. ft.	(40.98% of paved surfaces)
Fireplaces (30A/30R):	One - gas fired	
Accessory Apartment:	None	
Building/Disturbance Envelope?	Building envelope	
Setbacks (9A/9R):		
	Front: within building envelope	35'
	Side: within building envelope	56'
	Side: within building envelope	28'

Rear: within building envelope 244'

Architectural Compatibility (5/A & 5/R): The residence will be compatible with the land use district and surrounding residences.
Exterior Materials: 6" log siding and accents to match existing
Roof: Asphalt shingle in "barkwood" to match existing
Garage Doors: Existing- no change

Landscaping (22A/22R):

Planting Type	Quantity to be Added	Size
Evergreen Trees	5	3@8'; 2@10'

Drainage (27A/27R): There is positive drainage on site, away from the structure.

Driveway Slope: 2%
Covenants: Standard Landscaping Covenant

Point Analysis (Sec. 9-1-17-3): This application meets all absolute policies and has not been assigned any positive or negative points.

Staff Action: Staff has approved the Keith Residence Addition, PC#2008115, located at 209 Highlands Drive with the attached Findings and Conditions, with the additional of one condition regarding placement of trees. We recommend the Planning Commission uphold this decision.

Comments: The Plannig Department is in the process of drafting an ordinance to address wildfire mitigation. One aspect of this ordinance is that coniferous trees be at least 15 feet from a structure. This has been added as a condition of approval when locating the trees on site.

Additional Conditions of Approval: 1. New evergreen trees shall be site located a minimum of 15' from the structure.

TOWN OF BRECKENRIDGE

**Keith Addition
Lot 77, Highlands Filing 3
209 Highlands Drive
PC#2008115**

STAFF RECOMMENDATION: Staff has approved this application with the following Findings and Conditions and recommends the Planning Commission uphold this decision.

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have 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 3, 2008**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **November 18, 2008**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **May 27, 2010**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy or certificate of compliance for the project covered by this permit. The determination of whether a certificate of occupancy or certificate of compliance should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.

6. Applicant shall field locate utility service lines to avoid existing trees.
7. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
8. At no time shall site disturbance extend beyond the limits of the platted building/site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.
9. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
10. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

11. Applicant shall submit proof of ownership of the project site.
12. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
13. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
14. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
15. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
16. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
17. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
18. Applicant shall install construction fencing and erosion control measures at the 25-foot no-disturbance setback to streams and wetlands in a manner acceptable to the Town Engineer.
19. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All new exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

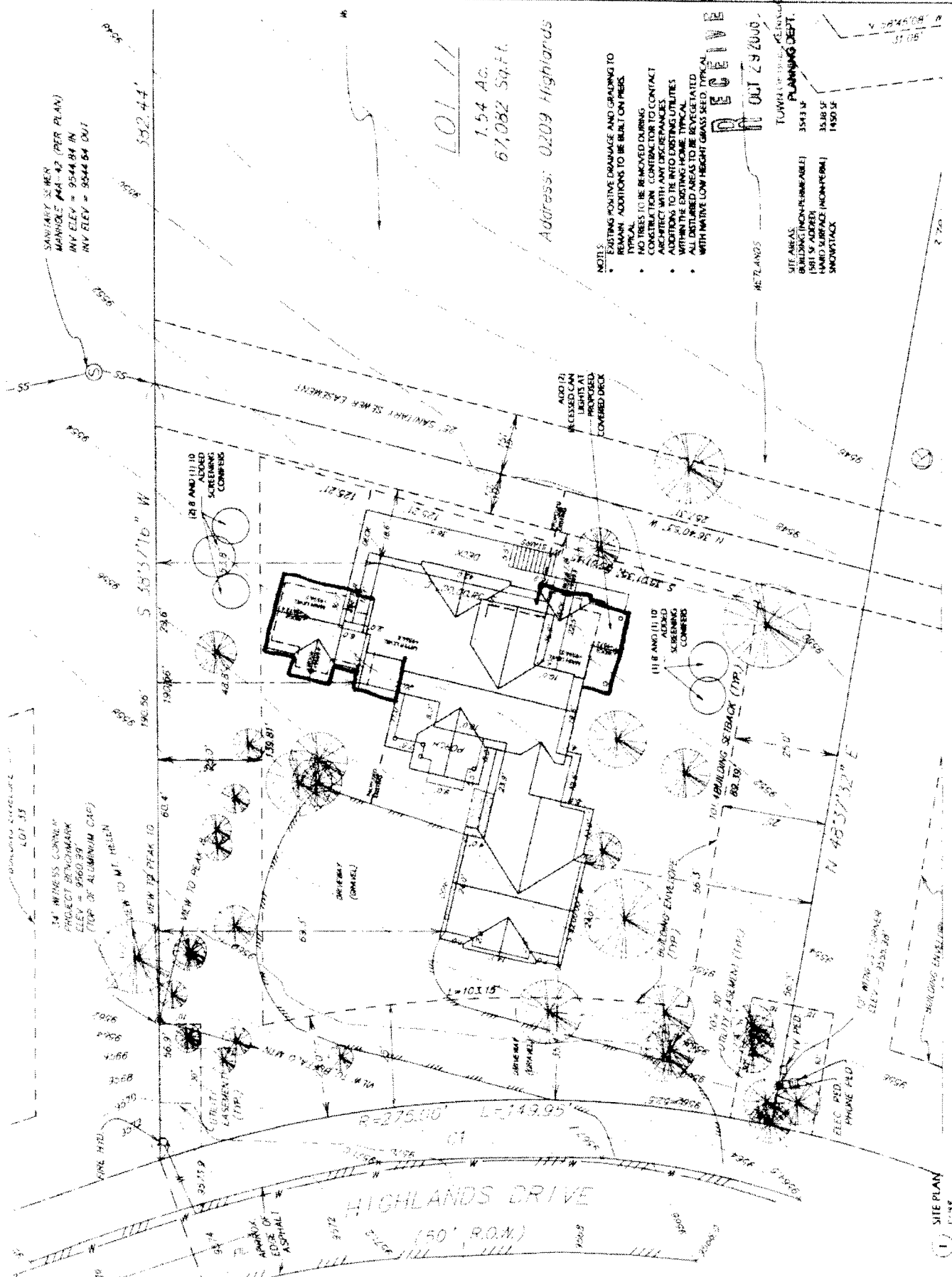
PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE

20. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
- 21. Applicant shall plant new coniferous trees a minimum of 15 feet from any structure.**
22. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
23. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
24. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
25. Applicant shall screen all utilities.
26. All new exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
27. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
28. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
29. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

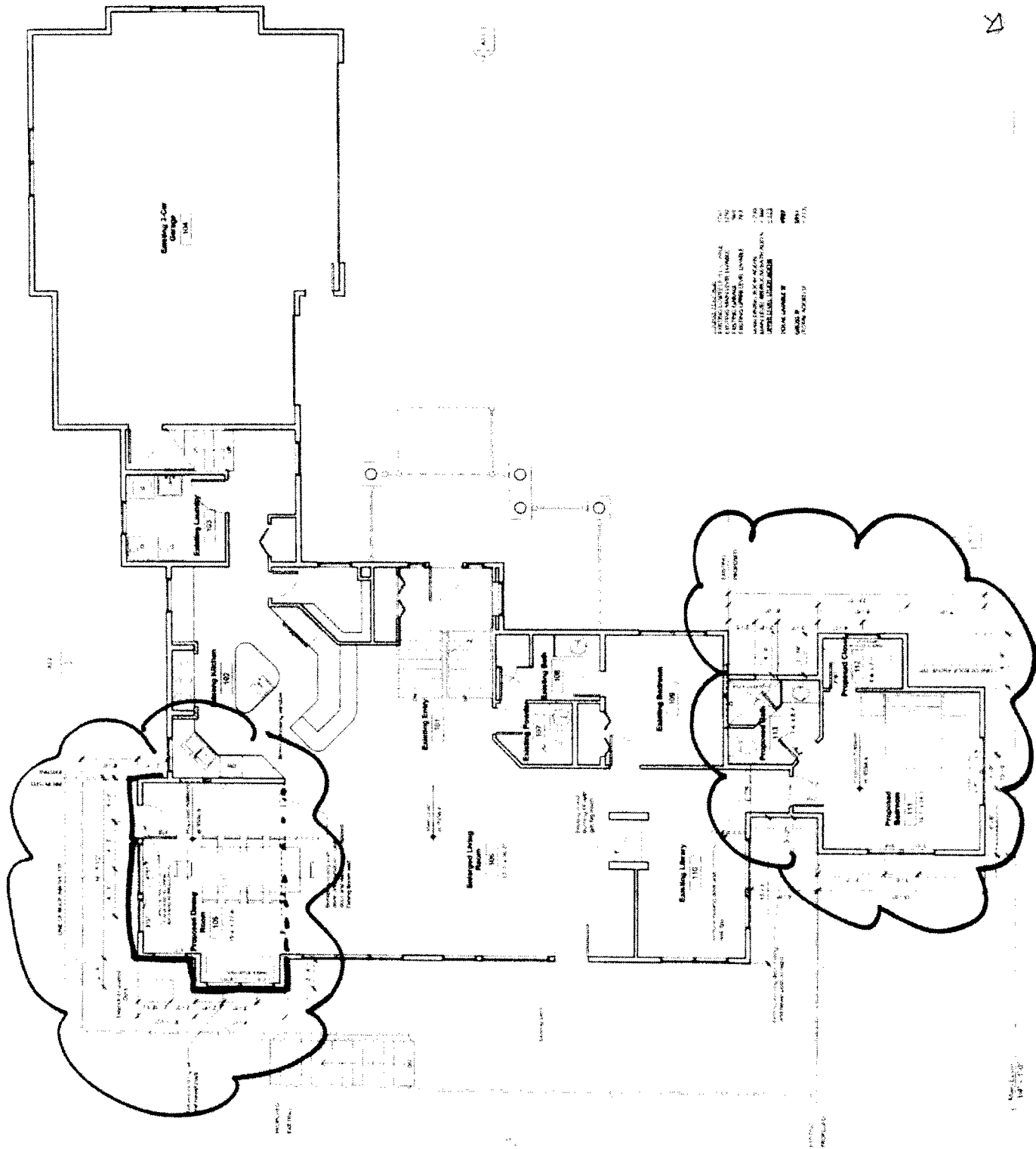
30. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.


31. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

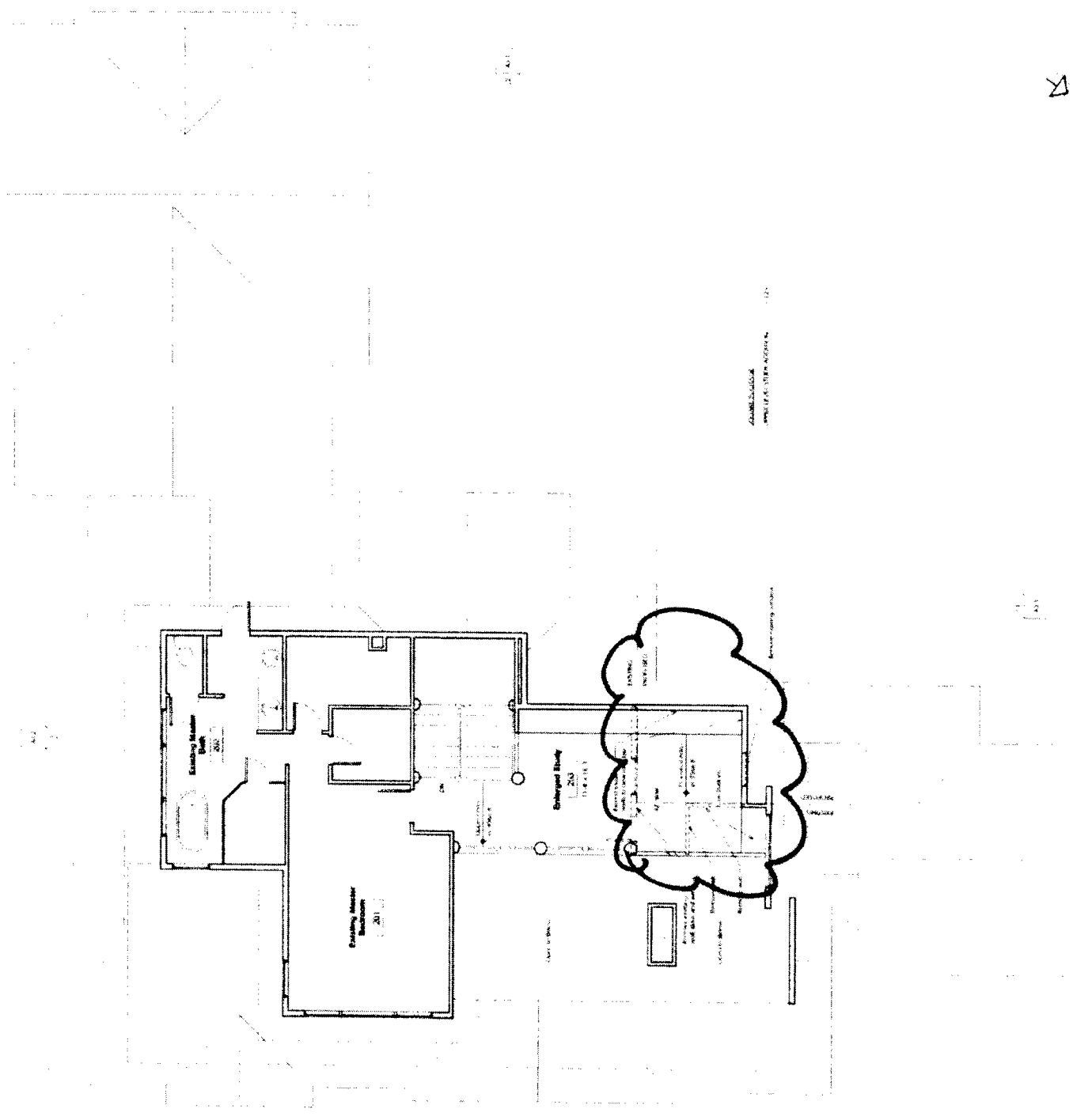
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- NOTES**
- EXISTING POSITIVE DRAINAGE AND GRADING TO REMAIN. ADDITIONS TO BE BUILT ON PAVED.
 - TYPICAL TO BE REMOVED DURING CONSTRUCTION. CONTRACTOR TO CONTACT ARCHITECT WITH ANY DISCREPANCIES. ADDITIONS TO BE INTO EXISTING UTILITIES WITHIN THE EXISTING HOME. TYPICAL.
 - ALL DISTURBED AREAS TO BE REVEGETATED WITH NATIVE LOW HEIGHT GRASS SEED. TYPICAL.
- PLANNING DEPT.**
 3543 SF
 3543 SF
 1450 SF
 1450 SF

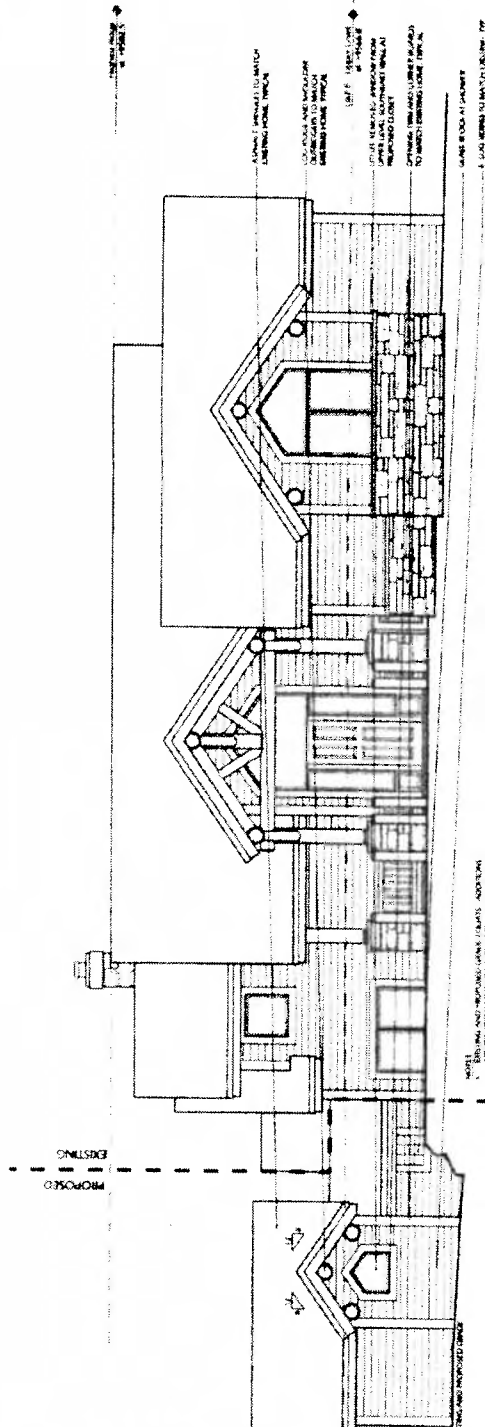


 <p>RIVERBEND ARCHITECTURE & PLANNING P.O. Box 9526 Breckenridge, CO 80424 970.485.0197</p>	<p>Keith Addition Breckenridge, Colorado Lot 77, the Highlands at Breckenridge, Colorado</p>	<p>DATE: 11/11/11 DRAWN BY: [Name] CHECKED BY: [Name] PROJECT NO: 28006</p>	<p>Sheet A2.3 Project No. 28006</p>	
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Existing Northeast Elevation
1:8 = 1'-0"



Northeast Elevation
1/4" = 1'-0"



NOTE:
 1. EXISTING AND PROPOSED WORK DETAILS, ADDITIONS AND DELETIONS TO EXISTING WORK, SHALL BE CLEARLY IDENTIFIED BY THE ARCHITECT.
 2. ALL EXISTING WORK SHALL BE MAINTAINED UNLESS SPECIFICALLY NOTED OTHERWISE.
 3. ALL EXISTING WORK SHALL BE MAINTAINED UNLESS SPECIFICALLY NOTED OTHERWISE.
 4. ALL EXISTING WORK SHALL BE MAINTAINED UNLESS SPECIFICALLY NOTED OTHERWISE.
 5. ALL EXISTING WORK SHALL BE MAINTAINED UNLESS SPECIFICALLY NOTED OTHERWISE.
 6. ALL EXISTING WORK SHALL BE MAINTAINED UNLESS SPECIFICALLY NOTED OTHERWISE.

RIVERBEND ARCHITECTURE & PLANNING
 1705 6650187
 P.O. BOX 528, Breckenridge, CO 80424

Keith Addition
 Lot 77, the Highlands at Breckenridge, Colorado

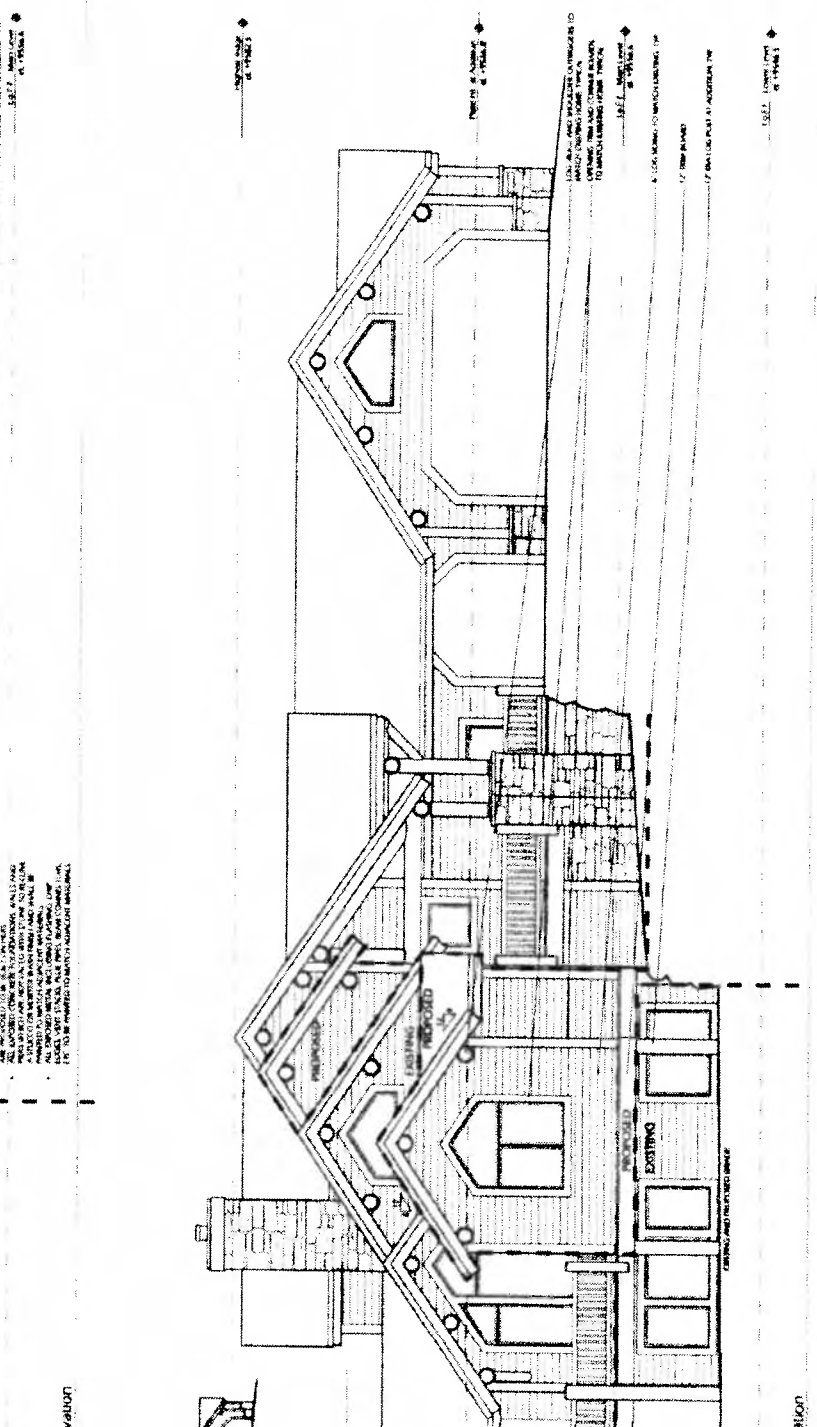
PROJECT	1705 6650187
DATE	08/21/17
CLIENT	THE HIGHLANDS AT BRECKENRIDGE, LLC
DESIGNER	ARCHITECTURE & PLANNING
ARCHITECT	ARCHITECTURE & PLANNING
SCALE	AS SHOWN

Building Elevations

Sheet
A3.1
 Project No.
 28006



Existing Southeast Elevation
1:8 = 1'-0"



Southeast Elevation
1/4" = 1'-0"





Class C Development Review Check List

Project Name/PC#: Rush Addition (PC#2008118)

Project Manager: Julia Puester, AICP

Date of Report: November 5, 2008 for meeting of November 18, 2008

Applicant/Owner: Jeff Rush

Agent: Darci Hughes, Riverbend Architecture and Planning

Proposed Use: Single family home addition to add a 2 car garage and associated pavement, mud room and livable space below.

Address: 93 Rounds Road

Legal Description: Lot 120, Highlands Filing 4

Site Area: 46,216 sq. ft. 1.06 acres

Land Use District (2A/2R): LUD 6: Platted single-family residential (subject to Delaware Flats Master Plan)

Existing Site Conditions: The existing home was built in 2000. The lot is located at the intersection of Highlands Drive and Rounds Road and is heavily wooded. The lot slopes to the west at approximately 12%. A 20' drainage easement is located on the south side of the lot.

Density (3A/3R):	Unlimited	Proposed: 4,760 sq. ft.
Mass (4R):	Unlimited	Proposed: 6,177 sq. ft.
F.A.R.:	1:7.48 FAR	
Areas:		
Lower Level:	2,720 sq. ft.	(870 sq. ft. finished; 55 sq. ft. unfinished)
Main Level:	2,095 sq. ft.	(300 sq. ft. new)
Upper Level:		
Accessory Apartment:	None.	
Garage:	1,362 sq. ft.	(690 sq. ft. new)
Total:	6,177 sq. ft.	

Bedrooms:	5	
Bathrooms:	4.5	
Height (6A/6R):	28 feet overall	
(Max 35' for single family outside Historic District)		

Lot Coverage/Open Space (21R):

Building / non-Permeable:	4,378 sq. ft.	9.47%
Hard Surface / non-Permeable:	3,685 sq. ft.	7.97%
Open Space / Permeable:	38,153 sq. ft.	82.55%

Parking (18A/18/R):

Required:	2 spaces	
Proposed:	4 spaces	

Snowstack (13A/13R):

Required:	921 sq. ft.	(25% of paved surfaces)
Proposed:	1,450 sq. ft.	(39.35% of paved surfaces)

Fireplaces (30A/30R): Four - gas fired

Accessory Apartment: None

Building/Disturbance Envelope? Setbacks

Setbacks (9A/9R):

Front:	34 ft.
Side:	40 ft.
Side:	60 ft.
Rear:	40 ft.

Architectural Compatibility (5/A & 5/R): The residence will be compatible with the land use district and surrounding residences.
Exterior Materials: Horizontal cedar siding, cedar shakes, timber accents to match existing materials.
Roof: Asphalt shingle in "hickory" to match existing
Garage Doors: Wood clad with glass at existing and proposed garages

Landscaping (22A/22R):

Planting Type	Quantity to be Added	Size
Aspen	5	1 1/2"-3" caliper

Drainage (27A/27R): There is positive drainage on site, away from the structure.

Driveway Slope: 8%
Covenants: Standard Landscaping Covenant

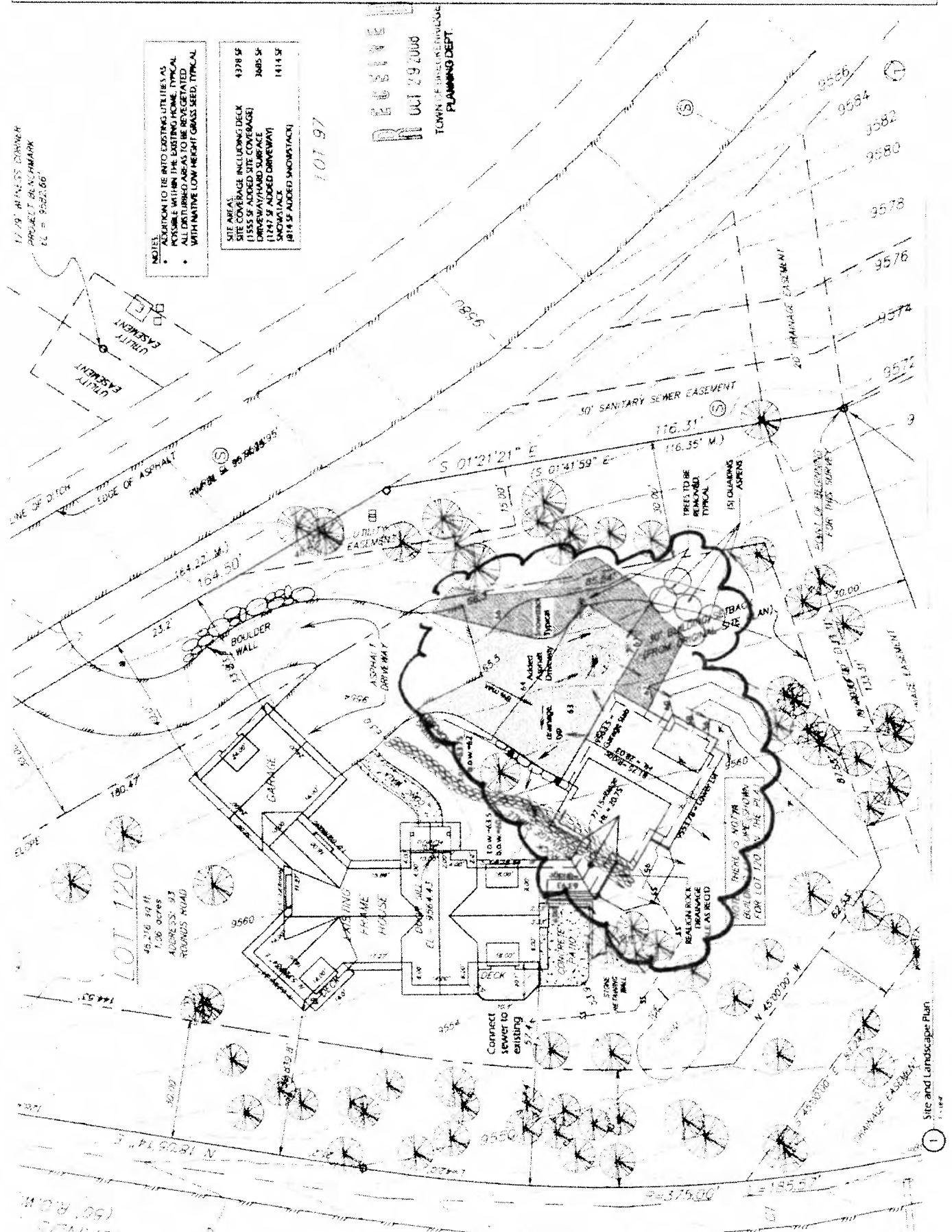
Point Analysis (Sec. 9-1-17-3): This application meets all absolute policies and has not been assigned any positive or negative points.

Staff Action: Staff has approved the Rush Residence Addition, PC#2008118, located at 93 Rounds Road with the attached Findings and Conditions. We recommend the Planning Commission uphold this decision.

Comments: The addition has the potential to be locked off as a separate apartment. However, it is not the property owner's intent to create a single apartment. Therefore, there shall be no 220 Volt electricity permitted in the addition. Should the property owner desire to create a legal single apartment in the future, required permitting, fees and additional tap fees shall be assessed if approved.

Additional Conditions of Approval:

Project No.	2805
Client	THE RUSH ADDITION
Site No.	120
Design Date	October 29, 2006
Issue Date	October 29, 2006
Project Location	Lot 120, The Highlands at Breckenridge, CO



NOTES

- ADDITION TO THE ABOVE EXISTING UTILITIES AS SHOWN ON THE PLANS.
- ALL EXISTING UTILITIES TO BE PROTECTED.
- WITH NATIVE LOW HEIGHT GRASS SEED, TYPICAL.

SITE AREA

- 4378 SF
- 1155 SF ADDED SITE COVERAGE
- 3685 SF DRIVEWAY/HARD SURFACE
- 1197 SF ADDED DRIVEWAY
- SANDBLASTED
- 1814 SF ADDED SNOWSTACK

REVISED
 OCT 29 2006
 TOWN OF BRECKENRIDGE
 PLANNING DEPT.

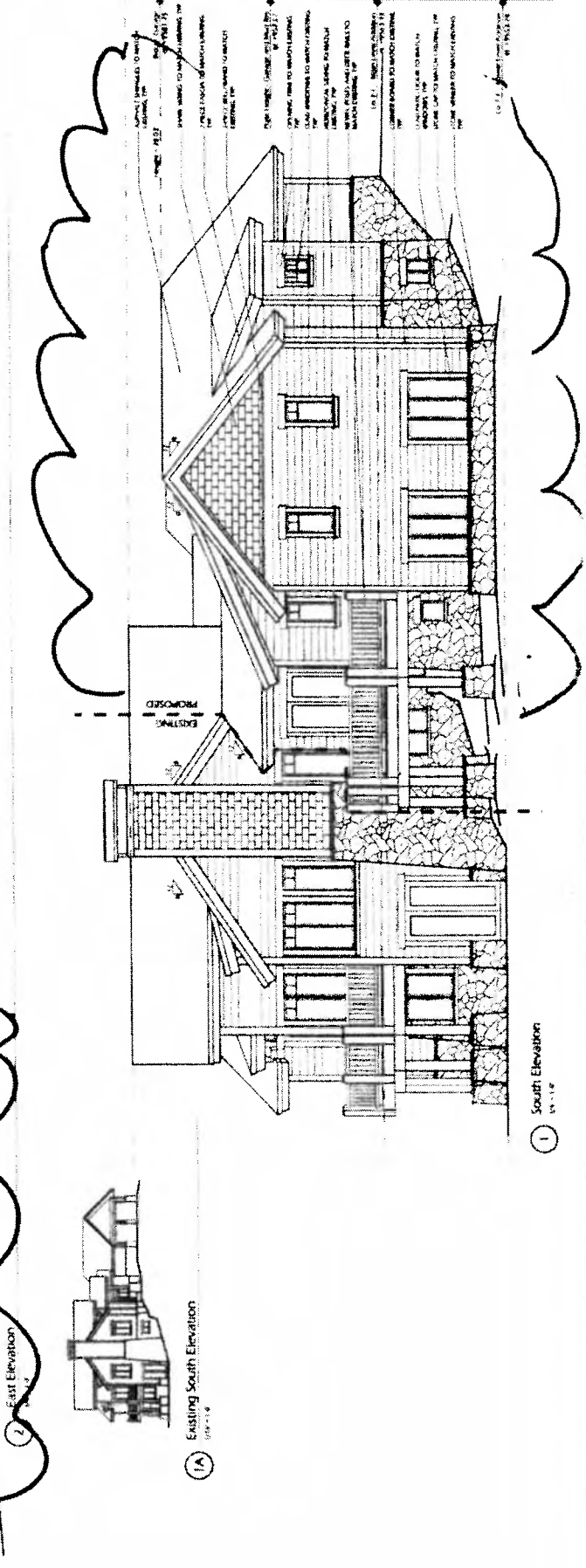
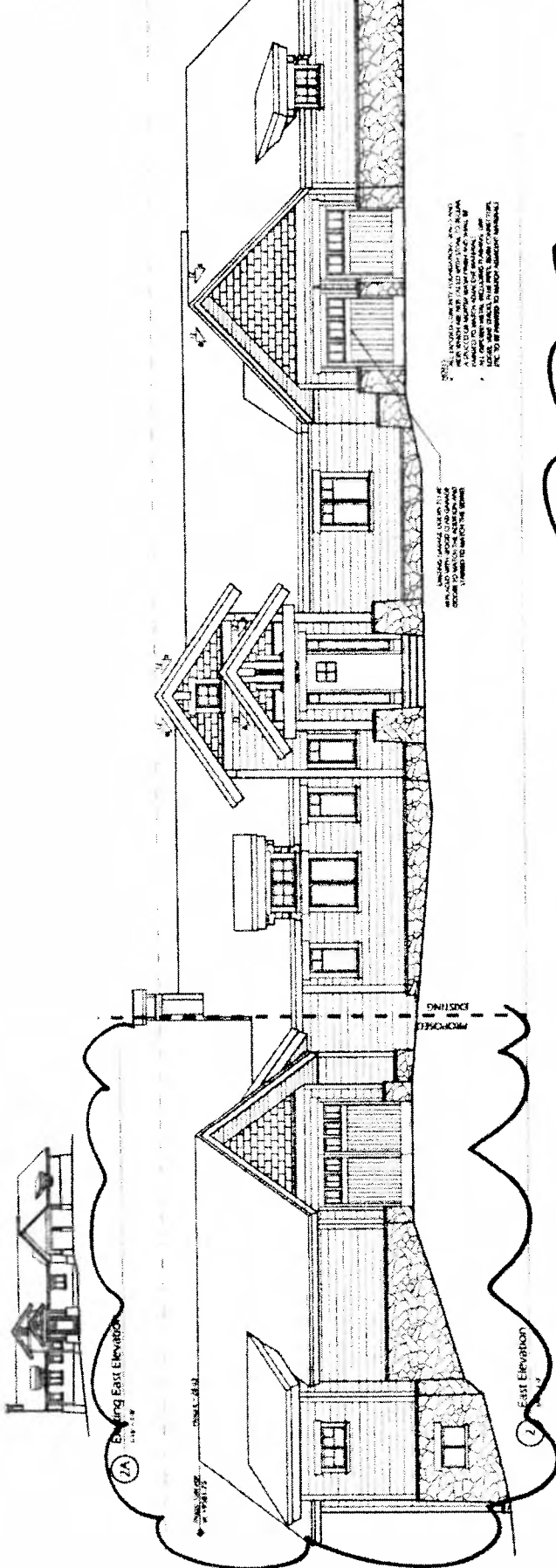
RIVERBEND
ARCHITECTURE & PLANNING

P.O. Box 9224, Breckenridge, CO 80424
970.462.0197

The Rush Addition
Breckenridge, Colorado

Building Elevations

Sheet **A3.1**
Project No. 2805



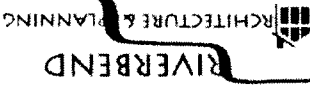
DATE: 10/21/08
 PROJECT: THE RUSH ADDITION
 SHEET: A3.1
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

1 South Elevation
10/21/08

A Existing South Elevation
10/21/08

2 East Elevation
10/21/08

A Existing East Elevation
10/21/08



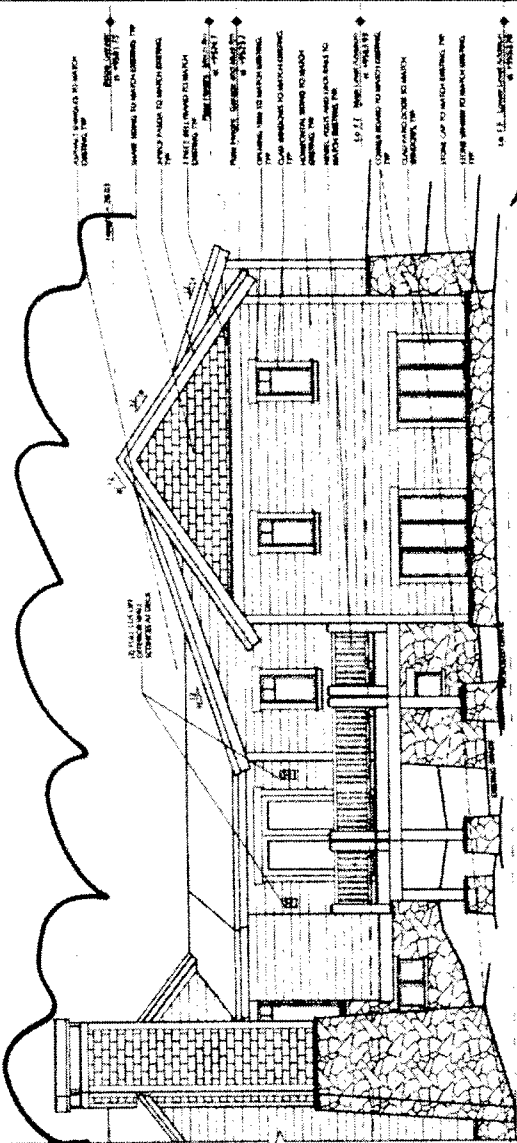
RIVERBEND
ARCHITECTURE & PLANNING
P.O. Box 928, Breckenridge, CO 80424
703-888-9177

The Rush Addition
Breckenridge, Colorado

Project No. 2805
A3.3

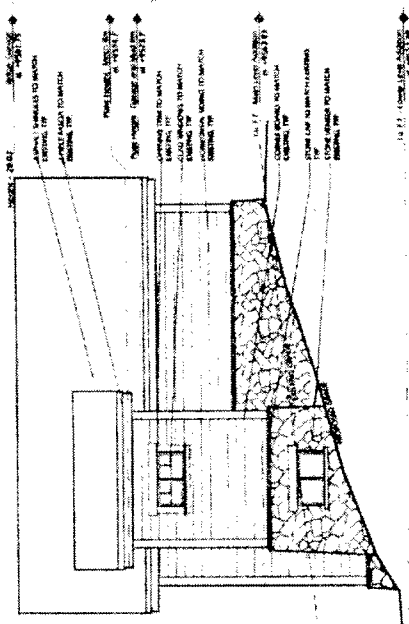
Building Elevations

Issue Date:
October 11, 2008
October 8, 2008



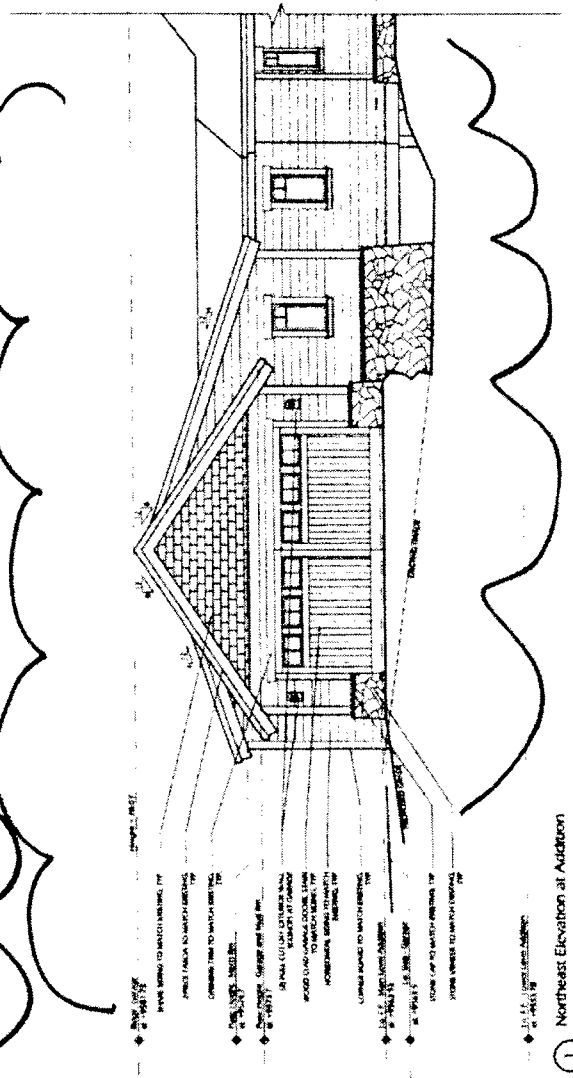
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 2. ALL EXTERIOR WALLS TO BE FINISHED WITH HORIZONTAL SIDING. SEE PLAN FOR LOCATION. SEE DETAIL FOR FINISHES.
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 10. ALL EXTERIOR WALLS TO BE FINISHED WITH HORIZONTAL SIDING. SEE PLAN FOR LOCATION. SEE DETAIL FOR FINISHES.

3 Southwest Elevation at Addition
10-11-08



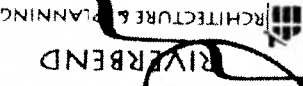
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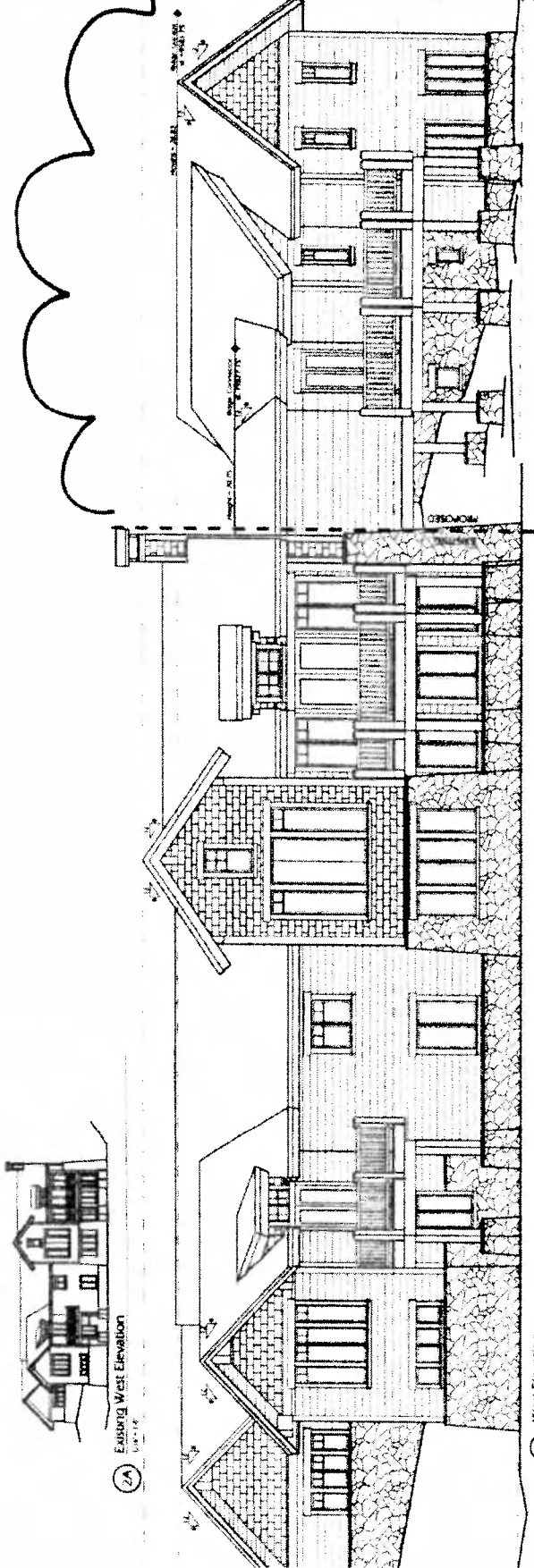
2 Southeast Elevation at Addition
10-11-08



1. ALL EXTERIOR CORNERS TO BE FINISHED WITH STONE MASONRY. SEE PLAN FOR LOCATION. SEE DETAIL FOR FINISHES.
 2. ALL EXTERIOR WALLS TO BE FINISHED WITH HORIZONTAL SIDING. SEE PLAN FOR LOCATION. SEE DETAIL FOR FINISHES.
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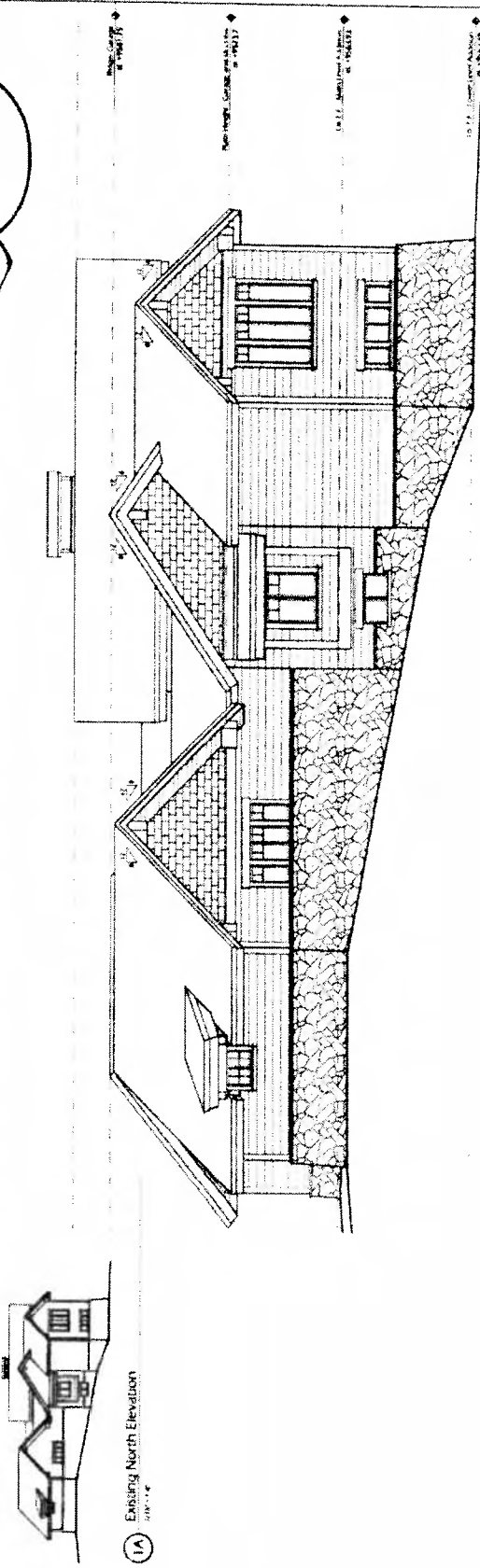
1 Northeast Elevation at Addition
10-11-08

 <p>RIVERBEND ARCHITECTURE & PLANNING</p> <p>P.O. Box 9526, Breckenridge, CO 80421 (970) 465-0193</p>	<p>The Rush Addition Breckenridge, Colorado</p>	<p>Project No. 28005</p>
	<p>Sheet A3.2</p>	<p>Building Elevations</p>



Existing West Elevation
1/11/14

2 West Elevation
1/11/14



Existing North Elevation
1/11/14

1 North Elevation
1/11/14



COMMUNITY DEVELOPMENT
Class C Development Review Check List

Project Name/PC#: Chlipala Residence PC#2008118
Project Manager: Michael Mosher
Date of Report: November 11, 2008 For the November 18, 2008 Planning Commission Meeting
Applicant/Owner: Piotr Chlipala
Agent: Brian Seyferth and Associates, Inc.
Proposed Use: Single Family Residence
Address: 88 Snowy Ridge Road
Legal Description: Lot 2 Snowy Ridge Subdivision
Site Area: 17,807 sq. ft. 0.41 acres
Land Use District (2A/2R): LUD 1 - Platted Subdivision (Snowy Ridge) with 1 SFE of unlimited single family residential density

Existing Site Conditions: The property slopes down to the north (within the disturbance envelope) at about 13%. The site abuts the Trappers Glen Private Open space to the north. It is heavily wooded with mature Lodgepole Pines. A 10-foot public snow stacking easement is located against the Snowy Ridge ROW. A ski lift easement is located at the north edge of the site.

Density (3A/3R): Unlimited Proposed: 9,437 sq. ft.
Mass (4R): Unlimited Proposed: 12,324 sq. ft.
F.A.R.: 1:1.44 FAR
Areas:
Lower Level: 2,108 sq. ft.
Main Level: 4,203 sq. ft.
Upper Level: 3,126 sq. ft.
Accessory Apartment:
Garage: 2,887 sq. ft.
Total: 12,324 sq. ft.

Bedrooms: 7 Bedrooms
Bathrooms: 7.5 Bathrooms
Height (6A/6R): 35 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 4,995 sq. ft. 28.05%
Hard Surface / non-Permeable: 2,186 sq. ft. 12.28%
Open Space / Permeable: 10,626 sq. ft. 59.67%

Parking (18A/18/R):
Required: 2 spaces
Proposed: 7 spaces 5 underground and 2 on driveway

Snowstack (13A/13R):
Required: 547 sq. ft. (25% of paved surfaces)
Proposed: All snow melt 100% Snowmelt with Covenant
Note: A total of 6,699 SF of area to be snow-melted (incl. Decks)

Fireplaces (30A/30R):
8 gas fired & 1 EPA Phase 2 wood burning
2 outdoor gas BBQs and 2 Gas Fire pits

Accessory Apartment: None

Building/Disturbance Envelope? Building Envelope

Setbacks (9A/9R):
Front: 20 ft.
Side: 15 ft.
Side: 15 ft.
Rear: 40 ft.

Architectural Compatibility (5/A & 5/R): The house will be compatible with others in the neighborhood. All natural materials are proposed.

Exterior Materials: The house will have a natural stone veneer on the lower level and on all chimneys. Horizontal square log siding is proposed with vertical Douglas Fir accents at the gable ends. Clad wood windows are proposed throughout and heavy timber decks and railings.

Roof: Natural Cedar Shingles

Garage Doors: Wood-clad

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	5	2 @ 6 feet tall and 3 @ 8 feet tall
Aspen	6	1-1.5 inch caliper - 50% of each and 50% multi-stem
Shrubs and perennials	12	5 Gal.

Drainage (27A/27R): The development has positive drainage. The heated sunken driveway has a drain that daylight to the north end of the site. Staff has no concerns

Driveway Slope: 8 %

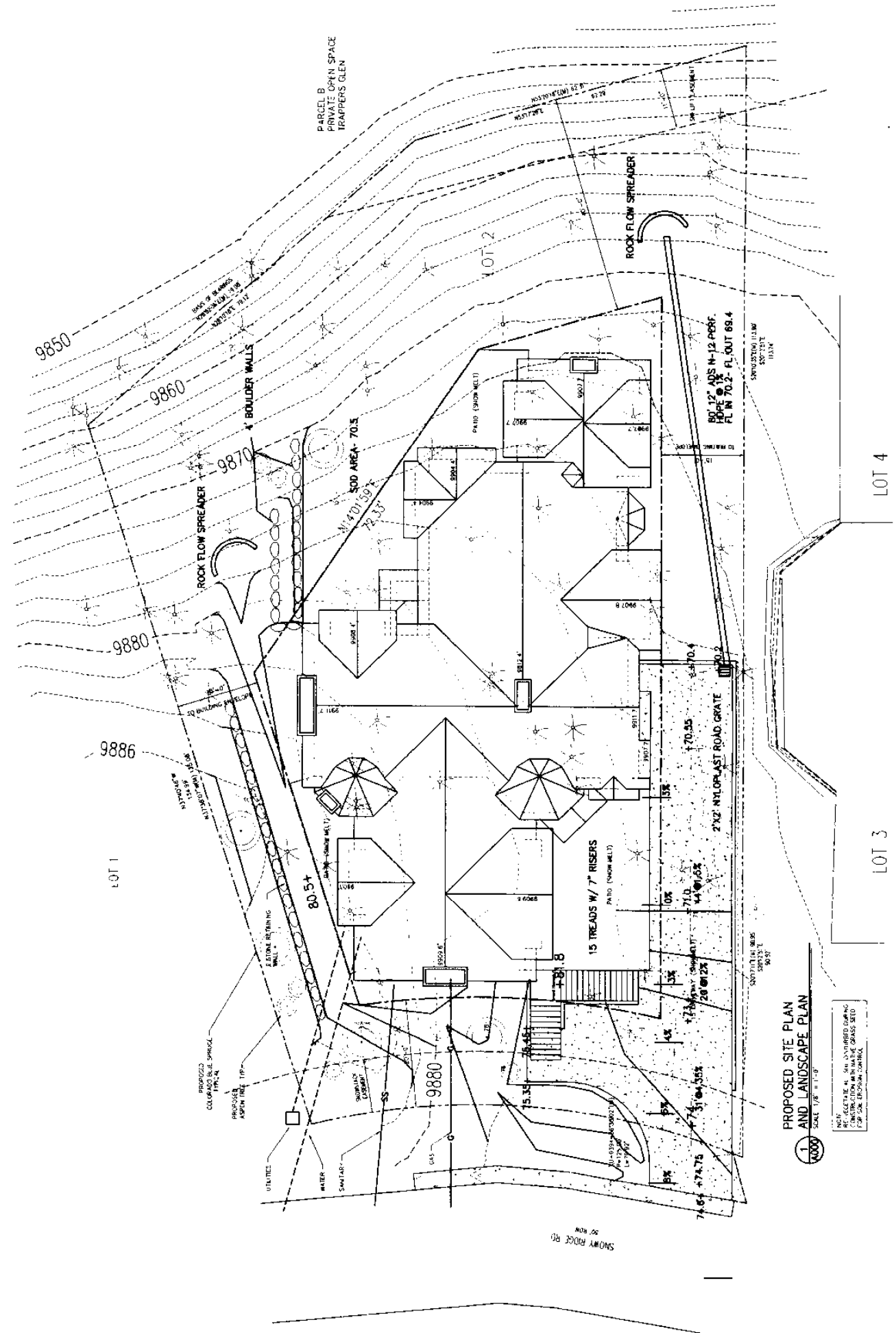
Covenants: Standard landscaping and snow-melting covenants to be recorded prior to Certificate of Occupancy.

Point Analysis (Sec. 9-1-17-3): Negative three (-3) points incurred under Policy 33/R, Energy Conservation (B.) for extensive snow-melting of drives and decks and outdoor gas appliances Positive one (+1) points awarded for providing extra parking (underground) and positive two (+2) points for providing all required parking underground. The project passes with a total of zero (0) points.

Staff Action: Staff has approved the Chlipala Residence with the attached Findings and Conditions.

Comments: With the extensive quantity of proposed snow melting (driveway and all decks), Staff believed that negative points were warranted. However, the required parking and extra parking, all located beneath the house, warranted positive points. Additionally, the applicant has indicated that a forest management plan will be processed separately prior to construction to address pine beetle impacts and defensible space requirements. Staff anticipates having the landscaping plan modified as a result (a Class D process) and subsequently, a landscaping covenant will be recorded for the modified landscaping plan. We have no concerns.

Additional Conditions of Approval: The standard landscaping and snow melting covenants are to be recorded prior to issuance of a Certificate of Occupancy. Since the house is 35 feet tall, three ILCs will be required to check building height during construction.



PARCEL B
PRIVATE OPEN SPACE
TRAPPERS GLEN

**PROPOSED SITE PLAN
AND LANDSCAPE PLAN**

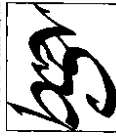
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SCALE 1/8" = 1'-0"
NOT TO SCALE
ALL DIMENSIONS UNLESS
OTHERWISE SPECIFIED
FOR SEE EROSION CONTROL

**CHLIPALA
RESIDENCE**

Shoney Ridge Rd

BRIAN SWORTH & ASSOCIATES, INC.



PROFESSIONAL ENGINEER

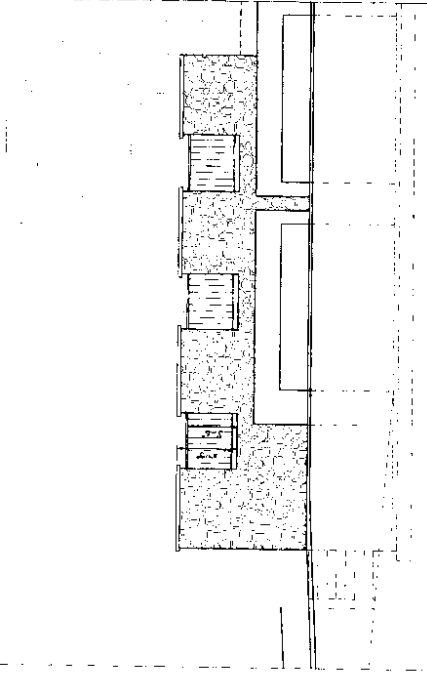
5683 South Prince Street
Chilipala, VA 22920-5970
Tel: (540) 793-7772
Fax: (540) 793-7773
e-mail: bsworth@bsa.com

NUMBER	DATE	ISSUE
1	11/03/04	PLANNING

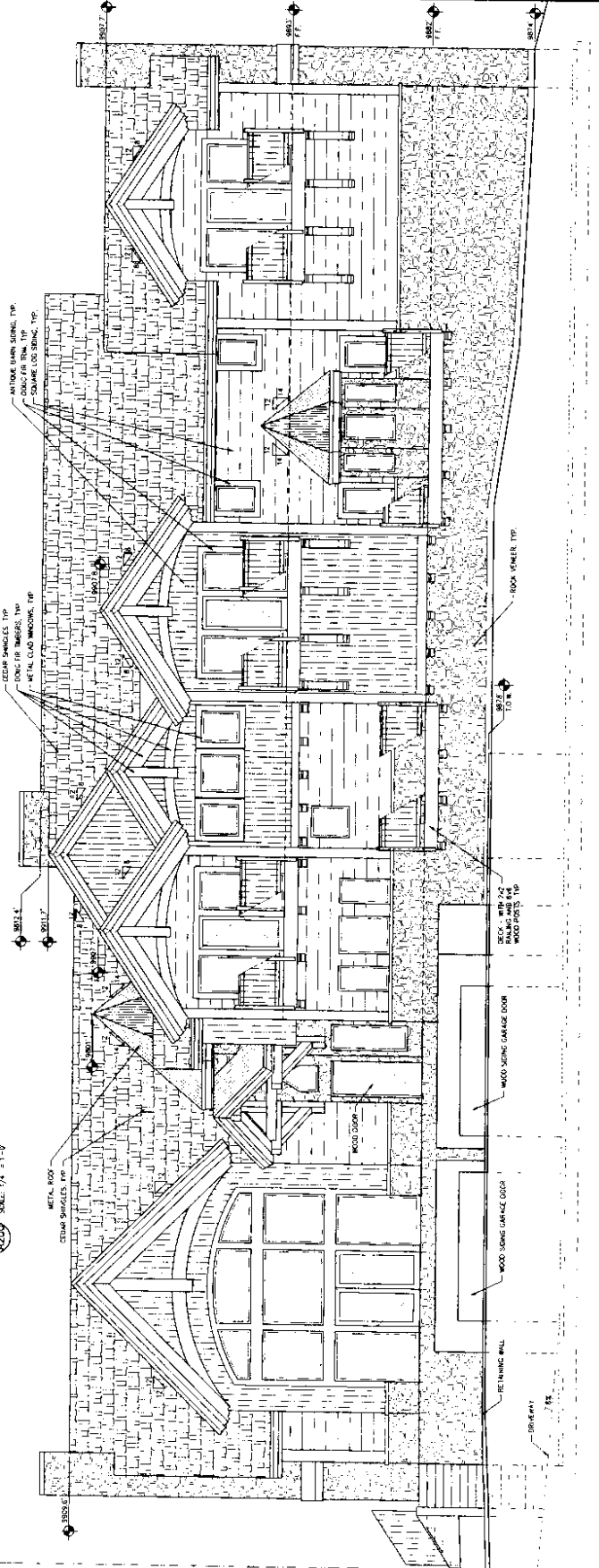
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DRAWN BY: CF
CHECKED BY: BS

SHEET TITLE:
ELEVATIONS

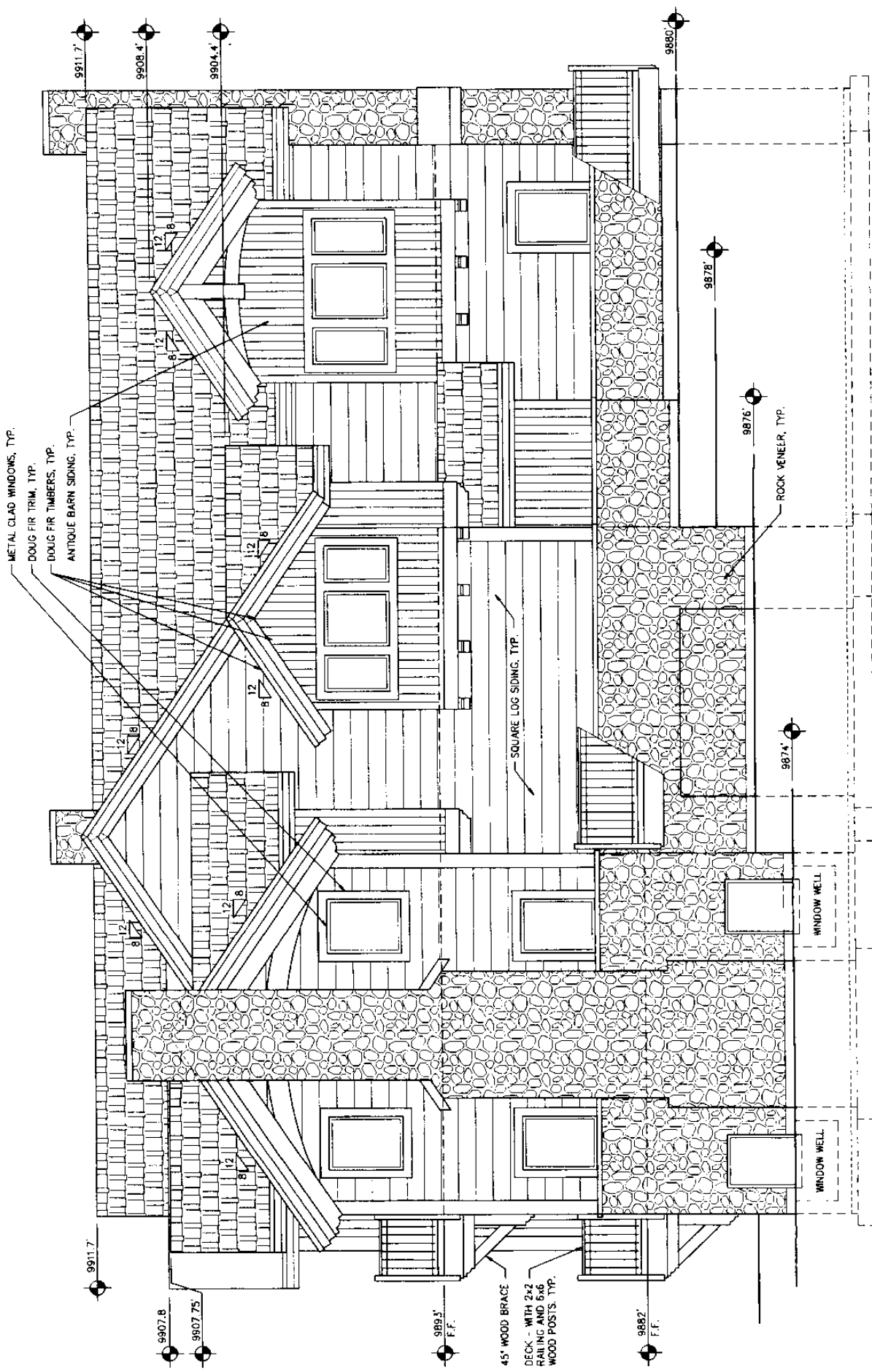
SHEET NUMBER:
A200



2 EAST ELEVATION - PATIO WALL
SCALE: 1/4" = 1'-0"



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



METAL CLAD WINDOWS, TYP.

DOUG FIR TRIM, TYP.

DOUG FIR TIMBERS, TYP.

ANTIQUE BARN SIDING, TYP.

SQUARE LOG SIDING, TYP.

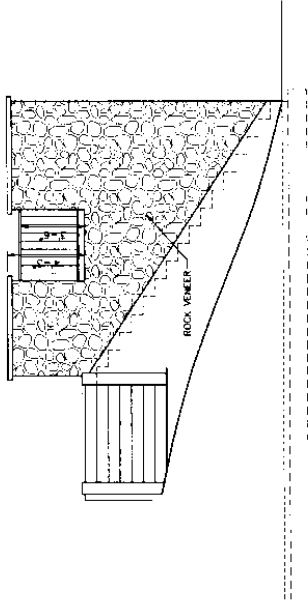
ROCK VENEER, TYP.

45° WOOD BRACE
DECK - WITH 2x2
RAILING AND 5x6
WOOD POSTS, TYP.

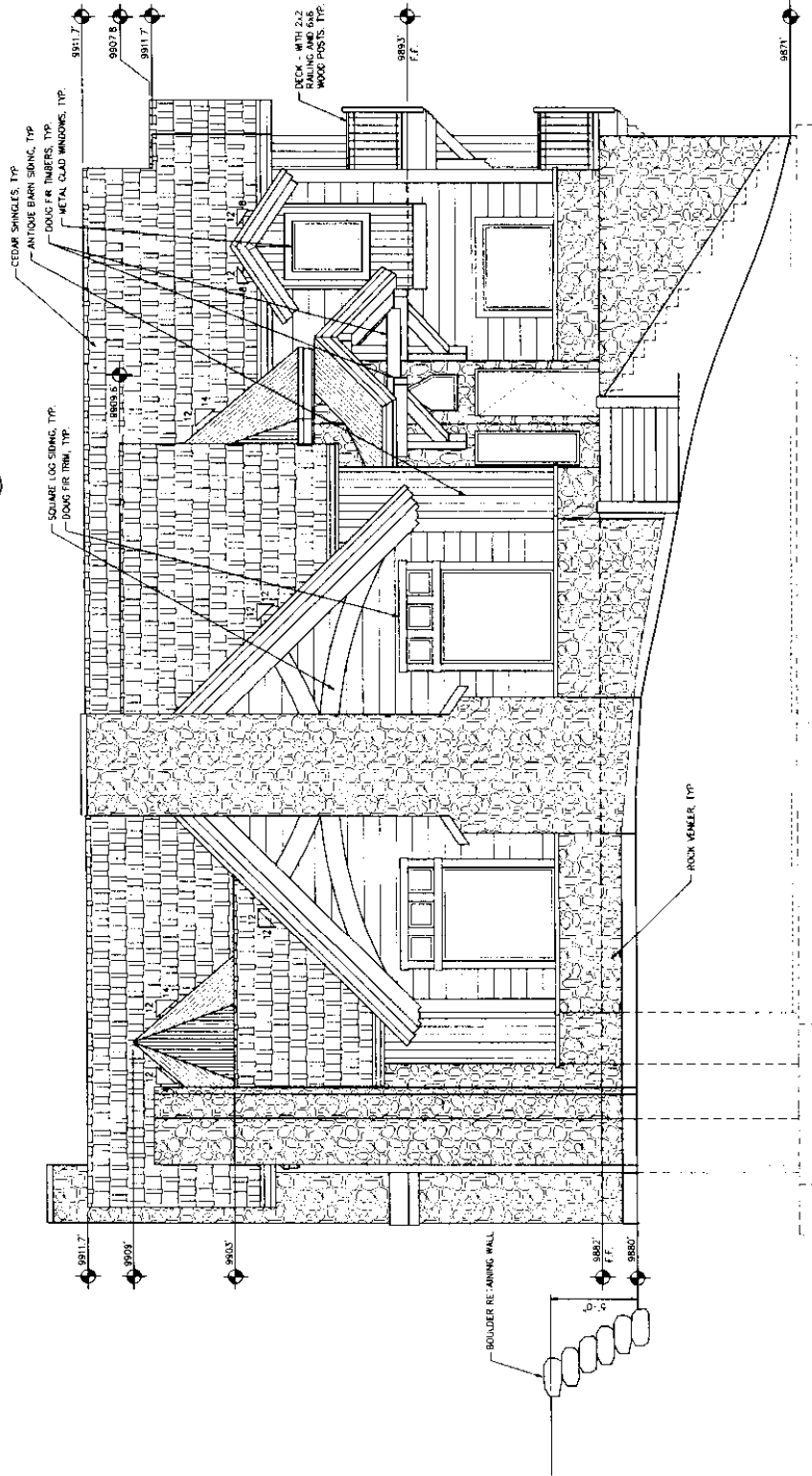
WINDOW WELL

WINDOW WELL

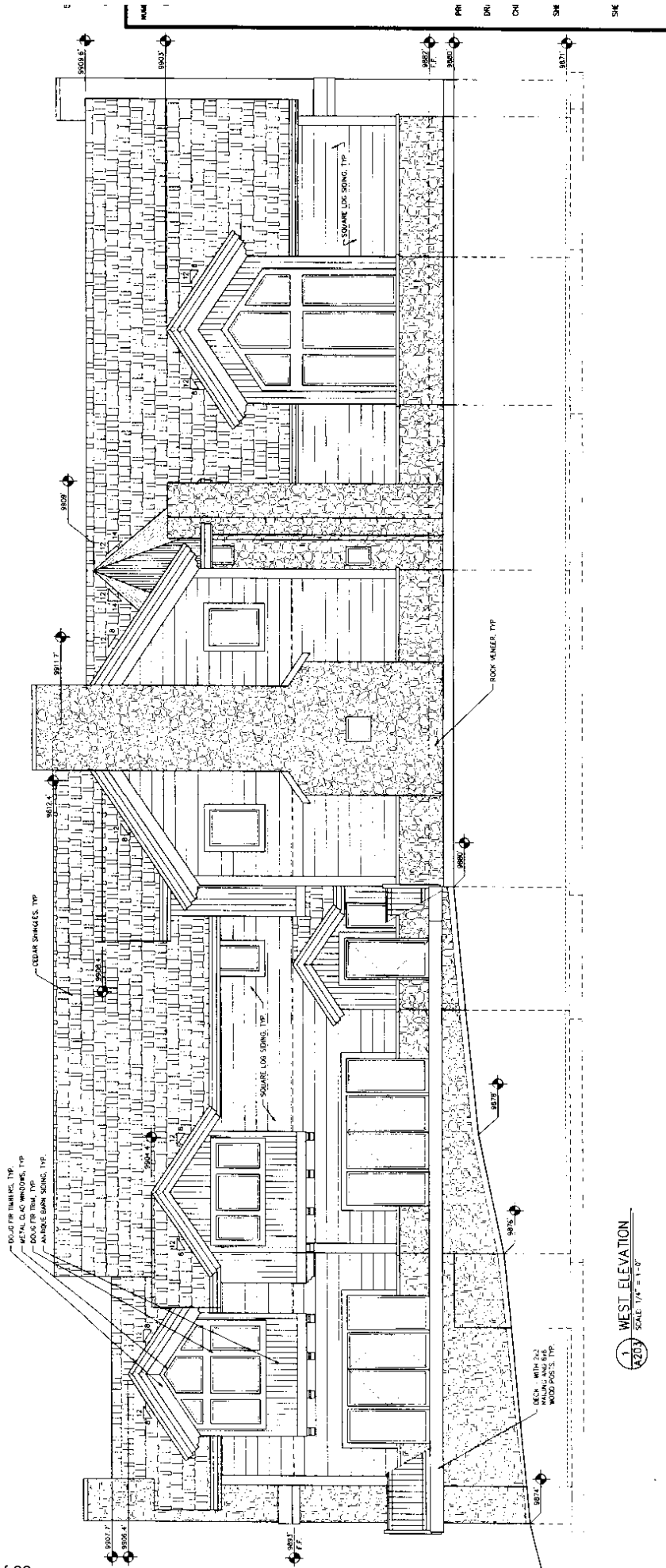
1 NORTH ELEVATION
A201 SCALE: 1/4" = 1'-0"



2 SOUTH ELEVATION - PATIO WALL
SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION



1 WEST ELEVATION
SCALE: 1/4" = 1'-0"

Planning Commission Staff Report
APRIL 1ST PRELIMINARY
FOR REVIEW ONLY

FINAL STAFF REPORT FOR 11/18/08 FOLLOWS THIS REPORT

Project Manager: Michael Mosher

Date: March 27, 2008 (for the April 1, 2008 Meeting)

Subject: Vail Resorts Development Company - Building 804 Lodge, First Preliminary Hearing; (Class A Development PC#2008032)

Owners/Applicants: Vail Resorts Development Company; Leewei Lin, Senior Project Manager

Agents/Architects: O'Bryan Partnership Architects; Ken O'Bryan (Principal) and Ryan Novak

Proposal: The applicant proposes construct a Condo/Hotel Lodge at the base of Peak 8 with 52 units totaling 62,480 square feet with 9,974 square feet of commercial space and 20,338 square feet of guest services.

Legal Description: Tract C, Peaks 7 & 8 Perimeter Subdivision - Pending re-subdivision

Site Area: 111.19 acres - Pending re-subdivision

Land Use Districts: Development is subject to the 2005 Amendment to the Peaks 7 and 8 Master Plan (PC#2005105).
LUD 10 Residential—SFR, up to 8-plex, Townhomes @ 2 UPA
LUD 39 Residential, Lodging—SFR, Duplex, Townhomes, Condominiums, Condo-hotels, Hotels and Lodges @ 4 UPA

Site Conditions: Building 804 is to be located immediately adjacent (west) to the recently approved Building 801, One Ski Hill Place. Placement of this building will eliminate the existing Ullr Building that currently houses the ski school and ticketing/office functions at Peak 8. Additionally, the lower level supports of the Peak 8 Gondola station will be enclosed in this building. The Cucumber Gulch Preventative Management Area is to the east of the development site.

Density: **Allowed per the 2005 Amendment to the Peaks 7 and 8 Master Plan and remaining after the recent approval of Building 801 (One Ski Hill Place):**
Remaining at Peak 8:

Residential (Lodge)	235,901 sq. ft.	196.58 SFE
Commercial:	10,384 sq. ft.	10.38 SFE
Guest Services:	21,234 sq. ft.	21.23 SFE

Proposed with this application:

Residential (Lodge)	62,480 sq. ft.	52.07 SFE
Commercial:	9,974 sq. ft.	9.97 SFE
<u>Guest Services:</u>	<u>20,338 sq. ft.</u>	<u>20.34 SFE</u>
Total:	92,792 sq. ft.	

Per the Development Code: 3.(Absolute) Density/Intensity (3/A): "Multi-family" the total square footage of the residential portions of the building from the outside of the exterior wall to the outside of the interior wall, if adjacent to a common area, or to the outside of the other exterior wall if not. Common areas such as lobbies, hallways, and amenity areas shall not be counted against the density. (Highlight added.)

Remaining after this application:

Residential (Lodge): 173,400 sq. ft. (144.5 SFEs)
 Commercial: 400 sq. ft. (0.4 SFEs)
 Skier/Guest Services: 900 sq. ft. (0.9 SFEs)

Meeting/Amenities:

Required minimum: 1,785 sq. ft. (1/35 SF of residential density)
 Proposed: 1,605 sq. ft. (*the remaining required 180 square meeting space already allocated within Building 801*)

Employee Housing @ 4.51%: 4,185 square feet (to be provided off-site)

Allowed Mass:

*Note: Condo-Hotels may be allowed an additional twenty five percent (25%) of aboveground floor area for the provision of accessory, amenities, and/or common areas. **

Meeting And Conference Rooms or Recreation and Leisure Amenities: The provision of meeting and conference facilities or recreation and leisure amenities, over and above that required in subsection A of this policy is strongly encouraged. (These facilities, when provided over and above that required in subsection A of this policy, shall not be assessed against the density and mass of a project when the facilities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities, and they do not equal more than 200 percent of the area required under subsection A of this policy.) (Highlight added.)

Staff notes that there is no extra amenity allocated with this application.

Residential (Lodge+25%): 78,100 sq. ft.
 Commercial: 9,974 sq. ft.
 Skier/Guest Services: 20,338 sq. ft.
Amenity (required): 1,785 sq. ft.
 Total Allowed: 110,197 sq. ft.

Proposed Mass:

Total Residential, Commercial, Guest Services, and Common area *above* ground: 79,318 sq. ft.

Height:

Per 2002 Development Agreement ~ LUD 39: 62.0' (five stories)
 Proposed Height: 78.0' (seven stories -15 pts.)

Snow Storage:	Required 25% of paved areas For Future Meeting
Setbacks:	Pending Subdivision Data
Parking:	Required: 52 Residential <u>0 additional (per Master Plan)</u> 52 spaces in garage
	Proposed: 52 interior spaces (84% underground) <u>8 additional exterior spaces for skier drop-off</u> 60 spaces
Employee Housing:	4.51% of residential density is to be deed restricted off site.
Refuse:	Trash/recycling enclosure is proposed near south end of building.
Loading Areas:	Loading docks and receiving areas are proposed near south end of building.

Background

The Planning Commission approved the Amendment to the Peaks 7 and 8 Master Plan (PC#2005105) on December 6, 2005. The recently approved modification to the Master Plan (for Peaks 7 and 8) now contains a total of 549 SFEs of density with 470.5 Residential SFEs, 21.5 Commercial SFEs and 57 Guest/Skier services SFEs. The portion allocated just to Peak 8 consists of 282.0 Multi-family Residential SFEs, 14.5 Commercial SFEs, and 48.0 Guest Services Facilities SFEs for a total of 344.5 SFEs. The Master Plan also outlines specific design criteria and standards for the general development and the different uses.

This development is utilizing a portion of the allowed density as described above on the first page of this report. There are to be additional separate lodges created at the base of Peak 8 with the remaining density from the Master Plan (future development permits). Per the approval of Building 801, the applicants are planning on placing portions of the required meeting spaces and amenities in the 801 building to centralize these needs. In addition, the overall site development is to be completed in phases (along with the development of the future buildings) over the period of development.

Staff Comments

Land Use (Policies 2/A & 2/R): The proposed uses abide with those allowed in the Master Plan.

Density/Intensity (3/A & 3/R)/Mass (4/R): Per the Development Code: 3. *(Absolute) Density/Intensity (3/A): ... Common areas such as lobbies, hallways, and amenity areas shall not be counted against the density.*

Per the above calculations, there is available square footage for this development from the remaining density of the Peaks 7 & 8 Master Plan for the proposed residential uses, commercial uses and guest services.

The required minimum square footage for amenity/meeting space (1/35 of the residential density) is 1,785 square feet. The proposed amenity/meeting space (the owner lockers space) is 1,605 square feet. The remaining required 180 square feet already exists within Building 801 (One Ski Hill Place). As mentioned in the review of Building 801, the applicants are planning on concentrating most of the common amenities and conference density in this main building as support for the future “satellite” buildings. The applicants intend to design all other neighboring buildings with fewer common amenities and less conference density to compensate for the overage approved in Building 801. Thus, the *total* mass count over the *entire* development would need to be no more than the total allowed mass per the Master Plan. Essentially, individually, Building 801 is over mass and the rest would be under mass.

The mass of the building is determined by the total square footage of the building that is *above* grade. Portions of the parking level and the Garden level are below grade and will not be counted towards the allowed mass. With 110,017 square feet of mass allowed and 79,318 proposed, this building is under mass. 140,630 square feet of mass remains for future buildings at the base of Peak 8.

As approved with the Building 801 application, we are tracking the remaining the density and mass allocations for the Peak 7 and 8 Master Plan with each development application.

Architectural Compatibility (5/A & 5/R): Per the Peak 7 and 8 Master Plan:

Design Standards:

The architecture will present a rustic mountain lodge style through the use of authentic stone foundations, 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 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.

Similar to the architecture at Building 801, this building exhibits rustic mountain lodge architecture with undulating roof forms and massing that has been broken up nicely. Exterior materials include a natural stone base, horizontal cedar lap siding, and above the third floor, cementitious shake siding. (As with any multi-story building, any exterior materials above 30 feet must be fire resistant.) There are portions of this shake siding that have been placed on some lower parts of the building to add interest and break up the massing. The roof forms are broken up and slope down at the ends of the building adding interest. An additional lower roof form brings the scale of the building to a pedestrian level along the edges. The windows on the building are vertically orientated and grouped in twos, threes and fours.

The applicants have developed both a model and a three-dimensional rendering of the building for review. Photos and renderings have been included as a separate attachment for your review. These will also be presented at the meeting for Commissioner review and comment.

At this review, Staff has no concerns with the proposed architecture and believes the design conforms to the guidelines of this policy and those guidelines addressed in the Master Plan. Staff believes that the architecture may warrant positive points under this policy. We welcome any Commission comment.

Building Height (6/A & 6/R): The Per 2002 Development Agreement the building is located in Land Use District (LUD) 39 that suggests a maximum five-story building height or 62'-0" measured to the mean.

Per the Master Plan:

Heights of Buildings shall be established in accordance with the Development Code and Land Use District 39, as they are in effect at the time of the approved 2003 Master Plan provided.

1. That for buildings at 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 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 berming or fill is characterized by excessive rise and steep grades in the vicinity of building foundations.

The current drawings show the tallest portion of the building to be 78 feet above grade at the gable element over the northeast portion of the roof. This falls in the range of being one and one-half stories over the suggested height of five stories in this Land Use District. As a result, negative fifteen (-15) points shall be incurred at final review. We welcome any comment on the roof form.

Site and Environmental Design (7/R): The building has been placed on the site in a manner to reduce grading impacts. There are two levels below grade and, with this submittal the Gondola will terminate on the plaza level eliminating the temporary stairs and scaffolding that are there now.

This building ties into the base development of Building 801 with an extensive plaza to accommodate skier activity at the base of the chairlifts. As a result, there is lots of hardscape and very little landscape area. Between the bus, skier and daycare paved drop-off area and the service access along Ski Hill Road, there is minimal space for landscaping shown. Buffering the development to the Right of Way is minimal. However, since this is the main area for access to the mountain, fully screening the access points might be detrimental to the functionality of the spaces. Does the Commission believe this design warrants negative points under this policy?

Placement of Structures (9/A & 9/R): With no re-subdivision proposed at the time of this writing, we have no comment on the placement of the new building as it relates to this policy. The building is generally as shown on the Fit Test sheet of the Master Plan (attached) and will meet all absolute and relative portions of this policy. We anticipate a subdivision being reviewed after approval of this building. Since the applicant owns all the surrounding property at the base area, we are not concerned about setbacks.

Snow Removal and Storage (13/A and 13/R): With this submittal, the entire plaza area is to be snow melted. A covenant will be recorded ensuring this in perpetuity for the development.

At the final review on the recently approved Tract C Shock Hill (PC#2007109), negative points were assigned for the extensive snow melt system and the use of non-renewable energy to provide this heat. Staff believes this design has the same issues and suggests negative point too. At the time

of this writing, the applicant has not included any energy saving designs (geothermal) to off-set these impacts.

Refuse (15/A & 15/R): The separate refuse and recycling area is shown on the drawings at the north end of the building. They are incorporated within the principal structure and, as a result, will warrant one positive (+1) point under this Relative Policy.

Access / Circulation (16/A & 16/R; 17/A & 17/R): The check-in and parking is all taken off of Ski Hill Road at Building 801. The access and parking/drop-off area for skier drop-off and day care functions is located off Ski Hill Road to the northwest. Staff appreciates that the two functions (private and public) are separated well.

Service and trash access is from a separate loading dock area at the northeast end of the building (at grade) separated from the skier drop-off parking area. Smaller service trucks can access beneath the building via Building as needed. Staff has no concerns.

Parking (18/A & 18/R): Per the Development Code:

2 x (-2/+2) (1) Public View: The placement and screening of all off street parking areas from public view is encouraged.

The Master Plan requires parking for the residential and the commercial uses. Per the Master Plan, all 52 parking spaces for the residential portion of the development are placed underground. The surface parking spaces and drives are for temporary loading only and will not be counted as required parking.

Thus, 100% of the required residential parking is placed below grade. Per the Master Plan, the commercial parking requirements for all commercial and skier/guest services are provided with the common on-site parking spaces and thus, have no further requirement.

Of the parking space totals, 80% have been provided underground. At the recent Commission meetings, Staff has heard support for awarding positive four (+4) points for providing over 90% of the parking underground. With 100% of the parking being provided for underground, we suggest positive four (+4) points be assigned at final review.

Landscaping (22/A & 22/R): With this preliminary submittal, the exact size and quantity count of the proposed plantings has not been provided. In the past, Vail Resorts Development Company has planted high quality stock with generally larger sizes. In this application, minimal space is provided (compared to the area to be disturbed) for landscaping. Staff anticipates no positive points to be awarded for landscaping with the current preliminary landscaping plan.

Social Community / Employee Housing (24/A & 24/R): With 92,792 square feet of applicable density (residential plus non-residential) a minimum of 4.51% of this density needs to be provided in employee housing to obtain zero points under this policy. This equates to 4,185 square feet. The applicants have indicated that this requirement will be fulfilled by deed restricting units at the Breckenridge Terrace development off of Airport Road. In addition, the applicable housing impact fee for the development will be mitigated by deed restricting other units at Breckenridge Terrace. A Condition of Approval will be included requiring the accurate amount of employee housing.

Depending on the final point analysis, the above number may increase to mitigate negative impacts associated with this proposal. We will present more information at the next hearing.

Per the Development Code:

3 x (0/+2)

D. Meeting And Conference Rooms or Recreation and Leisure Amenities: The provision of meeting and conference facilities or recreation and leisure amenities, over and above that required in subsection A of this policy is strongly encouraged. (These facilities, when provided over and above that required in subsection A of this policy, shall not be assessed against the density and mass of a project when the facilities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities, and they do not equal more than 200 percent of the area required under subsection A of this policy.) (Ord. No. 9, Series 2006)

The drawings indicate that there is to be 1,605 square feet in amenities (restaurant and bar). Per the residential square footage, 1,785 square feet is required. As noted above, the applicant has concentrated the majority of the amenity spaces required for this and future lodges into Building 801.

The amenities provided for in 801 include:

The Conference and Amenities to include:

Garden Level

- A media room and game room
- A two-lane bowling alley

Level One

- Fitness room, spa, hot tubs and pools
- 7 Conference rooms w/ prep-kitchen

The Guest Services include:

Garden Level

- Administration offices
- Bakery and prep-kitchen

Level One

- Kitchen and food court
- Bar and restrooms

Staff has no concerns.

Transit 25/R: Per the Development Code:

Nonauto Transit System: The inclusion of or the contribution to a permanent nonauto transit system, designed to facilitate the movement of persons to and from Breckenridge or within the town, is strongly encouraged. Nonauto transit system elements include buses and bus stops, both public and private, air service, trains, lifts, and lift access that have the primary purpose of providing access from high density residential areas or major parking lots of the town to the mountain, etc. Any development which interferes with the community's ability to provide nonauto oriented transportation elements is discouraged. Positive points shall be awarded under this policy only for the inclusion of or the contribution to nonauto transit system elements which are located on the applicant's property. (Ord. 37, Series 2002)

With the review of Building 801, a shuttle service was provided for all the development at the base of Peaks 7 and 8. As a result, positive points were awarded with that application. Since this service has already been provided for this building, Staff is not suggesting additional positive points under this policy.

Drainage (27/A and 27/R) and Water Quality (31/A and 31/R): The submitted preliminary civil drawings delineate the initial utility layout, site grading, surface drainage and ground water contours.

These have yet to be reviewed by Town Staff and the Town's consultant, Kenneth E. Kolm, Hydrologic Systems Analysis, LLC. The applicants have been working with the consultants while designing the building. Based on initial review, Staff anticipates the design of the building and the water quality treatment facilities will not negatively impact the ground water or Cucumber Gulch to the north. Staff will ensure that the water quality impacts are reviewed by the Town's consultant at the time of final review.

Lighting: The applicant has stated that all lighting will comply with Town policy for dark sky lighting. We will have details at the next hearing.

Point Analysis: A draft Point Analysis has been included with this review. Though it currently shows a score less than zero, we anticipate working with the applicant to generate enough positive points (possible under Employee Housing) to obtain a passing score. We have no concerns at this time.

Seven-Week Review Process: Staff has worked closely with the applicants and agent to thoroughly review and revise this application. Since this is an initial review with additional data pending, the seven-week review schedule was loosely followed.

Staff Recommendation

Staff believes that this application is off to a good start. The plan closely follows that which was delineated on the illustrative Master Plan. With this review, Staff has the following questions:

1. Does the Commission have any comments on the architecture of the building?
2. Would the Commission support awarding positive points for the architecture?
3. Does the Commission believe the proposal warrants negative points for lack of site buffering?
4. We welcome any additional comments and direction.

At this time, Staff recommends this application return for a second review.

Planning Commission Staff Report

- Project Manager:** Michael Mosher
- Date:** November 11, 2008 (for the November 18, 2008 Meeting)
- Subject:** Vail Resorts Development Company - Building 804 Lodge, Final Hearing;
(Class A Development PC#2008032)
- Owners/Applicants:** Vail Resorts Development Company; Leewei Lin, Senior Project Manager
- Agents/Architects:** O'Bryan Partnership Architects; Ken O'Bryan (Principal) and Ryan Novak
- Proposal:** The applicants propose to construct a 47-room condo/hotel lodge at the base of Peak 8 totaling 54,442 square feet with 10,360 square feet of commercial space and 20,219 square feet of guest services.
- Staff notes: The previous Staff Report for the preliminary review (April 1, 2008) has been included in the packet for Commissioner review.*
- Legal Description:** Tract C, Peaks 7 & 8 Perimeter Subdivision - Pending re-subdivision
- Site Area:** 111.19 acres - Pending re-subdivision
- Land Use Districts:** Development is subject to the 2005 Amendment to the Peaks 7 and 8 Master Plan (PC#2005105).
LUD 10 Residential—SFR, up to 8-plex, Townhomes @ 2 UPA
LUD 39 Residential, Lodging—SFR, Duplex, Townhomes, Condominiums, Condo-hotels, Hotels and Lodges @ 4 UPA
- Site Conditions:** Building 804 is to be located immediately adjacent (northwest) to the recently approved (and under construction) Building 801, or One Ski Hill Place, at the base of the ski slopes. Placement of this building will eliminate the existing Ullr Building that currently houses the ski school and ticketing/office functions at Peak 8. Additionally, the lower level supports of the Peak 8 Gondola station will be enclosed in this building. The Cucumber Gulch Preventative Management Area is to the east of the development site.
- Density:** Allowed per the 2005 Amendment to the Peaks 7 and 8 Master Plan and remaining after the recent approval of Building 801 (One Ski Hill Place):

Master Plan at Peak 8:

Residential (Lodge):	338,400 sq. ft.	282.00 SFE
Commercial:	14,500 sq. ft.	14.50 SFE
Guest Services:	48,000 sq. ft.	48.00 SFE

Remaining at Peak 8 after One Ski Hill Place:

Residential (Lodge)	235,899 sq. ft.	196.58 SFE
Commercial:	10,384 sq. ft.	10.38 SFE
Guest Services:	21,234 sq. ft.	21.23 SFE

Proposed with this application:

Residential (Lodge)	54,442 sq. ft.	45.37 SFE
Commercial:	10,360 sq. ft.	10.36 SFE
Guest Services:	20,219 sq. ft.	20.22 SFE
Total:	85,201 sq. ft.	

Per the Development Code: 3.(Absolute) Density/Intensity (3/A): "Multi-family" the total square footage of the residential portions of the building from the outside of the exterior wall to the outside of the interior wall, if adjacent to a common area, or to the outside of the other exterior wall if not. Common areas such as lobbies, hallways, and amenity areas shall not be counted against the density. (Highlight added.)

Remaining after this application:

Residential (Lodge):	181,457 sq. ft.	151.2 SFEs
Commercial:	24 sq. ft.	0.024 SFEs
Skier/Guest Services:	1,015 sq. ft.	1.09 SFEs

Required Meeting/Amenities for this application:

Required minimum:	1,555 sq. ft. (1/35 SF of residential density)
Proposed in 804:	1,217 sq. ft. (the remaining required 338 square meeting space already allocated within One Ski Hill Place)

Employee Housing @ 8.01%: 6,824 square feet (to be provided off-site)

Allowed Mass:

*Note: Condo-Hotels may be allowed an additional twenty five percent (25%) of aboveground floor area for the provision of accessory, amenities, and/or common areas. **

Meeting And Conference Rooms or Recreation and Leisure Amenities: The provision of meeting and conference facilities or recreation and leisure amenities, over and above that required in subsection A of this policy is strongly encouraged. (These facilities, when provided over and above that required in subsection A of this policy, shall not be assessed against the density and mass of a project when the facilities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities, and they do not equal more than 200 percent of the area required under subsection A of this policy.) (Highlight added.)

Meeting Room / Amenity:

Allowed:

Peak 8 Total Minimum Required	9,669 sq. ft.
Above number +100%	19,337 sq. ft.
Provided by One Ski Hill Place	-20,510 sq. ft.
<u>Provided by 804</u>	<u>-1,217 sq. ft.</u>
Delta (overage)	2,390 sq. ft. (counts towards mass if above ground.)

Mass: Allowed per the 2005 Amendment to the Peaks 7 and 8 Master Plan less mass used by Building 801 (One Ski Hill Place):

One Ski Hill Place – overall mass:

Residential (Lodge) 125,697 sq. ft.
Meeting Room/Amenity: 12,986 sq. ft.
Commercial: 3,373 sq. ft.
Guest Services: 23,705 sq. ft.
TOTAL: 165,761 sq. ft.

Remaining at Peak 8 before this application:

Residential (Lodge) 297,303 sq. ft.
Commercial: 10,384 sq. ft.
Guest Services: 21,234 sq. ft.
Total: 310,921 sq. ft.

Proposed with this application:

Residential (Lodge) 61,648 sq. ft.
Commercial: 10,360 sq. ft.
Guest Services: 7,922 sq. ft.
Total: 79,930 sq. ft.

Meeting Room / Amenity: 2,390 sq. ft.
Grand Total: 82,320 sq. ft.

Remaining After this Application:

DENSITY	Residential SFEs	Commercial SFEs	Guest Services
Peak 8 Base	151.2 SFE	0.0 SFE	1.0 SFE

MASS	Residential SF	Commercial SF	Guest Services
Peak 8 Base	176,092 sq. ft.	0 sq. ft.	16,373 sq. ft.

Height: Per 2002 Development Agreement ~ LUD 39: 62.0' (five stories)
Proposed Height: 78.0' (seven stories -15 pts.)

Snow Storage: The entire plaza, 36,965 sq. ft., is to be snow melted with a recorded covenant.
16,254 sq. ft. of non-heated paved area will require:
4,063 sq. ft. (25% of paved areas)
4,100 square feet is to be provided.

Setbacks: Pending Subdivision Data at future application

Parking: Required: 47 Residential
0 additional (per Master Plan)
47 spaces in garage

Proposed: 50 interior spaces
9 additional exterior spaces for skier drop-off
59 spaces

Employee Housing:	8.01% of residential density is to be deed restricted off site.
Refuse:	Trash/recycling enclosure is proposed within south end of building.
Loading Areas:	Loading docks and receiving areas are proposed near south end of building.

Background

The Planning Commission approved the Amendment to the Peaks 7 and 8 Master Plan (PC#2005105) on December 6, 2005. The recently approved modification to the Master Plan (for Peaks 7 and 8) now contains a total of 549 SFEs of density with 470.5 Residential SFEs, 21.5 Commercial SFEs and 57 Guest/Skier services SFEs. The portion allocated just to Peak 8 consists of 282.0 Multi-family Residential SFEs, 14.5 Commercial SFEs, and 48.0 Guest Services Facilities SFEs for a total of 344.5 SFEs. The Master Plan also outlines specific design criteria and standards for the general development and the different uses.

This development is utilizing a portion of the allowed density as described above on the first page of this report. There are to be additional separate lodges (future development permits) created at the base of Peak 8 with the remaining density from the Master Plan. Per the approval of One Ski Hill Place, the applicants are planning on placing portions of the required meeting spaces and amenities for all the base development area within the main building to centralize these services. In addition, the overall site development is to be completed in phases (along with the development of the future buildings).

Comments from the April 1, 2008 Planning Commission Meeting

Commissioner Questions/Comments:

Mr. Allen: Has any solar/photo voltaic been considered on the roofs? (Mr. O’Bryan - these have been issues in past projects due to the amount of snow that collects on the panels. Tried in Aspen and have had continuing problems. They have to be shoveled off. We are looking at all types of renewable energy.) Architecture didn’t warrant negative points or positive points. Believed that the roof does step down and one positive point could be applied. Site and environmental design: would like to see some type of buffering around the property. Plaza is so large some landscaping could help. Anything would be good. Deserved negative points under Policy 7/R as it stands now. Concerned about 65 foot separation between 801 and 804. Move building a bit north without disturbing views. Supported the large daycare center with four positive points. Positive points for buses was also supported. LEED certification should warrant positive points, which would be possible to assign at planning phase. A “point exchange” might be possible, such as adding employee housing, if LEED criteria is not met.

Dr. Warner: What would the square footage of the plaza be? (Mr. O’Bryan wasn’t quite sure but stated that the plaza will not be bigger than indicated on the master plan.) Because this is close to Cucumber Gulch; would there be any conflicts with Policy 37? (Mr. Mosher: civil drawings show ground and surface water being handled. We can provide more details at the next hearing.) (Mr. O’Brien pointed out the large detention pond to the north above the Gulch would serve as a water quality pond.) Liked architecture and roof form. Struggled with height of building; seven stories for a “rustic mountain lodge” was still too tall. Summer landscaping would be a

concern around the plaza, buffering on both sides was encouraged. Really wanted to figure out Policy 37 issues. Plaza represented a large amount of impervious service and run-off. Snow melt and energy use as presented warranted negative points. Struggled with transit points using busses and not endorsing the planned use of the gondola. Parking and childcare warranted positive points.

Mr. McAllister: Are there transit points on this building? (Mr. Mosher: no point for shuttle, only for the transit drop off space provided.) Would the plan to use the same detention pond as the other building? (Mr. Mosher explained there would only be one pond for all the base development.) Planter boxes would always be an option for landscaping on top of hardscape. Southwest roof looked good. Front of the building not exciting. Buffers would be needed in the front too. Protection of the Gulch is high priority. Proper hydrology beneath the developed area is essential. Extending the Gondola hours needs to be looked at. Energy conservation should incorporate LEED work if possible. Other energy uses can be explored. Landscaping on the front side was ok but would like to see it broken up naturally.

Mr. Pringle: From the onset we expected large buildings at the base area. We wanted to maintain a substantial base area which would be unique and will change the face of Peak 8. Liked Building 801 architecture, but doesn't have same feeling on this building. Liked the childcare and parking and associated points. Would like to see how to better address how the transition is from hard plaza to ski slopes. Consider all seasons of the year in the plaza design. Needed to have a better feel about the whole experience around the base area. Consider how all deliveries come to the site and address accordingly. Introduce renewable energy wherever possible. Could have a wind farm on the site...who knows. LEED is great and a reward should be awarded but backup data would be needed early. The Commission needs to revisit the Cucumber Gulch protection plan and how this development respects it. Continue on and again make this a base area people look at as being done right. Better understanding of Gondola use and its hours needs to be identified.

Mr. Bertaux: Abstained as an employee of Vail Resorts.

Mr. Joyce: Agreed with comments made. Give consideration to how the project would look in the summer months too. Liked roof forms and the west side. Roof line stepping down warranted positive point. Density in roof could warrant positive point too. Greatest opportunity would be to make the plaza work year round. Water management is a big issue and it's so easy to have a disaster. Circulation looked good with good ideas. Extended Gondola use needs some thought. Idea was to get traffic off of Ski Hill Road. This is really not happening yet. Bring a construction staging plan to the next hearing. Underground parking and childcare was applauded. Energy is a great opportunity and challenge. LEED certification plan is terrific but this project as presented this evening will leave a huge carbon footprint.

Changes Since the April 1, 2008 Hearing.

1. Minor revisions to Density and Mass calculations.
2. Plaza landscaping and hardscape enhancements.
3. More complete civil drawings.
4. Minor architectural "tweaking".

Staff Comments

Land Use (Policies 2/A & 2/R): The proposed uses abide with those allowed in the Master Plan.

Density/Intensity (3/A & 3/R)/Mass (4/R): Per the Development Code: 3. *(Absolute) Density/Intensity (3/A): ... Common areas such as lobbies, hallways, and amenity areas shall not be counted against the density.*

Per the above calculations, there is available square footage for this development from the remaining density of the Peaks 7 & 8 Master Plan for the proposed residential uses, commercial uses and guest services.

The required minimum square footage for amenity/meeting space (1/35 of the residential density) is 1,555 square feet. The proposed amenity/meeting space is 1,217 square feet. The remaining required 338 square feet already “exists” within the approved One Ski Hill Place Lodge. Thus, the *total* mass count over the *entire* development would need to be no more than the total allowed mass per the Master Plan. As a result, individually, One Ski Hill Place is over mass and the rest would be under mass for the amenity spaces.

The mass of the building is determined by the total square footage of the building that is *above* grade. Portions of the Parking Level and the Garden Level are below grade and will not be counted towards the allowed mass. With 99,849 square feet of mass allowed and 99,576 proposed, this building is under mass.

As approved with the One Ski Hill Place application, we are tracking the remaining the density and mass allocations for the Peak 7 and 8 Master Plan with each development application. (See Findings and Conditions.)

Architectural Compatibility (5/A & 5/R): Per the Peak 7 and 8 Master Plan:

Design Standards:

The architecture will present a rustic mountain lodge style through the use of authentic stone foundations, 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 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.

Similar to the architecture at One Ski Hill Place, this building exhibits rustic mountain lodge architecture with undulating roof forms and massing that has been broken up nicely. Exterior materials include a natural stone base, horizontal cedar lap siding, and above the third story, cementitious shake siding. (As with any multi-story building, any exterior materials above 30 feet must be fire resistant.) There are portions of this shake siding that have been placed on some lower parts of the building to add interest and break up the massing. The roof forms are broken up and slope down at the ends of the building adding interest. An additional lower roof form brings the scale of the building to a pedestrian

level along the edges. The windows on the building are vertically orientated and grouped in twos, threes and fours.

The applicants have developed both a model and a three-dimensional rendering of the building for review at the evening meeting. Architectural drawings and computer renderings have been included as a separate attachment for your review.

Staff has no concerns with the proposed architecture and believes the design conforms to the guidelines of this policy and those guidelines addressed in the Peak 7 and 8 Amended Master Plan. At the last hearing we did not hear general support for awarding any positive points for the architecture.

Building Height (6/A & 6/R): The Per 2002 Development Agreement the building is located in Land Use District (LUD) 39 that suggests a maximum five-story building height or 62'-0" measured to the mean.

Per the Master Plan:

Heights of Buildings shall be established in accordance with the Development Code and Land Use District 39, as they are in effect at the time of the approved 2003 Master Plan provided.

1. That for buildings at 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 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 berming or fill is characterized by excessive rise and steep grades in the vicinity of building foundations.

The current drawings show the tallest portion of the building to be 78 feet above grade at the gable element over the northeast portion of the roof. This is within the range of being one and one-half stories over the suggested height of five stories in this Land Use District. As a result, negative fifteen (-15) points have been incurred.

Buildings that are over height are allowed to mitigate some of the impacts by obtaining positive points for certain designs. At the last hearing we heard general support for awarding positive points for roof forms that step down at the edges and for placing some of the density within the roof forms. As a result, we suggest positive one point for each for a total of positive two (+2) points under this policy.

Site and Environmental Design (7/R): The building has been placed on the site in a manner to reduce grading impacts. There are two levels below grade and, with this submittal, the Gondola will terminate on the plaza level eliminating the temporary stairs and scaffolding that are there now.

This building ties into the base development of One Ski Hill Place with an extensive plaza to accommodate skier activity at the base of the chairlifts and outdoor activities during the summer months.

At the last hearing we heard concern about the lack of extra landscaping around the plaza. As a result, the submittal shows extra landscaping with the provision for "Winter Landscaping" and "Summer Landscaping".

This entire development is designed for public recreational uses and should visually welcome the guests to the facility from the slopes above and from the Town below. As a result, we believe the site should

not be heavily buffered with landscaping and other methods as we might see with smaller private developments. As a result, we are not suggesting any negative points for the site buffering under this policy. We welcome any Commissioner comment.

Placement of Structures (9/A & 9/R): With no re-subdivision proposed at the time of this writing, we have no comment on the placement of the new building as it relates to this policy. The building is generally as shown on the “Fit Test” sheet of the Master Plan and will meet all absolute and relative portions of this policy. We anticipate a subdivision being reviewed after approval of this building. Since the applicant owns all the surrounding property at the base area, we are not concerned about setbacks.

Snow Removal and Storage (13/A and 13/R): With this submittal, the entire plaza area is to be snow melted. A covenant will be recorded ensuring this in perpetuity for the development.

At the final review on the recently approved Tract C Shock Hill (PC#2007109), negative points were assigned for the extensive snow melt system and the use of non-renewable energy to provide this heat. Staff believes this design has the same issues and suggests negative three (-3) points be incurred.

Refuse (15/A & 15/R): The separate refuse and recycling area is shown on the drawings at the north end of the building. They are incorporated within the principal structure and, as a result, will warrant one positive (+1) point under this Relative Policy.

Access / Circulation (16/A & 16/R; 17/A & 17/R): The check-in and parking is all taken off of Ski Hill Road at the main entry to One Ski Hill Place. Building 804 is a satellite lodge to One Ski Hill Place. The access and parking/drop-off area for skier drop-off and day care functions is located off Ski Hill Road to the northwest. Staff appreciates that the two functions (private and public) are separated well.

Service and trash access is from a separate loading dock area at the northeast end of the building (at grade) separated from the skier drop-off parking area. Smaller service trucks can access beneath the building as needed. Staff has no concerns.

Parking (18/A & 18/R): Per the Development Code:

2 x (-2/+2) (1) Public View: The placement and screening of all off street parking areas from public view is encouraged.

The Master Plan requires parking for the residential and the commercial uses. Per the Master Plan, all 52 parking spaces for the residential portion of the development are placed underground. The surface parking spaces and drives are for temporary loading only and will not be counted as required parking.

Thus, 100% of the required residential parking is placed below grade. Per the Master Plan, the commercial parking requirements for all commercial and skier/guest services are provided with the common on-site parking spaces and thus, have no further requirement.

Of the parking space/skier drop-off parking space totals, 86% have been provided underground. At the recent Commission meetings, Staff has heard support for awarding positive four (+4) points for providing over 90% of the parking underground. With 100% of the required parking being provided for underground, we have awarded positive four (+4) points under this policy.

Landscaping (22/A & 22/R): With this final submittal, the exact size and quantity count of the proposed plantings has been provided.

Name	Size	Quantity
Spruce	6'-20'	17
Aspen	1.75''-2.0''-3.0''	56 – 50% multi-stem
Various Native Shrubs	5 gal.	359

Though some of the plantings are large, Staff does not suggest positive points for the plan. Addressing concerns about the vast paving areas of the plaza, the plans show that, during the summer, planter boxes will be placed at portions of the perimeter and along featured areas of the building and gas fire pit.

Social Community / Employee Housing (24/A &24/R): With 85,201 square feet of applicable density (residential plus non-residential) a minimum of 4.51% of this density needs to be provided in employee housing to obtain zero points under this policy. This equates to 3,843 square feet. Applicant intends to provide 6,824 square feet (8.01%) for a total of +7 points.

The applicants have indicated that this requirement will be fulfilled by deed restricting units at the Breckenridge Terrace development on Airport Road. In addition, the applicable housing impact fee for the development will be mitigated by deed restricting other units at Breckenridge Terrace. A Condition of Approval will be included requiring the accurate amount of employee housing.

Per the Development Code:

3 x (0/+2)

D. Meeting And Conference Rooms or Recreation and Leisure Amenities: The provision of meeting and conference facilities or recreation and leisure amenities, over and above that required in subsection A of this policy is strongly encouraged. (These facilities, when provided over and above that required in subsection A of this policy, shall not be assessed against the density and mass of a project when the facilities are legally guaranteed to remain as meeting and conference facilities or recreation and leisure amenities, and they do not equal more than 200 percent of the area required under subsection A of this policy.) (Ord. No. 9, Series 2006)

The drawings indicate that there is to be 1,217 square feet in amenities (guest ski lockers). Per the residential square footage, 1,555 square feet is required. As noted above, the applicant has concentrated the majority of the amenity spaces required for this and future lodges into One Ski Hill Place. The amenities at One Ski Hill Place will include:

Garden Level

- A media room and game room
- A two-lane bowling alley

Level One

- Fitness room, spa, hot tubs and pools
- 7 Conference rooms w/ prep-kitchen

The Guest Services include:

Garden Level

- Administration offices
- Bakery and prep-kitchen

Level One

- Kitchen and food court
- Bar and restrooms

Staff has no concerns.

Community Need: At the last hearing, we heard support for awarding positive points for the provision of the day-care facility (34 children can be accommodated) within the development. The child care facility can accommodate 14 two-year-olds, 10 one-year-olds, and 10 infants. Staff is supportive of the proposal and has awarded positive four (+4) points as a result.

Transit 25/R: Per the Development Code:

Nonauto Transit System: The inclusion of or the contribution to a permanent nonauto transit system, designed to facilitate the movement of persons to and from Breckenridge or within the town, is strongly encouraged. Nonauto transit system elements include buses and bus stops, both public and private, air service, trains, lifts, and lift access that have the primary purpose of providing access from high density residential areas or major parking lots of the town to the mountain, etc. Any development which interferes with the community's ability to provide nonauto oriented transportation elements is discouraged. Positive points shall be awarded under this policy only for the inclusion of or the contribution to nonauto transit system elements which are located on the applicant's property. (Ord. 37, Series 2002)

With the review of One Ski Hill Place, a shuttle service was provided for all the development at the base of Peaks 7 and 8. As a result, positive points were awarded with that application. Since this service has already been provided for this building, Staff is not suggesting additional positive points under this policy.

Drainage (27/A and 27/R) and Water Quality (31/A and 31/R): The submitted civil drawings delineate the utility layout, site grading, surface drainage and ground water contours. Town Staff has reviewed the submitted plans and, with comments and suggestions, have no concerns with the proposed drainage/utility plans. During construction, we anticipate having the Town's consultant, Kenneth E. Kolm, Hydrologic Systems Analysis, LLC review further details of the water quality controls for the site.

Staff notes that the applicants and their agents have been working with the consultants while designing the building. Based on this review and the mitigation efforts already in place at the base of Peak 8, Staff anticipates the design of the building and the water quality treatment facilities will not negatively impact the ground water or Cucumber Gulch to the north.

Lighting: The applicant has stated that all lighting will comply with Town policy for exterior lighting. These will be submitted and reviewed with the building set submittal.

Point Analysis: The proposed development abides with all absolute policies of the Development Code and with the approved 2005 Amendment to the Peaks 7 and 8 Master Plan. Negative points have been incurred under Policy 6/R, Building Height (-15) for being one and one-half stories over the suggested height of five stories in this Land Use District, and under Policy 33/R, Energy Conservation (-3) for providing snow melting without supplementing with an alternative energy source. Positive points are awarded under Policy 6/R, Building Height for providing upper level density into the roof forms (+1) and for roof forms step down at ends and edges (+1). Additional points are recommended under Policy 15/R Refuse (+1), for providing the dumpster enclosure in the primary building, Policy 18/R (+4) for providing 100% of the parking underground, Policy 24/R Employee housing (+7) for providing 6,824 square feet (8.01%) of the projects density in affordable housing, and 24/R Social Community (+4) for providing a child-care facility within the building.

This brings the final passing score to zero (0) points.

Seven-Week Review Process: Staff has worked closely with the applicants and agent to thoroughly review and revise this application. Since this is an initial review with additional data pending, the seven-week review schedule was loosely followed.

Staff Recommendation

Staff has worked closely with the applicant and agent to carefully review this proposal against the 2005 Amendment to the Peaks 7 and 8 Master Plan. We found the architecture, density and mass, and site planning to match that of the Master Plan and have no concerns.

We welcome any questions or comments from the Commission.

We recommend approval of the Building 804 Lodge, PC#2008032, by supporting the attached Point Analysis which shows a passing score of zero (0) points along with the attached Findings and Conditions.

Final Hearing Impact Analysis

Project: Building 804 at Peak 8
 PC#: 2008032
 Date: November 1, 2008
 Staff: Michael Mosher

Positive Points +18
Negative Points - 18

Total Allocation: 0

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		
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	The proposed uses abide with those allowed in the Master Plan.
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	Proposed with this application: Residential (Lodge) 62,480 sq. ft. ~ 52.07 SFE; Commercial: 9,974 sq. ft. ~ 9.97 SFE; Guest Services: 20,338 sq. ft. ~ 20.34 SFE Total Allowed: 110,197 sq. ft.; Proposed Mass: 79,318 sq. ft.
4/R	Mass	5x (-2>-20)	0	
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)	0	Exterior materials include a natural stone base, horizontal cedar lap siding, and above the third floor, cementitious shake siding. (As with any multi-story building, any exterior materials above three stories must be fire resistant.) There are portions of this shake siding that has been placed on some lower portions of the building to add interest and break up the massing. The windows on the building are vertically orientated and grouped in twos, threes and fours.
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)		
6/R	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)	- 15	The drawings show the tallest portion of the building to be 78.0 feet above grade. This falls in the range of being one and one-half stories over the suggested height of five stories in this Land Use District.
6/R	Density in roof structure	1x(+1/-1)	0	Building is four stories tall at ends.
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)	+1	Upper level density has been incorporated into the roof forms.
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	+1	Roof forms step down at ends and edges. Plaza level roof surrounds most of building.
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
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)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	+1	Trash/recycling enclosure is proposed near south end of building.
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)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)	+4	100% of the parking provided is underground.
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)	0	Name Size Quantity Spruce 6'-20' 17 Aspen 1.75"-2.0"-3.0" 56 – 50% multi-stem Various Native Shrubs 5 gal. 359
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	+7	With 85,201 square feet of applicable density (residential plus non-residential) a minimum of 4.51% of this density needs to be provided in employee housing to obtain zero points under this policy. This equates to 3,843 square feet. Applicant intends to provide 6,824 square feet (8.01%) for a total of +7 points.
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)	+4	Provision of a large Child Care facility.
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)	0	The drawings indicate that there is to be 1,217 square feet in amenities (guest ski lockers). Per the residential square footage, 1,555 square feet is required. As noted above, the applicant has concentrated the majority of the amenity spaces required for this and future lodges into Building 801.
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)		Shuttle-van service (with covenant) already provided for all the guests at Peak 7 and 8 with Building 801 approval.
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)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
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)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)	-3	Extensive snow melt system with no alternative energy proposed.
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
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)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
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		

TOWN OF BRECKENRIDGE

Vail Resorts Development Company - Building 804 Lodge
Tract C, Peaks 7 & 8 Perimeter Subdivision
Address pending
PERMIT #2008032

STAFF RECOMMENDATION: 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 11, 2008 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on November 18, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has 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. Per the Amendment to the Peaks 7 and 8 Master Plan (PC#2005105):

Mass Calculations for Overall Peak 8 Base Area

Meeting Room / Amenity mass calculations:

Allowed:	
Peak 8 Total Minimum Required	9,669 sq. ft.
Above number +100% Bonus	19,337 sq. ft.
Provided by One Ski Hill Place	-20,510 sq. ft.
Provided by 804	-1,217 sq. ft.
Delta (overage)	2,390 sq. ft. (counts towards mass if above ground.)

Overall Mass Calculations:

Allowed per the 2005 Amendment to the Peaks 7 and 8 Master Plan less mass used by Building 801 (One Ski Hill Place):

One Ski Hill Place – overall mass:	
Residential (Lodge)	125,697 sq. ft.
Meeting Room/Amenity:	12,986 sq. ft.
Commercial:	3,373 sq. ft.
Guest Services:	23,705 sq. ft.
TOTAL:	165,761 sq. ft.

Remaining at Peak 8 before this application:

Residential (Lodge)	297,303 sq. ft.
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Commercial:	10,384 sq. ft.
<u>Guest Services:</u>	<u>21,234 sq. ft.</u>
Total:	310,921 sq. ft.

Proposed with this application:

Residential (Lodge)	61,648 sq. ft.
Commercial:	10,360 sq. ft.
<u>Guest Services:</u>	<u>7,922 sq. ft.</u>
Total:	79,930 sq. ft.

Meeting Room / Amenity:	2,390 sq. ft.
Grand Total:	82,320 sq. ft.

The total mass for all development located in the Peak 8 base area shall not exceed the total **allowed** mass for the entire Peak 8 base area as listed above.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on November 25, 2011, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
8. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the site. This is to prevent snow plow equipment from damaging the new driveway pavement.
9. Applicant shall field locate utility service lines to avoid existing trees.
10. Each structure which is authorized to be developed pursuant to this permit shall be deemed to be a separate phase of the development. In order for the vested property rights associated with this permit to be extended pursuant to

Section 9-1-17-11(D) of the Breckenridge Development Code, substantial construction must be achieved for each structure within the vested right period of this permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

11. Applicant shall submit proof of ownership of the project site.
12. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans. These plans shall include the approved review of the revised "Ground-water Monitoring Program, Peaks 7 & 8 Base Area Development Town of Breckenridge, Summit County, Colorado" as prepared by Kenneth E. Koln, PhD of Hydrologic Systems Analysis, LLC.
13. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
14. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
15. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
16. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location of all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
17. The road shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
18. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
19. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

20. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for a minimum of 6,824 square feet of employee housing in the Upper Blue Basin.
21. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring that the snowmelt system indicated on the plans be maintained in perpetuity.
22. Applicant shall execute and record with the Summit County Clerk and Recorder a covenant and agreement running with the land, in a form acceptable to the Town Attorney, requiring compliance in perpetuity with the approved landscape plan for the property.

23. Applicant shall record with the Summit County Clerk and Recorder, the Town's standard Meeting /Amenity/Conference Room Covenant restricting the proposed 1,217 square foot of amenities and conference space in perpetuity of the project.
24. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
25. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.
26. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
27. Applicant shall screen all utilities.
28. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
29. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
30. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
31. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney.
32. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
33. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee, or provide additional employee housing as allowed by separate

written agreement. *Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.*

(Initial Here)

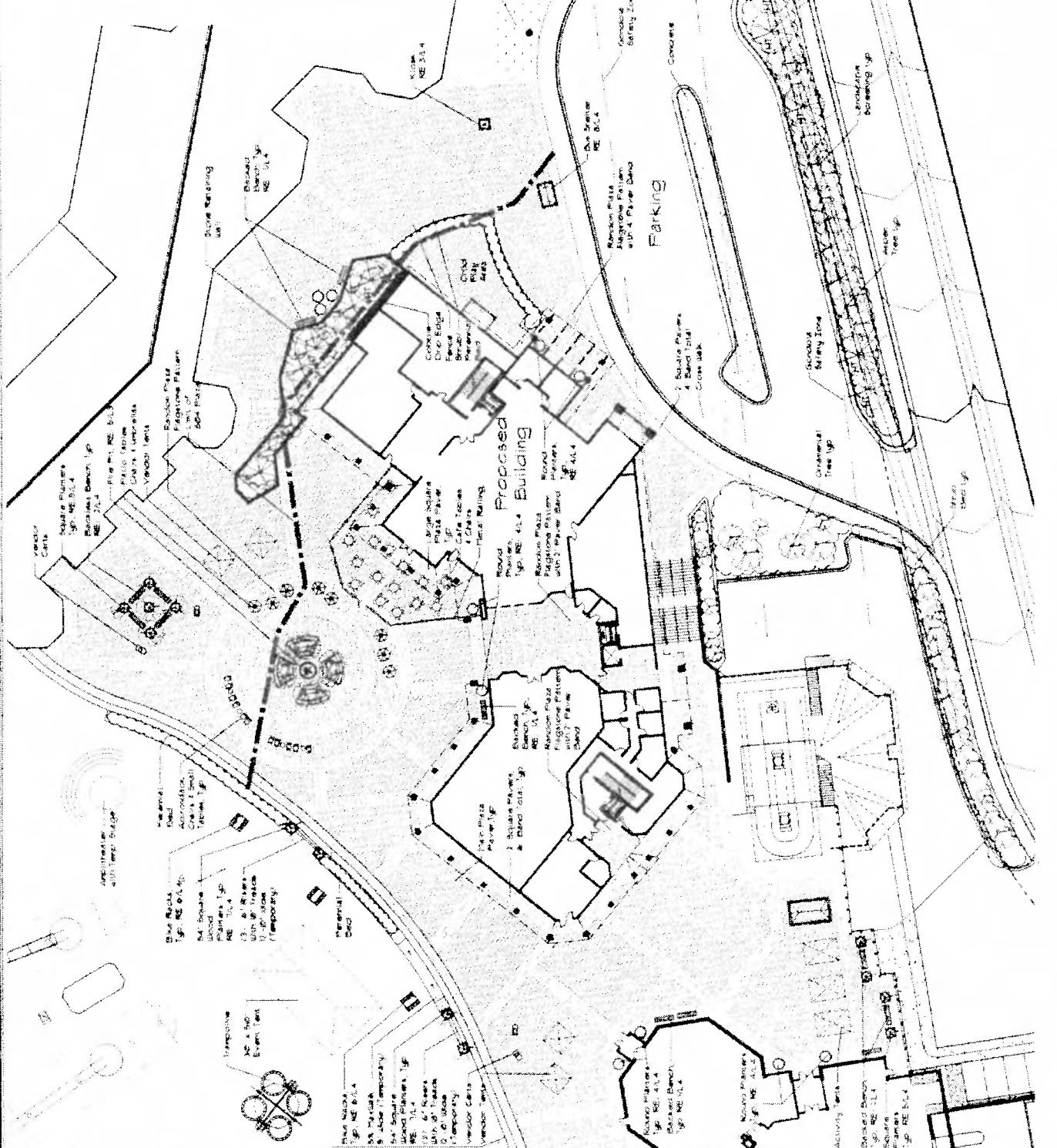
BUILDING 804 PEAK 8 BRECKENRIDGE, Colorado

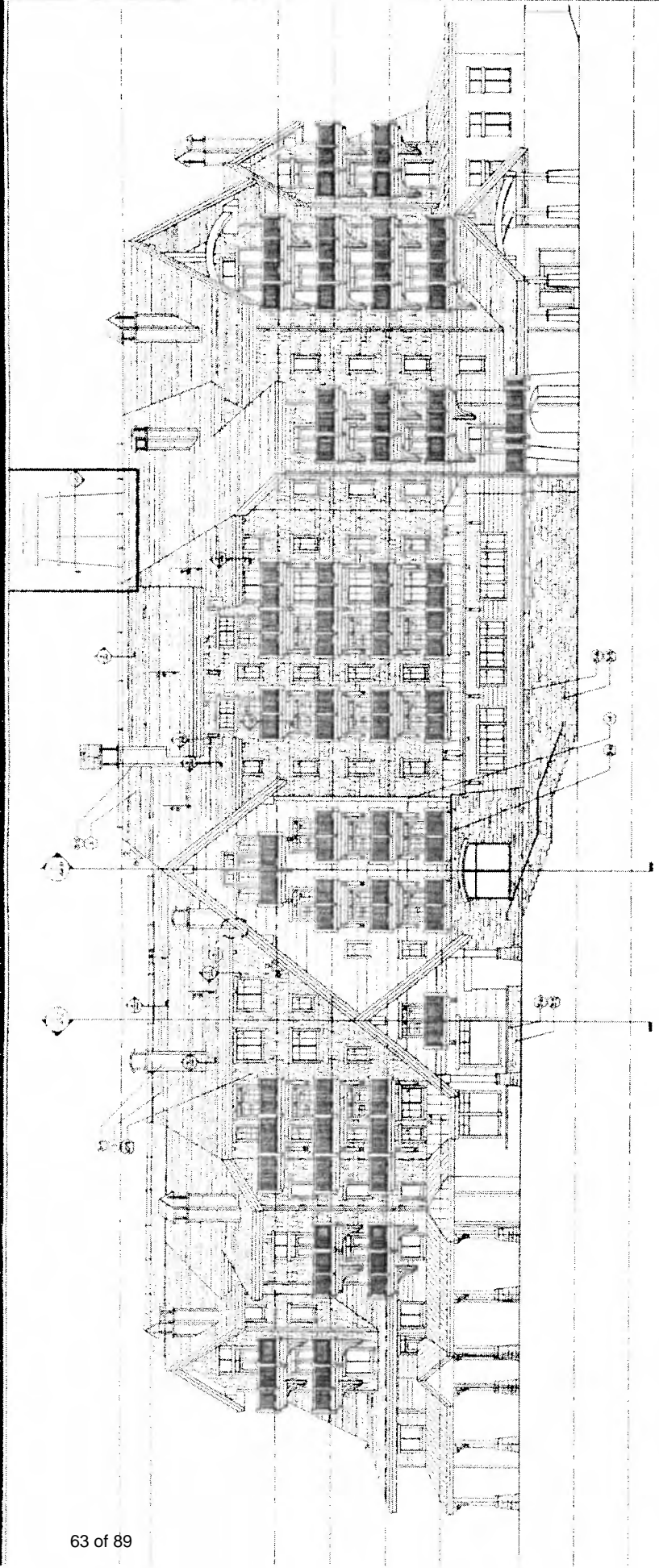
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Drawn By:	JML
Checked By:	JML
Scale:	AS SHOWN
Project No.:	07-001
Client:	CHRYSTIAN PARTNERSHIP, INC.

CHRYSTIAN PARTNERSHIP, INC.
10000 W. ALPINE AVE.
DENVER, CO 80231

DESIGN
ARCHITECTS & PLANNERS
1455 W. JEFFERSON
DENVER, CO 80202
TEL: 303.733.0000
WWW.DESIGNARCHITECTS.COM

- Legend**
- Service Yard
 - Evergreen Tree
 - Deciduous Tree
 - Shrub
 - Grass
 - Stone Wall
 - Gravel
 - Concrete
 - Asphalt
- Proposed Summer Activities To Be Located in the 804 Yard**
- Base
 - Sand Box
 - Highchair
 - Tea Set
 - Beach Volleyball
 - Waterslide
 - Play Structure
 - Climbing Wall
 - Table Tennis
 - Pool Table
 - Pool
 - Volleyball
 - Swimming
 - Trampoline
 - Bike Station
 - Shower
 - Storage
 - Gravel
 - Grass
 - Concrete

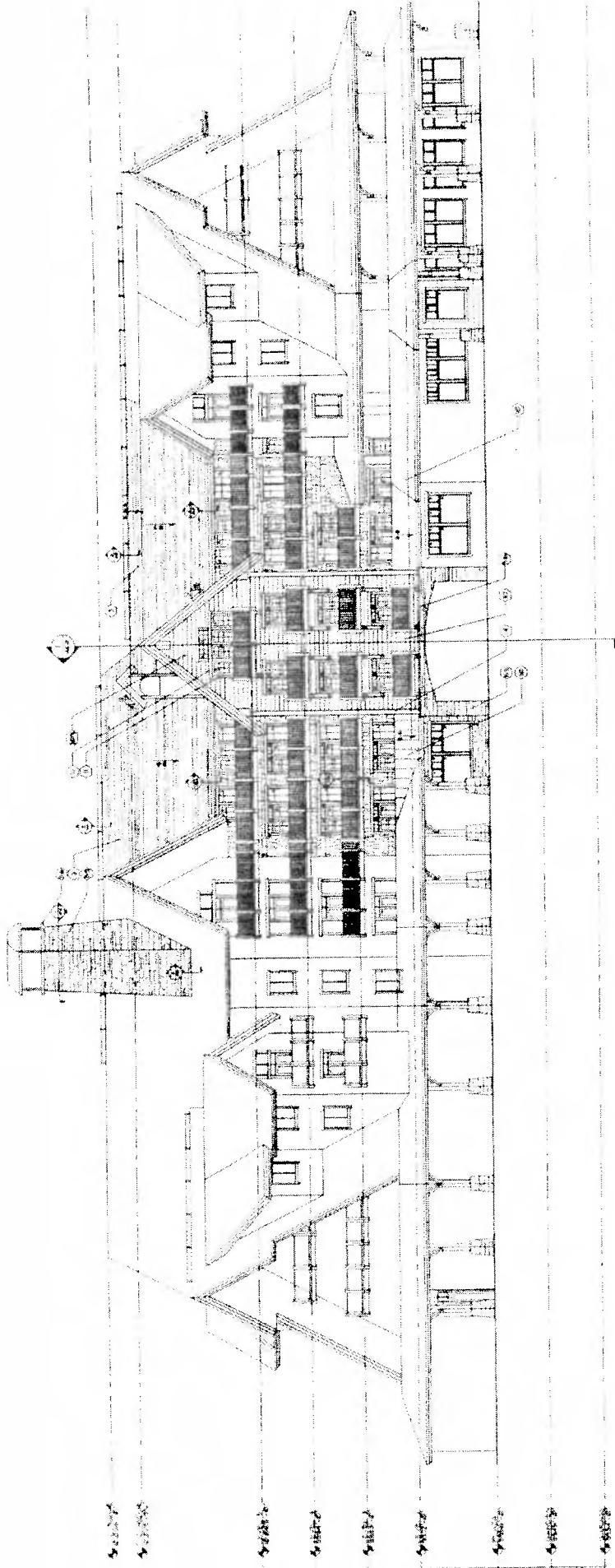




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AS SHOWN ON 1-1-02

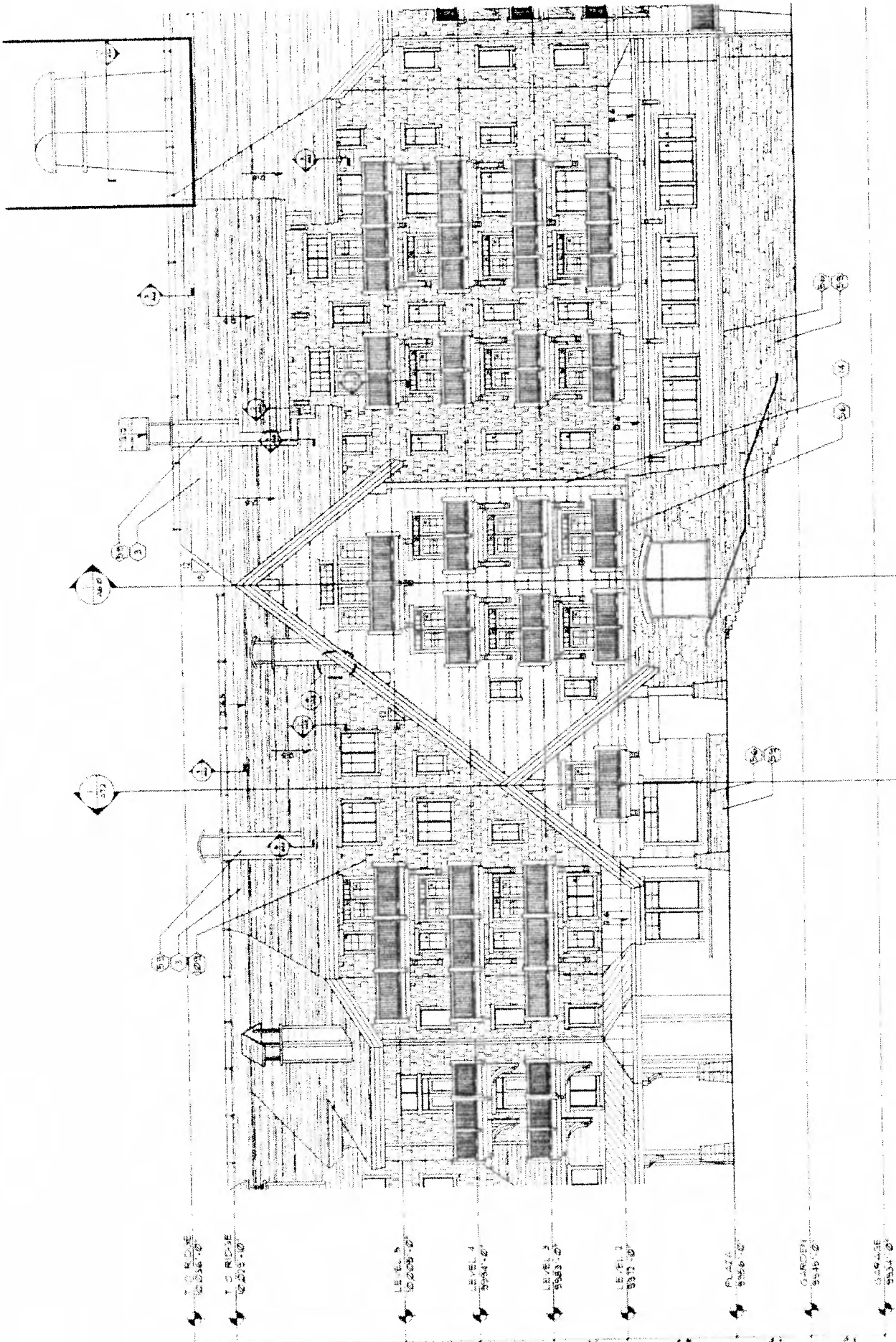
1 EAST ELEVATION

AS 2 3/32" = 1'-0"

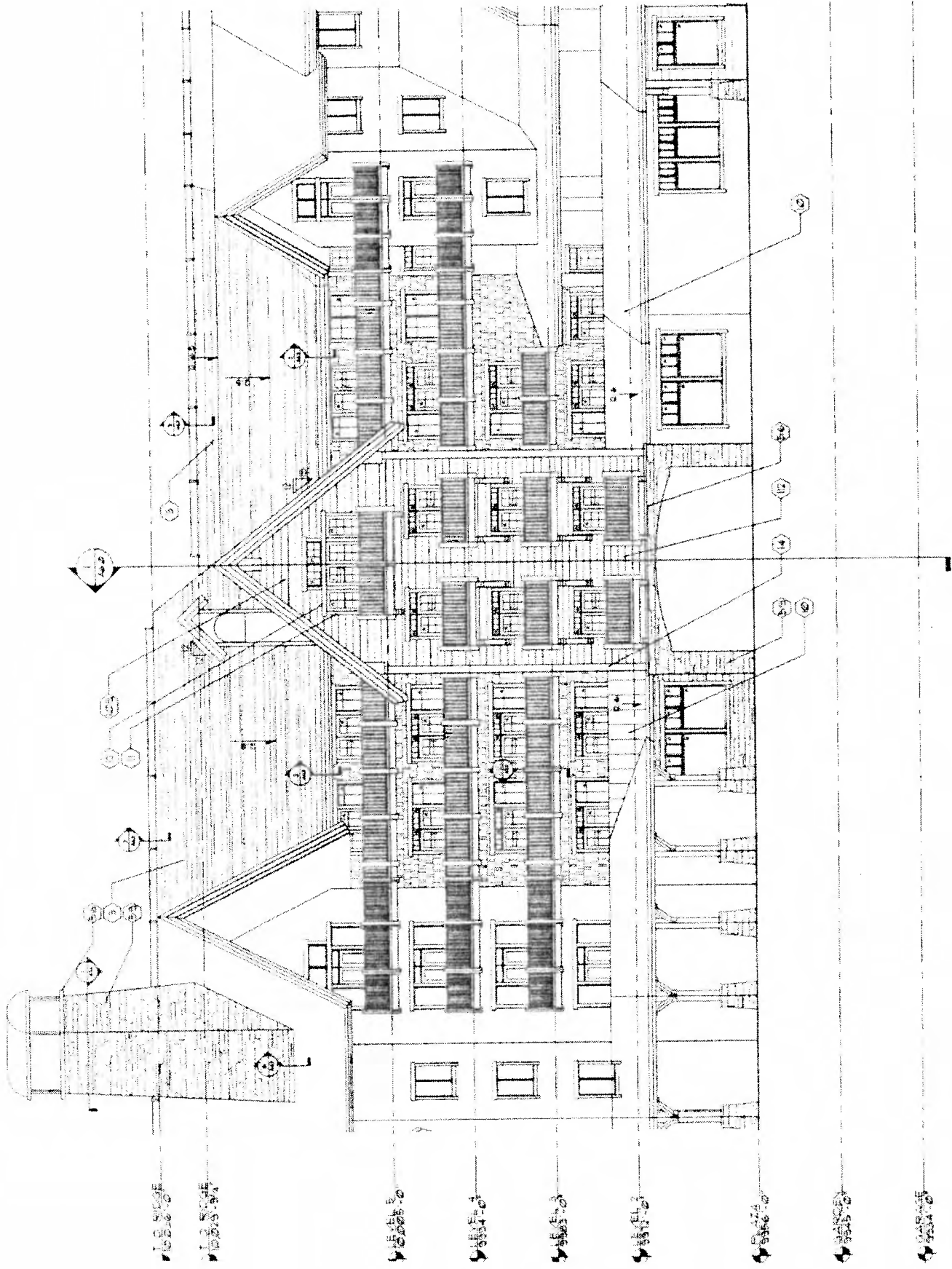


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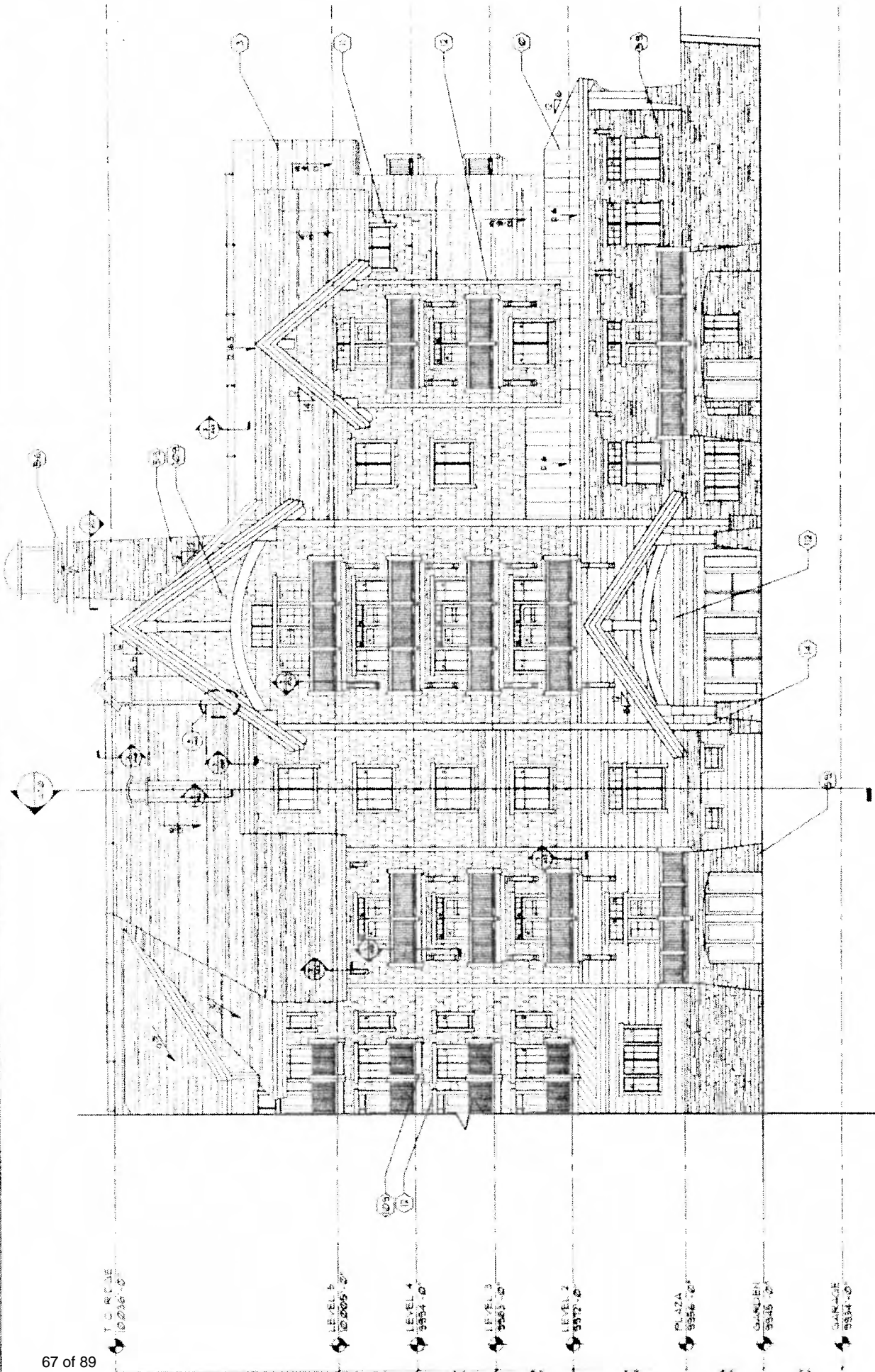
AS 2 3/32" = 1'-0"



1 PARTIAL EAST ELEVATION
 AS1 1/8" = 1'-0"



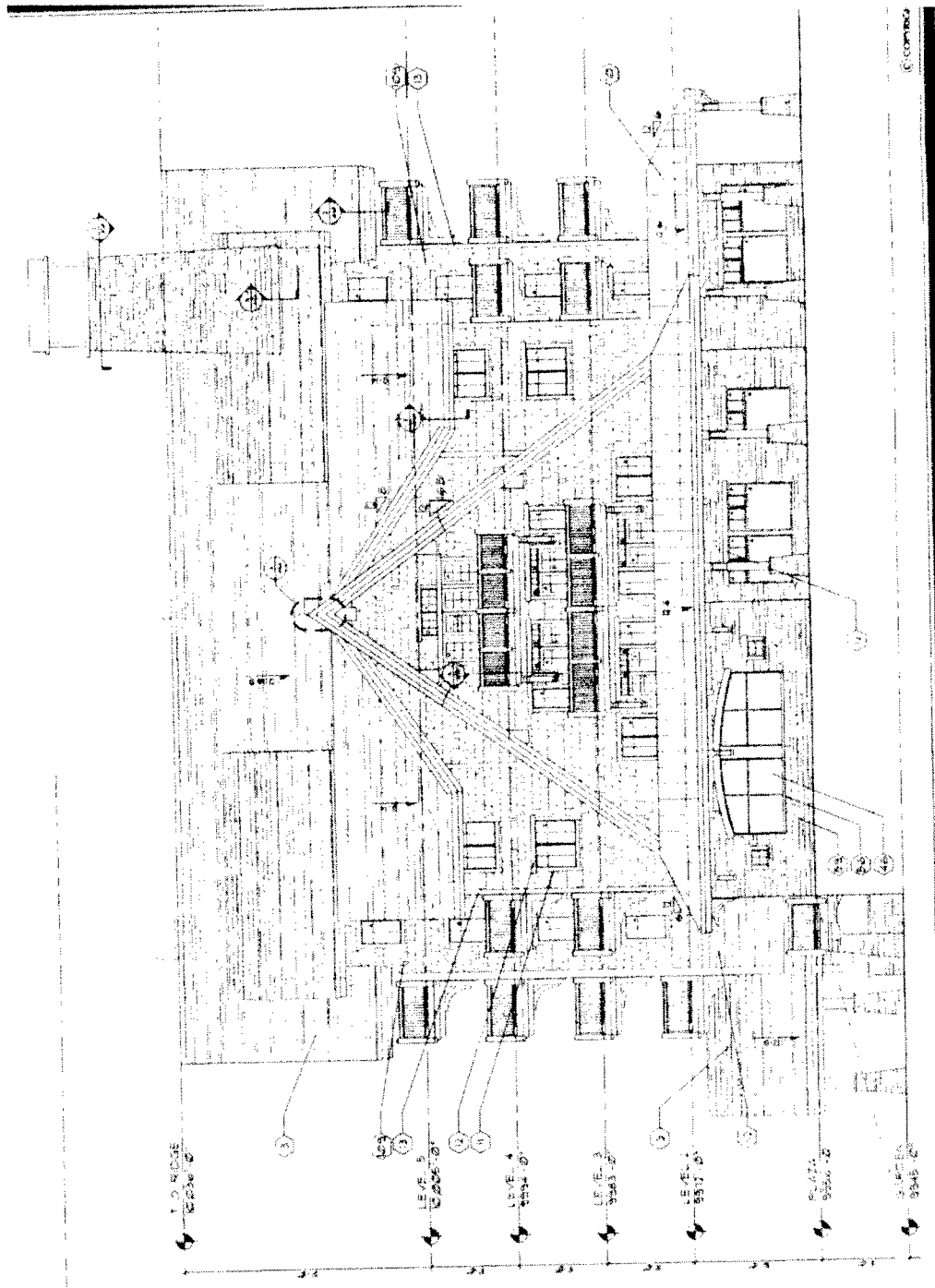
1 PARTIAL WEST ELEVATION
 A52 / 3/8" = 1'-0"



1 PARTIAL NORTH EAST ELEVATION

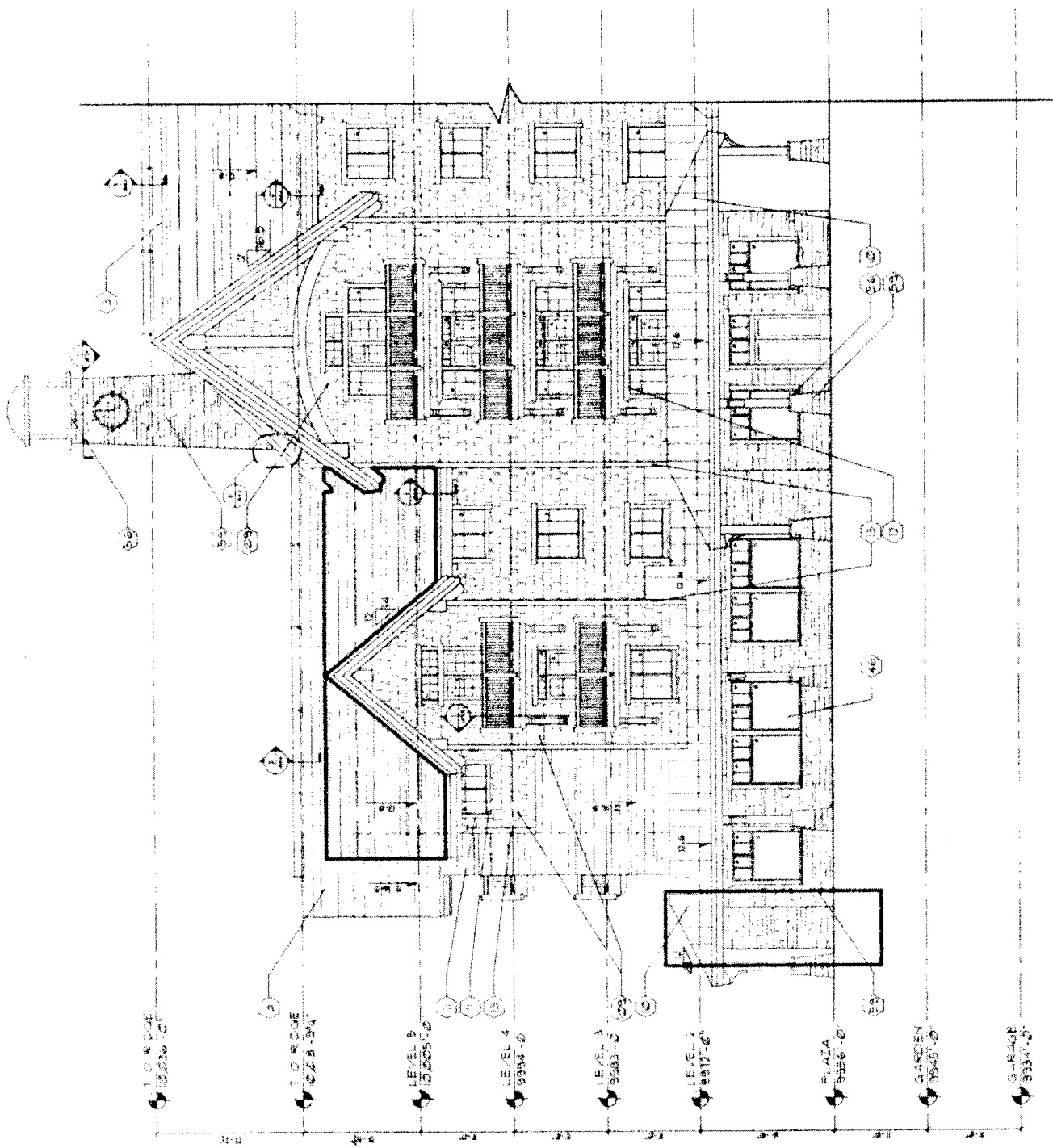
AS3 1/8" = 1'-0"

TORQUE 10036'-0"

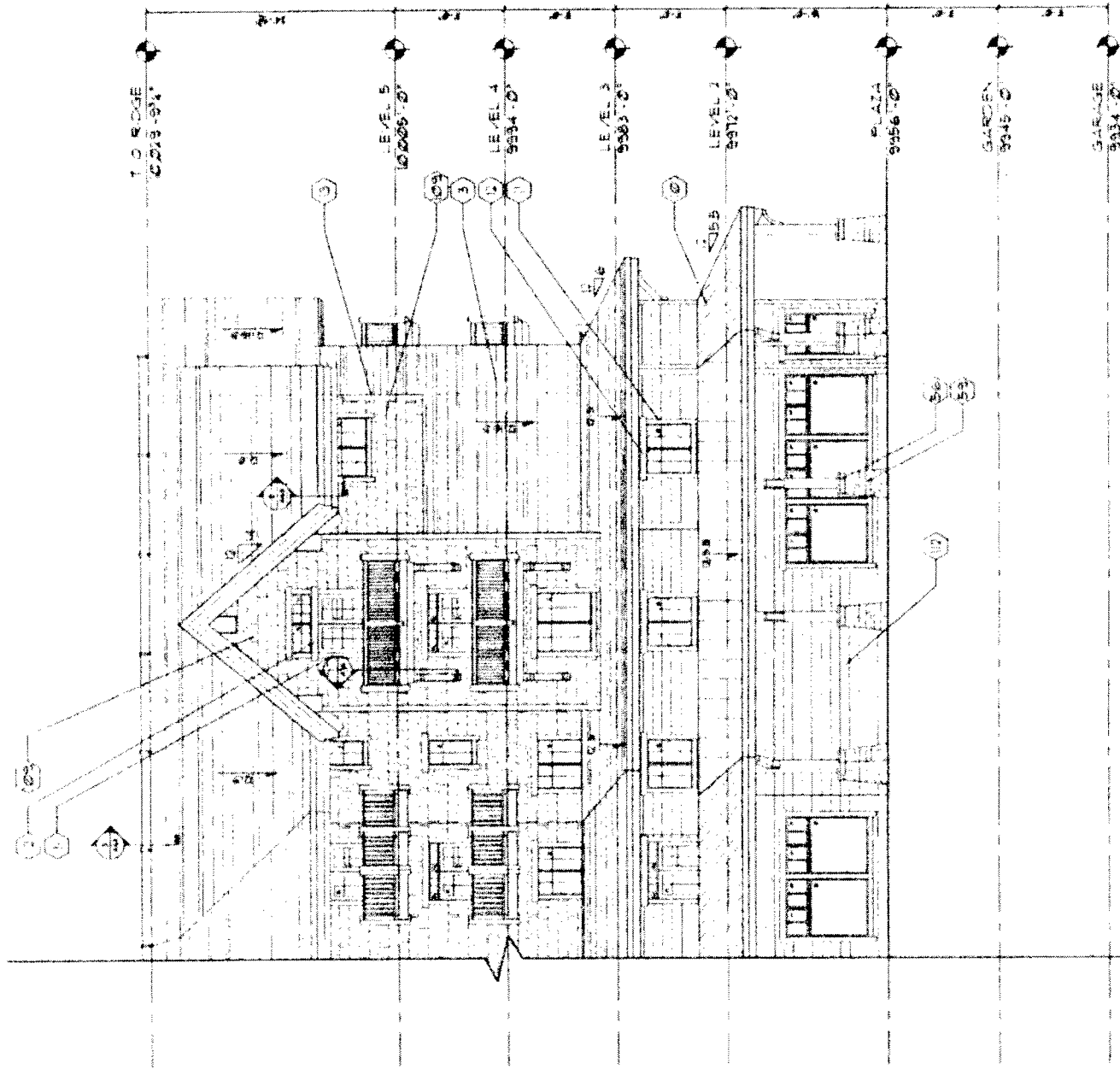


2 PARTIAL NORTH ELEVATION
 453 08' x 11'-0"

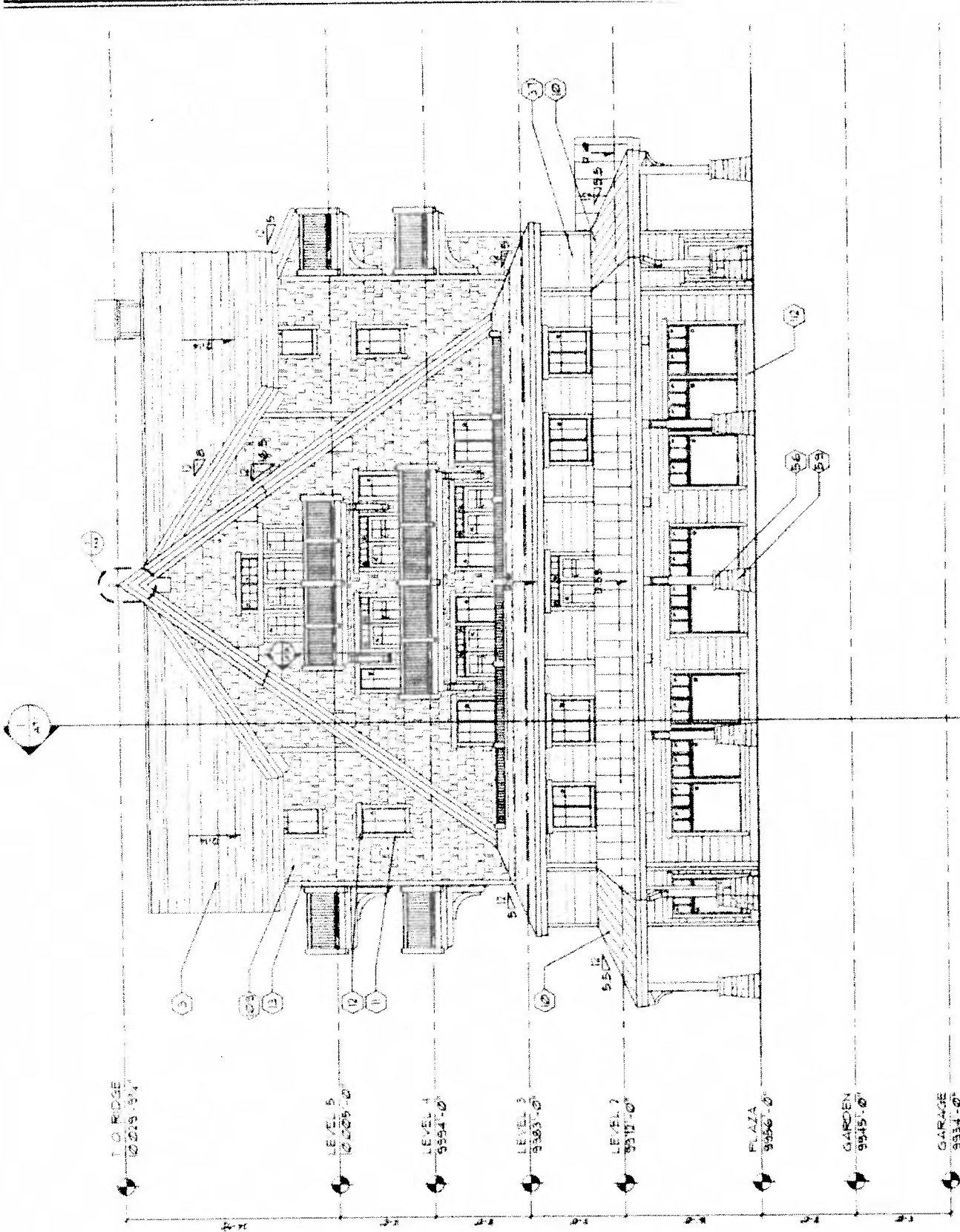
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1 PARTIAL NORTH WEST ELEVATION
 AS 4 / 08" = 1'-0"

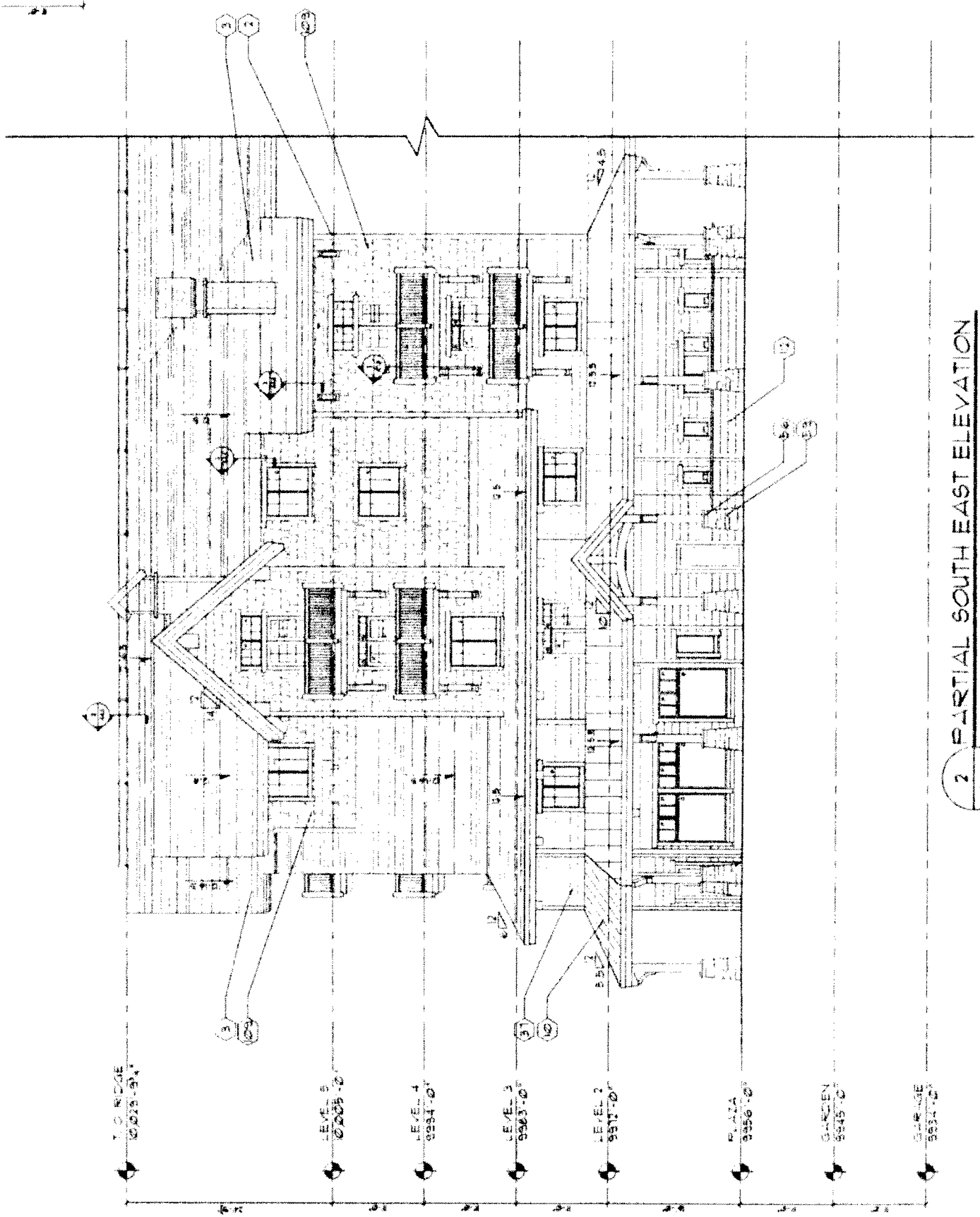


2 PARTIAL SOUTH WEST ELEVATION
 A5.4 1/8" = 1'-0"



1 PARTIAL SOUTH ELEVATION

ASB 1/8" = 1'-0"



2 PARTIAL SOUTH EAST ELEVATION
 455 1/8" = 1'-0"

Planning Commission Staff Report

- Project Manager:** Chris Neubecker, AICP
- Date:** November 12, 2008 (For meeting of November 18, 2008, PC#2008117)
- Applicant/Owner:** Shock Hill Development, LLC
- Agent:** Don Nilsson
- Proposal:** Subdivide property to create two footprint lots around two existing single family homes.
- Address:** 16 Regent Drive (Lot 2)
48 Regent Drive (Lot 6)
- Legal Description:** Shock Hill Cottages
- Site Area:** 3.08 acres (134,164 sq. ft.)
- Land Use District:** 10: Residential – 2 units per acre (Subject to the Shock Hill Master Plan)
- Site Conditions:** The site is relatively flat, and portions of the site have already been cleared of trees to accommodate the previously approved development. The remainder of the site is moderately forested with lodgepole pine trees. These two lots are developed with single family homes, per an earlier development permit.
- Adjacent Uses:** North: Single family homes
East: Private open space
South: Shock Hill Drive
West: Shock Hill Drive and Gondola

Item History

The Planning Commission approved the Shock Hill Cottages on June 5, 2007. This approval included 14 single family homes (“cottages”) plus one employee housing building, with HOA storage and an attached dumpster enclosure. Only two buildings have been built so far. Footprint lots were anticipated at the time of the development review. Now that two buildings exist, the precise location has be determined, and the actual footprint lots have now been surveyed.

Staff Comments

Design Compatible with Natural Features (9-2-4-2): This policy encourages the design of subdivisions to respond to the natural limitations of the site, and to preserve natural features such as trees. The design of the development has responded to these features. No additional development is proposed beyond the homes, roads and infrastructure already approved. Staff finds that the proposed subdivision meets this policy.

Drainage, Storm Sewers and Flood Prevention (9-2-4-3): No new storm sewers or drainage systems are proposed as part of this re-subdivision. All drainage systems for this development were reviewed by the Town Engineer during the development permit review. Staff has no concerns.

Utilities (9-2-4-4): No new utilities are proposed as part of this resubdivision. All utility locations were reviewed during the development permit review. Utility easements were also platted at the time of the initial subdivision to create this parcel.

Lot Dimensions, Improvements and Configuration (9-2-4-5): This policy requires that all lots be platted at a minimum of 5,000 square feet. *“Lots for residential uses and all lots located within residential neighborhoods shall be a minimum of five thousand (5,000) square feet in size, **except lots created through the subdivision of townhouses, duplexes, or building footprint lots** created as part of a single-family or duplex master plan or planned unit development, which are exempt when the lot and project as a whole is in general compliance with the town comprehensive planning program and have little or no adverse impacts on the neighborhood.”*

This development was anticipated to be subdivided as footprint lots, and was reviewed for separation of units and open space during the development permit review. Staff finds that the proposed footprint lots meet the intent of this policy.

Blocks (9-2-4-6): No blocks are proposed or required as part of this re-subdivision.

Pedestrian and Bicycle Circulation (9-2-4-7): The development is served by a sidewalk across Shock Hill Drive. In addition, a new sidewalk is proposed on the north side of Shock Hill Drive (adjacent to this site), as part of this development. A public pedestrian easement has been platted through this property to provide access to the private open space and the public Nordic ski system to the north of this development. Staff finds that these pedestrian systems are adequate for the volume of pedestrians in this area.

Street Lighting (9-2-4-8): No new street lamps are proposed as part of this development. The exterior lighting on each of the 15 buildings is expected to be sufficient to provide required light and meet the exterior lighting policy. Staff has no concerns.

Traffic Control Devices and Signs (9-2-4-9): All required traffic control devices have either already been installed or will soon be installed. Staff has no concerns.

Subdivision and Street Names (9-2-4-10): The subdivision and street names have already been selected and approved, and are currently in use. Staff has no concerns.

Existing and Proposed Streets (9-2-4-11): This policy requires that new streets tie into existing streets, and conform to the Breckenridge Master Plan. Staff finds no concerns with the previously approved street alignment.

Dedication of Parks and Open Space (9-2-4-13): No dedication of parks or open space is required as part of this re-subdivision. All open space dedication requirements were satisfied during the initial Shock Hill subdivision process.

Staff Recommendation

The Planning Department has approved the proposed resubdivision of two footprint lots around two existing single family homes in the Shock Hill Cottages, at 16 and 48 Regent Drive (PC#2008117) with the attached Findings and Conditions. We recommend the Commission uphold this decision.

TOWN OF BRECKENRIDGE

Shock Hill Cottages Footprint Lots
PERMIT #2008117
16 Regent Drive (Lot 2)
48 Regent Drive (Lot 6)

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 Subdivision Ordinance 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 7, 2008 and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on November 18, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has 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.

CONDITIONS

1. The Final Plat of this property may not be recorded 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, refuse to record the Final Plat, issue a stop order requiring the cessation of any work being performed under this permit, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit will expire three (3) years from the date of Town Council approval, on November 25, 2011 unless the Plat has been filed. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

5. Applicant shall construct the subdivision according to the approved subdivision plan, and shall be responsible for and shall pay all costs of installation of public roads and all improvements including revegetation, retaining walls, and drainage system. All construction shall be in accordance with Town regulations.
6. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.
7. Applicant shall be required to install an address sign identifying all residences served by a private drive posted at the intersection with the primary roadway.

PRIOR TO RECORDATION OF FINAL PLAT

8. Applicant shall submit and obtain approval from Town staff of a final plat that meets Town subdivision requirements and the terms of the subdivision plan approval.
9. Applicant shall submit and obtain approval from the Town Attorney for any restrictive covenants and declarations for the property.
10. Applicant shall either install all public and private improvements shown on the subdivision plan, or a Subdivision Improvements Agreement satisfactory to the Town Attorney shall be drafted and executed specifying improvements to be constructed and including an engineer's estimate of improvement costs and construction schedule. In addition, a monetary guarantee in accordance with the estimate of costs shall be provided to cover said improvements.
11. Applicant shall submit and obtain approval from the Town Engineer of all traffic control signage and street lights which shall be installed at applicant's expense prior to acceptance of the streets by the Town.
12. Per Section 9-2-3-5-B of the Subdivision Standards, the following supplemental information must be submitted to the Town for review and approval prior to recordation of the final plat: title report, errors of closure, any proposed restrictive covenants, any dedications through separate documents, and proof that all taxes and assessments have been paid.

PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE

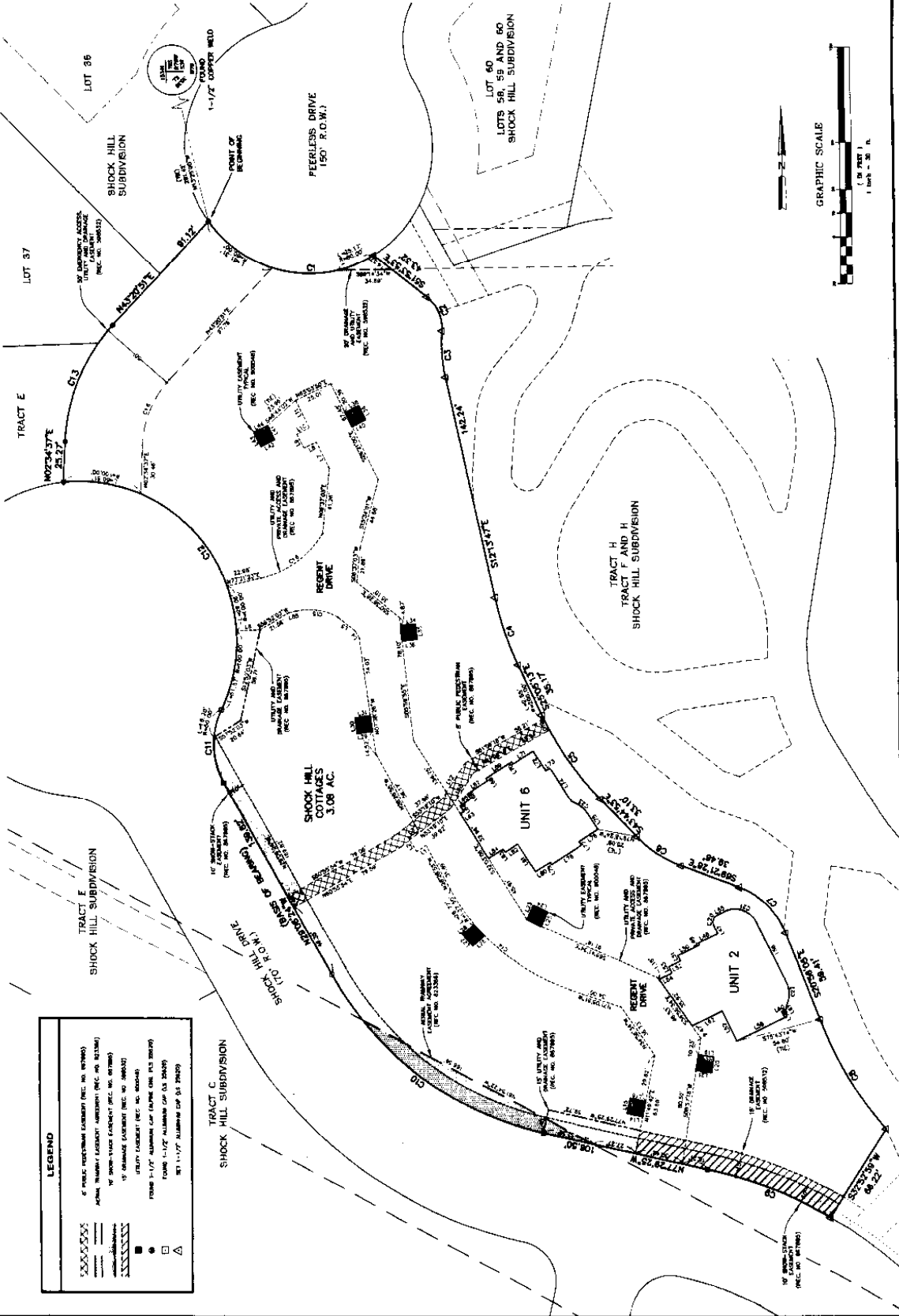
13. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

SHOCK HILL COTTAGES PHASE 1, UNITS 2 AND 6

A REPLAT OF TRACT F, TRACT F AND TRACT H, SHOCK HILL SUBDIVISION
LOCATED IN NW 1/4, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO

LEGEND

[Symbol]	IF PUBLIC UTILITIES EASEMENT (REC. NO. 82780)
[Symbol]	APRIL TRACT EASEMENT (REC. NO. 82780)
[Symbol]	IF DRIVE EASEMENT (REC. NO. 82780)
[Symbol]	IF DRIVE EASEMENT (REC. NO. 30602)
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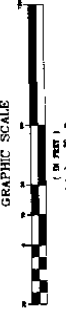


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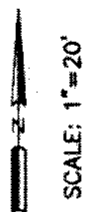
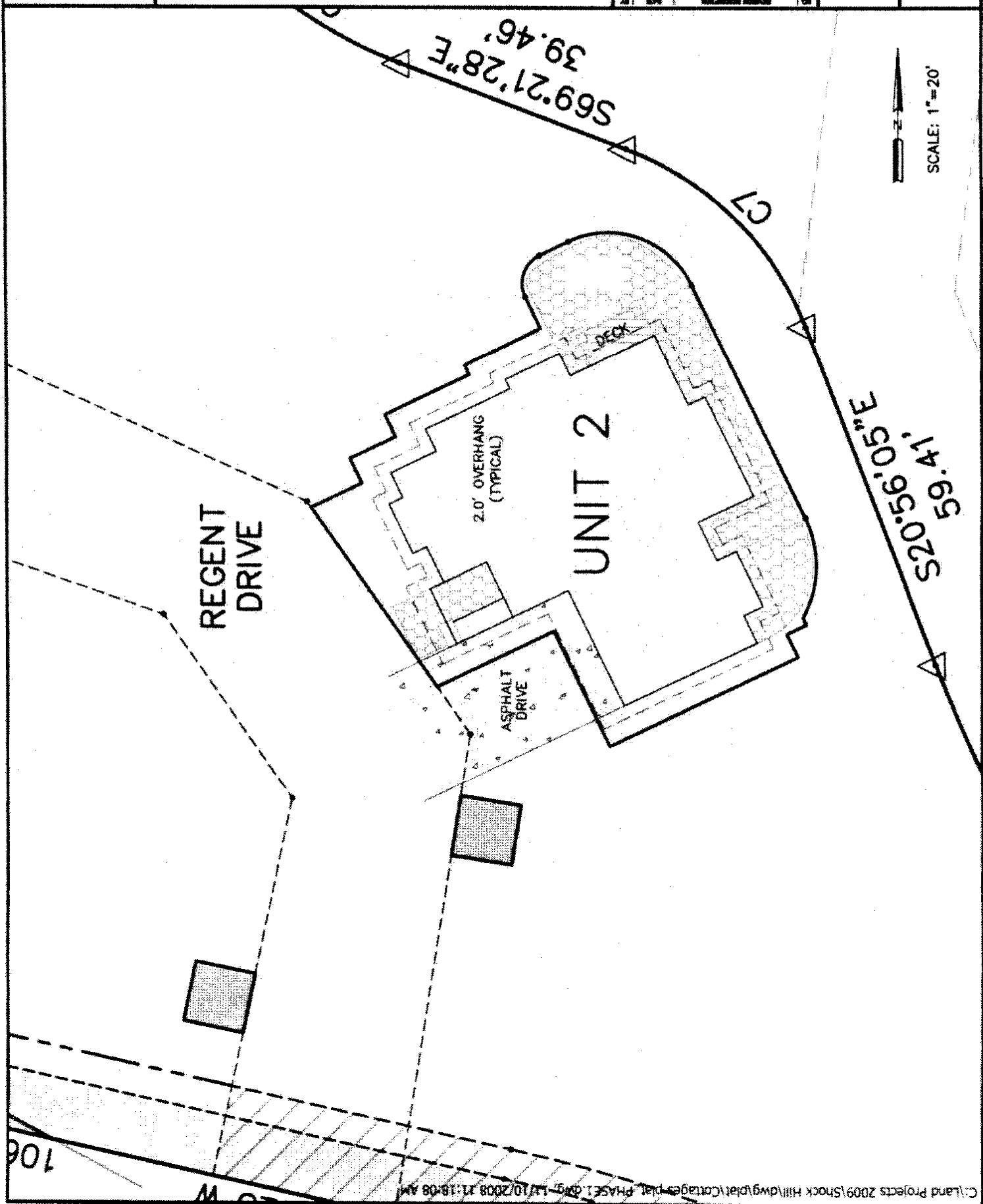
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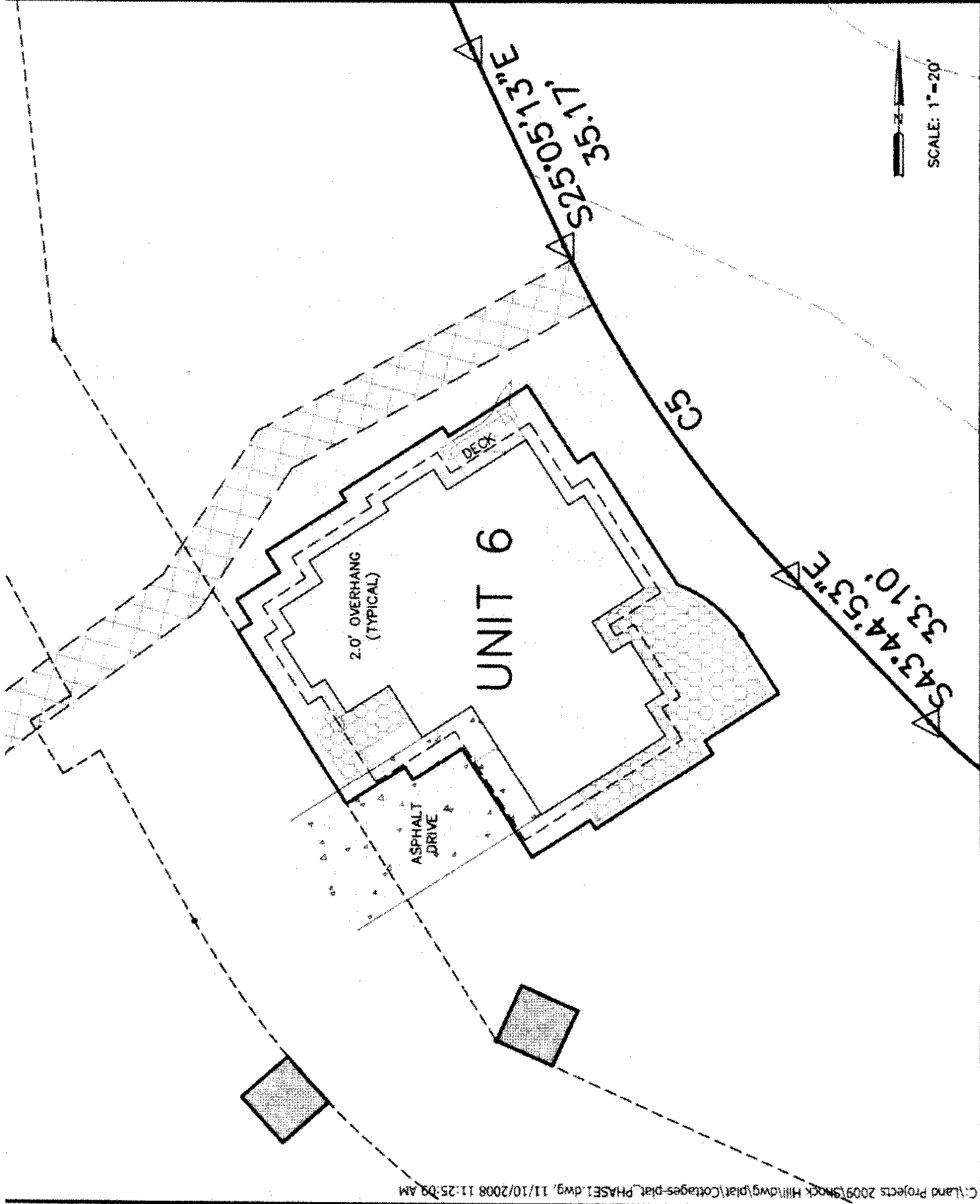
NO.	REVISION	DATE

NO.	REVISION	DATE



NO.	REVISION

DATE	



SCALE: 1" = 20'

Planning Commission Staff Report

- Project Manager:** Michael Mosher
- Date:** November 13, 2008 (For meeting of November 18, 2008)
- Subject:** Maggie Placer Employee Housing Development (Worksession; PC# 2008024)
- Applicant/Owner:** John Springer, Springer Development
- Agent:** John M. Perkins, JMP Architects
- Proposal:** To review a modified plan for the Maggie Placer Development against the Development Code and to recommend to Town Council a renewal of the existing Annexation Agreement based on the submitted changes.
- The original request was: Per the Maggie Placer Annexation Agreement, to develop the property with 18 permanently deed/equity restricted housing units in the form of condominiums. Pursuant to the Annexation Agreement, there shall be 6 one bedroom Restricted Units, 8 two bedroom Restricted Units, and 4 three bedroom units. There were to be 4 market rate cluster-single-family home sites. All parking for the units is surface spaces placed south of the building.*
- The new plan is to provide 12 permanently deed/equity restricted housing units in the form of condominiums. There shall be 6 one bedroom (847 SF) Restricted Units and 6 two bedroom (1,217 SF) Restricted Units. There are also 4 market rate properties for cluster-single-family homes. The maximum size of the market rate cluster-single-family homes is to be 3,500 to 4,500 square feet.
- Address:** 9525 State Highway 9
- Legal Description:** A parcel of land located in the Maggie Placer, U.S.M.S. no. 1338, in sec. 6, township 7 south, range 77 west of the 6th p.m., County of Summit, state of Colorado
- Site Area:** 1.8169 acres (79,144 sq. ft.)
- Land Use District:** 30, Residential, per approved plat, Multi-family - Subject to Annexation Agreement.
- Site Conditions:** The property is primarily treed with mature Lodgepole Pines. These trees were sprayed for Pine Beetle infestation prevention last year. A pocket of younger pines and aspens occurs at the south east corner of the property. The topography undulates and drops off sharply towards the north end of the site. Overhead power lines cross the east side of the property. There are no platted easements on the property.
- Adjacent Uses:** Multi family residential
- | | |
|--------|-------------------------|
| North: | Village Point Townhomes |
| South: | Ski and Racquet Club |
| West: | Allaire Timbers BnB |

East:

State Highway 9 & Southside Estates

Parking: Required for Multi-family 15 spaces
Provided for multi-family: 20 spaces

Item History

Since the May 6th meeting, the applicant and agent have been analyzing the plans based on comments heard from the Commission, Staff and adjoining property owners. As a result, the changes include:

1. A reduction of overall density (75% of the permanently deed/equity restricted housing units are affordable and 25% are market – rate cluster homes).
2. The permanently deed/equity restricted housing portion is now located at the south of the site (no development is proposed down the steep hillside to the north. The four single family home sites are to the north and west.
3. The drive aisle is shared between the permanently deed/equity restricted housing units and the market home sites reducing the paving impacts.
4. CDOT has tentatively accepted having the site accessed from a separate drive from Ski and Racquet's access point.
5. Overall solar orientation for the development is greatly improved.
6. The architecture has been enhanced.
7. Applicant shall create the cluster-single-family home sites for sale, not the structures.

Over the past several months, Staff has been working with John Springer, of Springer Development, and John M. Perkins, AIA of JMP Architects to present a proposal to you regarding the development of the recently annexed Lot 6, Tract 7-77, Section 06, Quarter 2, Maggie Placer, MS#1338, (Maggie Placer Development).

This application was last reviewed on May 6, 2008. Concerns were expressed about the amount of development proposed and the resulting site impacts. Specifically, adequate buffers, snow stacking, parking spaces and storage needs. Concerns were also expressed over the ability to access the property off of Highway 9.

Comments from the May 6, 2008 Planning Commission Meeting

Dan Wolf (Attorney for Ski and Racquet): According to his research, the applicant has no access rights over Ski and Racquet property. Allaire Timbers has access, but no one else (He handed out a letter dated June 12, 2007 that had been copied to the Town and applicant.) Has had no conversation with the applicant. Until this issue is resolved, he suggested tabling or denying the application until access issues are solved. This is not a landlocked property and other access points are available directly to Highway 9.

George Grill, The Corral HOA: A couple of minor concerns: provide a connection from this project directly to the Town sidewalk to the east. Drainage may be an issue. Drainage must be contained in site. Mosquitoes can be a problem too and would prefer to see drainage routed to storm drain system rather than a detention pond.

Dan Ulmer, Agent for Ski & Racquet: This project has a lot of problems. I manage over 1,400 properties and I am familiar with lack of parking on projects like this one. This plan is extremely tight in all areas. Hoped that all issues would be kept in mind and that the developer's feet are kept to the fire. Want this to be a development that the Town can be proud of.

Jan Bowman, Ski & Racquet: The previous owners of the Allair Timbers said that the new owners shall maintain the trail. Have used this for over 20 years and is used by a lot of others. (Staff noted that the trail is not on the applicant's property.)

Norman Stein, Director at Ski & Racquet: Parking problem still exists even with reduced density. There are not enough parking spaces.

Raul Hayworth, Ski & Racquet: to his knowledge, neither he nor the HOA as been contacted regarding the trail to the crest of the hill, but it is used frequently.

Jay Rust, President of Woods Manor HOA: Woods Manor is not in the town limits but is pursuing the possibility of being annexed. He was concerned about the small setbacks from the highway. Asked if this would be the most appropriate development within a prime view corridor entry to Town. Woods Manor has never approved use of a trail through their property. Has expressed concerns about the development in past meetings, but do not see much in the way of changes.

Commissioner Questions/Comments:

Ms. Girvin: Is there a trail on the property to get to town? (The applicant pointed out a trail does not go through to town and he believed Woods Manor didn't want the trail to go through. The trail is not part of this application as it is off the site.) Regarding handicapped parking, are there three handicap spaces required? If not, don't do three. They take up extra space. Asked about the annexation agreement, AMI targets, etc. (Mr. Mosher noted that the agreement and targets were already addressed at the Council level and are not part of what the Planning Commission will review.) Sought clarification regarding set backs. (Staff pointed out criteria.) Is this project proposed for two or three stories? (Applicant pointed out it was a three story project.) Asked staff to clarify procedures for site access issues with Ski and Racquet Club. (Staff explained that this application would not come before the Planning Commission again until the access issues have been resolved.) Asked if Commission always is allowed comments prior to annexation process with the Council. (Staff pointed out that having the Commission review of the annexation before it's processed through is at the discretion of Council. This project was reviewed by the Commission before it went to Council.) Yes plan B is better than plan A, but still a lot of intensity on small piece of property that is highly visible and prominent. Possibly ridge line development should apply. Don't allow to exceed two-stories. It's unfortunate something like this is being proposed on this site. The trail was another issue that needs to be addressed. Thought the trail should be part of the Town's overall trail system.

Mr. Allen: Reduction in intensity is generally good and he was fine with having only 1 and 2 bedroom units. Encouraged the applicant to have more parking even if open space needs to be utilized to allow for it. Allow for access to the trail from this property. Applicant is on the right track and he is ok with the intensity. Wants the architecture to look good and the site should be well buffered.

Mr. McAllister: Regarding storage of goodies, has this been discussed? (Staff pointed out adding storage for residents is not a Code requirement. This project will not likely have families with children.) Sought clarification regarding parking spaces. (Staff pointed out the amount of parking spaces has been reduced along with the bedroom count.) Pointed out these are deed restricted employee housing units tied to AMI. New intensity better than the old, but still a lot of intensity for the site. Was concerned about storage, parking, circulation, drainage, and ridge line development issues. Not sure if parking places number 20, 21 or 22 are in the best place and therefore compromise the site buffering. Not sure about changing Land Use District designation to allow 3 story building heights. Confused about the trail issues as it is not on this property. Do not proceed this application further until the access issue with Ski and Racquet is resolved. No reason to go further until answers are resolved.

Mr. Pringle: The application eliminated the 3 bedroom units. Not a family development. Liked this iteration better than the other one. It makes since to drop the 3 bedroom units. Would support a LUD change to get to three stories.

Mr. Bertaux: Have the changes impacted the access issues? (Staff: no.) Noticed that one of the differences was adding envelopes on the market lots; will garages be present? (Mr. Mosher: The buildings and envelopes on the market lots are for illustration only. The Commission will be able to review the market lots with the subdivision application.) Fine with the reduction of density. Vehicular access will be an issue. Supported trail and sidewalk connections from inside the site. Would not support reducing the number of parking spaces. Believe you need as many that can fit on the site. Drainage still an issue and was encouraged to be kept on site. Advantage of new application is larger buffer area on one side of project but more landscaping would be needed throughout. The revised application shows nothing really great at this point. Still have concerns about the negative impacts of this to such a small site. Right number of units. This application not screaming out for an approval as presented.

Staff Comments

Responding to the concerns expressed at the last hearing, the applicant is seeking Commissioner input on the reduction of density, increased parking spaces and increased site buffering. The concept is to reduce the intensity of the project and lessen the negative impacts seen in the initial submittal.

The access to the property is now directly off of Highway 9. CDOT has giving preliminary approval for access to and from the right-hand turning lane that terminates at the Ski and Racquet Club drive. As a result, the access issues are no longer a concern. (Also, there will be no improvements made to the Ski and Racquet Club entrance.)

With this plan, the percentage of affordable to market units has changed from 82% to 75%. Of the 12 units, 2 are to be restricted to 90% AMI and the remaining are up to 110% AMI. There are six one-bedroom units and six two-bedroom units. The Council Housing Sub-Committee has reviewed the plans and is supportive of the changes. The committee did want to see a quality development with large units and attractive architecture.

Addressing site concerns, the housing building is no longer over the north hillside and, as a result, more trees/buffering can be preserved. The placement and architecture of the three separate affordable buildings offer greater solar opportunities, buffering around each building and privacy. The looped drive, shared with the market lots, has reduced the overall paving. The architecture shows improved articulation with a variety of materials and massing. We are supportive of the changes. Staff believes that plans could be reviewed against the Development Code with a passing score on a point analysis.

If the Commission is comfortable with the new plans, we suggest a motion to recommend amending the annexation agreement based on the submitted plans meeting applicable policies of the Development Code.

We welcome any Commissioner comments.

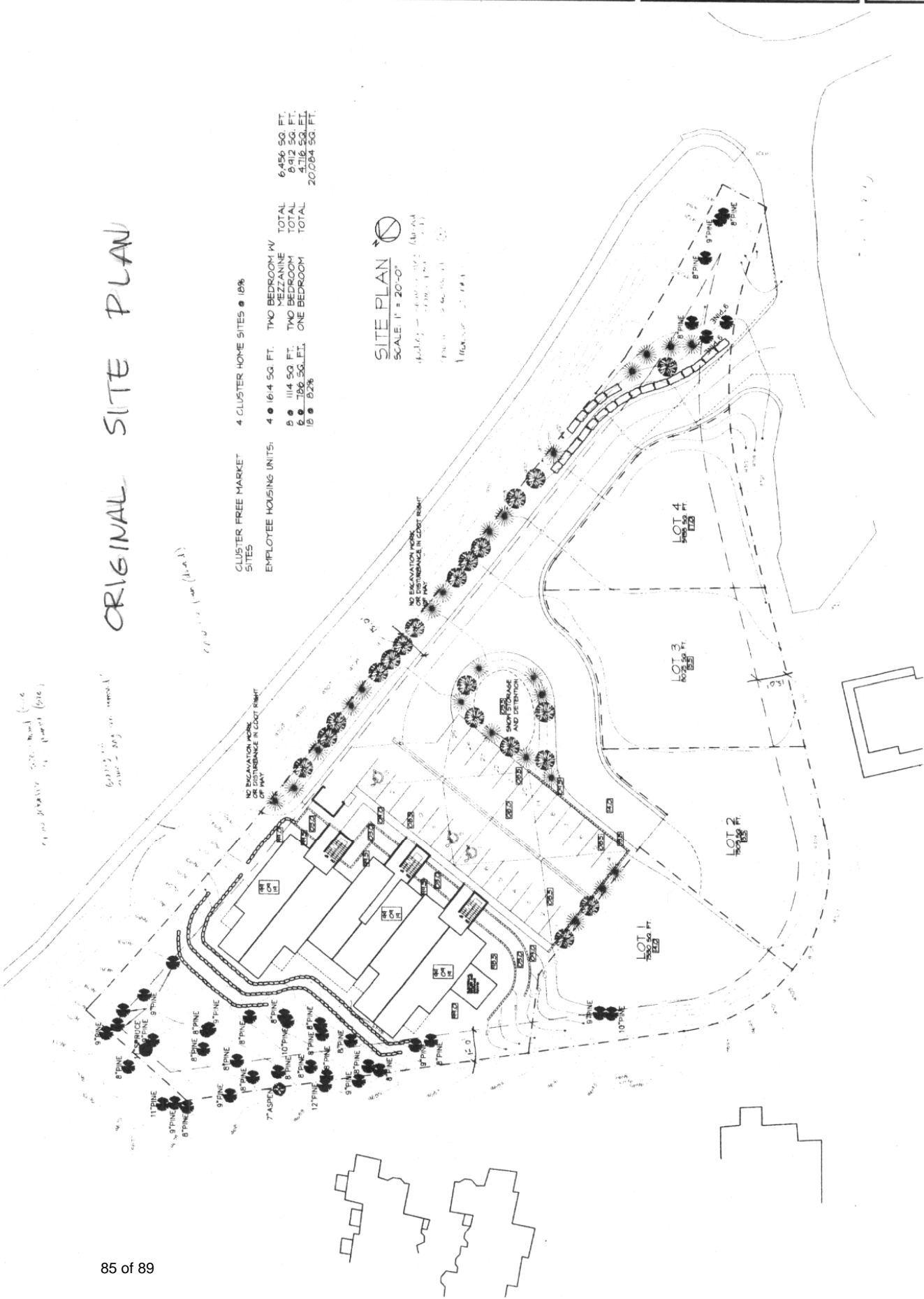
ORIGINAL SITE PLAN

EXISTING DRIVEWAY TO BE REMOVED
 6' SIDEWALK TO BE REMOVED

EXISTING DRIVEWAY TO BE REMOVED

CLUSTER FREE MARKET SITES	4 ● 16.4 SQ. FT.	TWO BEDROOM W/ BEZZANINE	TOTAL 6456 SQ. FT.
EMPLOYEE HOUSING UNITS:	8 ● 114.5 SQ. FT.	TWO BEDROOM	TOTAL 912 SQ. FT.
	6 ● 196 SQ. FT.	ONE BEDROOM	TOTAL 1176 SQ. FT.
	12 ● 0.2%		TOTAL 20704 SQ. FT.

SITE PLAN
 SCALE: 1" = 20'-0"
 DATE: 11/11/11
 DRAWN BY: J. B. [unclear]
 CHECKED BY: [unclear]
 PROJECT NUMBER: 0000000



JMP ARCHITECTS, INC.
 1041 E. Riverfront Blvd. C-16
 Avon, Colorado 81620
 970.444.9322 Fax 970.444.0924
 jmp-request.net

MAGGIE PLACER, LLC
 EMPLOYEE HOUSING PROJECT
 SOUTH STATE HIGHWAY 4
 TOWN OF BRECKENRIDGE
 BRECKENRIDGE, CO, 80424

REVISIONS:
 # DATE NOTES

ISSUED OUTDOOR
 LIGHTING
 CHECKED BY
 PROJECT NUMBER
 0000000

SITE PLAN
 C-2.1

JMP ARCHITECTS, INC

0047 E Beaver Creek Blvd
 Crystal Lodge Resort Site C-10
 Park-mp@quest.net
 470.444.9322 fax 470.444.0629

MAGGIE PLACER, LLC
 EMPLOYEE HOUSING PROJECT
 TOWN OF BRECKENRIDGE
 SOUTH STATE HIGHWAY 9
 BRECKENRIDGE, CO. 80424

ISSUED: 04/08/2008
 DRAWN BY: CRP
 CHECKED BY: JJP
 PROJECT NO: 00000000

REVISIONS:
 * DATE NOTES

LANDSCAPE PLAN

A-11

RECEIVED
 APR 8 2008

TOWN OF BRECKENRIDGE
 PLANNING DEPT.

CLUSTER FREE MARKET SITES 4 CLUSTER HOME SITES @ 10%

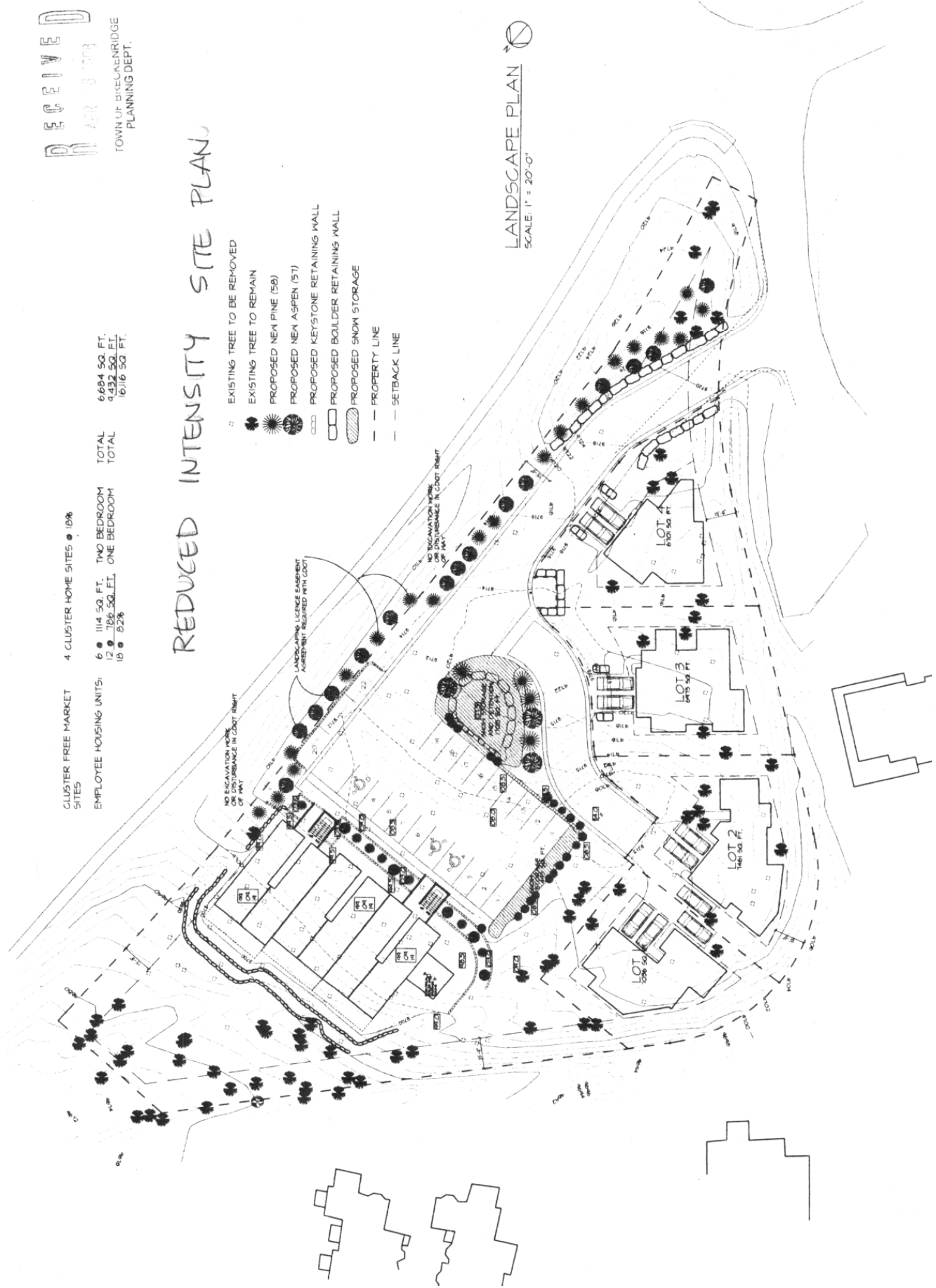
EMPLOYEE HOUSING UNITS:
 6 @ 1114 SQ. FT. TWO BEDROOM
 12 @ 718 SQ. FT. ONE BEDROOM
 18 @ 82%

TOTAL 6684 SQ. FT.
 TOTAL 4332 SQ. FT.
 TOTAL 16116 SQ. FT.

REDUCED INTENSITY SITE PLAN

- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO REMAIN
- PROPOSED NEW PINE (50)
- PROPOSED NEW ASPEN (51)
- PROPOSED KEYSTONE RETAINING WALL
- PROPOSED BOULDER RETAINING WALL
- PROPOSED SNOW STORAGE
- - - PROPERTY LINE
- - - SETBACK LINE

LANDSCAPE PLAN
 SCALE: 1" = 20'-0"



PROPOSED PROJECT DATA:

Buildings 1-4 free market single family homes w/ 2 car attached garages w/ 2500 to 4500 s.f.

Buildings A-C 17 deed restricted housing units (4 ea. bldg) w/ twenty parking spaces

0 - 1br. units @ 847 s.f.
 6 - 2br. units @ 1217 s.f.

Hwy # 1 direct access

existing streets
 * proposed streets



SITE PLAN

NO SCALE: 11.12.2008

JMP ARCHITECTS, INC
 0047 E. Beaver Creek Blvd
 Crystal Loden Resort, Suite C-16
 P.O. Box 2007
 Avon, Colorado 81620
 970.444.0322 fax 970.444.0629
 Fax: jmp@j Architects.net

MAGGIE PLACER, LLC
 EMPLOYEE HOUSING PROJECT
 SOUTH STATE HIGHWAY 9
 TOWN OF BRECKENRIDGE
 BRECKENRIDGE, CO, 80424

ISSUED: 11/20/08
 DRAWN BY: JAP
 CHECKED BY: JAP
 PROJECT NUMBER: 00000000

LANDSCAPE PLAN
 A-11

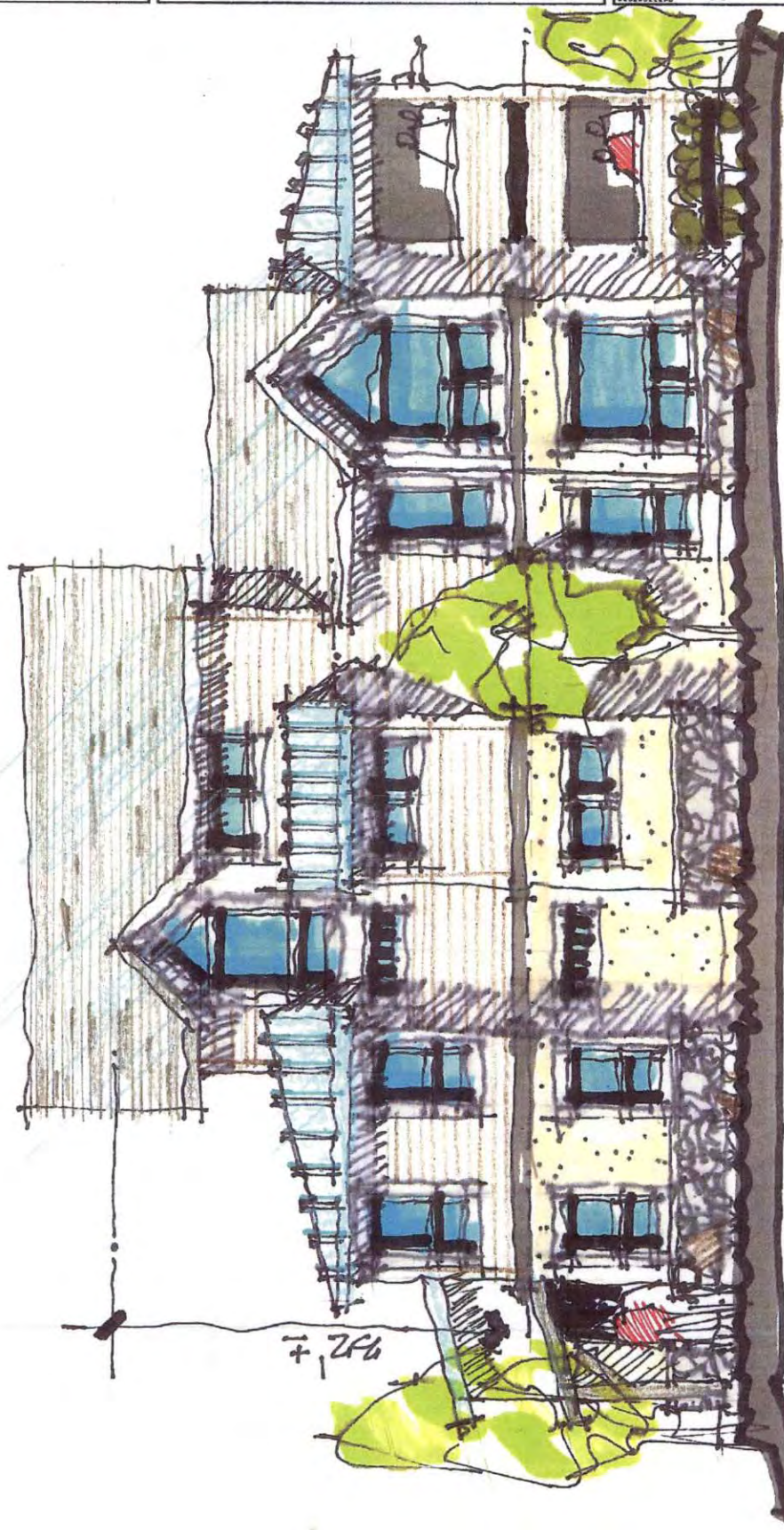
JMP ARCHITECTS, INC
 0047 E Beaver Creek Blvd.
 Christie Lodge Resort Suite C-16
 Avon, Colorado 81620
 P.O. Box 20071
 970-444-9322 fax 970-444-0629
 Per: jmp@jamp.net

MAGGIE PLACER, LLC
 EMPLOYEE HOUSING PROJECT
 SOUTH STATE HIGHWAY 9
 TOWN OF BRECKENRIDGE
 BRECKENRIDGE, CO, 80424

REVISIONS
 DATE NOTES

ISSUED: 10/23/08
 DRAWN BY: JAP
 CHECKED BY: JAP
 PROJECT NUMBER:
 00000000

LANDSCAPE PLAN
 A-11



entry bedroom bath star. kitchen/dining living covered decks
 typical side elevation 4-plex
 no scale multiple variations possible 11-12-roof

JMP ARCHITECTS, INC

0047 E Beaver Creek Blvd.
Crested Lodge Resort, Suite C-16
P.O. Box 20071
Aven, Colorado 81620
970-444-4322 fax 970-444-0629
junk_jmp@quest.net

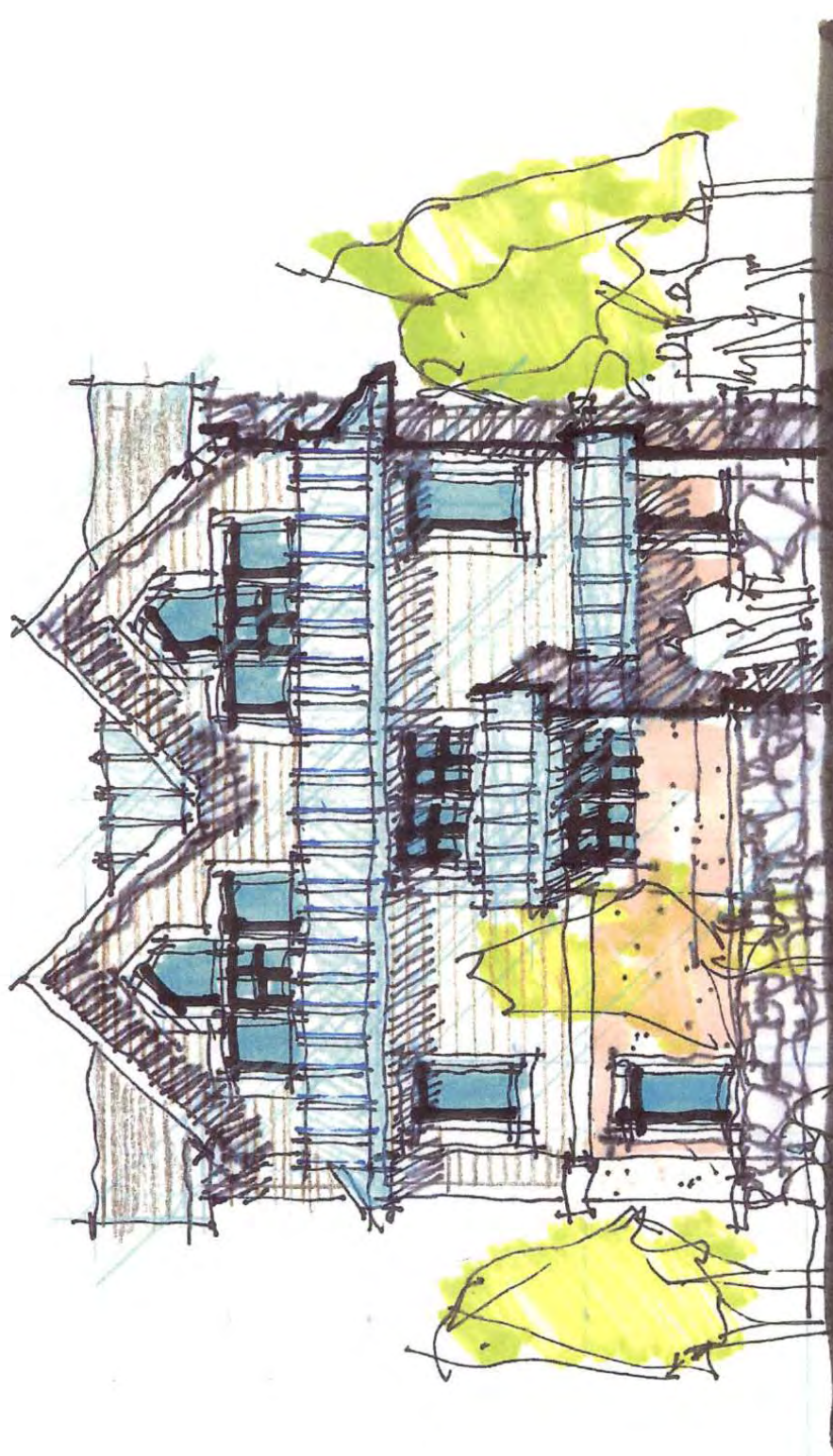
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EMPLOYEE HOUSING PROJECT
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TOWN OF BRECKENRIDGE
BRECKENRIDGE, CO, 80424

REVISIONS
DATE NOTES

DESIGNED: 11/23/08
DRAWN BY: JJP
CHECKED BY: JJP
PROJECT NUMBER:
0000000

LANDSCAPE PLAN

A-11



typical entry end elevation

no scale:

11.17.2008