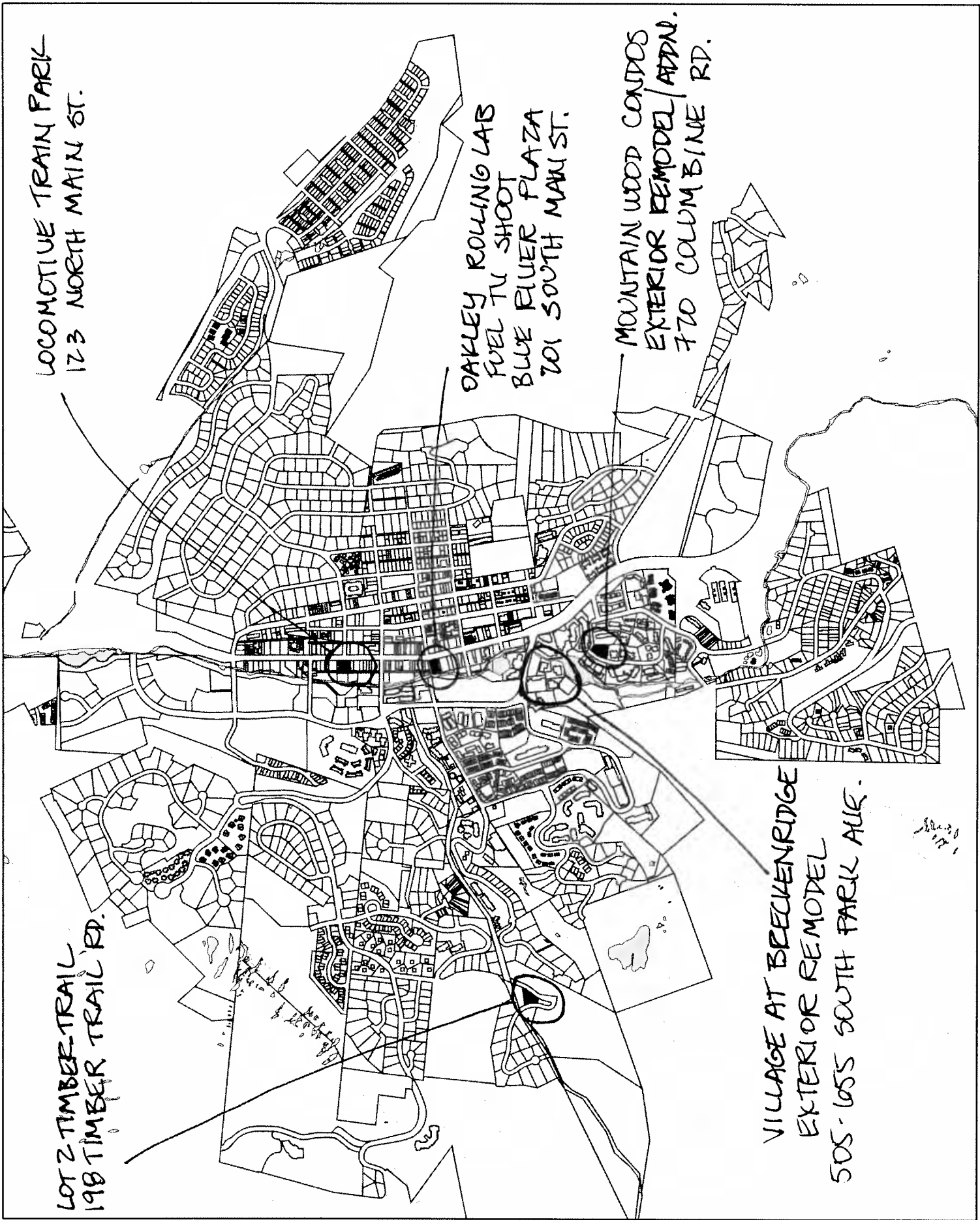


Town of Breckenridge
Planning Commission Agenda
Tuesday, November 4, 2008
Breckenridge Council Chambers
150 Ski Hill Road

7:00 PM	<i>Call to Order of the November 4, 2008 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes October 21, 2008 Regular Meeting Approval of Agenda</i>	4
7:05	<i>Election of Planning Commission Chair and Vice-Chair</i>	
7:10	<i>Consent Calendar</i>	
	1. Lot 2, Timber Trail (MGT) PC#2008112 198 Timber Trail Road	9
	2. Village at Breckenridge Exterior Remodel (CN) PC#2008114 505-655 South Park Avenue	19
	3. Oakley Rolling Lab Fuel TV Shoot (MGT) PC#2008113 201 South Main Street / Blue River Plaza	27
7:25	<i>Work Sessions</i>	
	1. Locomotive Train Park (JP) 123 North Main Street	34
8:15	<i>Town Council Report</i>	
8:25	<i>Other Matters</i>	
	1. Memo: Recognition Reception at Mi Casa (CN)	38
8:30	<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.*



LOCOMOTIVE TRAIN PARK
173 NORTH MAIN ST.

OAKLEY ROLLING LAB
FUEL TV SHOOT
BLUE RIVER PLAZA
701 SOUTH MAIN ST.

MOUNTAIN WOOD CONDOS
EXTERIOR REMODEL/ADDN.
770 COLUMBINE RD.

LOT 2 TIMBER TRAIL
198 TIMBER TRAIL RD.

VILLAGE AT BECKENRIDGE
EXTERIOR REMODEL
505-655 SOUTH PARK AVE.



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Breckenridge South

printed 2007



PLANNING COMMISSION MEETING

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

ROLL CALL

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

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

APPROVAL OF MINUTES

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

APPROVAL OF AGENDA

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

CONSENT CALENDAR:

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

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

RESOLUTIONS:

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

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

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

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

Commissioner Questions/Comments:

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

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

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

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

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

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

Final Comments: Good report

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

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

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

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

FINAL HEARINGS:

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

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

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

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

Commissioner Questions/Comments:

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

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

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

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

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

Final Comments: Agreed, supported use of solar panels.

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

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

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

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

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

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

WORKSESSIONS:

1. Capacity Analysis (CK)

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

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

Buildout

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

Water

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

Sewer

- Current treatment capacity
- Potential treatment capacity

Roads

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

Parking

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

Transit

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

Housing

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

Childcare

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

Schools

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

Parks and Open Space

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

Environmental Quality:

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

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

Commissioner Questions/Comments:

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

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

2. Solar Panels Ordinance Amendment (JP/MGT)

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

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

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

Commissioner Questions/Comments:

- Mr. Bertaux: OK with the change outside the conservation district. Would also be OK in specific cases inside of the district under further review such as Red Roost condos which are not historic and are multifamily.
- Ms. Girvin: Thought we need to change the policy if we are serious about renewable sources of energy. Agreed it’s not appropriate in the historic district but some cases such as Val D’Isere would be OK. In favor of making these necessary changes.
- Mr. Schroder: Thought the current policy is great first step. Even though this was just approved, it’s good that we reevaluate this. Great that Council recognizes this shortcoming. If we want to be a leader in green technology, we should advocate this. The rise - tilt consideration should be modified. Proper angles should be allowed, both inside and outside conservation district. See this issue like blue recycling containers, that at one time were seen as more clutter, but are now accepted.
- Mr. Lamb: Liked the aesthetics of solar panels. Did not have an issue with the change outside of the district. Didn’t agree on taking baby steps. Maybe we should have included this allowance in original policy and not passed it so quickly. As these come online, we realize there is technology that we did not consider.
- Mr. Pringle: Are there other models or products that could be pursued in this case mentioned? (Ms. Puester: This issue is for greater solar gain, these additional panels on the east and west facing roofs to be added, but panels have been approved for this application on the south facing roofs already. In this case, the primary roofs are east and west facing.) What about Building Integrated Solar Systems- like the new solar shingles which could have more pleasing aesthetics? (Sean MacPherson, Innovative Energy: We only use applications that have been reliable up here and what is most cost effective for the client. Solar shingles do not work well in an application in Keystone and do not have a Class A fire rating, have lower energy density. It’s a question of “State of the Art” vs. “State of the Shelf”.) Do we want to allow them to get maximum solar gain, or do we also consider aesthetics? Aesthetics used to be one of the most important things to the Town. Didn’t like it when we just recently passed an ordinance and are already finding issues. We should take baby steps. Would solar hot water be effective here? (Mr. MacPherson: No, solar heating does not get the same tax credits as solar electricity, which gets the rebate, not just the tax credit. Also, 55 degrees is optimal for solar hot water, since it is mostly needed in winter.) Disagreed with Mr. Schroder on changing code inside of the conservation district. Conservation district was at one time seen as the most sacred character of town. We need to preserve the character of the historic district. A lot of issues to consider besides just “green” energy. Issue is similar to split level brick buildings on Main Street that we liked at first, but later realized that they impacted this historic district when too many were built. Not opposed to what are trying to do, but would rather take a wait and see approach. If we have panels outside of the District going every which way on every rooftop, which you can see from the core of Town, how will that look? We need to plan ahead and foresee that situation. Need to be careful. Has an angled solar panel system across the street from his house and it looks horrible. Yes, it is old but so will all of these be one day.
- Mr. Allen: OK with change outside of district as a Class D, Class C inside district as written to remain. Would be OK with Val D’Isere and Red Roost (examples). Do not want to have it apply all over Town.
- Dr. Warner: When we approved this, we were taking baby steps. I never considered east or west facing roofs with no pitch. Council felt that our hearts were in the right place when this code was adopted, but this is something we did not really contemplate.

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

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

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

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

Commissioner Questions/Comments:

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

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

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

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

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

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

OTHER MATTERS: none

ADJOURNMENT:

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

Rodney Allen, Vice Chair



Class C Development Review Check List

Project Name/PC#: Saathoff-Smith
Residence PC#2008112

Project Manager: Matt Thompson, AICP

Date of Report: October 24, 2008 For the 11/04/2008 Planning Commission Meeting

Applicant/Owner: Breckenridge Summit 1, LP

Agent: Entrada Design Group

Proposed Use: Single family residence

Address: 198 Timber Trail Road

Legal Description: Lot 2, Timber Trail

Site Area: 21,590 sq. ft. 0.50 acres

Land Use District (2A/2R): 40: Residential

Existing Site Conditions: This lot slopes downhill at 19% from the west towards the east. Two-thirds of the lot is covered with lodgepole pines. The lower one third of the lot has no trees. The lot is just the the west of Four O'clock Run. There is a 10' public snow storage and utility easement along Timber Trail Road. There is a private access easement for Lot 3 across the northwest corner of Lot 2.

Density (3A/3R): Allowed: unlimited Proposed: 7,769 sq. ft.

Mass (4R): Allowed: unlimited Proposed: 8,274 sq. ft.

F.A.R.: 1:2.60 FAR

Areas:

Lower Level: 3,174 sq. ft.

Main Level: 3,073 sq. ft.

Upper Level: 1,522 sq. ft.

Garage: 505 sq. ft.

Total: 8,274 sq. ft.

Bedrooms: 6

Bathrooms: 7

Height (6A/6R): 35'

(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):

Building / non-Permeable:	4,812 sq. ft.	22.29%
Hard Surface / non-Permeable:	2,077 sq. ft.	9.62%
Open Space / Permeable:	14,701 sq. ft.	68.09%

Parking (18A/18/R):

Required: 2 spaces

Proposed: 2 spaces

Snowstack (13A/13R):

Required: 519 sq. ft. (25% of paved surfaces)

Proposed: 731 sq. ft. (35.19% of paved surfaces)

Fireplaces (30A/30R): 4 gas, one EPA Phase II wood burner

Accessory Apartment: N/A

Building/Disturbance Envelope? Disturbance Envelope

Setbacks (9A/9R):

Front: within the disturbance envelope
 Side: within the disturbance envelope
 Side: within the disturbance envelope
 Rear: within the disturbance envelope

Architectural Compatibility (5/A & 5/R): This residence will be architecturally compatible with this land use district.

Exterior Materials: Horizontal siding will be Douglas fir wood planks with chinking, soffit Douglas fir and spruce 2 x 6 T&G, fascia Douglas fir 3 x 8, cedar shingles siding, aluminum clad windows, and dry stack ledge stone.

Roof: Cedar shingles

Garage Doors: Douglas fir with windows

Landscaping (22A/22R):

Planting Type	Quantity	Size
Spruce trees	5	(2) 10', (2) 11', (1) 12'
Aspen trees	11	(5) 2", (6) 3" min. caliper
Bristlecone Pine trees	9	(4) 8", (5) 10'
Various shrubs	22	5 gallon

Drainage (27A/27R): Positive away from residence.

Driveway Slope: 12%
heated

Covenants: Standard landscaping covenant.

Point Analysis (Sec. 9-1-17-3): Staff conducted an informal point analysis and found no reason to warrant positive or negative points.

Staff Action: Staff has approved the Saathoff-Smith Residence, PC#2008112, Lot 2, Timber Trail, located at 198 Timber Trail Road.

Comments:

Additional Conditions of Approval:

TOWN OF BRECKENRIDGE

Saathoff-Smith Residence
Lot 2, Timber Trail
198 Timber Trail Road
PC#2008112

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 **October 24, 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 4, 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 4, 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. 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.

7. Applicant shall field locate utility service lines to avoid existing trees.
8. **An improvement location certificate of the height of the top of the foundation wall, the second floor plate 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.**
9. **At no time shall site disturbance extend beyond the limits of the site disturbance envelope, including building excavation, and access for equipment necessary to construct the residence.**
10. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
11. 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

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. 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.
19. Applicant shall install construction fencing along the disturbance envelope in a manner acceptable to the Town Planning Department.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

20. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
21. 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.
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. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.
23. 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.
24. Applicant shall screen all utilities.
25. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
26. 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.
27. 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.
28. 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.**

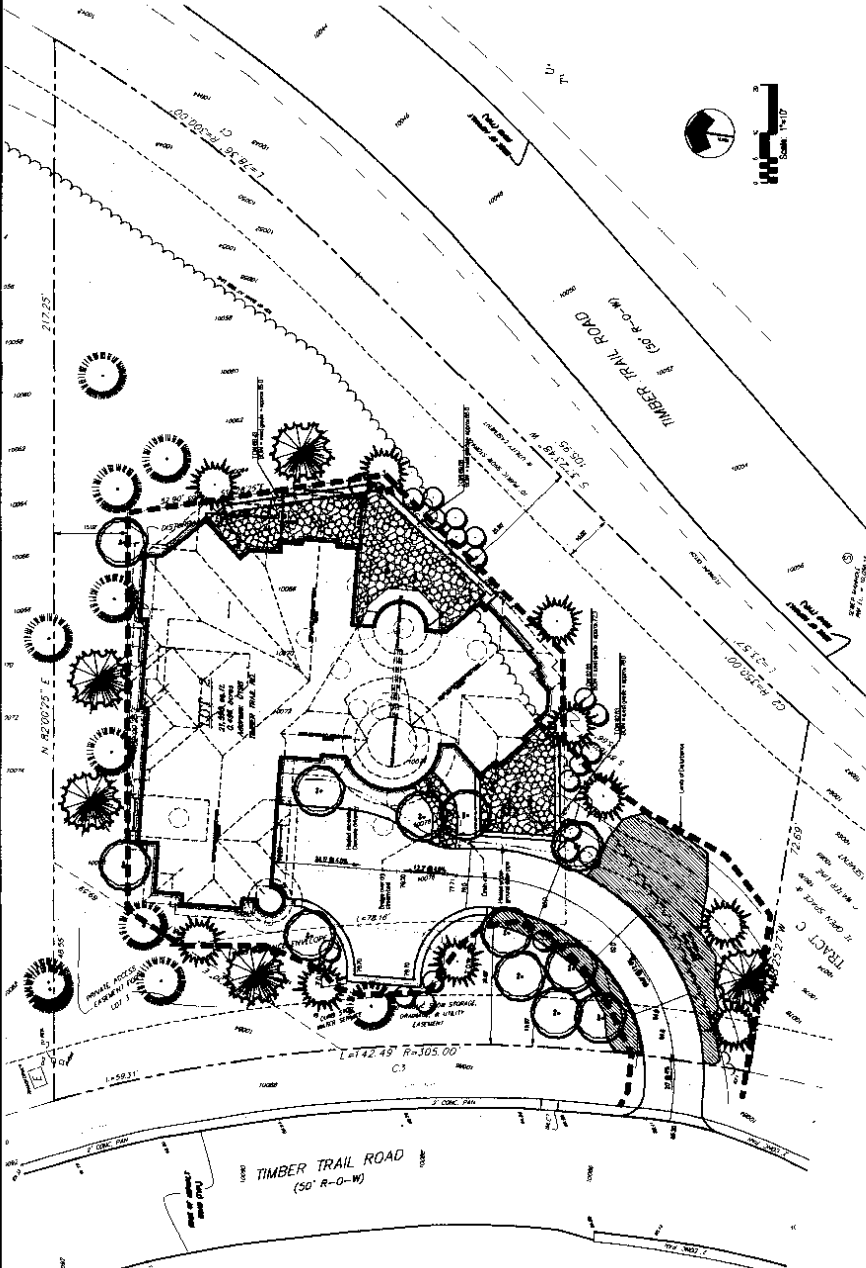
29. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
30. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 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)

Legend	
	Existing Contour
	Proposed Contour
	Proposed Driveway Swale
	Proposed Well
	Existing Landscape Tree
	Proposed Spruce - Picea pungens (5)
	Proposed Fir (2)
	Proposed Spruce - Picea canadensis (11)
	Proposed Fir (2)
	Proposed Deciduous Tree - Picea canadensis (8)
	Proposed Deciduous Tree - Picea canadensis (4)
	Proposed Shrub - Ilex cornuta (2)
	Proposed Shrub - Ilex cornuta (7)
	Proposed Shrub - Ilex cornuta (5)
	Proposed Shrub - Ilex cornuta (3)

Notes:

- Remove only the designated trees on plan and marked on site. These trees are to remain and be protected with high visibility fencing to ensure completion around tree bases. Grade changes will protect trees. Fencing to be located approximately 6' from trunk of tree.
- Roll existing lower floor/porch materials down from proposed disturbed areas and stockpile on site. Use materials to place in areas of seeding and planting in undisturbed areas once construction is complete.
- Site seeding topped from site in construction areas and remove from site. Only plants sown and topsoil when preparing for landscape work.
- Provide positive drainage away from all building foundations as specified on site plan.
- Remove all debris, pack, rocks, lumber, stumps, slash, concrete, asphalt, etc. from site prior to landscape work.
- Disturbed areas on site shall receive a minimum of 3" of topsoil in preparation for landscape treatment. Landscape treated as appropriate.
- Seed disturbed areas, where shown, with specified seed mix. Apply starter fertilizer (10-6-5) or equivalent @ 4lb/1000 sq ft. Fertilizer shall be applied to the soil.
- Cobble rock or rock from site will be used as a ground cover treatment in designated areas with seed barrier fabric.
- Replenish mulch during construction (7" and larger in diameter) to be stockpiled off site. When placed, every 10 to 12" of each border.
- Locate all plant materials to avoid snow shed, snow removal locations, utility lines, fire hydrants, and easements.
- All new plants shall be placed under an automatic drip irrigation system. Fertilizer plantings to have macro-pot drip irrigation heads.
- All plant materials shall be back-filled with equal parts of organic amendments and coarse soil.
- All areas and tree planted in grass seeded areas shall receive 3 inches of wood mulch. Plants located in gravel areas shall receive the same gravel cover thickness.
- All newly planted trees shall be root banded at the time of installation.

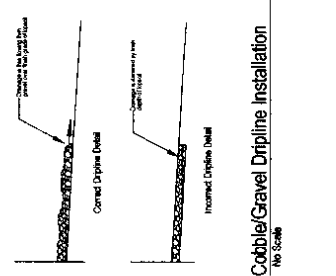
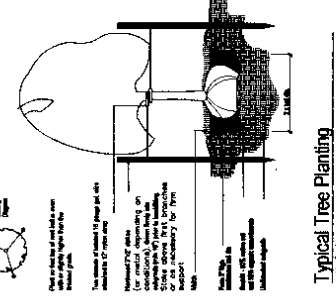
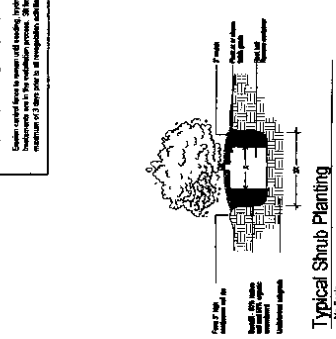


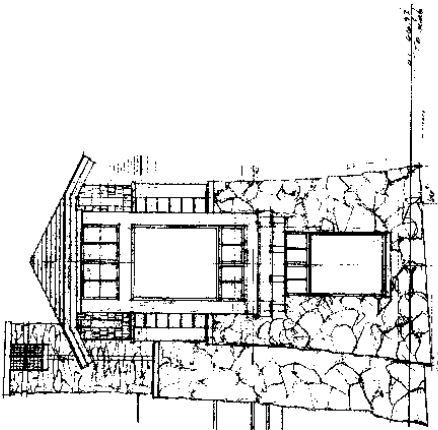
Revegetation

Percentage of disturbed areas to be revegetated as follows:

- Grass - 100%
- Shrub - 100%
- Deciduous Tree - 100%
- Conifer - 100%
- Other - 100%

Note: All disturbed areas shall be revegetated with a minimum of 3" of topsoil in preparation for landscape treatment. Landscape treated as appropriate.

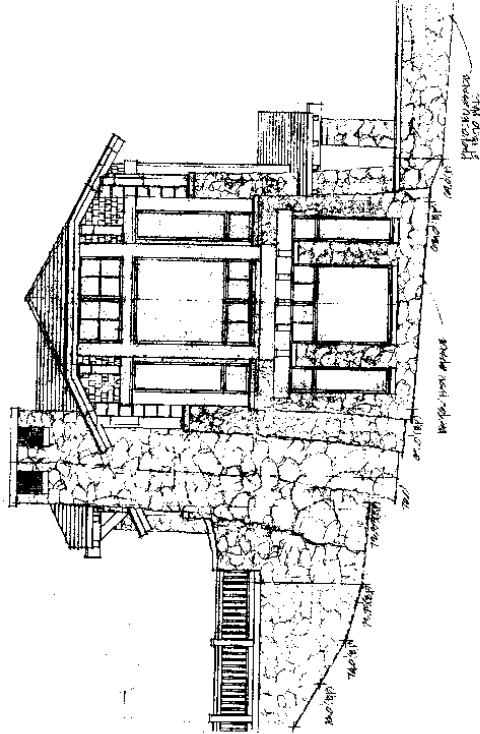




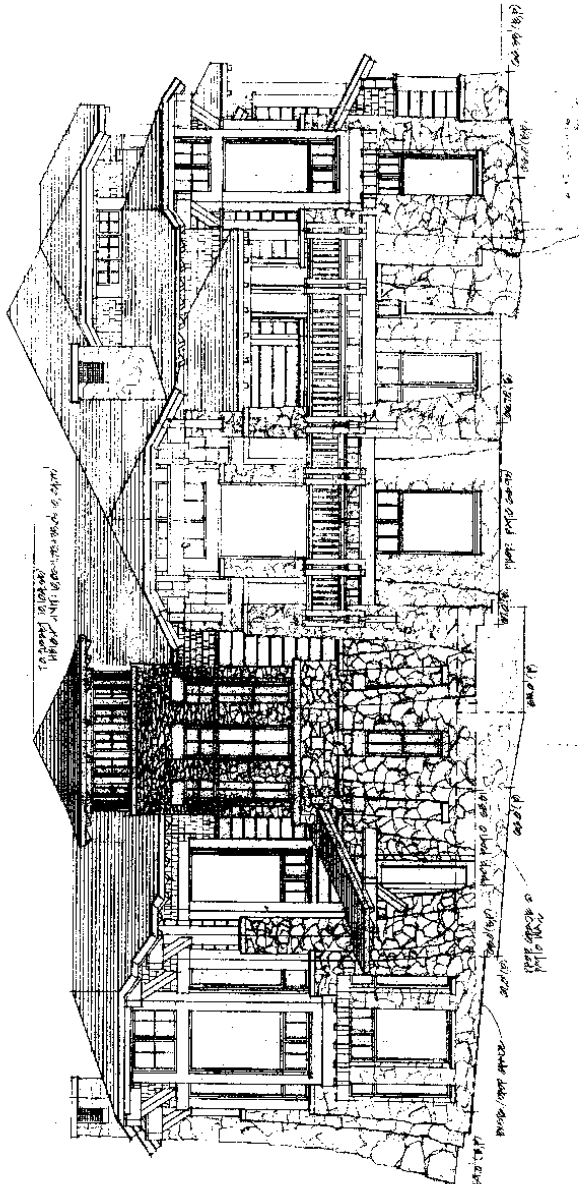
B NORTHEAST ELEVATION
SCALE: 1/4"=1'-0"

MATERIALS LEGEND

- 1. WINDOWS: WOOD FRAME, GLASS
- 2. EXTERIOR WALLS: STONE, BRICK
- 3. STONE: QUARTZITE
- 4. SIDING: SHINGLES
- 5. ROOFING: ASPH/FLT
- 6. SILLING: WOOD
- 7. FLOORING: WOOD
- 8. CASING: WOOD
- 9. TRIM: WOOD
- 10. PAINT: EXTERIOR
- 11. INTERIOR FINISH: PLASTER
- 12. CEILING: PLASTER
- 13. FLOORING: WOOD
- 14. STAIRS: WOOD
- 15. RAILINGS: WOOD
- 16. PORCH FLOORING: WOOD
- 17. PORCH RAILINGS: WOOD
- 18. PORCH FENCE: WOOD
- 19. PORCH POSTS: WOOD
- 20. PORCH BEAMS: WOOD
- 21. PORCH BRACKETS: WOOD
- 22. PORCH TRIM: WOOD
- 23. PORCH FINISH: WOOD
- 24. PORCH LIGHTS: WOOD
- 25. PORCH VENTS: WOOD
- 26. PORCH SCREENS: WOOD
- 27. PORCH SLATS: WOOD
- 28. PORCH BALUSTRADES: WOOD
- 29. PORCH NEWEL POSTS: WOOD
- 30. PORCH CORNICES: WOOD
- 31. PORCH GUTTERS: WOOD
- 32. PORCH DRAINAGE: WOOD
- 33. PORCH FOUNDATION: WOOD
- 34. PORCH FOUNDATION: CONCRETE
- 35. PORCH FOUNDATION: BRICK
- 36. PORCH FOUNDATION: STONE
- 37. PORCH FOUNDATION: BLOCK
- 38. PORCH FOUNDATION: CMU
- 39. PORCH FOUNDATION: CMU WITH BRICK
- 40. PORCH FOUNDATION: CMU WITH STONE
- 41. PORCH FOUNDATION: CMU WITH BLOCK
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- 43. PORCH FOUNDATION: CMU WITH CONCRETE
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- 95. PORCH FOUNDATION: CMU WITH STONE AND CONCRETE
- 96. PORCH FOUNDATION: CMU WITH BLOCK AND CONCRETE
- 97. PORCH FOUNDATION: CMU WITH CMU AND CONCRETE
- 98. PORCH FOUNDATION: CMU WITH CONCRETE AND CONCRETE
- 99. PORCH FOUNDATION: CMU WITH BRICK AND CONCRETE
- 100. PORCH FOUNDATION: CMU WITH STONE AND CONCRETE



D SOUTHEAST ELEVATION
SCALE: 1/4"=1'-0"



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

entrada
ARCHITECTS

1015 14th St.
Boulder, CO 80502
781.441.1111

CONTRACTOR
Breckenridge Design Group
1015 14th St.
Boulder, CO 80502
781.441.1111

SATHOFF-SMITH RESIDENCE
LOT 2 TIMBER TRAILS
BRECKENRIDGE, COLORADO

REVISED: No. 1 Date: _____

PRELIMINARY

DRB

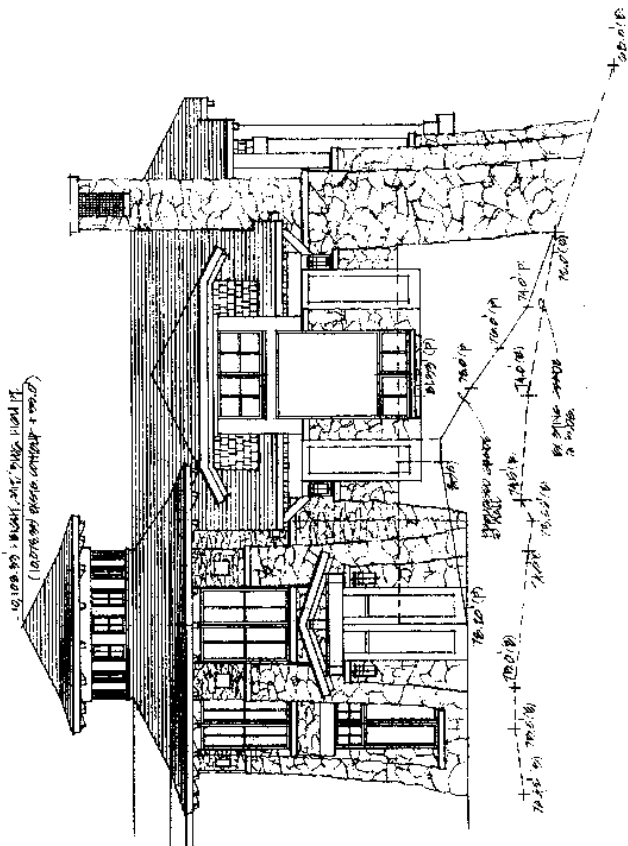
Project No.: _____
Drawn By: E.K.
Date: OCT 2010
Scale: 1/4"=1'-0"

ELEVATIONS

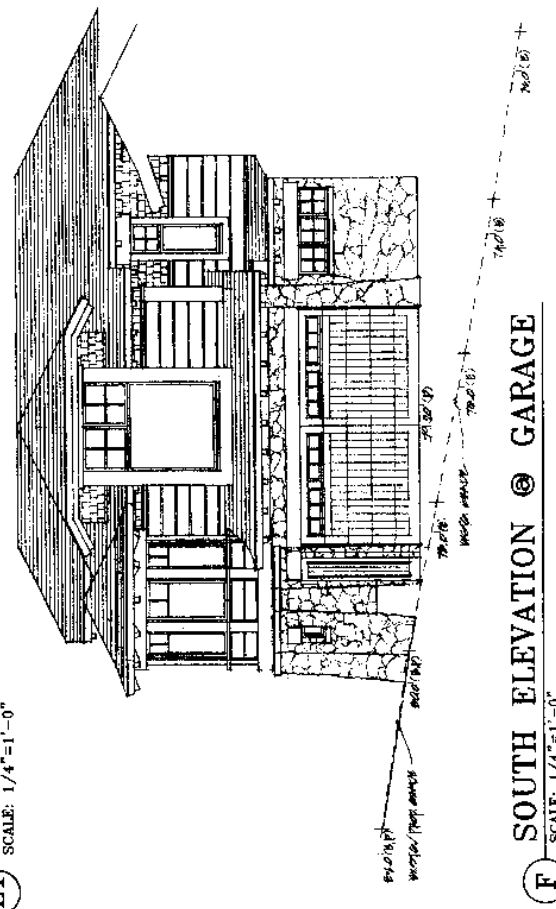
SHEET TITLE

A7

NUMBER



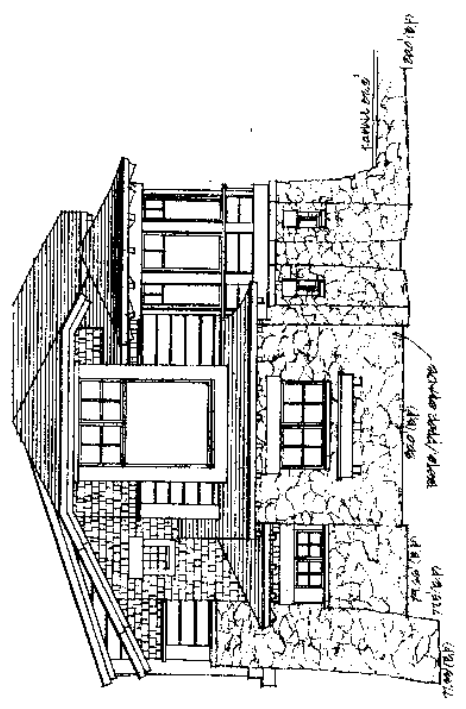
E1 WEST ELEVATION @ TURRET
SCALE: 1/4"=1'-0"



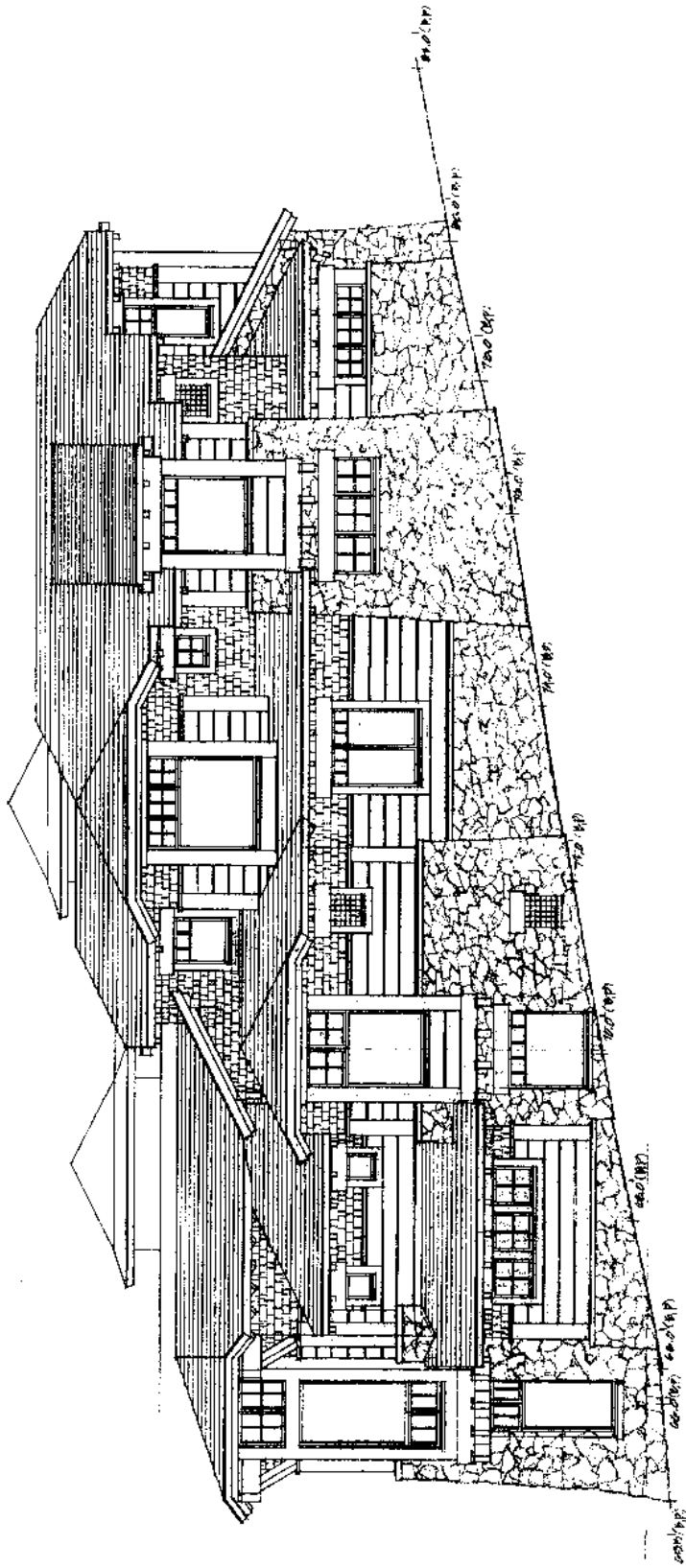
F SOUTH ELEVATION @ GARAGE
SCALE: 1/4"=1'-0"

MATERIALS LEGEND

1. WINDOWS: 1/2" x 6" DOUBLE GLAZED ALUMINUM
2. ROOFING: 1/2" x 6" SHINGLES
3. EXTERIOR WALLS: STONE
4. SIDING: 1/2" x 6" SHINGLES
5. FLOORING: 1/2" x 6" SHINGLES
6. FASCIA: 1/2" x 6" SHINGLES
7. GUTTERS: 1/2" x 6" SHINGLES
8. LIGHTING: 1/2" x 6" SHINGLES



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



NORTH ELEVATION

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

A

Planning Commission Staff Report

Subject: Village at Breckenridge Exterior Remodel (Class C Minor, PC# 2008114)

Project Manager: Chris Neubecker, AICP

Date: October 29, 2008, (For meeting of November 4, 2008)

Applicant/Owner: Village at Breckenridge Homeowners Association

Agents: Tobias Stroh, JG Johnson Architects
Tony Wait, HOA General Manager

Proposal: This is an exterior renovation of the existing Village at Breckenridge. This remodel includes only Plaza I (Lot 5), Plaza II (Lot 2), Plaza III (Lot 6), Liftside Inn (Lot 4) and Chateaux (Lot 12) buildings. It does not include the Village Hotel, the Maggie building or the Ten Mile Room, which are owned by Vail Resorts.

The remodel includes removal of all existing stucco and exterior materials, installation of new stucco, new cement board siding, new deck railings, new aluminum clad windows, new standing seam metal roofing, and a base of natural stone on all five buildings. Existing Mansard roofs would be removed where they currently exist. The new siding and trim would be finished with solid body colors acceptable to the Town of Breckenridge. In a few cases, where flat roofs exist on elevator tower elements, pitched roofs would be added.

Address: 405 S. Park Avenue (Chateaux) Lot 12, Village at Breckenridge
535 S. Park Avenue (Liftside), Lot 4, Village at Breckenridge
555 S. Park Avenue (Plaza II), Lot 2, Village at Breckenridge
645 S. Park Avenue (Plaza III), Lot 6, Village at Breckenridge
655 S. Park Avenue (Plaza I), Lot 5, Village at Breckenridge

Legal Description: Village at Breckenridge, Lots 2, 4, 5, 6, and 12

Land Use District: 23: Residential @ 20 UPA
Commercial @ 1:3 FAR

Site Conditions: The site is fully developed with existing condo-hotels, plaza areas, access roads and pedestrian circulation. The plaza around these building is the primary access to the base of Peak 9 for the Breckenridge Ski Resort. There are very few undeveloped or natural areas around these buildings other than the ski terrain to the south.

Adjacent Uses: Multi-family residential to east, west and north. Breckenridge Ski Resort to south.

Density/Mass: No change

Height: No change (see discussion below)

Parking: No change

Item History

The Village at Breckenridge was constructed in between 1979 and 1984. Residents and guests park in underground parking lots within the development. The existing buildings are up to eight stories tall (Liftside) and exterior materials primarily consist of stucco. All new siding in this proposal would be cement board (similar to Hardiboard), new stucco and new natural stone.

Staff Comments

As the exterior materials on the building have begun to deteriorate and become dated over the years, the applicants would like to update their buildings and property with a new design. This proposal is the first step to the overall renovation of The Village at Breckenridge. Other plans for the future include a possible change to the plaza (with possible improvements including a swimming pool and more landscaping), possibly a new main access point through the area currently occupied by the Ten Mile Room, and possibly new pedestrian circulation improvements (such as a pedestrian underpass at the Blue River). However, these other possible improvements are longer term visions that might include several adjacent property owners as well as the Town, and are not part of this proposal.

As with any remodel, only the policies relevant to the scope of the application are reviewed and assessed points. (For instance, parking is irrelevant, as it is not to be altered.) Any policy, or combination of policies, may be used to mitigate any negative points incurred in the application. In this instance, we believe the only relevant policies are 5/R Architectural Compatibility.

The proposed changes are:

- New cement board siding on tower elements.
- New cement board siding on other wall elements.
- New stucco.
- New aluminum clad windows.
- New natural stone base on levels one and two.
- New railings on all exterior decks.
- New standing seam metal roofing at plaza level shops.
- New standing seam metal roofing at tower element.
- Removal of existing Mansard roofs.
- Installation of pitched roofs at tower elements.

Architectural Compatibility (5/A & 5/R): Policy 5/R (3 x (-2/+2)) calls for general architectural and aesthetic compatibility for new construction, alterations and additions. In terms of building materials and colors, it states, *“Exterior building materials and colors should not unduly contrast with the site's background. The use of natural materials, such as logs, timbers, wood siding and stone, are strongly encouraged because they weather well and reflect the area's indigenous architecture. Brick is an acceptable building material on smaller building elements, provided an earth tone color is selected. Stucco is an acceptable building material so long as an earth tone color is selected, but its use is*

discouraged and negative points shall be assessed if the application exceeds twenty five percent (25%) on any elevation as measured from the bottom of the fascia board to finished grade.”

The primary exterior material of the existing buildings at The Village at Breckenridge is stucco. The remodeled buildings would include stucco, cement board siding and natural stone at the base of each building. Both stucco and cement boards are considered non-natural materials. However, the cement board siding is designed to look like wood, and the building code restricts the amount of combustible material on buildings to the first three stories, unless fire treated wood is used (then up to fourth story may contain wood).

The use of cement board siding, along with the use of natural stone around the base of the buildings, will help the buildings to look much more natural than currently. Staff finds that this remodel would provide a significant improvement to the existing buildings. We have not assigned negative points for the use of stucco, considering that stucco is the primary material on the existing building. However, if the Commission feels that negative points should be assigned, we suggest you call up this application. (Staff has not identified any realistic on-site opportunities for positive points.)

+2 (or greater) - awarded for providing a significant public benefit with no substantial public detriment, for an excellent job of implementation. The more the public benefit without substantial public detriment, or the better the job of implementation, the more the award of positive points.

+ 1 - awarded for providing some public benefits, mitigating a minor public detriment, or for doing a good job of implementation.

0 - awarded if the policy is irrelevant, if there is no public benefit and no public detriment from the project, if there is a public detriment which has been fully mitigated, or for an adequate job of implementation.

-1 assessed for an inadequate job of implementation, or for producing some public detriment.

-2/-3 (or greater) - assessed for substantially no effort at implementation or for an unmitigated significant public detriment. The less the effort at implementation, or the greater the degree of unmitigated significant public detriment, the greater the assessment of negative points.

Staff notes that some of the stucco colors proposed do not appear to be as “earth tone” as the code requires: *“Stucco is an acceptable building material so long as an earth tone color is selected.”* While some of the stucco proposed has tan and green tones, one is a bluish color, which Staff does not find to be “earth tone.” We have contacted the architect and have suggested that they consider some alternate stucco colors for the meeting on Tuesday night. We have added a condition of approval requiring a more “earth tone” color, to be approved by the Staff, prior to issuance of a building permit.

The following chart shows the percentages of stucco per building, per elevation:

<u>Plaza 1</u>	<u>Plaza 2</u>	<u>Plaza 3</u>	<u>Lifside</u>	<u>Chateaux</u>
North: 23%	North: 23%	North: 27%	North: 22%	North: 41%
South: 16%	South: 18%	South: 24.6%	South: 20%	South: 43%
West: 17%	West: 20%	West:	West: 21%	West: 33%

East: 20% East: 27% 26.9% East: 27% East: 17% East: 62%

The existing Mansard roofs at the parapets of each building are proposed to be removed where existing. Where tower elements exist for stairwells and vent shafts, the flat roof would be replaced with a pitched roof with new standing seam metal roofing. While these pitched roofs add minimal height to these elements, such focal elements are exempt from the building height measurement, provided that they contain no density. No density exists or is proposed in these focal elements.

Also, on the pedestrian level roofs for the shops at the plaza level, new standing seam metal roofs would be installed.

Point Analysis (Section: 9-1-17-3): Staff conducted an informal point analysis and found to reason to warrant positive or negative points.

Staff Decision

The Planning Department has approved the Village at Breckenridge Exterior Remodel PC#2008114, with attached Findings and Conditions. Staff recommends that the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

Village at Breckenridge Exterior Remodel
405 S. Park Avenue (Chateaux) Lot 12, Village at Breckenridge
535 S. Park Avenue (Liftside), Lot 4, Village at Breckenridge
555 S. Park Avenue (Plaza II), Lot 2, Village at Breckenridge
645 S. Park Avenue (Plaza III), Lot 6, Village at Breckenridge
655 S. Park Avenue (Plaza I), Lot 5, Village at Breckenridge
PC#2008114

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 **October 29, 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 4, 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 11, 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 completion for the project covered by this permit. The determination of whether a certificate of completion 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. 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.
8. Applicant shall at all times maintain safe and efficient pedestrian access to and from the base area of the Breckenridge Ski Resort, Peak 9. No construction equipment, vehicles or materials storage is allowed within the twenty (20) foot wide access and utility easement on the plaza level without prior written approval of the Town of Breckenridge.

PRIOR TO ISSUANCE OF BUILDING PERMIT

9. Applicant shall submit proof of ownership of the project site.
10. 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.
11. 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.
12. 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.
13. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all new 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.
14. Applicant shall submit to and obtain approval from the Town of Breckenridge for a revised color of the proposed stucco. All stucco on the buildings shall be "earth tone" as determined by the Town of Breckenridge.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

15. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
16. 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.
17. 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.
18. 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.

19. Applicant shall screen all utilities.
20. All new exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
21. 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.
22. 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.
23. 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.
24. 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.**
25. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
26. 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)

Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: October 29, 2008 (For meeting of November 4, 2008)

Subject: Oakley Rolling Lab Fuel TV Shoot
(Class C Minor Hearing; PC# 2008113)

Applicant: Oakley Rolling Lab Fuel TV Shoot/Ryan Evert

Owner: Town of Breckenridge

Legal: Blue River Plaza/Lot 1 – 3, Block 7, Stiles Addition

Address: 201 S. Main Street/Blue River Plaza

Proposal: Oakley and Fuel TV will be filming a television series from December 8 – 12, with the 7th and 13th being travel/set up days. Spectators are encouraged to come and watch the taping of the shows, which will start on Tuesday, December 9th. A schedule will be posted at the front of the plaza to let people know of the athletes coming to film each day. Additionally, Oakley will be providing VIP and open to the public tours of the Research and Development “Rolling O Lab” on site. Applicant will tap into the electrical hook up on site. Additionally, they will have a generator on site for other needs they may have.

At the very most Oakley will have two 10’ x 10’ pop-up style tents on-site, but possibly none at all. One main stage will be set up for the filming of all TV segments, as well as a VIP lounge with a couch or two for on-air guest family members to hang out and watch the taping. No sales will be done on site, but free food and drinks will be provided inside of the Rolling O Lab for guests.

Item History

This is the first year Oakley Rolling Lab and Fuel TV have proposed to come to Breckenridge. This event is to showcase the snow community of Breckenridge in a very positive light, while being shown on the only action sports television channel, Fuel TV. Fuel TV has just become available in Summit County community via Comcast, so this will be a great chance for the public to see a Fuel TV series of shows shot in their hometown.

The area will also act as a place where athletes, consumers and accounts can interact with the Oakley brand. The Rolling O Lab will help educate consumers and accounts on Oakley superior HDO (High Definition Optics) lens technology, whether it is the protection from harmful UV rays or impact protection while participating in sports.

Staff Comments

According to the Development Code, this special event is a temporary use, and includes temporary structures, for greater than three days in duration. Therefore, a Class C Minor application is required for review and approval by the Planning Commission. Staff has reviewed this application in regard to site circulation and safety, and the Sign Code, and found the proposal to be in compliance with all applicable town policies (please see discussion below). In addition, the Breckenridge Police Department, Public Works Department, Facilities and Events Manager and Town Clerk will review this proposal as part of a special event license.

Site Plan: There will be a 49’ long trailer, which opens up and becomes the 27’ deep Rolling O Lab and Lounge with a 16’ tall (22’ in height if canopy added) viewing platform on top of the trailer. The trailer is pulled by a 9’

wide by 23' long truck labeled "sport chassis" on the site plan. Potentially Oakley could use one or two 10' x 10' tents to cover up the temporary generator on-site. There would be a 30' long Fuel TV Bread Truck with repeater wall behind the main stage for filming. The applicants brought the Rolling O Lab truck into the Blue River Plaza last winter and it does fit. The Public Works Department will also review the permit to use Town Property.

Access: Good pedestrian access is provided via the existing pedestrian pathways around the Blue River Plaza, the Riverwalk, and in the Tiger Dredge parking lot.

Parking: Parking will be available in the gondola parking lots, the Gold Rush Lot, overflow lots on Airport Road, the F Lot, and Tiger Dredge parking lot during the event. The final location and setup of parking on Town owned property will be up to the Public Works Department. We believe there is sufficient parking and transportation to the Blue River Plaza.

Trash/Recycling: A trash and recycling program will be in place with proper number of receptacles available. Oakley and Fuel TV will be responsible for all trash and recycling. Oakley Staff will work with the Town of Breckenridge Public Works Department to ensure all trash and recycling is handled correctly.

Restrooms: The restrooms in the Breckenridge Welcome Center adjacent to Blue River Plaza are expected to be sufficient for this event. In addition, if necessary, the Facilities and Events Manager would make the restrooms on the east side of the Riverwalk Center available. In past years, events of this size have not needed extra portable restrooms.

Sign Code: Sponsor banners are proposed for this event. Sponsor banners are allowed in the Breckenridge Sign Ordinance for civic events, but must meet the following criteria:

- a. The maximum size of a sponsor banner shall not exceed ten feet by three feet (10' x 3').*
- b. A sponsor banner shall be displayed only at the site of the sponsored event.*
- c. A sponsor banner may only be displayed on the date of the sponsored event and must be removed within twenty-four (24) hours after the conclusion of the event.*
- d. A sponsor banner shall be placed such that it will not be blown down, in whole or in part, and must be properly secured.*
- e. A sponsor banner must be of professional quality construction and appearance. (Ord. 29, Series 1992; amd. Ord. 12, Series 1993) (8-2-14-A-2).*

All banners used on site will meet the above criteria. The banners will be displayed at the Blue River Plaza. Staff has included a condition of approval that all sponsor banners meet the requirements of the Sign Ordinance.

Point Analysis: Staff finds all the Absolute Policies of the Development Code to be met, and finds no reason to assign negative points to this project.

Staff Recommendation

The Planning Department has approved Oakley Rolling Lab Fuel TV Shoot, PC#2008113, with the attached Findings and Conditions, and recommends the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

**Oakley Rolling Lab Fuel TV Shoot
Blue River Plaza
201 S. Main Street
PERMIT #2008113**

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

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated October 29, 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 4, 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. 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.
4. All Sponsor Banners shall comply with the Town of Breckenridge Sign Code. A separate permit is required for the banners used at the event, and in the Main Street banner location.
7. Applicant shall obtain approval of a special event license from the town prior to commencement of the event.
8. The final location and setup of the parking on Town of Breckenridge property shall be determined by the Public Works Department.

BRIDGE

COOL LOOKOUT AREA W/ PLAQUES

EMERGENCY / WALKWAY - NEEDS TO BE CLEAR

53 FEET

30' x 2' FEET

FUEL TV BREAD TRUCK W/ REPEATER WALL

GEN

MAIN STAGE

VIP LOUNGE

ROLLING O LAB

AUDIENCE AREA

SPORT CHASSIS

43 FEET

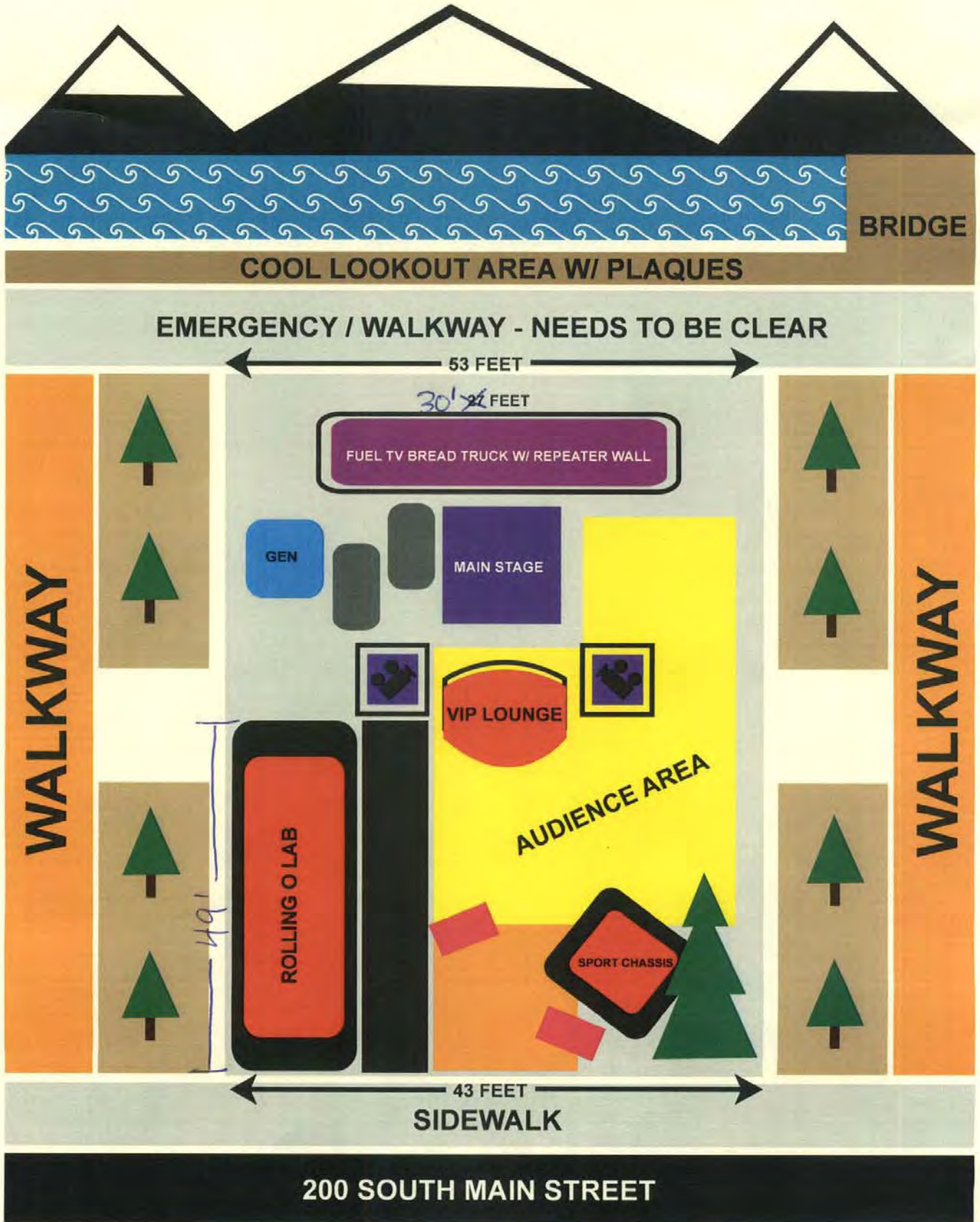
SIDEWALK

200 SOUTH MAIN STREET

WALKWAY

WALKWAY

49'



ROLLING O LAB REGIONAL TRUCK



**IDEAL FOR
SINGLE DAY
EVENTS**

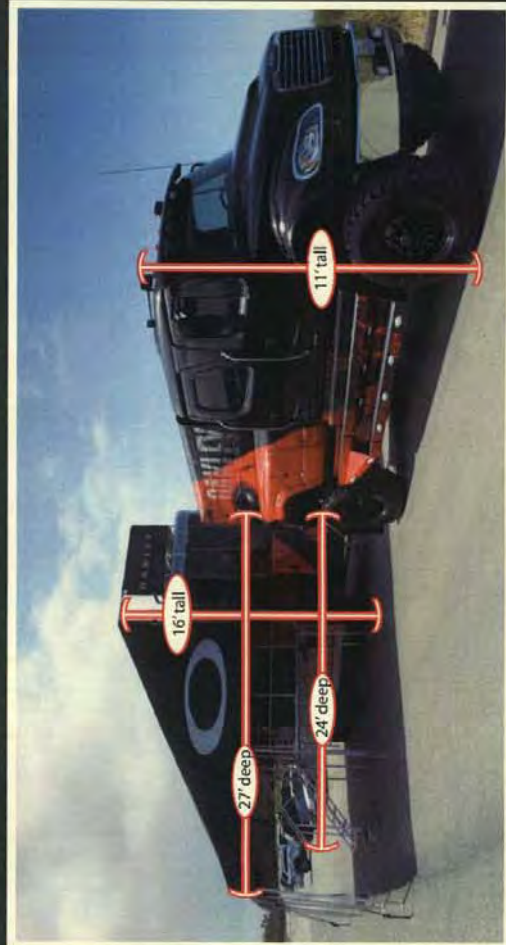
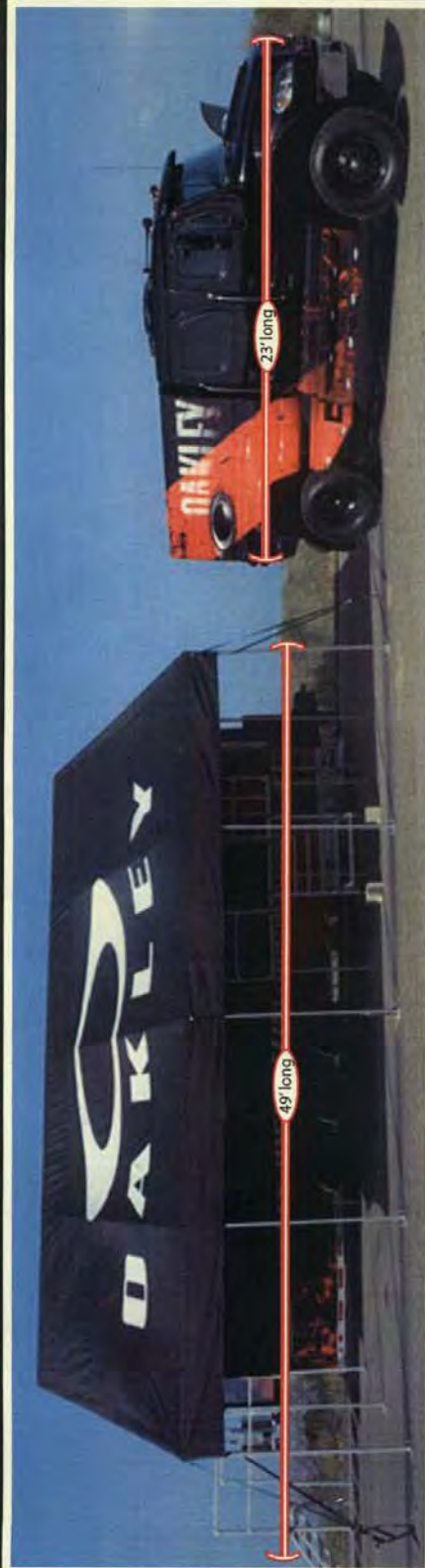


LOUNGE AND LAB IN ONE



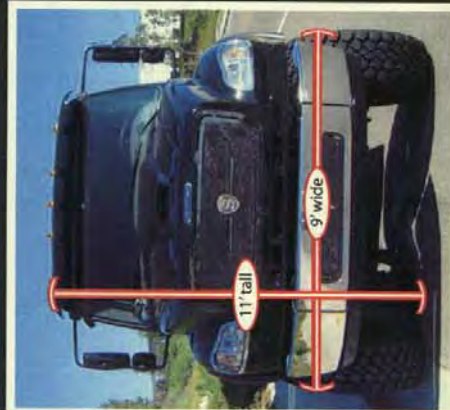
REGIONAL TRUCK DIMENSIONS

TRAILER / R&D LAB



REGIONAL TRUCK DIMENSIONS

TRAILER / R&D LAB - HITCHED AND PACKED



**TRUCK
WEIGHT
19K LBS**

**TRAILER
WEIGHT
23K LBS**



**ROLLING
O LAB**

TOTAL WEIGHT = 42,000 LBS





MEMORANDUM

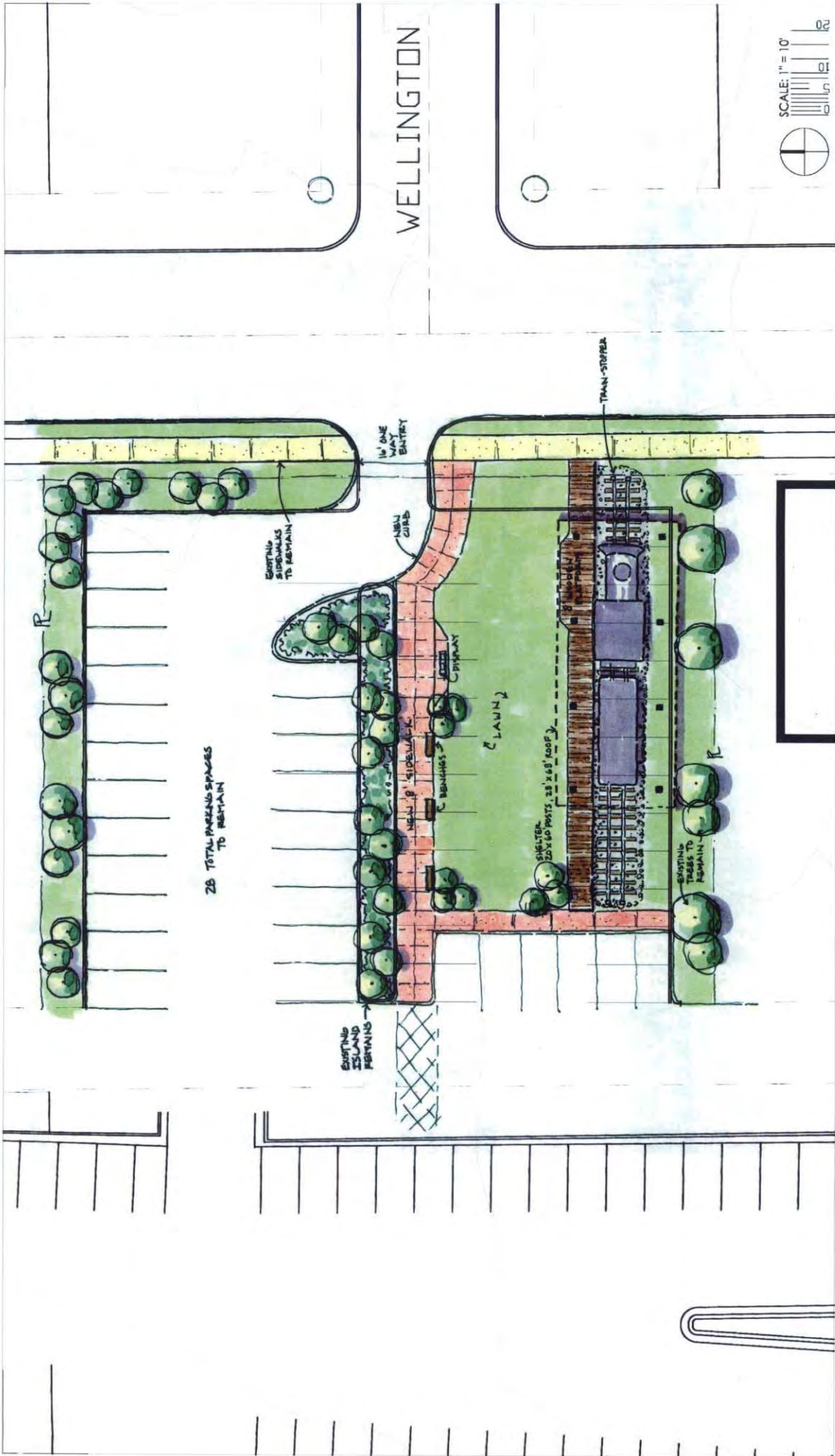
TO: Planning Commission
FROM: Julia Puester, AICP
DATE: October 30 for meeting of November 4, 2008
SUBJECT: Locomotive #9 Train Park

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, will be arriving in Breckenridge as soon as April, 2009. The Engine was the operating steam locomotive in the Breckenridge area from 1884-1937. At the October 28th Council meeting, Council gave approval to the Breckenridge Heritage Alliance (BHA) for the historic Engine #9 to be located at the Wellington parking lot. Having the locomotive in such a visual corridor is expected to draw many visitors to the site from the gondola parking lots and bring pedestrians further north down Main Street.

The enclosed site plan shows 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 this application.

The Colorado Historic Society has required that the Town 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 have been included in the packet.

Staff would like 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 would also like 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.



Option 1 - Wellington Lot
 Locomotive Siting Plan

Breckenridge Heritage Alliance

MaryHartDesign
 P.O. BOX 8258
 BRECKENRIDGE, CO 80424
 maryhartdesign@gmail.com

October 10, 2008

Shelter Option 1

Standing seam metal roof

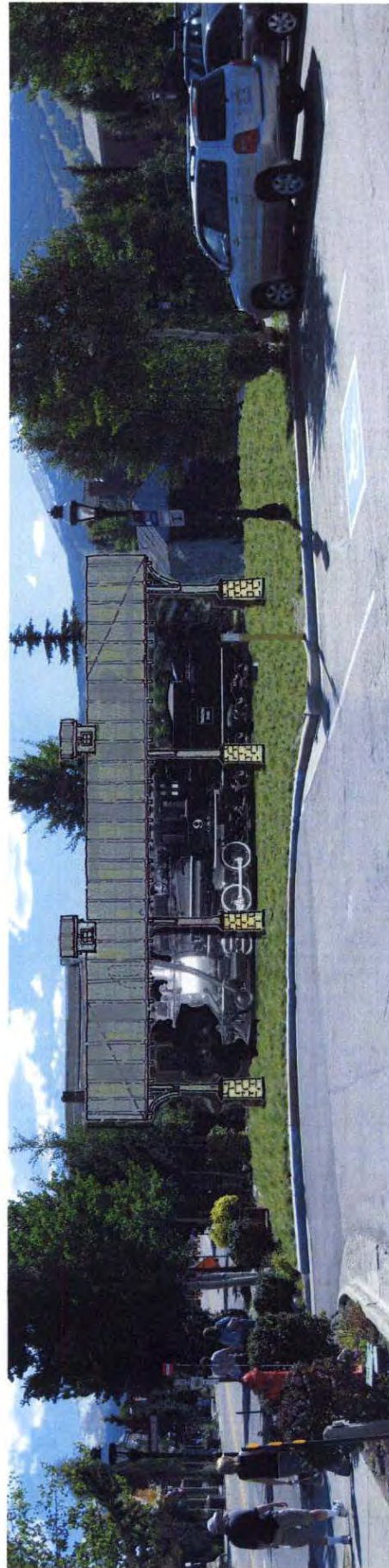
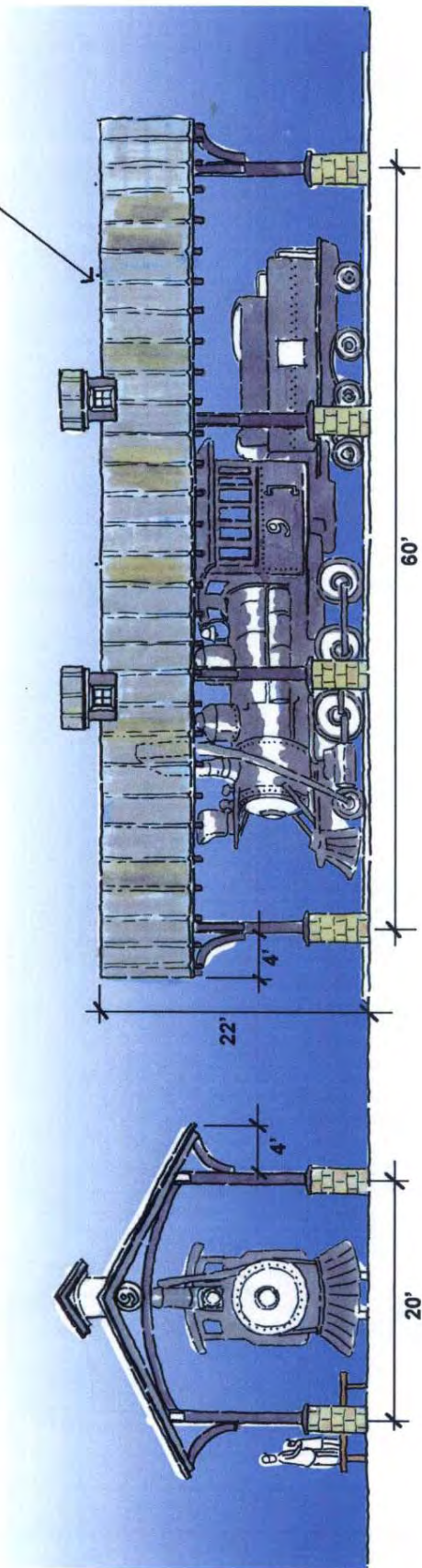


Illustration of Display at Wellington



MARY HART DESIGN
land planning • landscape architecture
post office box 8258
breckenridge, colorado 80424
p 970-392-3283
f 970-432-5878
maryhartdesign@gmail.com

Locomotive Shelter Reference Images



Date: 9.2.08



MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker, Senior Planner

DATE: October 30, 2008

SUBJECT: Boards and Commission Recognition Reception: November 12, 2008
Holiday Party: December 12, 2008

As a reminder, the annual Boards and Commissions Recognition Reception will be held on Wednesday November 12, 2008 from 5:00 PM – 7:00 PM at Mi Casa Mexican Restaurant. All Planning Commissioners are invited and encouraged to attend. Spouses and significant others are also welcome to attend.

Please RSVP to Alison Kellerman: alisonk@townofbreckenridge.com, or 547-3166.

Also, mark your calendars for the upcoming holiday party at Beaver Run, December 5, 2008. More details to follow over the next few weeks.