

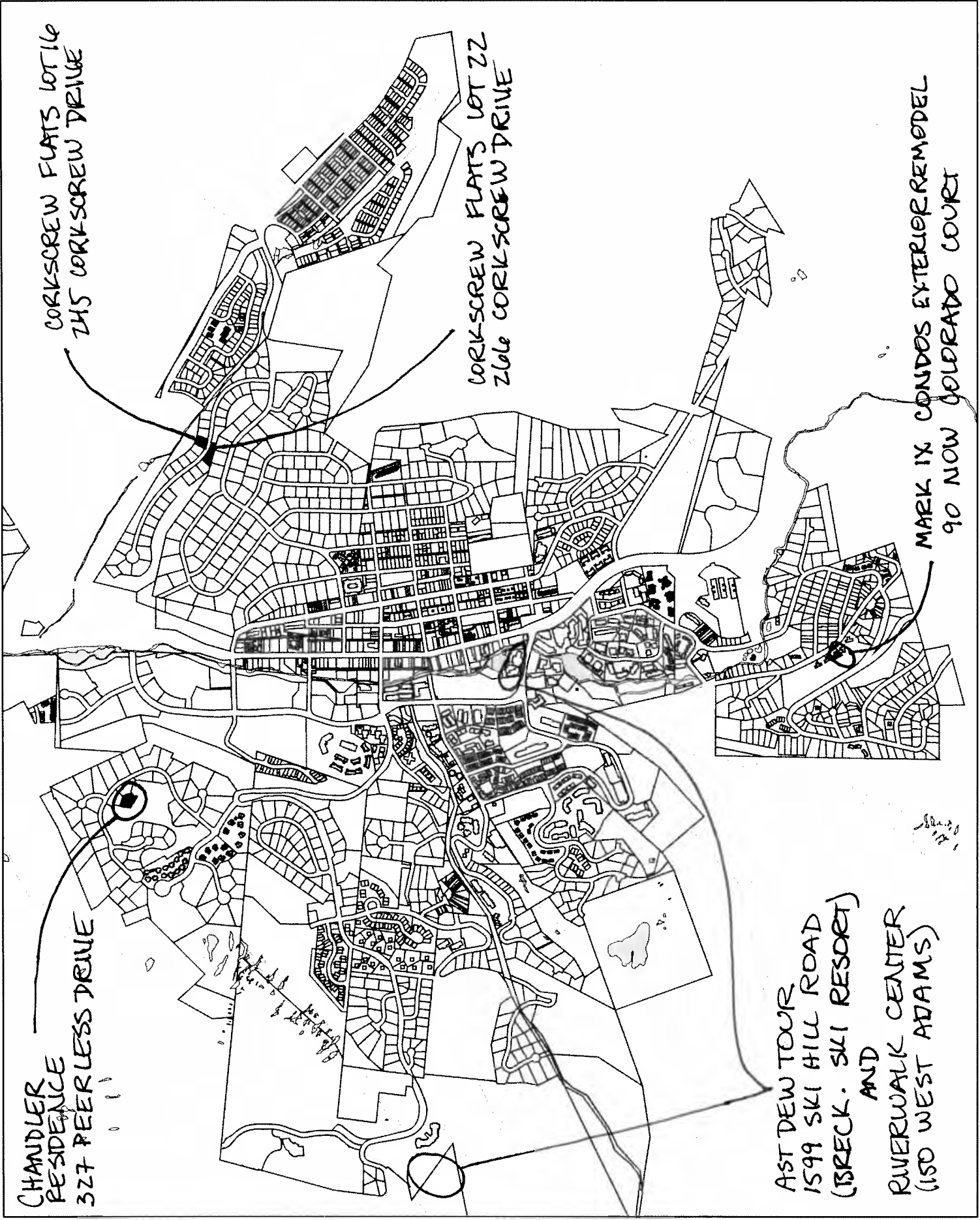
Town of Breckenridge
Planning Commission Agenda

Tuesday, October 7, 2008
Breckenridge Council Chambers
150 Ski Hill Road

7:00	<i>Call to Order of the October 7, 2008 Planning Commission Meeting; 7:00 p.m. Roll Call</i>	
	<i>Approval of Minutes September 16, 2008 Regular Meeting</i>	3
	<i>Approval of Agenda</i>	
7:05	<i>Consent Calendar</i>	
	1. Corkscrew Flats Lot 16 (CK) PC#2008105 245 Corkscrew Drive	11
	2. Corkscrew Flats Lot 22 (CK) PC#2008106 266 Corkscrew Drive	16
	3. Chandler Residence (MM/CN) PC#2008078 0327 Peerless Drive	20
	4. AST Dew Tour (MGT) PC#2008108 1599 Ski Hill Road	26
	5. Mark IX Condominiums Exterior Remodel (MGT) PC#2008109 90 Now Colorado Court	34
7:15	<i>Worksession</i>	
	1. Neighborhood Preservation Policy (JP)	43
	2. Field Trip Update (CN) (Memo Only)	53
8:15	<i>Town Council Report</i>	
8:25	<i>Other Matters</i>	
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.*



CORKSCREW FLATS LOT 16
215 CORKSCREW DRIVE

CORKSCREW FLATS LOT 22
266 CORKSCREW DRIVE

MARK IX CONDOS EXTERIOR REMODEL
90 NOW GOLDRADO COURT

CHANDLER
RESIDENCE
327 PEERLESS DRIVE

AST DEW TOUR
1599 SKI HILL ROAD
(BRECK. SKI RESORT)
AND
RIVERWALK CENTER
(150 WEST ADAMS)



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Breckenridge South

printed 2007



Commissioner Questions/Comments:

Mr. Bertaux: Final Comments: No comments, supported the project

Ms. Girvin: Would this satisfy the need for more storage? (Staff explained yes.) Will this application come before the Commission again? (Staff explained this was a combined hearing. A class D application will be submitted to staff.)

Final Comments: Concurred with Mr. Bertaux.

Mr. Schroder: Sought clarification regarding the density and if it was available. (Staff explained that density was available.)

Final Comments: Concurred with Mr. Bertaux.

Mr. Lamb: Final Comments: “Slam-dunk” application.

Mr. Allen: Final Comments: Fine with application.

Mr. Bertaux made a motion to approve the point analysis for the BBC Master Plan Modification, PC#2008102, 13445 State Highway 9, as presented and Mr. Lamb seconded. The motion was carried unanimously (5-0). Mr. Pringle was absent.

Mr. Lamb made a motion to approve the BBC Master Plan Modification, PC#2008102, 13445 State Highway 9, with the presented findings and conditions. Mr. Schroder seconded, and the motion was carried unanimously (5-0). Mr. Pringle was absent.

PRELIMINARY HEARINGS:

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

Mr. Mosher presented a proposal to remove the existing small non-historic house and then construct a new single family residence with an accessory apartment. The main house would have four bedrooms, four and one-half bathrooms and a two-car garage. The accessory apartment would have one-bedroom and one bath with a one-car garage.

This application has been started well. Pending the comments on possible positive points being sought, the above ground density coverage may be adjusted to ensure a passing score on the final review.

Staff had four questions for the Commission:

1. Did the Commission believe the module massing was met on the north elevation?
2. Would the Commission be supportive of allowing the upper level deck on the south elevation facing Washington Avenue ROW?
3. The applicant would possibly be seeking positive points for donation of the existing building to the Town. Staff welcomed any Commissioner comments.
4. The applicant was seeking positive points for the proposed landscaping. Staff welcomed any Commissioner comment.
5. Staff also welcomed comment on the proposed solar panels.

Staff welcomed any additional comments on the overall development. The Planning Department recommended this application return for another review.

Alice Santman, Agent from BHH Partners, presented the initial color schemes to the Commission. Concurred with what staff had presented. Ms. Santman would like to obtain enough information tonight from the Commission to move forward to the final hearing. Pro-forma on the solar panels is difficult to obtain at a preliminary design. This is a prime location for solar use.

Amy O’Rourke, Applicant: We took great pains to comply with code and present a project agreeable to everyone. Had several meetings with staff to present a preliminary review that had already addressed many concerns. Plan to have this house “off the grid”.

Commissioner Questions/Comments:

Ms. Girvin: Why would the Arts District want this building? (Staff explained they were interested in the building character, and the size is right.) What was the story behind it? (Ms. Santman explained that the building could be destroyed and disposed of or be refurbished and reused. The goal here is to save the building.) Questioned the on-site parking: three garage spaces and would there be three parking

spaces available in the driveway? (Staff explained that three spaces were required and the garage spaces fulfilled this requirement. The spaces in the driveway do not meet the required depth and were not counted.) Can the accessory apartment be rented? (Staff explained that the only requirement for the accessory apartment is that it be kept under one ownership. It can be rented or simply used by the owner.) How would this proposal improve the current ice damming along the sidewalk from water running out of the alley? (Ms. Santman pointed out that Public Works did not want the heated sidewalk for maintenance reasons.) Do you want to be off the grid or have net metering? Massing was fine, perhaps a dormer on the north side would be appropriate to break up the roof form. Fine with upper level deck. Landscaping positive points would be fine, but focus on quality vs. quantity. Would like to see the landscape plan tweaked before awarding positive points. Having problems with awarding positive points for moving a white elephant (the existing building). Seems like double dipping as the Town incurs the costs and hassle. Would like additional info regarding the Arts District's desire for the building. Wanted to be sold on the positive three (+3) points. Concerned about residents or renters parking in the alley. (Ms. Santman pointed out that the alley paving was away from the property line. The actual paving of the driveway would allow parking without affecting circulation through the alley.

Mr. Bertaux: How does one discern the historic average age of a house? (Staff explained how the average was determined with County records.) Was there a grade change as the alley heads north? (Ms. Santman explained how there was just a small change in grade to the alley behind the garage and then the alley climbs more as it heads north.) Pointed out that the letter from the applicant indicated that the home was built in the 1960's. Concerned this project with the accessory apartment will be used as a duplex or lock off and generate unwanted impacts to the site. Concerned intense use will adversely impact the neighborhood with excessive parking etc. Massing is to the code but this building appears as a duplex with the link. Why two paint color schemes? Proposed upper deck was fine. Positive points for the donation of the old house would be suspect if the town doesn't really want the building. Try to get more information for the next meeting. Beef up the landscaping to obtain positive points. Agreed with Ms. Girvin that the Adams Street sidewalk icing should be resolved.

Mr. Schroder: Liked the design style. Highlighted the link criteria paragraph in the staff report. Didn't look at all like a duplex. Looks appealing and will be an asset to the corner. Module massing met on north elevation. Pedestrian friendliness was fine. Upper level deck or porch was fine. In support of positive three (+3) points for donation of building to town. Sought clarification by next hearing regarding solar power data. (Ms. O'Rourke stated goal was to be as off the grid as possible.) Wanted to be sure enough energy can be gained before positive points were awarded. Landscaping was fantastic. Reverse meter might be better than off the grid. Going down the right and good road.

Mr. Lamb: Have positive points been awarded for donation in the past? (Staff pointed out the Nichols received positive points for donating the Quandary Antiques building.) Duplexes are equal size and this is not. Didn't look like a duplex. Massing looked good. Upper level decks would not be a problem and they looked fine. Struggled with positive points for building donation. Find other ways to reduce points to make application easier to pass. Rebecca Waugh's comments would be warranted. Positive points for landscaping was fine, beef it up though. Loved solar and glad to see the applicant is doing it.

Mr. Pringle: (Arrived at 7:25pm.) Asked if a cultural resource survey had been done on the property. (Staff and applicant confirmed one had not occurred.) Suggested maybe one should be done first. Not in favor of donating what appears to be a contemporary building into the Arts District. Sought clarification regarding the connector element in the middle of this project. (Staff explained a connector element is required per a priority policy whenever the above ground density exceeds the suggested nine units per acre. This is done to break up the perceived massing.) Pointed out this looks like two separate single family homes or a duplex. Stated duplexes are prohibited in this district and this looks like a duplex. Would prefer not to see the connector element. Reads to him as two separate houses with two separate functions which is prohibited. Felt like two single family homes on the lot. Upper deck was nice but maybe don't go so deep. Not persuaded about the donation of the existing house to the Arts District and not supportive of the positive three (+3) points without more information. As for the landscaping: better is better, plan for the future growth of the plantings so the site is not overwhelmed later. This is a very prominent pedestrian route.

Mr. Allen: This will greatly improve the sight. Liked module massing. No problem with upper deck. Positive points for donation would be ok if he can be persuaded the Town wants the building. Would like to see the applicant contribute some of the costs associated with moving the building if positive points

were awarded. Landscaping quality over quantity more mature species. Was ok with positive points for solar generation. Take care of grading and icing which may earn more positive points too.

WORKSESSIONS:

1. Highlands Park Fuel Break (JC)

(Mr. Mamula arrived at the start of this work session.)

Ms. Cram presented a proposal to reduce fuels around Tract D, Highlands Park, involving the removal of trees to reduce possible fire spreading and allow space for fire fighters to work. Project would take about one week. Will be visible from valley. About two truck loads of usable lumber will be hauled off site. Others would be chipped or burned once there is snow on ground. Some natural revegetation will take place over time. Some seeding may be necessary in a few years to assist regrowth. We have been working with the RWB and Highlands Park HOA.

Commissioner Questions/Comments:

Ms. Girvin: Weeds follow this kind of work, hope this will be monitored and weeds mitigated if they sprout up. Skid roads serve as emergency access. If this is fire mitigation, don't we want to keep this area clear and not replant? (Staff explained fire mitigation doesn't always mean keeping a forest clear. The RWB fire district is in favor of what was proposed.)

Mr. Schroder: The forest has changed and we need to change with it. Can we gain anything from salvageable logs? (Staff explained that the decision to treat the areas included the contractor being able to salvage some of the lumber.)

Mr. Lamb: This isn't clear cutting, this is forest management.

Mr. Pringle: Is blow down a concern? (Staff explained Eric Petterson, consultant, has addressed the potential for blow down in the way that areas are treated.) What would be the likelihood to do some light grading for emergency access which would be very beneficial if a fire ever broke out? (Staff explained that the skid roads would aid in this regard.) A good time to plant a tree was 20 years ago and today.

Mr. Allen: No comment.

Mr. Mamula: Good job.

2. Planning Commission Top 5 List (CN)

Mr. Neubecker presented an update to the Planning Commission Top 5 List.

Commissioner Questions/Comments:

Ms. Girvin: Attach weeds to landscaping and wildfire item.

Mr. Pringle: Energy conservation needs to be discussed so it can be quantifiable and measurable. Sunsetting density is important but shouldn't be in the top five. Concerned about deed restrictions in light of the foreclosure pace in the current economy.

OTHER MATTERS:

Chris Kulick mentioned that October 8, 9, and 10, 2008, are the dates for the Park City field trip, which is still on. He discussed the tentative agenda. Staff will buy airline tickets very soon.

ADJOURNMENT:

The meeting was adjourned at 9:25 p.m.

Rodney Allen, Vice 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 October 2, 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 October 7, 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 April 14, 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#: Lot 16, Corkscrew Flats II PC#2008105
Project Manager: Chris Kulick
Date of Report: September 16, 2008 For the October 7, 2008 Planning Commission Meeting
Applicant/Owner: Blue River Corkscrew LLC
Agent: Marc Hogan - BHH Partners
Proposed Use: Single-Family Residential
Address: 245 Corkscrew Drive
Legal Description: Lot 16, Corkscrew Flats II
Site Area: 15,881 sq. ft. 0.36 acres
Land Use District (2A/2R): LUD 1 (11.29 acres), Residential, Recreational, 1 Unit per 10 Acres, Special Review; LUD 14-2 (24.00 acres), Residential, 4 Units per Acre, Single Family or Duplex; 1 SFE assigned per Corkscrew Flats Subdivision
Existing Site Conditions: The lot slopes downhill from south to north at 8%. Site is rocky and free of most types of vegetation.

Density (3A/3R): Allowed: 4,500 sq. ft. Proposed: 3,672 sq. ft.
Mass (4R): Allowed: 4,500 sq. ft. Proposed: 4,472 sq. ft.
F.A.R.: 1:3.55 FAR
Areas:
Lower Level: 1,461 sq. ft.
Main Level: 1,843 sq. ft.
Upper Level: 368 sq. ft.
Accessory Apartment:
Garage: 800 sq. ft.
Total: 4,472 sq. ft.

Bedrooms: 4
Bathrooms: 4.5
Height (6A/6R): 26 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 2,643 sq. ft. 16.64%
Hard Surface / non-Permeable: 2,379 sq. ft. 14.98%
Open Space / Permeable: 10,859 sq. ft. 68.38%

Parking (18A/18/R):
Required: 2 spaces
Proposed: 4 spaces

Snowstack (13A/13R):
Required: 595 sq. ft. (25% of paved surfaces)
Proposed: 656 sq. ft. (27.57% of paved surfaces)

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

Accessory Apartment: None

Building/Disturbance Envelope? Building Envelope

Setbacks (9A/9R):
Front: Building Envelope
Side: Building Envelope
Side: Building Envelope
Rear: Building Envelope

Architectural Compatibility (5/A & 5/R): Natural materials and earth tone colors
Exterior Materials: Natural fieldstone; natural cedar shake and horizontal siding, clad windows
Roof: Composition shingles, core-ten accents
Garage Doors:

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	3	8 - 10 feet tall
Aspen	9	2 - 3 inch caliper 50% multi-stem
Shrubs and perennials	30	5 Gal.

Drainage (27A/27R): Positive away from structure

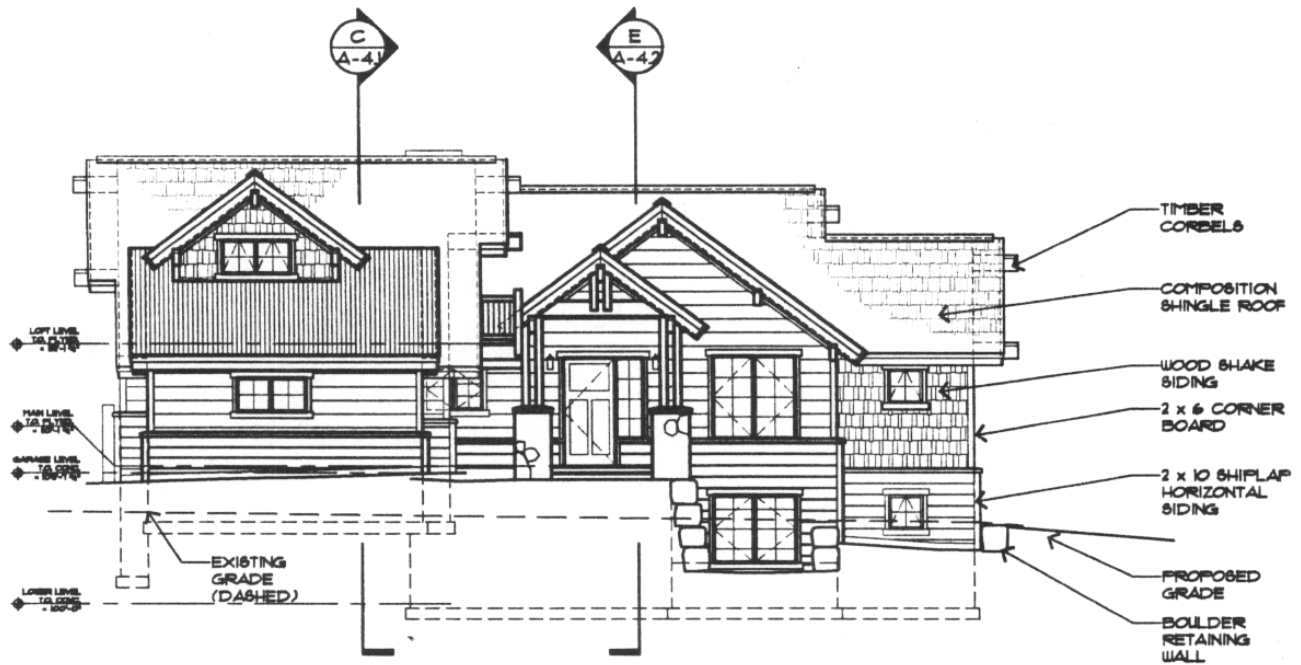
Driveway Slope: 3 %
Covenants: Standard Landscaping Covenant to be recorded prior to Certificate of Occupancy.

Point Analysis (Sec. 9-1-17-3): An informal point analysis was conducted for this proposed residence and no positive or negative points are warranted.

Staff Action: Staff has approved Lot 16, Corkscrew Flats II, PC #2008105, Lot 16, Corkscrew Flats II, 245 Corkscrew Drive, with the standard findings and conditions.

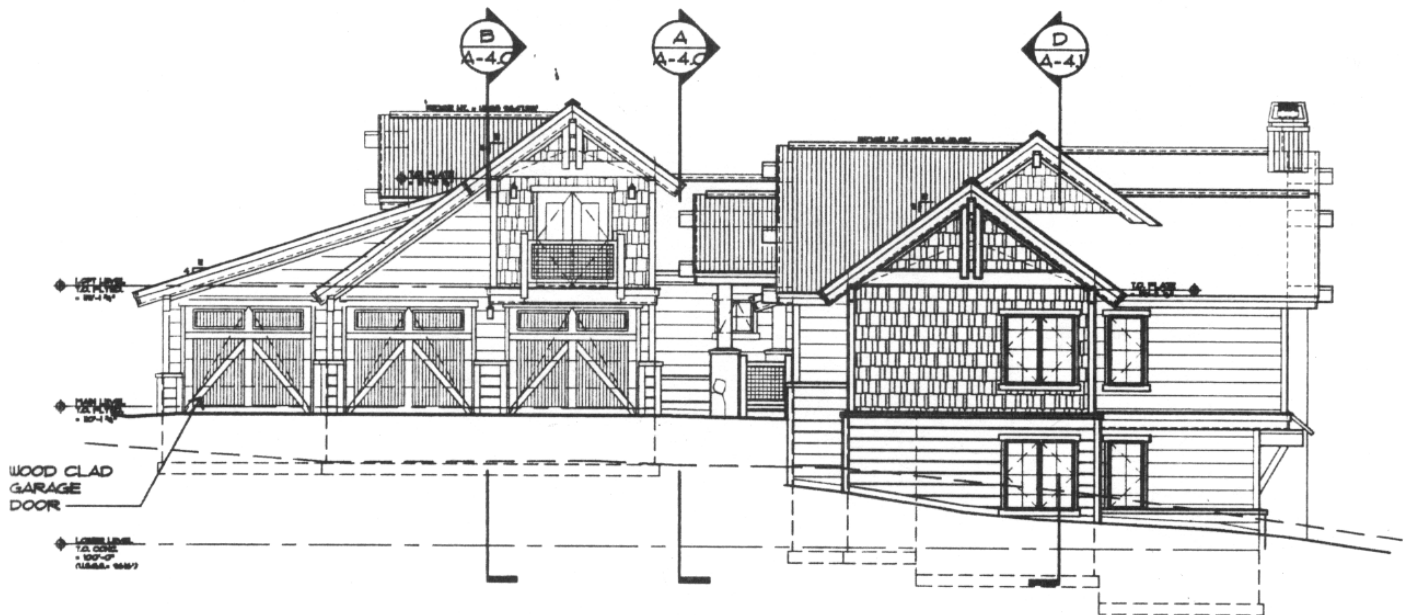
Comments:

Additional Conditions of Approval:



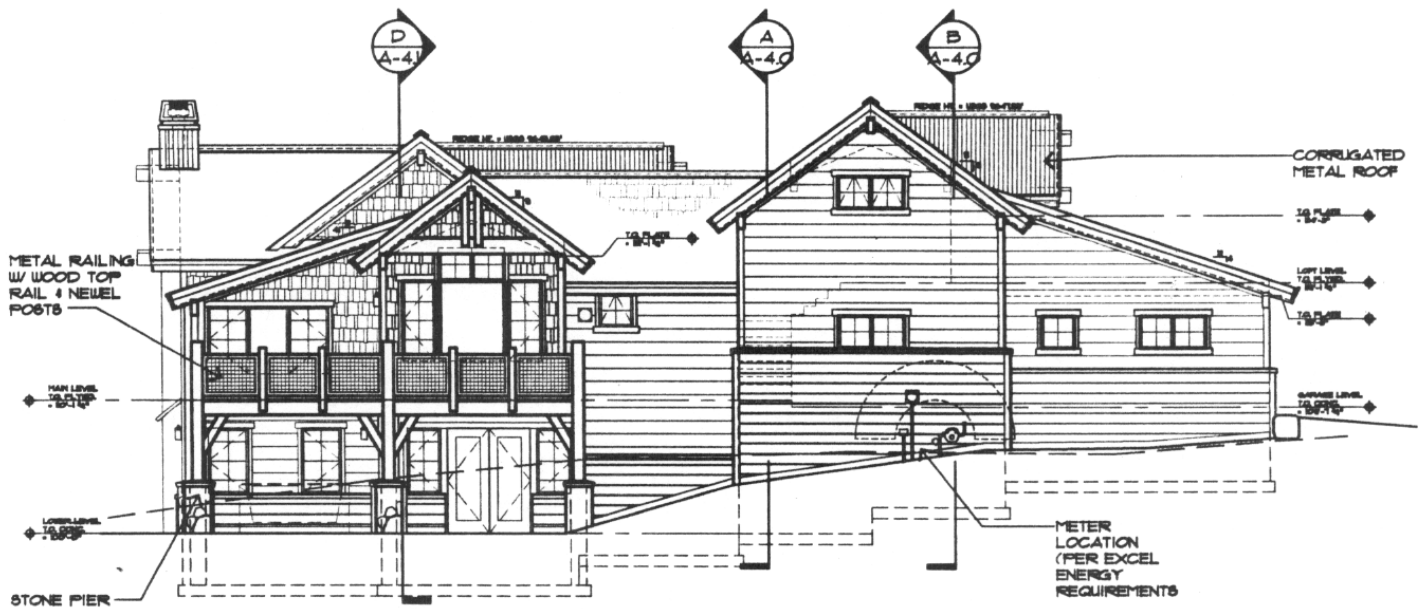
SOUTHWEST ELEVATION

SCALE: 1/8" = 1'-0"



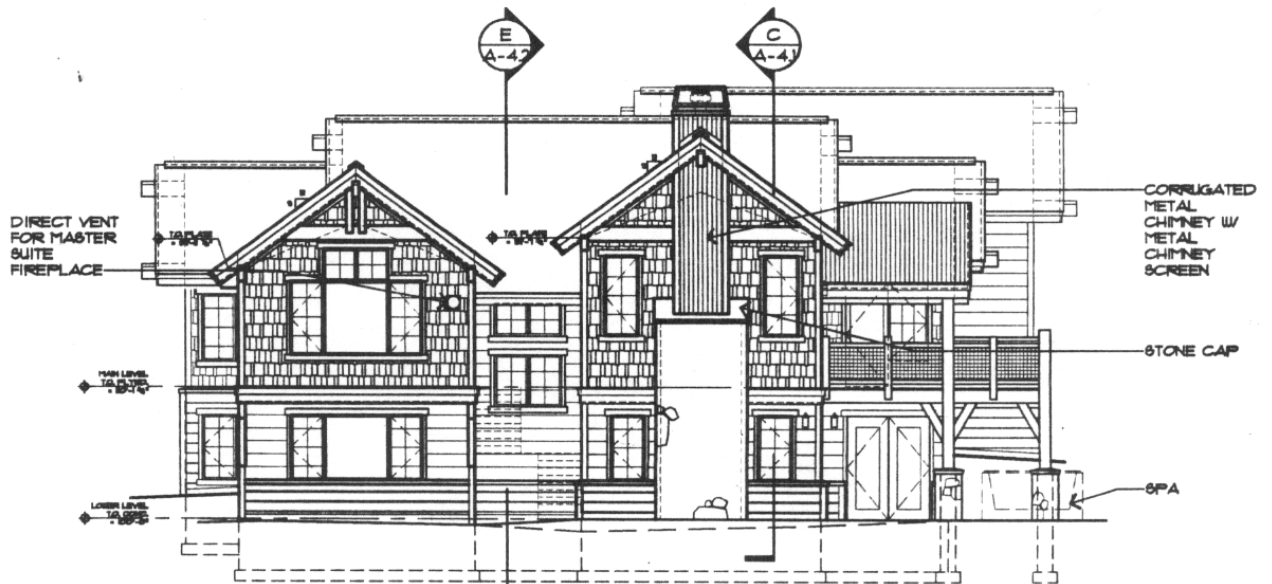
SOUTHEAST ELEVATION

SCALE: 1/8" = 1'-0"



NORTHWEST ELEVATION

SCALE: 1/8" = 1'-0"



NORTHEAST ELEVATION

SCALE: 1/8" = 1'-0"



Class C Development Review Check List

Project Name/PC#: Lot 22, Corkscrew Flats II PC#2008106

Project Manager: Chris Kulick

Date of Report: September 18, 2008 For the October 7, 2008 Planning Commission Meeting

Applicant/Owner: Blue River Corkscrew LLC

Agent: Marc Hogan - BHH Partners

Proposed Use: Single Family Residential

Address: 266 Corkscrew Drive

Legal Description: Lot 22, Corkscrew Flats II

Site Area: 21,780 sq. ft. 0.50 acres

Land Use District (2A/2R): LUD 1 (11.29 acres), Residential, Recreational, 1 Unit per 10 Acres, Special Review; LUD 14-2 (24.00 acres), Residential, 4 Units per Acre, Single Family or Duplex; 1 SFE assigned per Corkscrew Flats Subdivision

Existing Site Conditions: The lot slopes downhill from south to north at 11%. Site is rocky and free of most types of vegetation.

Density (3A/3R): Allowed: 4,500 sq. ft. Proposed: 3,648 sq. ft.

Mass (4R): Allowed: 4,500 sq. ft. Proposed: 4,454 sq. ft.

F.A.R.: 1:4.89 FAR

Areas:

Lower Level: 1,634 sq. ft.

Main Level: 2,014 sq. ft.

Upper Level:

Accessory Apartment:

Garage: 806 sq. ft.

Total: 4,454 sq. ft.

Bedrooms: 4

Bathrooms: 4.5

Height (6A/6R): 22 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):

Building / non-Permeable:	2,440 sq. ft.	11.20%
Hard Surface / non-Permeable:	893 sq. ft.	4.10%
Open Space / Permeable:	18,447 sq. ft.	84.70%

Parking (18A/18/R):

Required:	2 spaces
Proposed:	4 spaces

Snowstack (13A/13R):

Required:	223 sq. ft.	(25% of paved surfaces)
Proposed:	449 sq. ft.	(50.28% of paved surfaces)

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

Accessory Apartment: None

Building/Disturbance Envelope? Building Envelope

Setbacks (9A/9R):

Front: Building Envelope

Side: Building Envelope
Side: Building Envelope
Rear: Building Envelope

Architectural Compatibility (5/A & 5/R): Natural materials and earth tone colors
Exterior Materials: Natural fieldstone; natural cedar Shake and horizontal siding, clad windows
Roof: Composition shingles, core-ten accents
Garage Doors: Wood clad

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	3	8 - 10 feet tall
Aspen	9	2 - 3 inch caliper 50% multi-stem
Shrubs and perenials	30	5 Gal.

Drainage (27A/27R): Positive away from structure

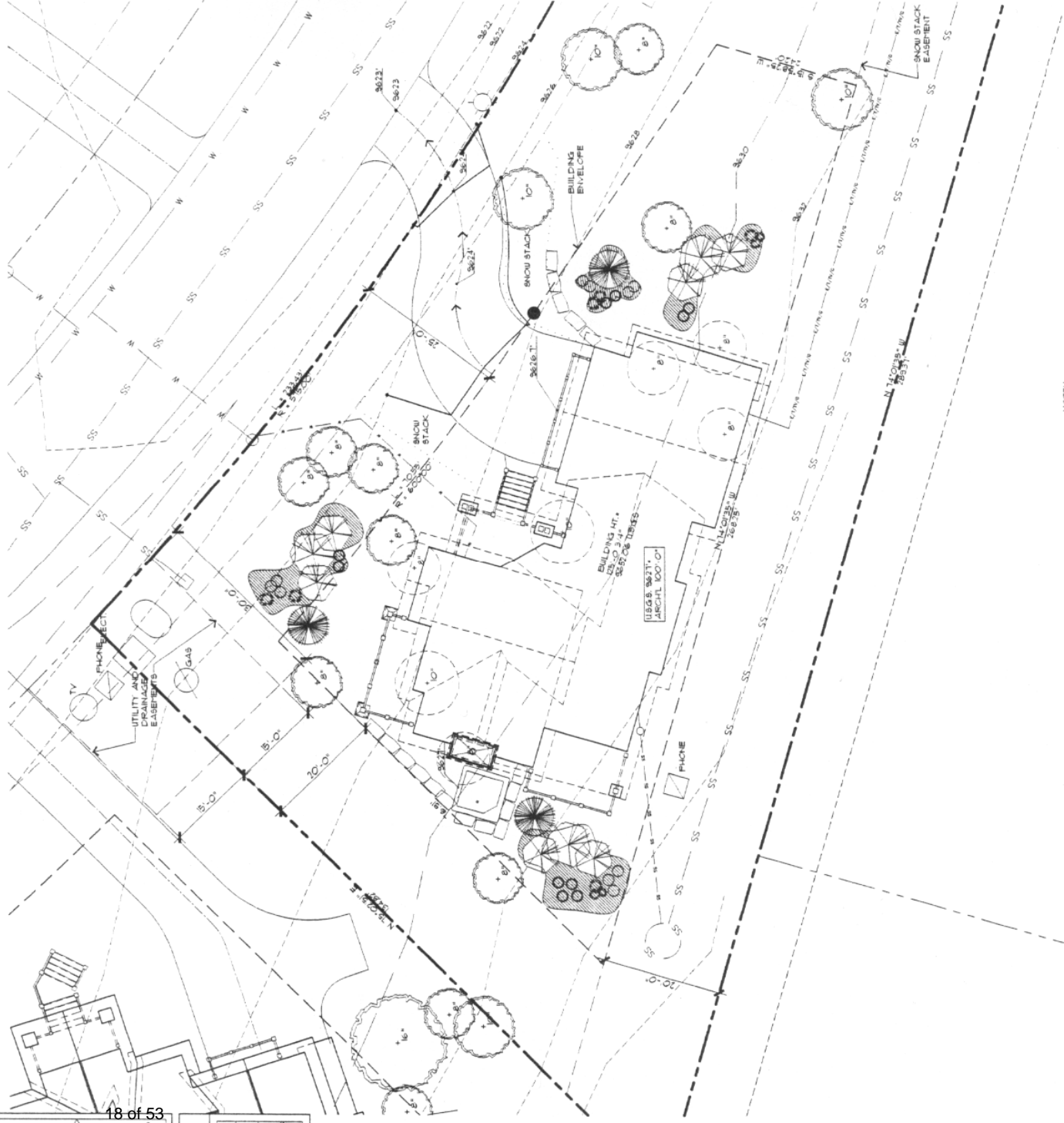
Driveway Slope: 4 %
Covenants: Standard Landscaping Covenant to be recorded prior to Certificate of Occupancy.

Point Analysis (Sec. 9-1-17-3): An informal point analysis was conducted for this proposed residence and no positive or negative points are warranted.

Staff Action: Staff has approved Lot 22, Corkscrew Flats II, PC #2007106, Lot 16, Corkscrew Flats II, 266 Corkscrew Drive, with the standard findings and conditions.

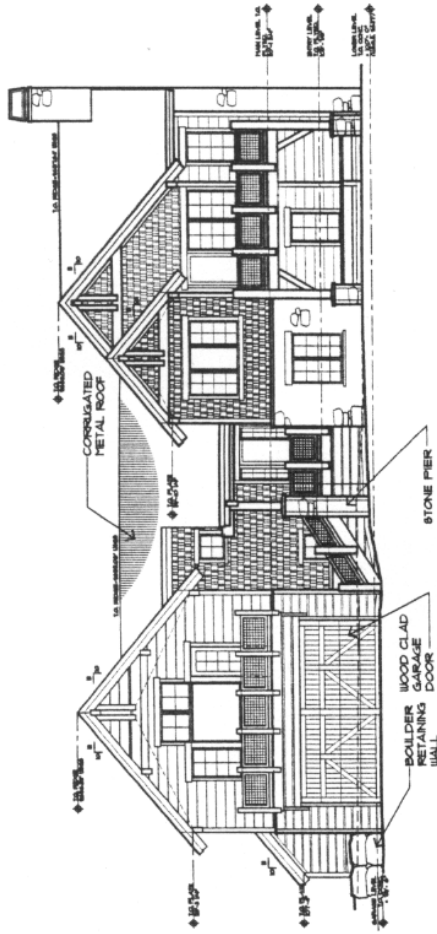
Comments:

Additional Conditions of Approval:



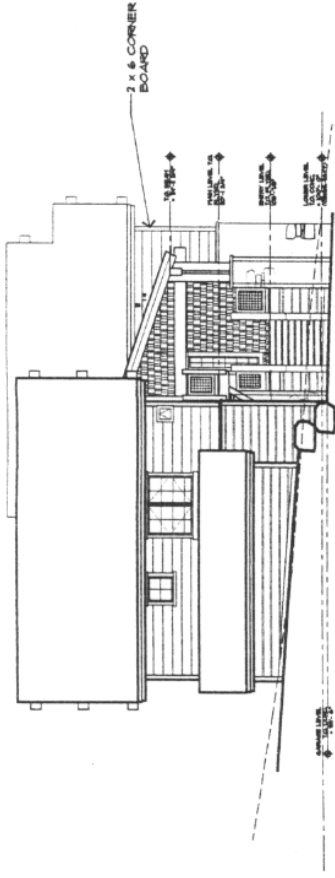
SITE PLAN / LANDSCAPE PLAN

SCALE: 1" = 10'-0"



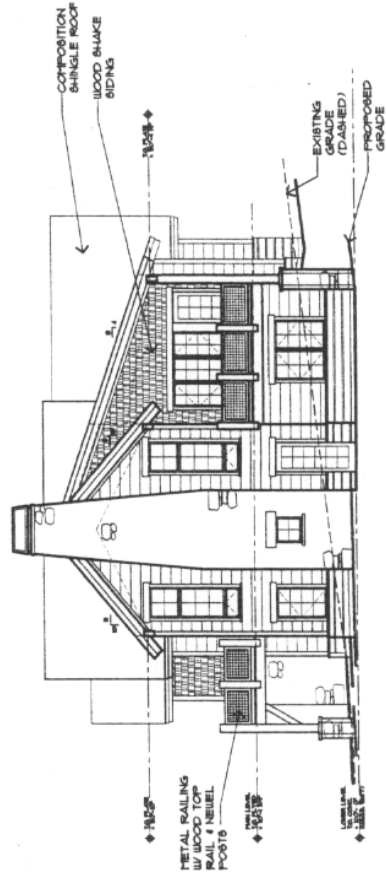
NORTH ELEVATION

SCALE: 1/8" = 1'-0"



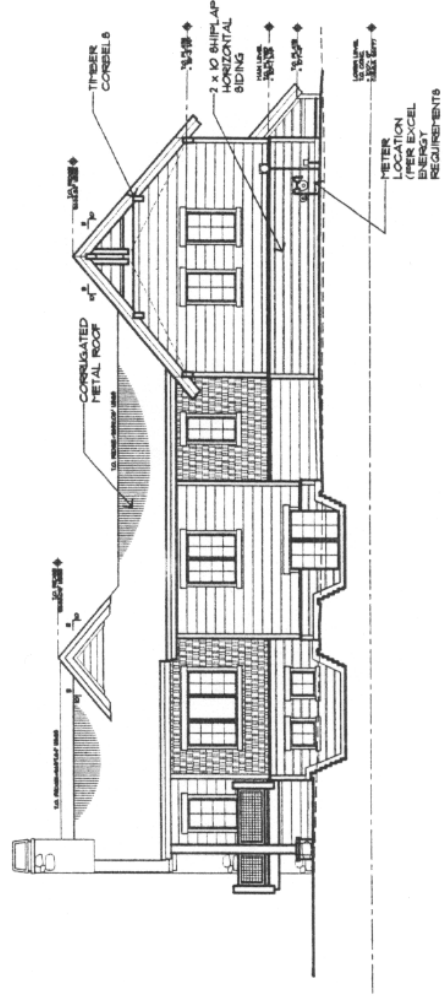
EAST ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



Class C Development Review Check List

Project Name/PC#: Chandler Residence PC#2008078
Project Manager: Michael Mosher
Date of Report: September 25, 2008 For the October 7, 2008 Planning Commission Meeting
Applicant/Owner: Lee and Lee Chandler
Agent: Fred Newcomer - Bostad International, Inc.
Proposed Use: Single Family Residence
Address: 0327 Peerless Drive
Legal Description: Lot 50 Shock Hill Subdivision
Site Area: 21,852 sq. ft. 0.50 acres
Land Use District (2A/2R): LUD 10 - Residential, 2-4 UPA - Subject to the Shock Hill Subdivision with 1 SFE per lot.
Existing Site Conditions: The lot accessed off of a private drive, is heavily wooded and slopes down gently towards the south at 4.8%. The south and west portion of the site abuts a 25' wide Public Trail Easement. A 20-foot wide drainage and utility easement lies near the west property line and adjacent to the south property line.

Density (3A/3R):	Unlimited	Proposed: 8,521 sq. ft.
Mass (4R):	Unlimited	Proposed: 10,735 sq. ft.
F.A.R.	1:2.04 FAR	
Areas:	Density	Mass
Lower Level:	2,693 sq. ft.	1,031 sq. ft.
Main Level:	3,076 sq. ft.	1,183 sq. ft.
Upper Level:	2,752 sq. ft.	
Accessory Apartment:		
Total Density:	8,521 sq. ft.	
Bedrooms:	5	
Bathrooms:	6.5	
Height (6A/6R):	31 feet overall	Ridgeline of roof is 45 feet long (less than 50 feet).
(Max 35' for single family outside Historic District)		
Lot Coverage/Open Space (21R):		
	Building / non-Permeable: 5,000 sq. ft.	22.88%
	Hard Surface / non-Permeable: 3,381 sq. ft.	15.47%
	Open Space / Permeable: 13,471 sq. ft.	61.65%

Parking (18A/18/R):
 Required: 2 spaces
 Proposed: 5 spaces

Snowstack (13A/13R):
 Required: 845 sq. ft. (25% of paved surfaces)
 Proposed: 1,093 sq. ft. (32.33% of paved surfaces)

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

Accessory Apartment: None

Building/Disturbance Envelope? Building Envelope

Setbacks (9A/9R):
 Front: 30 ft.
 Side: 50 ft.
 Side: 50 ft.
 Rear: 15 ft.

Architectural Compatibility (5/A & 5/R):

Exterior Materials: Natural cedar, barnwood, and natural stone siding. (All colors earth-tone). Heavy timber accents.

Roof: Cedar shake roof (Class A fire rated) and standing seam metal (dark colors)

Garage Doors: Natural cedar

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	23	12 @ 6 feet tall and 11 @ 8 feet tall
Aspen	52	26 @ 1-1.5 inch caliper 26 @ 2 inch caliper- 50% multi-stem
Shrubs and perennials	54	5 Gal.

Drainage (27A/27R): Positive drainage around site. Perimeter drain to drywell.

Driveway Slope: 4 %

Covenants: Standard Landscaping Covenant

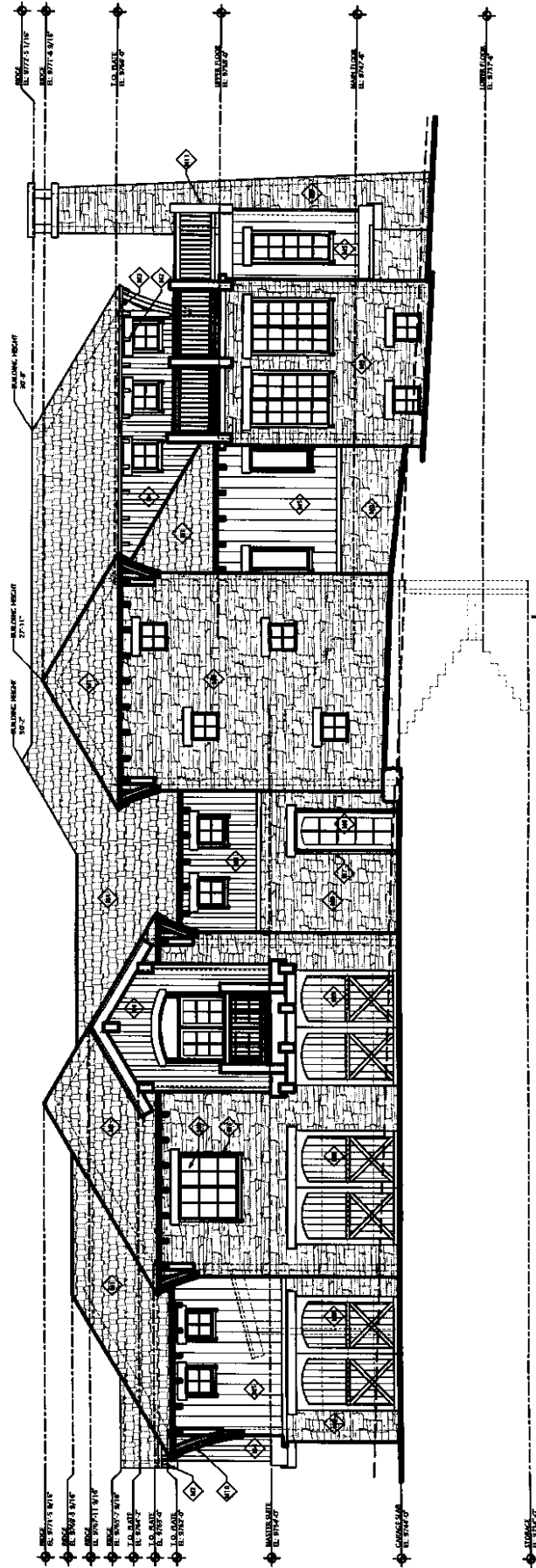
Point Analysis (Sec. 9-1-17-3): This application meets all absolute policies and has not been assigned any positive or negative points.

Staff Action: Staff has approved the Chandler Residence with the attached Findings and Conditions. We recommend the Planning Commission uphold this decision.

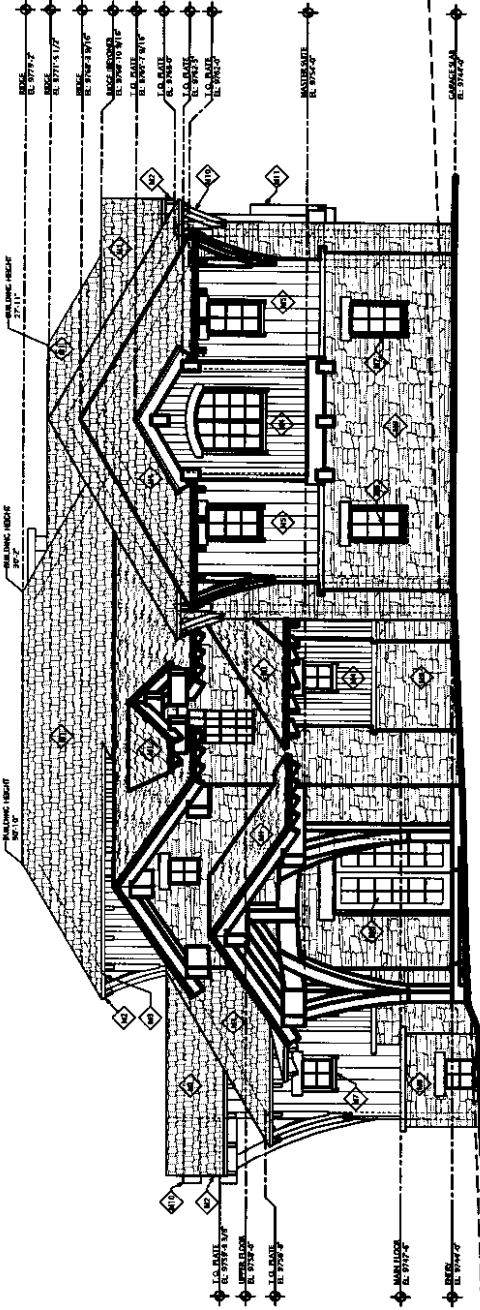
Comments:

Additional Conditions of Approval:

2 | WEST ELEVATION
A-2.0 | SCALE: 1/4" = 1'-0"

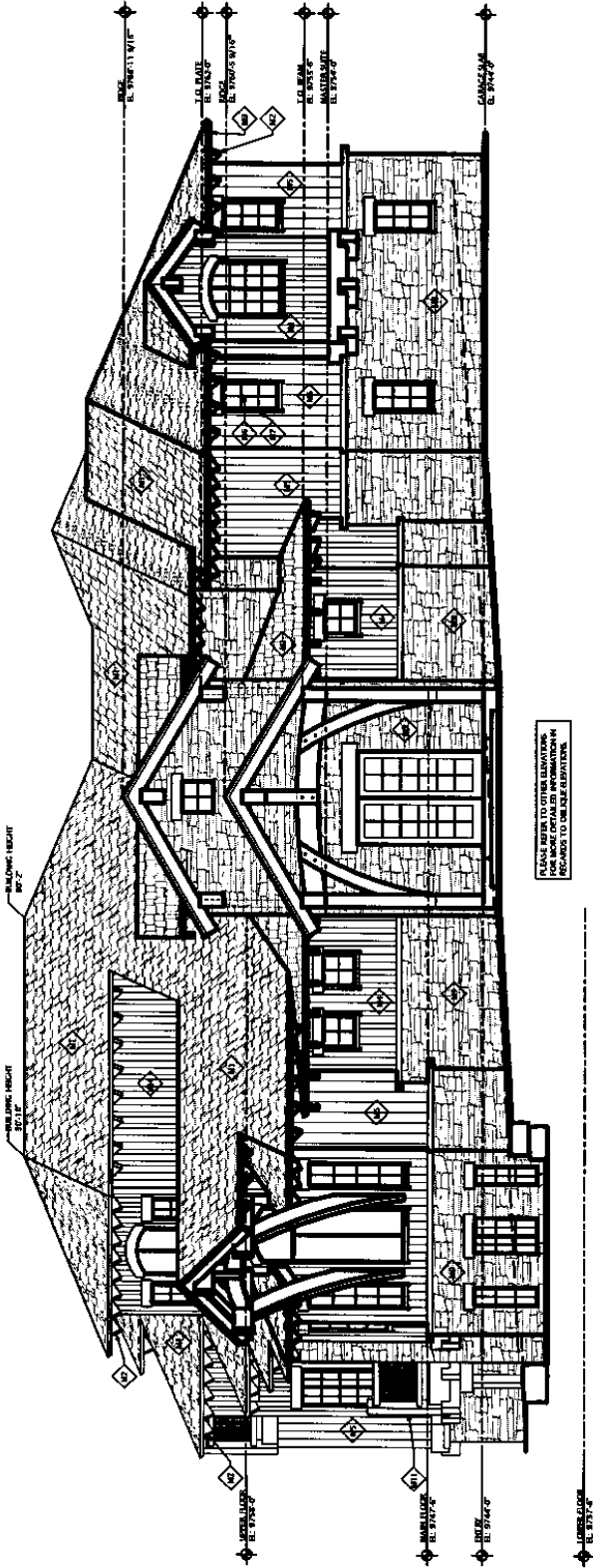


1 | NORTH ELEVATION
A-2.0 | SCALE: 1/4" = 1'-0"



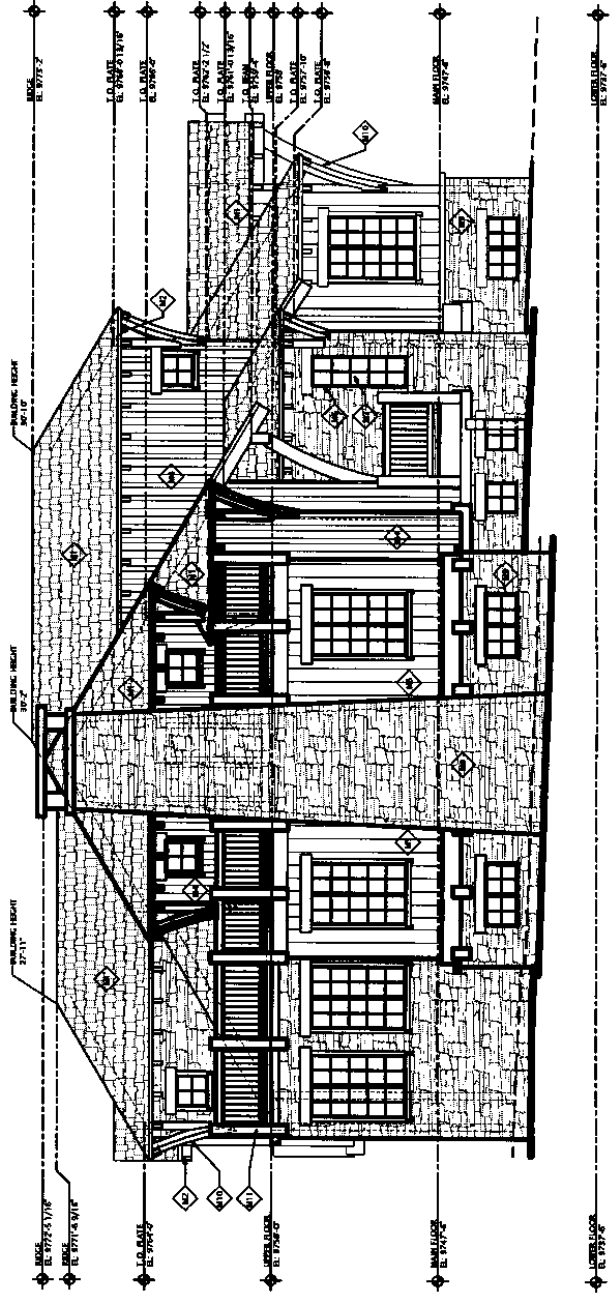
Chandler Residence
0327 Peerless Drive
Breckenridge, Co. 80424

PLANNING AND DESIGN
PROCESS AND CONSTRUCTION
MANAGEMENT SERVICES
PROJECT # 2017



PLEASE REFER TO OTHER ELEVATIONS FOR DIMENSIONS UNLESS NOTED OTHERWISE.

1 | NORTHEAST ELEVATION
 A2.2 | SCALE: 1/4" = 1'-0"



2 | SOUTH ELEVATION
 A2.2 | SCALE: 1/4" = 1'-0"

Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: October 1, 2008 (For meeting of October 7, 2008)

Subject: AST Winter Dew Tour
(Class C Minor Hearing; PC# 2008108)

Applicant: AST Winter Dew Tour/Jessie Paige

Owner: Breckenridge Ski Resort

Legal: Breckenridge Ski Resort (base area of Peak 8) and Tract F Four Seasons

Address: 1599 Ski Hill Road and the 150 West Adams (Riverwalk Center and lawn)

Proposal: The AST Dew Tour, proposed to come to Breckenridge on its first winter stop of the tour December 18 - 21, 2008, is a series of world-class ski and snowboard competitions. Featuring two of the most progressive events in skiing and snowboarding – slopestyle in the terrain park and halfpipe – combined with an exciting music and a festival village area at the Riverwalk Center lawn. Each stop will be televised live on NBC, showcasing both the skiing/snowboarding and music aspects of our Town. The combination of great entertainment and exciting competition will create an amazing winter atmosphere, increase community spirit and draw excitement back into the ski/snowboard industry.

The AST Dew Tour is proposing to use the lawn at the Riverwalk as a Festival Village area for several sponsor tents and a 30' x 30' Dew Tour Tent. There will be two light towers and two speaker towers. The exterior speakers will meet the Town's noise ordinance. They will be using electric heat to warm inside of the tent.

AST staff and trucks begin to arrive in Breckenridge on 12/7/08. On 12/8/08 they will begin to set up a bone yard (staging area for equipment) off of Airport Road. Begin load-in and mountain venue build on 12/8/08 (load-in hours, 6pm – 6am; they will be actually building within the venue on Peak 8 during normal daytime operation hours). 12/8/08 – 12/15/08 continue to load-in and build the Peak 8 mountain venue. On 12/15 – 12/17 the Festival Village (sponsor village) load-in and build at the Riverwalk lawn and Blue River Plaza. 12/16 – 12/17/08 athlete practice begins. 12/18 – 12/21 are the event days (see attached event schedule in the Planning Commission packet). 12/21 – 12/23/08 load-out all equipment and cleanup. 12/24/08 Peak 8 base area and Riverwalk area back to regular operations.

Item History

This is the first year The AST Dew Tour has proposed to come to Breckenridge. The Tour includes three stops from East to West, throughout December, January and February, with the top winter athletes in the world filling the roster, a 1.5 million dollar prize purse up for grabs, and live coverage on NBC along with loads of coverage on MTV, MTV2, and USA (see attached programming schedule in the Planning Commission packet). The Winter Dew Tour will include Men's and Women's Snowboarding in both Slopestyle and Superpipe, Men's Freeskiing in both Slopestyle and Superpipe.

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 and Town Clerk will review this proposal as part of a special event license. A building permit will be required for the temporary tents. Red, White, and Blue Fire Protection District will also be inspecting the temporary tents. There will be stairs built from the current parking lot for the Vail Resorts administration office down to Ski Hill Road to allow pedestrian access from the NBC television compound.

Site Plan: There will be six (6) sponsor tents 10' x 10' in size just below the Colorado Super Chair and the Rocky Mountain Super Chair on Peak 8. AST Staff and catering tent will be 20' x 40' just to the south of the Bergenhoff Base Lodge. There will be four 8' x 20' trailers just to the north of the Bergenhoff building. There will be two more AST trailers in the truck unloading area of the Bergenhoff. The NBC Compound in the Vail Resorts administrative parking lot will include: two mobile trailer units of 20' x 73'; one general use trailer of 40' x 8', an office trailer of 53' x 8', an extra lease trailer of 53' x 8', a communication trailer of 35' x 8', and two uplink trailers of 35' x 8', and two portolets for use by the NBC employees. There will be a VIP 20' x 20' tent at the bottom of the slopestyle course with a fence around it. There will be a 28' tall three level 40' x 24' control tower at the base of the halfpipe. There will be sixteen total light towers around the halfpipe. There will be a 12' x 17' jumbo screen at the base of the halfpipe and on the Riverwalk Center lawn.

Access: Good pedestrian access is provided via the existing pedestrian pathways around the F Lot, the Riverwalk, and in the Tiger Dredge parking lot. Guest using the gondola will have direct access to the events on Peak 8. The parking at Peak 8 will not be open to the public. Regular and special bus service is being provided to Peak 8, Peak 9, and the F 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. In addition, the Free Ride bus serves the F Lot, Peak 8 and Peak 9. 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 competition and Festival Village sites.

Trash/Recycling: A trash and recycling program will be in place with proper number of receptacles available. Dave November (Environmental Coordinator for Keystone and Breckenridge Ski Resorts) is working with Jessie Paige (applicant) on a recycling and waste management plan. There will at least eight (8) total portalets.

Security: A security company has been hired for this event. The exact number of security personnel has not been determined. AST Staff, Town Staff, and the Police Department will be having a meeting prior to the event to determine the proper number of security personnel.

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 event sites at Peak 8 and the Riverwalk Center. 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 The AST Winter Dew Tour, PC#2008108, with the attached Findings and Conditions, and recommends the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

**The AST Winter Dew Tour 2008
Peak 8 and the Riverwalk Center
PERMIT #2008108**

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 1, 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 October 7, 2008, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape-recorded.

CONDITIONS

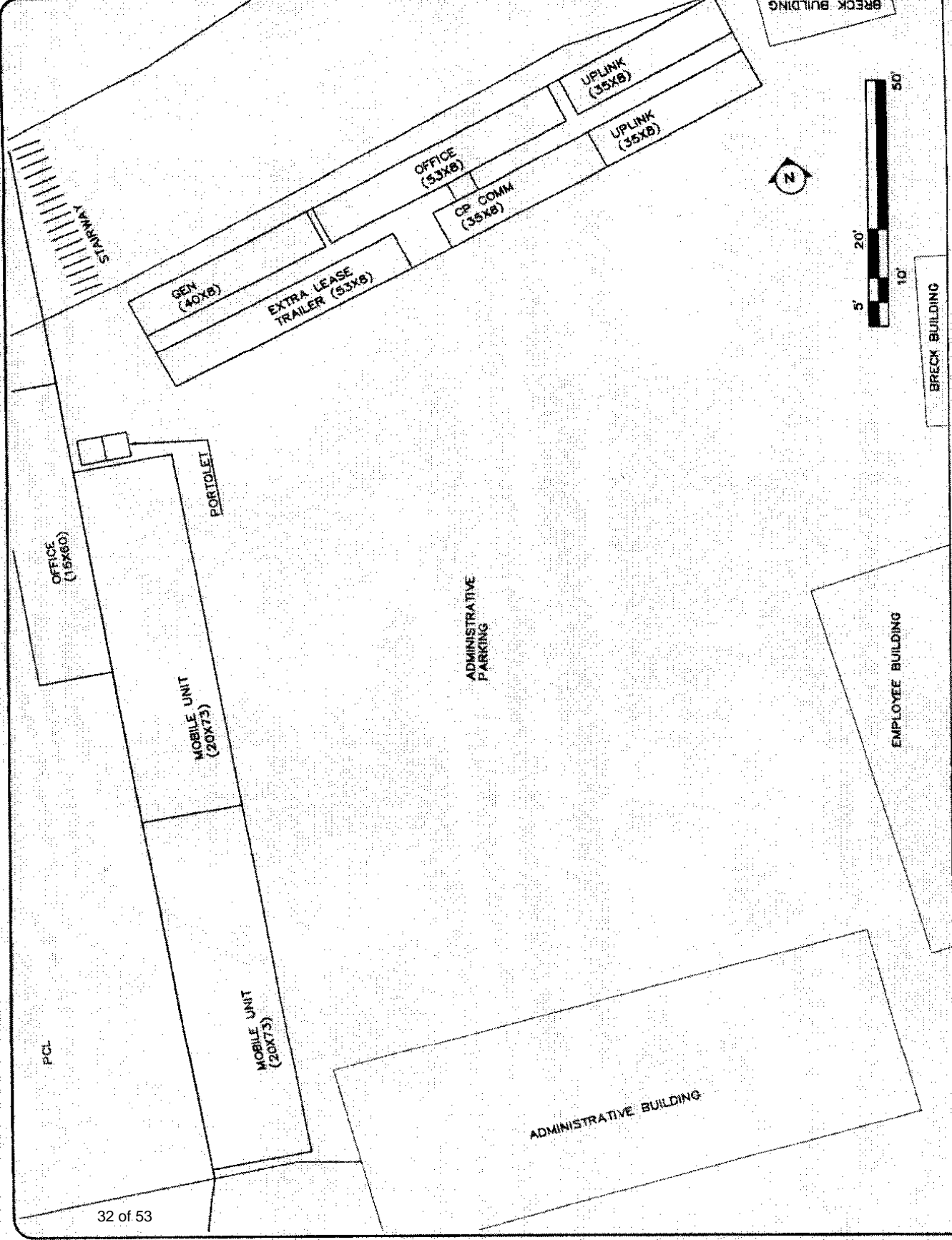
1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the 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.
5. A Town of Breckenridge building permit for all temporary tents is required. Approval from Red, White and Blue Fire is also required prior to the start of the event.
6. A separate permit shall be obtained from the Town Clerk for any alcohol that will be served on site.
7. Applicant shall obtain approval of a special event license from the town prior to commencement of the event or construction of temporary tents.
8. The final location and setup of the parking (including the bone yard) on Town of Breckenridge property shall be determined by the Public Works Department.
9. The final location of tents and set up of the Festival Village area at the Riverwalk lawn shall be determined by the Facility and Events Manager.

Murphy Productions, Inc.
 20351 Irvine Ave, Ste C4, Santa Ana Heights CA 92707
 P. 714-427-3090 F. 714-427-3095

DATE: 11/12/08
 DRAWN BY: JIM
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**AST WINTER 2008
 BRECKENRIDGE, CO**

3
 SHEET



NBC COMPOUND

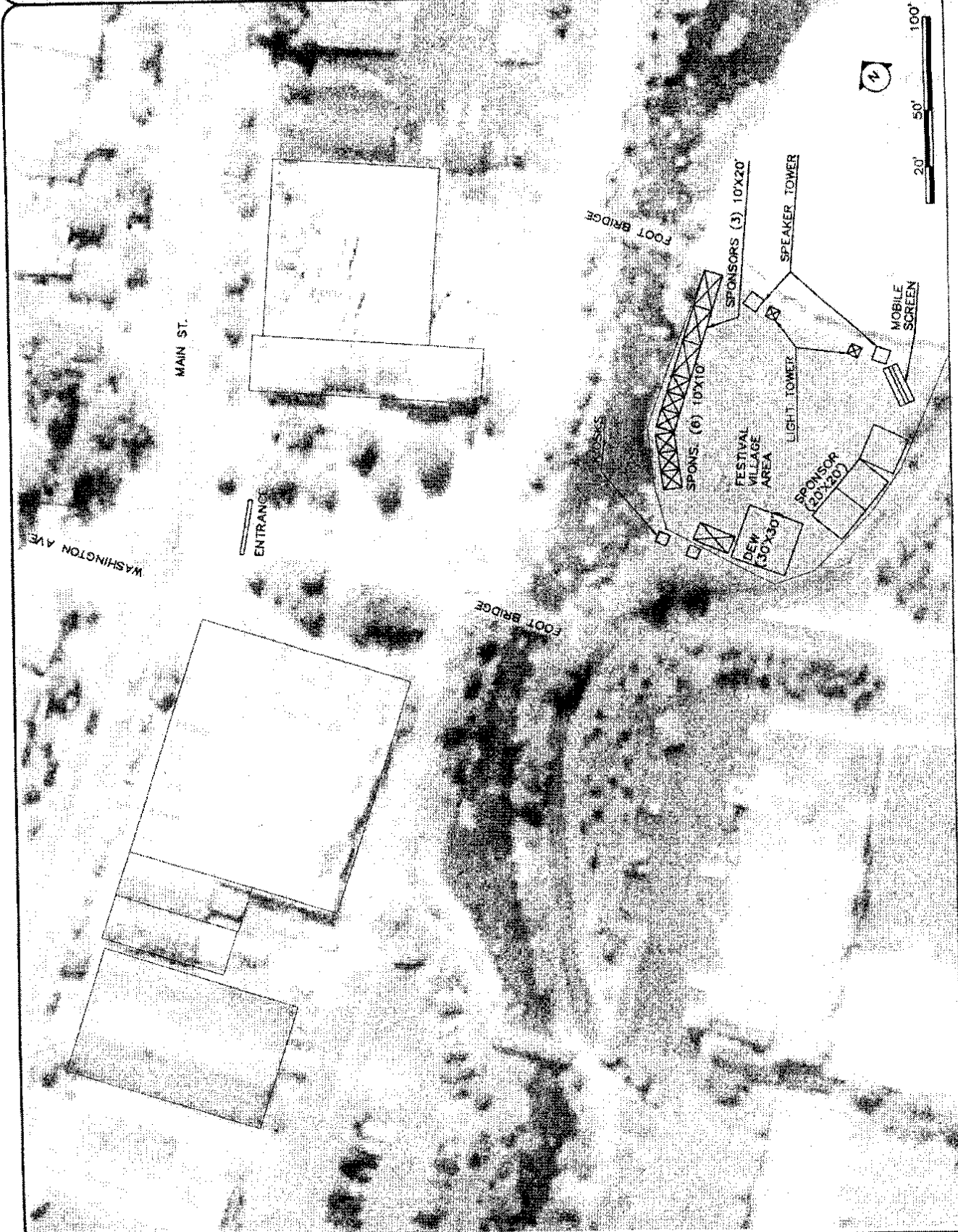
murphy productions, inc.
 20351 Irvine Ave, Ste C4, Santa Ana Heights CA 92707
 P. 714-427-3090 F. 714-427-3095

DATE: 04/06
 DRAWN BY: JMT

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AST WINTER 2008
BRECKENRIDGE, CO

10
 SHEET



BLUE RIVER PLAZA

Planning Commission Staff Report

- Project Manager:** Matt Thompson, AICP
- Date:** October 2, 2008, (For meeting of October 7, 2008)
- Subject:** Mark IX Condominium Remodel (Class C Minor, PC# 2008109)
- Applicant/Owner:** Mark IX Condominium Homeowner's Association
- Agent:** Michael Hessel, Peak Property Management, Inc.
- Proposal:** This is an exterior renovation of the existing Mark IX Condominiums. Remove the existing Masonite panel siding and all original window and sliding glass doors. The applicant wishes to replace the building siding and trim on each of the three (3) buildings in the complex. Also, each of the nine (9) units will receive four (4) 4' x 4' vinyl windows and one (1) 6' x 6' 8" vinyl sliding door. Siding materials will include new 5/8" red fir siding covered with 1 x 2 cedar batts at 16" on center. Windows and corners will be trimmed out with 1" x 4" cedar. The new siding and trim will be finished with solid body stain in colors acceptable to the Town of Breckenridge. Similarly, existing soffits, doors, handrails, and hot tub area will also be finished in same solid body stain. The contractor will be removing and replacing the exterior light fixtures.
- Address:** 90 Now Colorado Ct.
- Legal Description:** Mark IX Condo Amended
- Site Area:** .28 acre (12,376 sq. ft.)
- Land Use District:** 30-6, Mark IX – existing density per plat
- Site Conditions:** The site is primarily covered with three buildings connected by stairs, parking and forested with moderately sized lodgepole pine trees, spruce and aspen.
- Adjacent Uses:** Multi-family residential
- Density/Mass:** No change
- Height:** No change
- Parking:** No change

Item History

Mark IX Condominiums were constructed in 1983, and contains 9 residential units. Residents and guests park on surface parking lots surrounding the buildings. The existing buildings are three stories tall and

exterior materials primarily consist of Masonite vertical siding. All new siding in this proposal will be natural red fir siding covered with 1 x 2 cedar batts at 16” on center. Windows and doors will be framed with 1 x 4 cedar.

Staff Comments

As the exterior materials on the building have begun to deteriorate over the years, the applicants would like to update their buildings and property with a new modern design. As with any remodel, only the policies relevant to the scope of the application are reviewed and assessed points. (For instance, height 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 5/8” fir plywood siding with 1” x 2” cedar batts at 16” on center.
- New cedar trim, skirts, and soffits to be finished with solid body stain (Bona Fide Beige).
- Trim, fascia, and doors to be painted a mocha brown.
- Windows and corners will be trimmed out with 1” x 4” cedar.
- All units will receive four new 4’ x 4’ vinyl windows and one 6’ x 6’8” vinyl sliding door.
- Contractor will remove and replace all existing exterior light fixtures that will meet the Town of Breckenridge Exterior Lighting Ordinance.

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. Stucco or brick, provided an earth-tone color is selected, are acceptable building materials on smaller building elements. This section applies only to areas outside of the Historic District...”*

All new siding will be natural fir and cedar siding. Hence, Staff has no concerns with architectural compatibility.

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 Mark IX Condominium Remodel PC#2008109, with attached Findings and Conditions. Staff recommends that the Planning Commission uphold this decision.

TOWN OF BRECKENRIDGE

**Mark IX Exterior Condominium Remodel
90 Now Colorado Ct.
PC#2008109**

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 2, 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 **October 7, 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 **April 14, 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 compliance for the project covered by this permit. The determination of whether a 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. 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.

PRIOR TO ISSUANCE OF BUILDING PERMIT

8. 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.
9. 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.
10. 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.

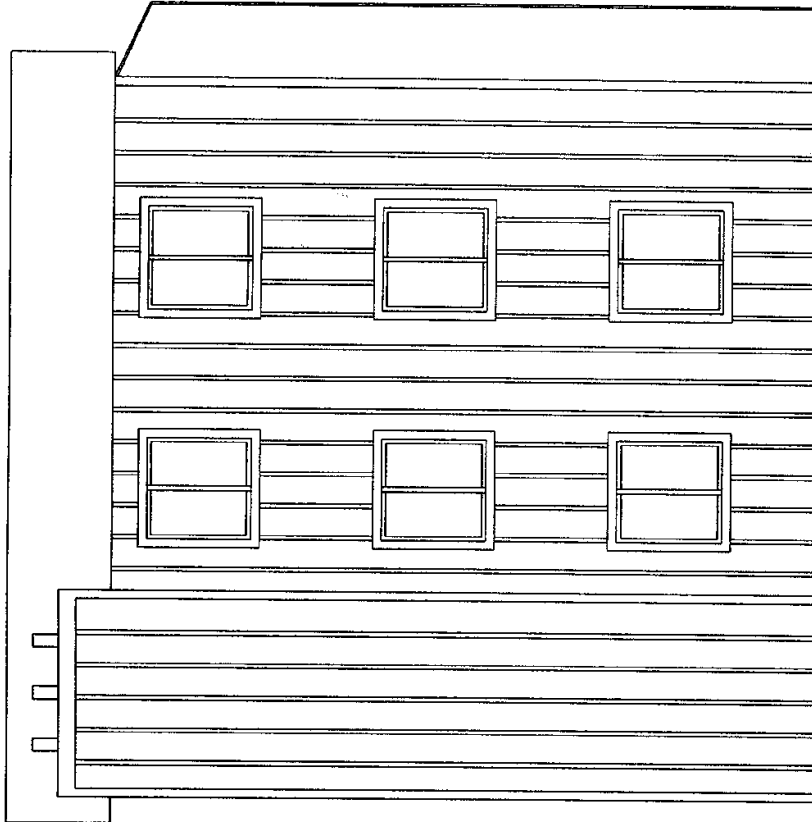
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

11. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
12. 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.
13. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
14. 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.
15. 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.
16. 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

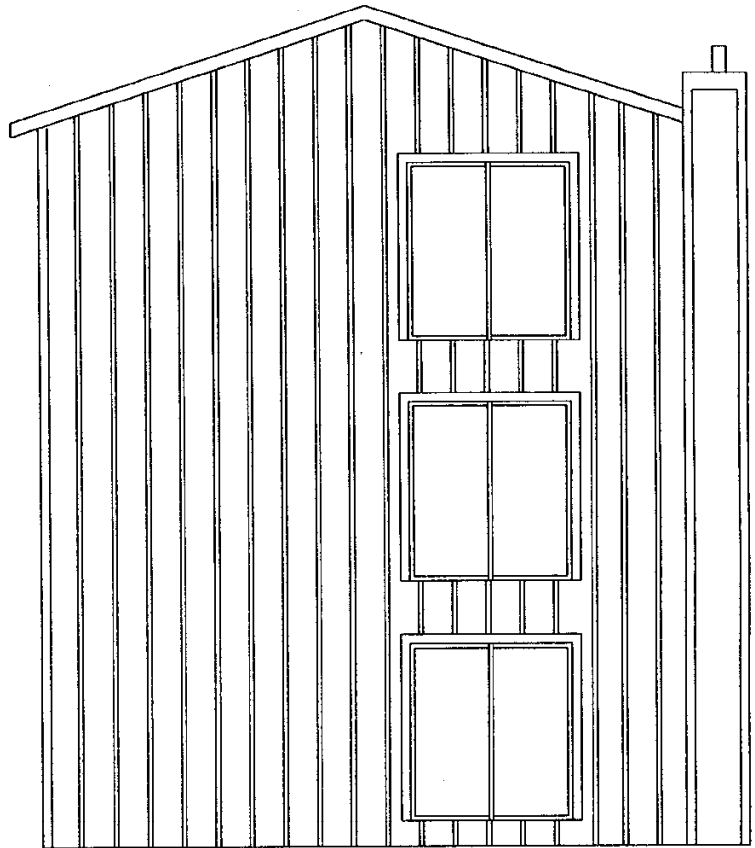
requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at 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.

17. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
18. 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.

NORTH ELEVATION

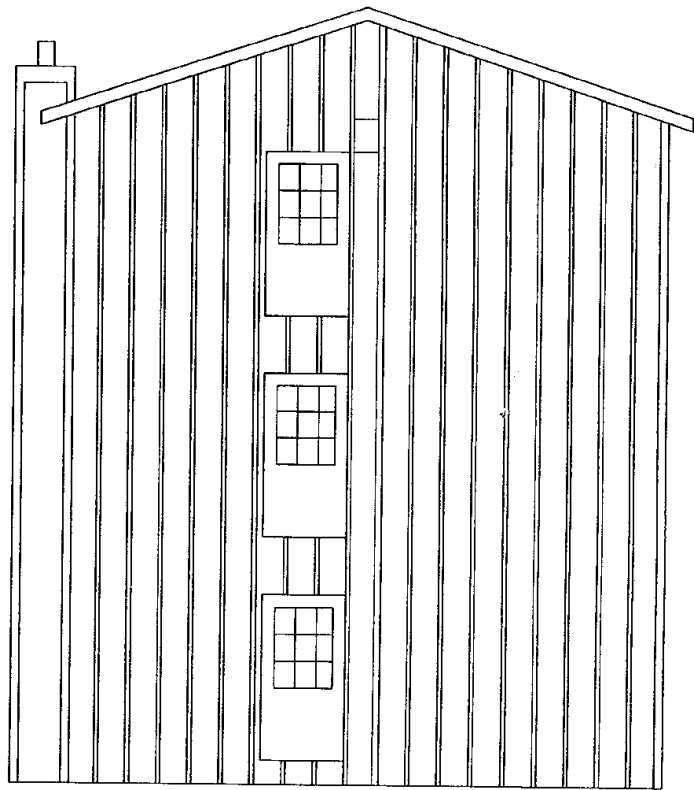


EAST ELEVATION



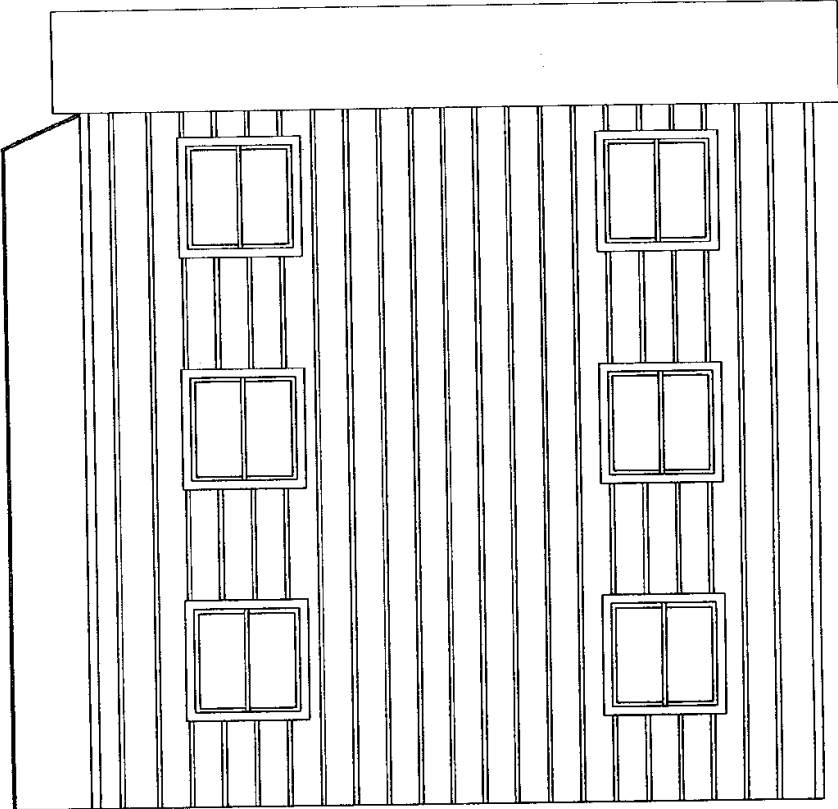
REAR DECKS NOT SHOWN
TO HIGHLIGHT SIDING

WEST ELEVATION



ENTRY DECKS NOT SHOWN
TO HIGHLIGHT SIDING

SOUTH ELEVATION



Memo

To: Planning Commission

From: Julia Puester, AICP

Date: October 1 for meeting of October 7, 2008

Re: Neighborhood Preservation Policy Work Session (previously known as home size policy)

The neighborhood preservation policy as proposed would apply only to properties in Town which do not have platted building and/or disturbance envelopes. These neighborhoods are primarily older, established areas, platted prior to the current Town code requirement of building or disturbance envelopes on lots at the time of subdivision. This policy would focus only on above ground density and mass. Below grade square footage would be unlimited as it does not impact the visual character of the neighborhood (unless otherwise restricted by individual subdivision plats).

There are 19 subdivisions to which this policy would apply, if approved. Some of the subdivisions (such as the Highlands, Sunbeam, Warriors Mark West, etc.) listed below have lots *with and without* platted envelopes. Subdivisions with all or some applicable lots are:

- Brooks Hill
- Breck South
- Christie Heights
- Gold Flake
- Highlands Filing 1
- Highlands Filing 2
- Highlands Filing 3
- Highlands Filing 4
- Peaks
- Penn Lode
- Snowflake
- Sunbeam
- Southside Placer
- Sunrise Point
- Trafalgar
- Trapper's Glen
- Warrior's Mark
- Warrior's Mark West

- Weisshorn

Staff has been directed to draft a policy for subdivisions without platted building or disturbance envelopes. However, one issue that arises when limiting above ground square footage to those subdivisions which have no building or disturbance envelopes is that those with platted envelopes are essentially allowed unlimited density and mass within the boundaries of the envelope. This is a concern as the envelopes were not designed to limit square footage but rather, the disturbance of the area. Many of the envelopes in existence are large and could be maxed out. If an envelope is maxed out, it could be designed such that it is built to the maximum height allowance and to the edges of the envelope. This desire to maximize density within envelopes could have the effect of creating large “boxy” homes and negatively impact the architecture. If Planning Commission has concerns regarding maximums for those lots with envelopes, Staff would like to hear those concerns as well.

History and Background

At the September 11, 2007 meeting, Council voiced concerns regarding the increasing number of large homes in Town. The Council indicated their desire to maintain the character of Town and preserve the character of older, established neighborhoods. Teardowns and new construction resulting in large homes could pose a threat to the existing character of these neighborhoods.

All uses, both residential and commercial, within the Conservation District have density limitations. Even outside of the Conservation District duplexes (within a site plan level development permit with greater than 5 units per acre), townhouses, hotels, condominiums and all other residential uses have density limitations. All of these uses must purchase Transfer of Development Rights (TDR) certificates in order to exceed the recommended density. Single-family residential uses outside of the Conservation District and duplexes at a density of less than 5 units per acre or less are the only uses within Town which have unlimited density per the Development Code and are not required to purchase TDRs. This creates a disparity among single-family use outside of the Conservation District and other uses in Town.

Staff received direction at the September 11, 2007 Council worksession to proceed with researching home size and community character. Since then, Staff has taken the idea of home size policy to the Planning Commission on November 29, 2007 and February 5, July 22, and August 16 (2008). At those meetings, Staff presented different options to address the issue including an above ground density cap, a Floor Area Ratio (F.A.R.), a relative policy, or TDR program participation.

At the February 12 Council meeting, the Council directed Staff to slow down the process and discuss the topic and concern with Homeowners Associations (HOAs) that may be affected to determine whether there was a desire for such a

policy. HOAs affected would be those outside of the Conservation District without platted building or disturbance envelopes, where setbacks are the primary restriction on building placement. These neighborhoods are primarily older, established areas, platted without building or disturbance envelopes.

Staff has been in contact with some HOAs and in some instances, individual property owners if possible (when there was no HOA in existence) to ask their opinions on whether they felt their neighborhood character was at risk with potential scrape offs and/or new homes which were larger and out of scale with the existing character of the neighborhood. We also asked if the HOA or homeowner was open to some type of home size policy. Overall, there were mixed reactions for support in establishing a home size policy. These communications were conducted by phone conference, personal meetings, and emails and were presented to the Council at the July 22 work session. At the July 22 meeting, Council directed Staff to write a policy utilizing F.A.R. (Floor Area Ratio) restrictions and a maximum home size.

Staff returned to the Planning Commission on August 16 to present different options using the Weisshorn subdivision as an example. The Commission favored two of the proposed options and requested that Staff proceed to evaluate the options with the other applicable subdivisions (those without platted building or disturbance envelopes).

Current Direction

In this memo, Staff outlines the hybrid option and the sliding scale option addressing above ground square footage (which would include gross floor area 4' or more above grade) for the purpose of protecting these established neighborhoods' character outside of the Conservation District. As proposed, below ground square footage would be unlimited as it does not directly affect the appearance of the area.

Methodology

As this policy has been proposed to apply only to those subdivisions which do not have platted building or disturbance envelopes outside of the Conservation District, Staff has reviewed current data from the County Assessor's database on the applicable subdivisions. Please see the table below which charts those subdivisions and their respective statistics. For the purposes of this calculation, finished and unfinished basements have been excluded to focus on above ground density and mass only.

Subdivision Square Footage and F.A.R.s

SUBDIVISION	MEDIAN ABOVE SF	MAX ABOVE SF	MEDIAN ABOVE F.A.R.
Brooks Hill	3,861	5,116	1:8.12
Breck South Sub	3,551	5,383	1:6.20

Christie Heights	3,632	6,075	1:4.8
Gold Flake	4,368	7,311	1:8.6
Highlands F1	4,064	5,741	1:15.1
Highland F2	3,858	5,008	1:14.8
Highlands F3	3,761	4,769	1:22.7
Highlands F4	3,830	5,299	1:33.3
Peaks	5,466	7,021	1:2.1
Penn Lode	4,750	5,220	1:4.4
Snowflake	3,252	4,671	1:7.6
Sunbeam	3,590	7,350	1:4.9
Southside Placer	6,452	6,452	1:27.0
Sunrise Point	2,555	5,551	1:5.3
Trafalgar	3,888	6,758	1:3.6
Trapper's Glen	4,446	6,462	1:5.96
Warrior's Mark	1,848	6,297	1:3.9
Warriors Mark West	2,631	3,720	1:4.0
Weisshorn	2,537	6,870	1:10.5

The Assessor's classification of basements is that which is below the main living floor. The Town considers above ground square footage that which has an exposed wall height of 4' or more from finished grade. These two definitions differ slightly; therefore, so do the square footages when the above and below grade basement square footage has been included. Recognizing that some of the properties may be on slopes and have walk out basement levels with a portion greater than 4' above grade, there is an additional chart below which includes the finished basement area in the calculations and compares this to the chart above. There is likely a median between the Town standards (the square footage above 4') and anything that is finished below the main level of the home per the Assessor's database. Therefore, it may be an appropriate option to use a percentage of the finished basement level rather than excluding it entirely or using all of the basement square footage as some would be below grade.

Subdivision Square Footage and F.A.R.s Comparison Chart with Finished Basements

SUBDIVISION	MEDIAN ABOVE SF	MEDIAN ABOVE SF (Basement)	MAX ABOVE SF	MAX ABOVE SF (Basement)	MEDIAN ABOVE F.A.R.	MEDIAN ABOVE F.A.R. (Basement)
Brooks Hill	3,861	3,444	5,116	6,544	1:8.12	1:6.82
Breck South Sub	3,551	3,636	5,383	5,060	1:6.20	1:5.94
Christie Heights	3,632	4,402	6,075	7,266	1:4.8	1:4.41
Gold Flake	4,368	5,660	7,311	9,896	1:8.6	1:5.37
Highlands F1	4,064	4,898	5,741	7,809	1:15.1	1:10.50
Highland F2	3,858	5,293	5,008	7,704	1:14.8	1:9.74
Highlands F3	3,761	4,785	4,769	6,552	1:22.7	1:15.06
Highlands F4	3,830	5,395	5,299	7,306	1:33.3	1:10.79

Peaks	5,466	5,466	7,021	8,428	1:2.1	1:1.99
Penn Lode	4,750	4,750	5,220	6,398	1:4.4	1:3.93
Snowflake	3,252	4,478	4,671	6,030	1:7.6	1:5.48
Sunbeam	3,590	4,671	7,350	9,368	1:4.9	1:3.60
Southside Placer	6,452	6,452	6,452	6,452	1:27.0	1:27.0
Sunrise Point	2,555	5,438	5,551	10,105	1:5.3	1:2.60
Trafalgar	3,888	4,438	6,758	9,067	1:3.6	1:2.94
Trapper's Glen	4,446	7,412	6,462	11,172	1:5.96	1:4.05
Warrior's Mark	1,848	2,368	6,297	6,297	1:3.9	1:3.22
Warriors Mark West	2,631	3,320	3,720	5,322	1:4.0	1:3.50
Weisshorn	2,537	2,901	6,870	6,997	1:10.5	1:8.31

Question: Neighborhood Size

The second issue Staff would like to have the Planning Commission weigh in on is how the size limitation should be determined. (The preferred hybrid or sliding scale options would be adjusted to include this net approach to size).

Approach 1

One approach would be to implement the existing median square footage. This would maintain the existing character already established. This would be the mid point of what is there today. However, a downfall to this approach would be that half of the existing properties would be over the median.

Approach 2

The second approach would be to establish a square footage that most existing homes in the subdivision meet or could grow into. For example, if 80% or 90% of all existing homes in the subdivision would fall within the permitted square footage, the goal of preserving the neighborhood would be achieved on a large scale, except for a few anomalies. The chart below shows what these numbers would look like and how many lots would and would not meet the square footage maximums set.

Percentages within Subdivisions

SUBDIVISION	90% SF Max	# of Lots Over and At 90%	# of Lots Under 90%	80% SF Max	# of Lots Over and At 80%	# of Lots Under 80%
Brooks Hill	4628	2	11	4214	3	10
Breck South Sub	5060	2	11	4364	4	9
Christie Heights	4831	5	32	4413	8	29
Gold Flake	6149	4	34	5318	7	31
Highlands F1	5453	3	29	4820	5	27
Highland F2	4426	4	36	4317	7	33
Highlands F3	4551	3	21	4382	4	20
Highlands F4	4529	3	22	4250	5	20
Peaks	7021	1	2	5466	2	1

Penn Lode	5220	1	6	4750	2	5
Snowflake	4671	1	5	3456	2	4
Sunbeam	5024	5	40	4346	9	36
Southside Placer	6452	one lot developed				
Sunrise Point	3290	2	14	2983	3	13
Trafflagar	6758	1	6	4438	2	4
Trapper's Glen	6004	2	11	6176	3	10
Warrior's Mark	2851	7	66	2368	15	58
Warriors Mark West	3638	4	51	3196	11	44
Weisshorn	4196	13	123	3616	27	109

**Percentages within Subdivisions
Including Total Finished Basement**

SUBDIVISION	90% SF Max	# of Lots Over and At 90%	# of Lots Under 90%	80% SF Max	# of Lots Over and At 80%	# of Lots Under 80%
Brooks Hill	6544	1	12	5288	2	11
Breck South Sub	5060	2	14	4534	4	12
Christie Heights	5761	6	31	5355	9	28
Gold Flake	7132	4	34	6567	7	31
Highlands F1	7212	3	29	6350	5	27
Highland F2	6249	4	34	6093	7	31
Highlands F3	6236	3	21	6090	4	20
Highlands F4	6369	3	22	6154	5	20
Peaks	8428	1	2	5466	2	1
Penn Lode	6398	1	6	6132	2	5
Snowflake	6030	1	6	5570	2	5
Sunbeam	6768	5	40	5563	9	36
Southside Placer	6452	one lot developed				
Sunrise Point	7367	2	14	6090	3	13
Trafalgar	9067	1	7	4438	2	6
Trapper's Glen	9033	2	11	8078	3	10
Warrior's Mark	6768	5	43	5563	9	39
Warriors Mark West	3272	7	74	2763	15	66
Weisshorn	5294	15	121	4571	28	108

Approach 3

The third approach would be to permit homes to be capped based on the largest existing home within the respective subdivision. This would allow for all homes in each subdivision to grow to the largest existing home. A downfall to this approach is it would not maintain the existing character of the neighborhood, but would use the largest home as the benchmark for home size on larger lots within the subdivision.

Utilizing approach 2 or 3 would change the maximum permitted square footage above grade in the hybrid and sliding scale examples shown below.

Question: Policy Format

The first issue Staff would like to have the Planning Commission weigh in on is which neighborhood preservation approach would be the most suitable within the Development Code and any suggestions for improving the two proposed options below.

Option 1: Hybrid

This option is a combination of a sliding scale method and F.A.R. It allows for a reasonable structure size, regardless if it is on a small lot. The example below also has an equitable F.A.R. approach for the vast majority of lots in the subdivision and places a maximum cap size at the largest existing above ground density home to maintain the character of the neighborhood.

Square footage has been grouped in the chart below according to average lot sizes and similar existing F.A.R.s within subdivisions. This approach is meant to directly relate the preservation to the existing neighborhood character while allowing for some reasonable growth which stays within the overall character. The square footage evaluated includes the above ground square footage only.

HYBRID PRESERVATION METHOD

LOT SQUARE FOOTAGE	NEIGHBORHOOD CHARACTER SIZE
0-21,780	An above ground mass of 1,500 square feet is permitted, independent of lot size or 1:5 F.A.R. of above ground mass, whichever is greater. However, no home shall exceed 4,000* square feet of above ground mass.
21,781-43,559	An above ground mass of 1,500 square feet is permitted, independent of lot size or 1:6 F.A.R. of above ground mass, whichever is greater. However, no home shall exceed 6,000* square feet of above ground mass.
43,560+	An above ground mass of 1,500 square feet is permitted, independent of lot size or 1:8 F.A.R. of above ground mass, whichever is greater. However, no home shall exceed 7,000* square feet of above ground mass.

**The maximum square footage would change if the Commission recommended utilizing the 80% or 90% as described in approach 2 or the maximum size as described in approach 3. For example, using the 90% approach, the 0-21,780 range may be increased to a 6,000 square feet maximum above ground and so on.*

- Example: Weissshorn

$\frac{28,314 \text{ sq. ft.}}{6}$ average Weissshorn lot= 4,719 sq. ft. above ground permitted
(Existing condition: 2,537 sq. ft median above ground in Weissshorn)

- Example: Warriors Mark

$\frac{13,504 \text{ sq. ft.}}{5}$ average Warrior's Mark lot= 2,700 above ground sq. ft. permitted
(Existing condition: 1,848 sq. ft. median above ground in Warriors Mark)

- Example: Highlands

$\frac{52,708 \text{ sq. ft.}}{8}$ average Highlands Filing 2 lot= 6,588 above ground sq. ft. permitted
(Existing Condition: 3,858 sq. ft. median above ground in Highlands, Filing 2)

Option 2: Sliding Scale for Above Ground Density

The sliding scale option has been used by municipalities to allow for homes to relate to the neighborhood character. With this method, as lots get larger, the square footage allowance does as well, until a cap size is reached. However, the size of the home stays within the established character of the neighborhood by utilizing set square footage ranges. The sliding scale option also addresses the issue of lots being combined to form unusually large lots for the creation of a very large home by decreasing the additional square footage allowance as the lot increases in size.

Staff has analyzed the existing subdivisions' conditions and suggested above ground square footage amounts to accommodate additions in most cases as well as new construction while preserving the existing neighborhood character. The square footage allowance could be adjusted to be more or less restrictive if desired. The home size is capped at 4,000 sq. ft. for smaller lots, 6,000 sq. ft. for mid-range lots and at a 7,000 sq. ft. above ground maximum for lots over an acre, with unlimited below ground square footage for all lots. The lot area break downs in the chart are based on the subdivisions that have been grouped in the hybrid example above.

SLIDING SCALE PRESERVATION METHOD

Lot Area (square feet)	Maximums (Above Ground square footage)
0-21,780	1,500 sq. ft. of building size or 1 sq. ft. of building size for every 5 square foot of land area, whichever is greater. Up to a maximum of 4,000* sq. ft.
21,781- 43,559	4,001 sq. ft. of building size +1 sq. ft. of additional building size for every 9.8 sq. ft. of lot size over 21,781 sq. ft. Up to a maximum of 6,000* sq. ft.
43,560 +	6,001 sq. ft. of building size +1 sq. ft. of additional building size for every 16 sq. ft. of lot size over 43,560 sq. ft. Up to a maximum of 7,000* sq. ft.

**The maximum square footage would change if the Commission recommended utilizing the 80% or 90% as described in approach 2 or the maximum size as described in approach 3. For example, using the 90% approach, the 0-21,780 range may be increased to a 6,000 square feet maximum above ground and so on.*

- Weissshorn Example:

28,342 square foot lot (lot area is between 21,781 – 43,559 square feet)
 $28,342 - 21,345 = 6,997$
 4,001 square feet base building size
 $+713$ square feet additional allowed ($6,997 \text{ SF} / 9.8 = 713$)
 4,715 above ground square feet allowed

- Warriors Mark Example:

13,504 (lot area is between 0- 21,344 square feet)
 $13,504 / 5 \text{ sq. ft.} = 2,700$ above ground square feet allowed

- Highlands Example:

52,708 (lot area 43,560 +)
 $52,708 - 43,560 = 9,148$
 $9,148 / 16 = 517$
 $517 + 6001 = 6,572$ above ground square feet allowed

Recommendation

With regard to the square footage maximums preserving the neighborhood character, the first approach would maintain character by utilizing the existing median size. However, the using the median would limit many homes from additions. The second approach, evaluating 80-90% of the homes in the

neighborhood would allow for most homes to add on or build a reasonable size home while staying within the character by achieving a high conformance rate. The third approach proposed would set the home size limit at the maximum existing home. Although not all homes would be able to reach that maximum size, it may change the general character of the neighborhood.

Lastly, Staff recommends that percentage of the basement square footage (rather than in its entirety) be considered as some of the basement square footage may be above grade. Perhaps 50% of the total basement square footage should be applied. (Staff would recalculate the methods to correspond with the Planning Commission's decisions).

Staff believes that either the sliding scale or hybrid preservation would be equally effective methods to neighborhood preservation.

If adopted, this policy would modify Policy 3 (Absolute) *Density/Intensity* of the Development Code.

Staff would like to get the Planning Commission's opinion on the two questions. Staff will then rework the preservation method to include the recommended square footages and draft the language of the policy to bring back to the Planning Commission for a more refined review.

Questions

1. What approach in determining square footage limits would the Commission prefer to see?
2. What method (hybrid or sliding scale) does the Commission prefer as the tool within the Development Code?

MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker

DATE: October 3, 2008

SUBJECT: Planning Commission Field Trip to Park City Utah: October 8-10, 2008

The Planning Commission Field Trip is October 8-10, 2008 and Staff has a final schedule for the trip. Park City offers us a chance explore a community very similar to our own in terms of size, character, and proximity to an urban population center and major transit hub, with some similar developments proposed or under construction. The following topics will be covered during the field trip:

1. Historic District & Standards
2. Base Area/ Ski Resort Development
3. Facilitating Large Crowds (Traffic, Transit & Parking)
4. Downtown Redevelopment & Infill
5. Sustainability Initiatives
6. Signature Condos/hotels

Schedule for the field trip:

- Wednesday October 8th
 - Depart Town Hall for DIA 7:00am
 - Depart DIA 10:55 am, arrive in Salt Lake City 12:29 pm (Delta Airlines)
 - Tour Sky Lodge walk through downtown area 3:00 – 5:00pm
- Thursday October 9th
 - Meet with Park City Staff (handling large crowds, downtown redevelopment, vertical zoning, historic district standards) lunch included, 9:00 am – 12:15 pm
 - Tour Empire Pass development at Deer Valley 12:30 – 2:00 pm
 - Discuss and tour St. Regis hotel at Deer Valley (under construction) 2:00 – 3:30 pm
 - Discuss Montage Hotel at Deer Valley (Tentative) 3:30 – 5:00 pm
- Friday October 10th
 - Meet with Park City Mayor and Sustainability Manager, 8:30 am – 10:30 am,
 - Tour Silver Star base development 11:00 am – 12:30 pm
 - Free time / Lunch 12:30 -2:30 pm
 - Depart Park City for Salt Lake City airport 2:30 pm
 - Depart Salt Lake City airport 5:00 pm
 - Arrive DIA 6:35 pm
 - Arrive Breckenridge 9:30 pm