

Town of Breckenridge
Planning Commission Agenda
Tuesday, July 15, 2008
Breckenridge Council Chambers
150 Ski Hill Road

Dinner will be served to Planning Commission and Staff.

6:30	Worksession 1. Comprehensive Energy Policy (JS)	11
7:00	Call to Order of the July 15, 2008 Planning Commission Meeting; 7:00 p.m. Roll Call Approval of Minutes July 1, 2008 Regular Meeting Approval of Agenda	3
7:05	Consent Calendar 1. Daum Addition (MGT) PC#2008081 688 White Cloud Drive	14
	2. Perks Residence (CK) PC#2008077 77 Stillson Placer Terrace	19
7:15	Worksession 1. Gondola Lots Master Plan (CN)	25
8:00	Combined Hearings 1. Wellington Neighborhood 2, Filing No. 4 Development (MM) PC#2008079 Reiling Road	26
	2. Wellington Neighborhood 2, Filing No. 4 Subdivision (MM) PC#2008080 Reiling Road	36
	3. Peak 8 Pump House (MGT) PC#2008082 1599 Ski Hill Road	45
9:30	Final Hearings 1. Blue Front Bakery Restoration, Local Landmarking and Redevelopment (MM) PC#2007140 114 Lincoln Avenue	54
10:30	Other Matters	
10:45	Adjournment	

For further information, please contact the Planning Department at 970/453-3160.

**The indicated times are intended only to be used as guides. The order of 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.*

WELLINGTON NEIGHBORHOOD 2
FILING NO. 4
DEVELOPMENT + SUBDIVISION

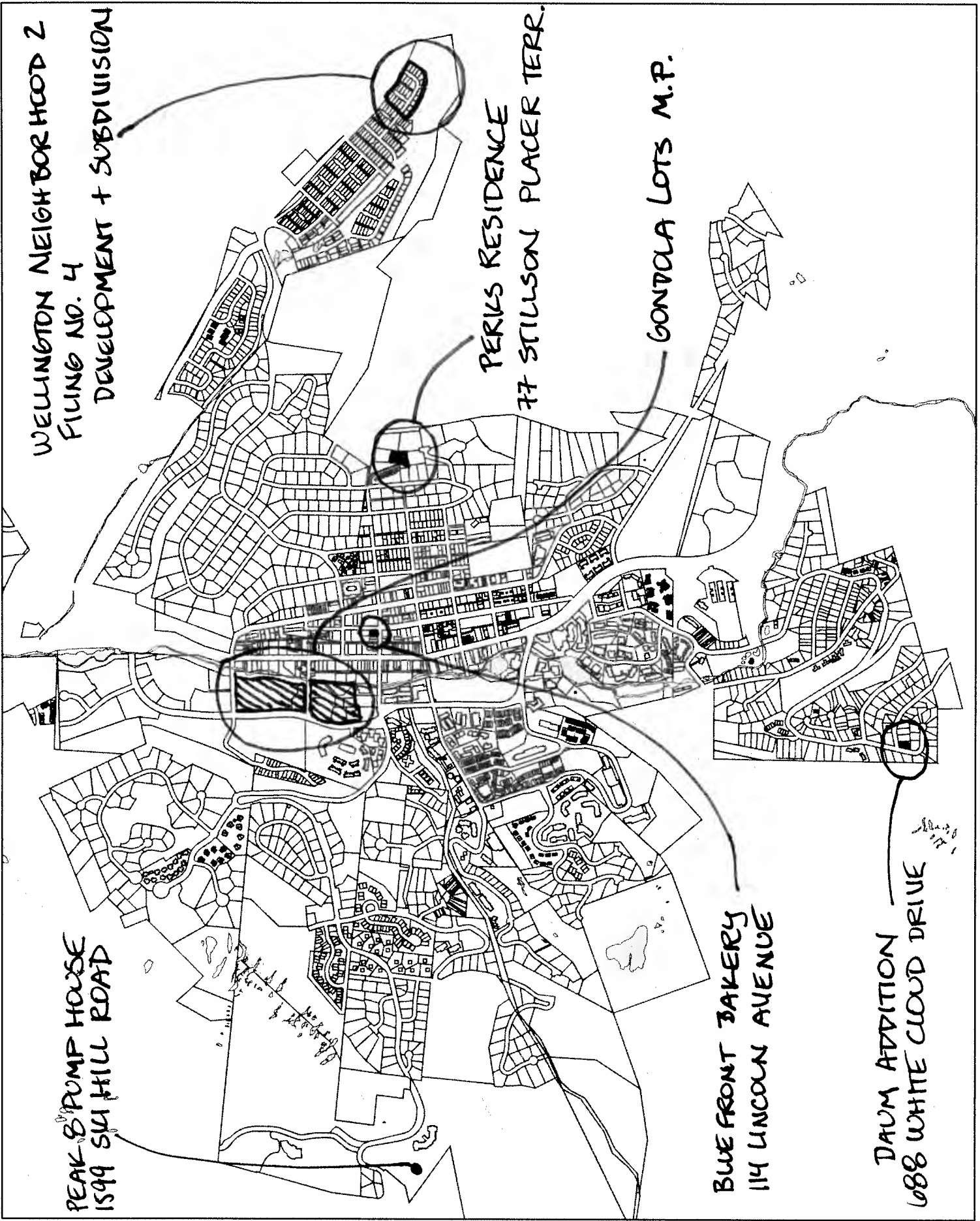
PEAK 8TH PUMP HOUSE
1599 S 14TH HILL ROAD

PERKS RESIDENCE
77 STILLSON PLACER TERR.

GONDOLA LOTS M.P.

BLUE FRONT BAKERY
114 LINCOLN AVENUE

DAUM ADDITION
688 WHITE CLOUD DRIVE



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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
Mike Khavari
Dan Schroder

Rodney Allen
Leigh Girvin

Dave Pringle arrived @ 7:07
Jim Lamb

APPROVAL OF MINUTES

With no changes, the minutes of the June 17, 2008 Planning Commission meetings were approved unanimously (4-0). Ms. Girvin and Mr. Schroder abstained as they were not at the meeting.

APPROVAL OF AGENDA

With no changes, the Agenda for the July 1, 2008 Planning Commission meeting was approved unanimously (6-0).

CONSENT CALENDAR:

1. Warpecha Residence (MGT) PC#2008070; 219 Glen Eagle Loop
2. Fishman Residence (MGT) PC#2008075; 173 Champion Trail

Mr. Khavari was having a hard time with a few parts on this particular application and suggested a call up.

3. 12 Peak Eight Court (MGT) PC#2008072, Lot 1, Peak 8 Place; 12 Peak Eight Court
4. Stevens Addition (CK) PC#2008074; 109 Streamside Circle

Ms. Girvin made a motion and Mr. Bertaux seconded to call up the Fishman Residence Application, PC#2008075, 173 Champion Trail. The motion was approved unanimously (6-0).

Staff reviewed the application and explained the roof line was longer than 50', and thus incurred one negative (-1) point and pointed out this applicant's best views are looking north. Staff recommended positive three (+3) points for the design of the home, which was oriented for solar gain, per Policy 33/R.

Mr. Pringle arrived at 7:07pm.

Mr. Khavari: Sought explanation on window orientation and why positive three (+3) points were awarded. (Staff pointed out the windows were orientated to take advantage of the solar orientation, with much natural light and heat gain from the south and west, and few windows on the north.) Mr. Khavari didn't like the roof; thought it was too long. Felt the negative point for the long roof was being made up by positive three (+3) points for the window orientation. Sought clarification regarding slope of driveway to ensure slope was 8% or less. (Applicant pointed out slope was 8% or less.)

Ted Shaffer, Agent: Was trying to take advantage of the views and take advantage of as much natural light as possible with southern exposed windows.

Mr. Lamb: Asked staff if the topography and trees on the south side would shield the windows from the sun. (Staff pointed out the topography would not interfere with the sun reaching the windows.)

Mr. Bertaux: Didn't like the roof but ok with negative one (-1) point. He was fine with the orientation.

Mr. Pringle: Had no problem with the application, but did feel the roof line was definitely too long.

Mr. Lamb: Felt an effort for solar gain was being made and believed it will work.

Mr. Allen: Totally designed for solar orientation.

Ms. Girvin: Neat looking home that takes advantage of solar orientation. Didn't like the roof line.

Mr. Schroder: Feels the high windows would be beneficial for solar gain.

Mr. Khavari: Didn't agree with positive three (+3) points for the windows and orientation.

Mr. Lamb moved to approve the point analysis as presented by staff for the Fishman Residence, PC#2008075, 173 Champion Trail. Mr. Allen seconded. The motion was approved 6-1 with Mr. Khavari dissenting.

Mr. Allen made to approve the Fishman Residence, PC#2008075, 173 Campion Trail, with the presented findings and conditions and Mr. Bertaux seconded. The motion was approved unanimously (7-0).

With no other motions, the remainder of the consent calendar was approved unanimously (7-0).

WORKSESSIONS:

1. Courthouse Square (MGT) PC#2008076; 114 North Ridge Street

Mr. Thompson presented a worksession on 114 North Ridge Street. The applicant is trying to design a house to fit on this lot, but is concerned about the required setbacks per the Handbook of Design Standards, which they feel forces the house too far back from Ridge Street and compromises the design of the home. Per the Handbook of Design Standards for the Historic and Conservation Districts, Priority Policy 89: **Maintain the established historic set-back dimensions in new construction.**

- “Front and side yard setbacks for new buildings should be similar to those of historic buildings in the area.”
- “In some areas, the setbacks will be uniform and buildings will be perceived to align along the block. In such cases, this alignment should be reinforced with new development.”
- “In other areas, historic setbacks may vary within an established range. In these cases, new building setbacks should also fit within this range.”

Staff believes that there is a clear uniform setback on this block. The Matthew Stais Architects building and the County building foundations are setback 52’ from property line along Ridge Street. The original historic County Courthouse was built 50’ back from the Ridge Street property line (the non-historic addition is at about 15’ off of the Ridge Street property line).

“A second site of interest contains two historic houses lying to the north of the Court House. This row presents a streetscape conveying a sense of character from the period of historic significance. These buildings are now used for County offices” (one is now Matt Stais Architecture and one is a Summit County building). “These buildings should be preserved and future improvement plans should seek to protect their historic integrity.”

Furthermore, the "Design goal for the North End Residential Character Area: The overall goal for the North End Residential Character Area is to reinforce and re-establish the historic scale and character of development."

Per Page 2, North End Residential Character Area #2: "Mature evergreen trees stand as the tallest elements in this area. Many of these are seen in early photographs of the town and are a part of the area's historic character. This is especially true along the ridge. These give a distinct character to the area and establish a larger scale that helps tie many lots together visually." It seems like most of the mature trees on Lot 3 are in the 52' historic setback of the two structures to the south and could be saved if structures are not built in the setback.

Another question with this property is how it would be subdivided in the future so the two different structures could be sold to different owners. (The property owner, Al Stowell, may keep the property under one common owner). If the property is subdivided, a public open space dedication equal to ten percent of the land or ten percent of the value of the land must be made. In order to avoid this dedication, the applicant would either not subdivide, or would plat a condominium or footprint lots.

Staff believed that as a condominium, this would be a “subdivision of a structure” and the applicant would not have to pay the 10% cash in lieu of the dedication of land, per the Subdivision Code. In terms of precedent, past proposals to create footprint lots have not been subject to the open space dedication.

1. Did the Planning Commission believe the Staff interpretation of Priority Policy 89 is correct?
2. Did the Planning Commission believe the Staff interpretation of Section 9-2-4-13 if the Town Subdivision Standards?

Marc Hogan, Agent: Appreciated the commission’s time in working to come to the best solution for this property. The applicant is here tonight to talk about setbacks. Struggled with setback issue, 22.19 feet is the average set back in this character area. Mr. Hogan explained existing plans for the project. Garage is necessity in Summit Count to build a nice home. Discussed the possibility of underground parking, not really the direction the applicant wanted to

go in. Trying to orient house east and west. Seeking guidance on 52 foot setback. The applicant is not proposing a subdivision.

Al Stowell, Applicant: Thanked commission for their work to date. Previous plan was to build these two homes and then sell one. He explained his dissatisfaction with council's prior decision related to the 10% land dedication or fee in lieu. Thought that \$150,000 dedication was excessive.

Commissioner Questions/Comments:

Mr. Bertaux: Supported Mr. Thompson's staff report in favor of 52 foot setback. This is a unique block: Carter Museum, the County Courthouse, the two historic homes just to the south of this property. Applicant could not hide Land Title unless someone built right in front of it. Shift density and mass to the front of the property to fit two car garage in rear and keep the two garages separated. Some of the density and mass could be built on top of the garage. Streetscape is significant. Right now believes the setback should be at 52 feet. Spread density over garages.

Mr. Allen: This block is different and therefore relief should be considered. Holding the 52 foot line was bad planning. This project should look good from all three adjacent streets. Would like to take an average of the district and move forward. If subdividing, it would be a better plan; go with it.

Mr. Pringle: Agreed with architects' opinion that their proposed plan is better. Felt Town Council was holding out for more with the subdivision proposal which was inappropriate. Suggested going back to the subdivision proposal. Would like to see a traditional development pattern with two separate homes with no attachment. Respect setbacks of two historic homes on the block. Eight or ten foot deviation from the established setback would not affect the policy in a negative way. Thought the applicant should be sympathetic to the historic setback but doesn't have to be 52 feet exactly.

Ms. Girvin: Disclosed the property is for sale and her father has the listing. Sought clarification on the land use district this property was located in. (Staff identified the district as 18-2.) Unique block and important to have larger setbacks. The people that built the historic houses to the south and the Carter Museum had respect for outdoors and wanted large yard with nature at their front door. Residential use only is short sighted and maybe commercial or live-work should be considered; or better yet keep it as open space.

Mr. Lamb: In a way French Street is being treated like an alley. (Staff pointed out the engineers would prefer an entrance off any street except Wellington). Look at the block verses the district for the historic setback. Liked the setback at 52 feet and noted the trees would be saved. Would be open to small compromise, but not more than a few feet.

Mr. Schroder: This lot is on three streets; pushing the garages together blocks view corridors from French Street. Concerned about precedent set with 52 foot setback change given to a prior application. Very much in favor of giving more leeway in regard to the setbacks. In favor of extending setback forward. Thought residential would work here.

Mr. Khavari: Sought clarification on whether or not this application was already before the commission. (Staff explained that the previous application was for a subdivision and this current application does not propose a subdivision. The worksession tonight is more about the historic setbacks.) Suggested staff include prior work session meeting minutes when discussing a previous application. Sought clarification regarding entrance orientation for the structure on this property. Would really like to see two separate buildings. Focus on French and Wellington Streets. Would be willing to be more flexible on setbacks if it would look better from French Street.

2. Paperless Packets (MT)

Mr. Truckey presented a memo outlining the desire of the Mayor to move toward paperless packets. The Planning Commission would receive packets electronically and be able to view them during the meeting at a desktop station with a flat screen monitor, which would be on the countertop at a slight angle so it would not obstruct the audience's view of the Commissioners. Staff could still have one set of paper plans which could be projected on the big screen and could be used for presentations.

Commissioner Questions/Comments:

Mr. Pringle: What about the computer notepads that had been used before? (Mr. Truckey indicated there had been some problems with their use and losing the flashcards.) Suggested laptops for each commission member. It would be nice to Google different policies. Weigh the pros and cons of paper, which can

be recycled, verses computer which must be manufactured and uses electricity. If we do go the computer route, make the code and historic design guidelines available on each machine for easy reference at meetings.

Ms. Girvin: Important to have low profile so computer screens do not interfere with eye-to-eye contact with the audience.

Mr. Schroder: Really liked paper packets. Would be in favor of an agreeable compromise.

Mr. Khavari: The sooner we convert the better since the future is paperless.

TOWN COUNCIL REPORT:

Town Council Member was absent; therefore, there was no report.

OTHER MATTERS:

None.

ADJOURNMENT:

The meeting was adjourned at 8:49p.m.

Mike Khavari, 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 July 10, 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 July 15, 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 January 21, 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.

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)

Memo

To: Planning Commission

From: Julia Puester, AICP

Date: July 8, 2008 (for meeting of July 16, 2008)

Re: Energy Code Work Session

In previous discussions, both the Planning Commission and Town Council have expressed interest in further encouraging sustainable site and building design through the Development Code. The purpose of this work session is to discuss an approach to modifying the existing Energy Conservation Policy (Policy 33R) to address these concerns.

EXISTING ENERGY CONSERVATION (POLICY 33R)

The existing energy conservation policy contemplates renewable energy sources and sustainable building design and placement in very general terms. This Policy has recently begun to be applied in cases of solar panel installation (33R (A)). Yet, this policy has rarely been utilized for points related to energy conservation or placement and design of structures (33R (B)). Staff is proposing to modify this policy to include more detail to permit clearer direction to Staff and applicants.

Below is the existing Energy Conservation Policy.

33. (RELATIVE) ENERGY CONSERVATION:

Conservation Measures: Energy conservation measures beyond those required by the provision of the State Energy Code are encouraged.

3 x (0/+2) A. Renewable Sources of Energy: The implementation and operation of systems or devices which provide an effective means of renewable energy are encouraged. The provision of solar space heating and solar hot water heating, as well as other renewable sources, are strongly encouraged.

3 x (-2/+2) B. Energy Conservation: Structures shall be oriented in such a way as to be conducive to the conservation of energy and to the mitigation of the adverse elements

of climate, aspect, and elevation. In addition, the installation of additional insulation to mitigate heat loss over and above that required by the State Energy Code is strongly encouraged. Elements which are encouraged are: southern orientation of windows, few windows on the north side of buildings, few or no open breezeways, the provision of airlock entryways, and the addition of insulation over and above that required by the Uniform Building and Energy Codes.

Staff would like to get Commissioner input on whether the site and building design language should be further detailed and if so, if there are any particular topics that should be included. Staff will then proceed forward, based on Commissioner comments with modifications to the language and point assignments within Policy 33R.

OTHER ENERGY ISSUES

Negative:

The Commission has also previously raised questions regarding other unsustainable practices on site plans. Some of these issues may include:

- Outdoor fireplaces and fire pits
- Snowmelt systems
- Water features
- Large homes (separate ordinance discussion)

Excluding large homes which are being discussed as a separate ordinance, the issues above could be further addressed in 33R with assigning them negative points. The purpose of the negative points would be to discourage the inclusion of these unsustainable uses on sites. Staff would like to get the Commission's opinion on this and what would be included.

Positive:

On the other hand, there are positive steps toward sustainability that could be applied on site developments as well and could be further encouraged within 33R with the assignment of positive points. For example:

- Solar energy (already being applied and has a recently passed policy)
- Passive solar design (windows on south side)
- Wind energy
- Geothermal energy
- Lighting on motion sensors

Although solar and wind energy fall under the existing Policy 33R (B) renewable energy section, additional detail could be added as to more specific point assessments. The Council passed the solar energy policy on June 10, 2008. A policy on wind energy has not yet been drafted and Staff would like direction from the Commission as to if this should be added to the

Top Five list. Possible items that would be included in a wind energy ordinance would include setbacks, visual impacts, noise, screening, height, number of turbines, and safety issues such as controls, brakes, locks and buried electrical lines.

In summary, Staff would like the Planning Commission to weigh in on the following questions:

1. Staff would like to get Commissioner input on whether site and building design should be further detailed and if so, if there are any particular topics that should be included.
2. Should there be negative points assigned for designs which use excessive energy? If so, are there specific items that the Commission would like to see included?
3. Should additional sources of renewable energy be stated in the policy? If so, what specific items that the Commission would like to see included?
4. Should a wind energy policy be added to the Top Five list?



Class C Development Review Check List

Project Name/PC#: Daum Residence Addition PC#2008081

Project Manager: Matt Thompson, AICP

Date of Report: July 9, 2008 For the 07/15/2008 Planning Commission Meeting

Applicant/Owner: Jerry and Laurie Daum

Agent: Mark Provino of Baker, Hogan, Houx

Proposed Use: Single family residence

Address: 688 White Cloud Drive

Legal Description: Lot 9, Warriors Mark West #3

Site Area: 11,560 sq. ft. 0.27 acres

Land Use District (2A/2R): 30.5

Existing Site Conditions: The lot is relatively flat on the southern portion of the lot and slopes downhill from the house towards the north property line. The property does have several specimen pine trees.

	<u>Existing</u>	<u>Proposed</u>	<u>Allowed:</u>
Density (3A/3R):	2,464 sq. ft.	2,664 sq. ft.	Unlimited
Mass (4R):	2,525 sq. ft.	3,053 sq. ft.	
F.A.R.	1:3.70 FAR		
Areas:			
Lower Level:	1,238 sq. ft.	200 sq. ft.	
Main Level:	1,287 sq. ft.		
Upper Level:	N/A		
Garage:	N/A	<u>328 sq. ft.</u>	
Total:	2,525 sq. ft.	528 sq. ft.	

Bedrooms: 4

Bathrooms: 4

Height (6A/6R): 16.5' to new shed
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):

Building / non-Permeable:	1,862 sq. ft.	16.11%
Hard Surface / non-Permeable:	707 sq. ft.	6.12%
Open Space / Permeable:	8,991 sq. ft.	77.78%

Parking (18A/18/R):

Required:	2 spaces
Proposed:	2 spaces

Snowstack (13A/13R):

Required:	177 sq. ft.	(25% of paved surfaces)
Proposed:	180 sq. ft.	(25.46% of paved surfaces)

Fireplaces (30A/30R): 3 gas burners

Accessory Apartment: N/A

Building/Disturbance Envelope? Neither

Setbacks (9A/9R):

Front:	26 ft.
Side:	19 ft.
Side:	46 ft.

Rear: 15 ft.

Architectural Compatibility (5/A & 5/R): The addition will match the house and will be architecturally compatible with the neighborhood.

Exterior Materials: The addition will match the existing house: 1 x 8 beveled cedar siding, natural "Farmers Brown" stone to match existing.

Roof: Composite shingles to match existing.

Garage Doors: Custom cedar garage doors with windows.

Landscaping (22A/22R):

Planting Type	Quantity	Size
Spruce trees	2	12' - 14'
Aspen	8	2" - 3" min. caliper
Potentilla	8	5 gallon
Alpine Currant	8	5 gallon

Drainage (27A/27R): Positive away from house and garage.

Driveway Slope: 7 %

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 Daum Addition with the attached findings and conditions, PC#2008081, located at 688 White Cloud Drive, Lot 9, Warriors Mark West, Filing #3.

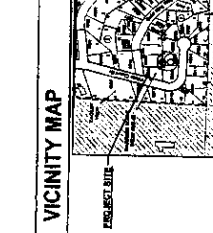
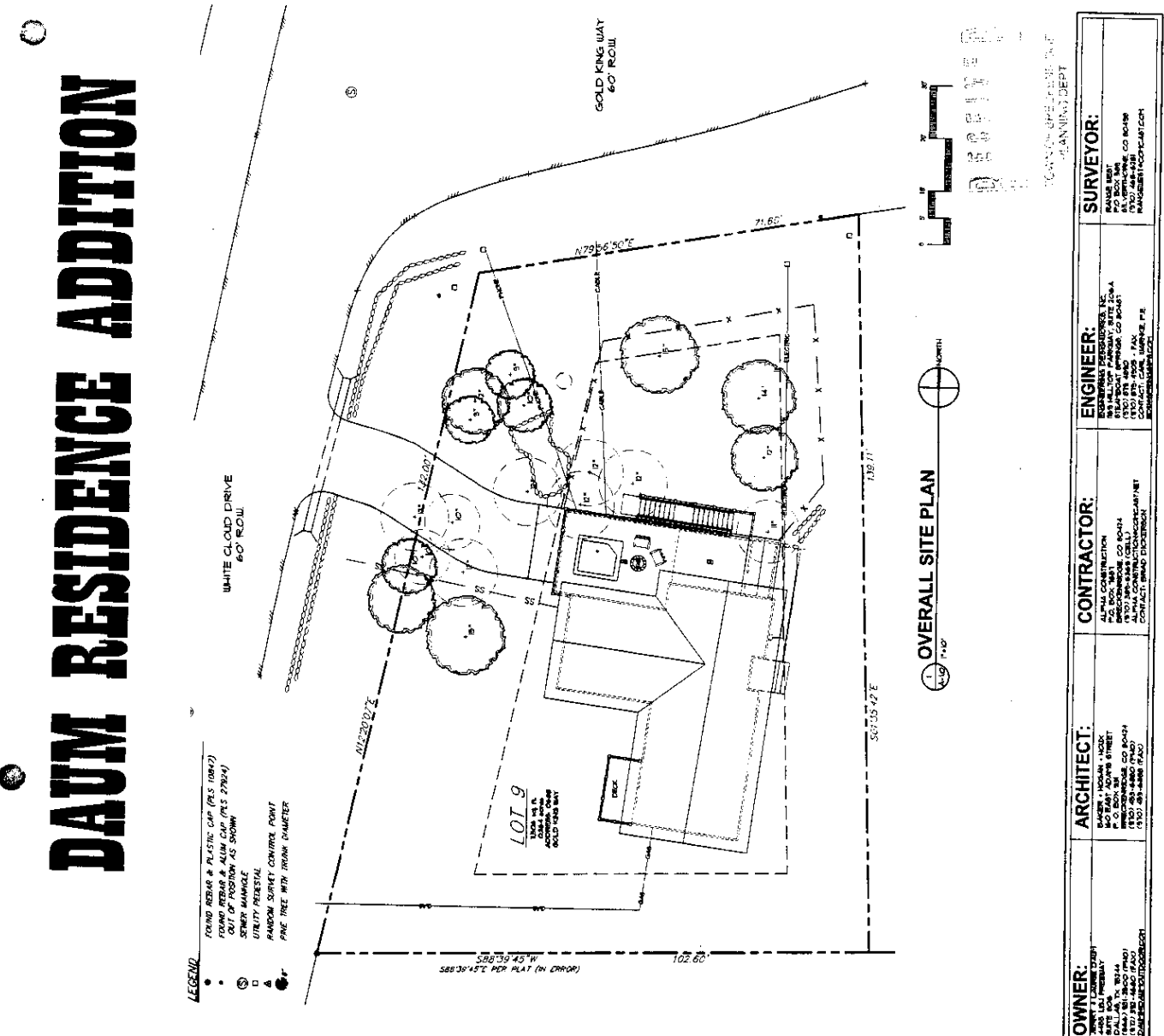
Comments:

Additional Conditions of Approval:

DAUM RESIDENCE ADDITION

GENERAL NOTES

- 1. CONTRACTOR shall be responsible for obtaining all necessary permits, and shall be responsible for the accuracy of all information provided to him by the owner, architect, engineer, and surveyor. The contractor shall be responsible for the accuracy of all information provided to him by the owner, architect, engineer, and surveyor. The contractor shall be responsible for the accuracy of all information provided to him by the owner, architect, engineer, and surveyor.
- 2. ALL UTILITIES (SANITARY, WATER, GAS, ETC.) SHALL BE LOCATED BY THE CONTRACTOR PRIOR TO ANY EXCAVATION OR DRIFTING OPERATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND FOR THE REPAIR OF ANY DAMAGE TO UTILITIES CAUSED BY HIS OPERATIONS.
- 3. ALL EXCAVATION SHALL BE PROTECTED BY SHUTTING AND BRACED TO PREVENT COLLAPSE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXCAVATIONS AND FOR THE REPAIR OF ANY DAMAGE TO EXCAVATIONS CAUSED BY HIS OPERATIONS.
- 4. ALL FOUNDATIONS SHALL BE CONSTRUCTED ACCORDING TO THE REQUIREMENTS OF THE LOCAL BUILDING DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE REPAIR OF ANY DAMAGE TO FOUNDATIONS CAUSED BY HIS OPERATIONS.
- 5. ALL ROOFING SHALL BE INSTALLED ACCORDING TO THE REQUIREMENTS OF THE LOCAL BUILDING DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE REPAIR OF ANY DAMAGE TO ROOFING CAUSED BY HIS OPERATIONS.
- 6. ALL INTERIORS SHALL BE FINISHED ACCORDING TO THE REQUIREMENTS OF THE LOCAL BUILDING DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND FOR THE REPAIR OF ANY DAMAGE TO INTERIORS CAUSED BY HIS OPERATIONS.
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AREA CALCULATIONS

LOWER	CUR	THS	OF	RE	TO	OF	RE	TO	TOTAL
AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA
1.358 SF	1.358 SF	1.358 SF	1.358 SF	1.358 SF	1.358 SF	1.358 SF	1.358 SF	1.358 SF	1.358 SF

LEGAL DESCRIPTION

LOT 9, BLOCK 6, GOLD KING WAY, BEVERLY HILLS, CALIFORNIA

SITE DATUM

MECH. ROOM: 102.60' x 102.60'

SNOW STACK

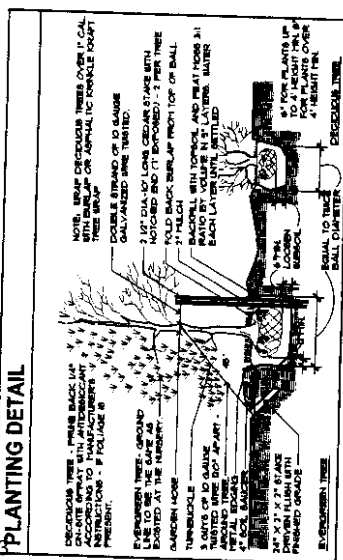
TOTAL SNOW STACK AREA: 102.60' x 102.60'

SITE NOTES

1. ALL UTILITIES TO BE INSTALLED IN ACCORDANCE WITH LOCAL REGULATIONS.
2. ALL EXCAVATION SHALL BE PROTECTED BY SHUTTING AND BRACED TO PREVENT COLLAPSE.
3. ALL FOUNDATIONS SHALL BE CONSTRUCTED ACCORDING TO THE REQUIREMENTS OF THE LOCAL BUILDING DEPARTMENT.
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SHEET INDEX

1.0 SITE PLAN
2.0 FLOOR PLAN
3.0 ELEVATIONS
4.0 SECTIONS
5.0 SPECIFICATIONS
6.0 OTHER SPECIFICATIONS



PLANTING LIST & NOTES

NET COTTON	NOTIONAL	NO.	SIZE
POINTING	VARIABLE	---	SEE SITE PLAN
TRUNKS	VARIABLE	---	SEE SITE PLAN
TO BE PROVIDED BY CONTRACTOR TO THE OWNER			
1	POTENTIALIA	1	3 GAL
2	POTENTIALIA	1	5 GAL
3	POTENTIALIA	1	8 GAL
4	POTENTIALIA	1	12 GAL
5	POTENTIALIA	1	18 GAL
6	POTENTIALIA	1	24 GAL
7	POTENTIALIA	1	36 GAL
8	POTENTIALIA	1	48 GAL
9	POTENTIALIA	1	72 GAL
10	POTENTIALIA	1	108 GAL
11	POTENTIALIA	1	144 GAL

LANDSCAPE NOTES

1. PROVIDE 1" FIBER GLASS TORUS, AND REEF ALL PLANTING HOLES TO BE APPROVED BY THE LOCAL JURISDICTION AND APPROVED BY THE LOCAL JURISDICTION.

2. KEEP EXISTING TREES MAINTAINABLE, YARDS AND PROTECT EXISTING TREES AND ROOT STRUCTURE, OR CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF EXISTING TREES.

3. GENERAL CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS PER LOCAL CODES AND REGULATIONS.

4. PROVIDE A 4" BARRIER TO PREVENT LANDSCAPE AREA, CONCRETE STAIRS, SLABS ETC FROM LANDSCAPE AREA.

5. LOCATE ALL PLANTINGS TO AVOID SIGN MOUNTINGS.

6. TREES SHALL BE PLANTED TO BE MAINTAINED BY THE CONTRACTOR.

7. IRRIGATION SYSTEM SHOULD BE INSTALLED WITH DUMP AND COLLECTOR TO BE INSTALLED WITH DUMP AND COLLECTOR TO BE INSTALLED WITH DUMP AND COLLECTOR.

8. NATURALIZE GROUPINGS OF TREES BY VARYING HEIGHT & SPECIES.

9. SCREEN ALL UTILITY PRETEXTS WITH LANDSCAPE MATERIAL.

10. PROVIDE A 4" BARRIER TO PREVENT LANDSCAPE AREA, CONCRETE STAIRS, SLABS ETC FROM LANDSCAPE AREA.

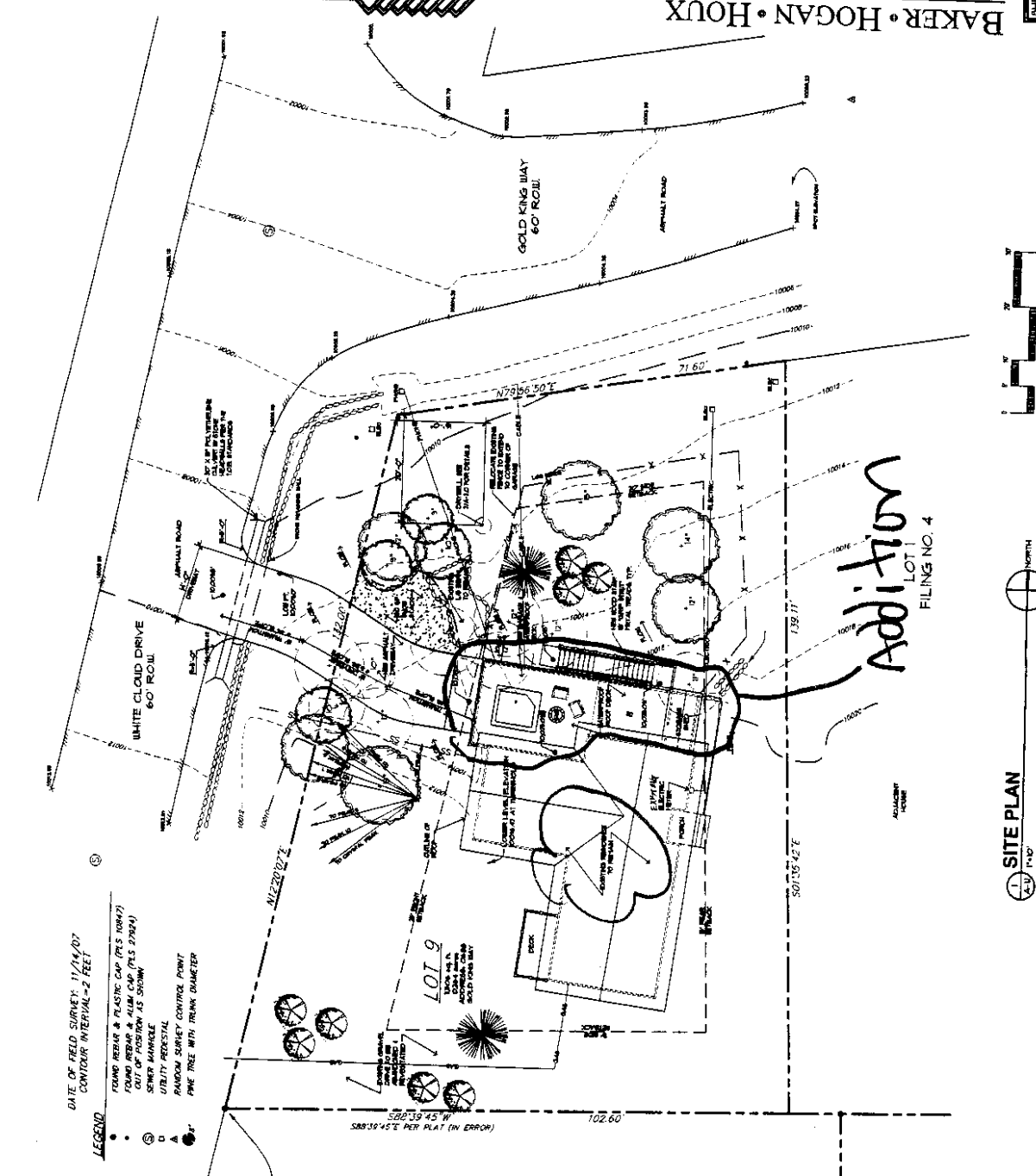
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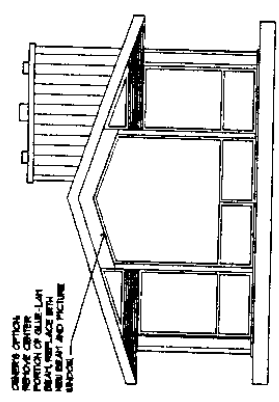
EXTERIOR FINISH LEGEND

- 1 - OSB REVEAL / CEDAR SIDING
- 2 - CLAYTIC "CHOCOLATE" (TO MATCH COLOR STAIN)
- 3 - CLAYTIC "VORWOOD BROWN" (TO MATCH EXISTING)
- 4 - CLAYTIC "SOLID COLOR STAIN" (TO MATCH EXISTING)
- 5 - WOOD SHAKES (TO MATCH EXISTING)
- 6 - JUNCTION CLADDING
- 7 - COMPOSITE SHAKES (TO MATCH EXISTING)
- 8 - PAINTED BRICK (TO MATCH EXISTING)
- 9 - STONE VENEER

NOTES: COLORS ARE TYPICAL FOR ALL ELEVATIONS.

RE-VISIT: JOB NO. DATE: DRAWN BY: CHECKED BY: SCALE: 1/8" = 1'-0"

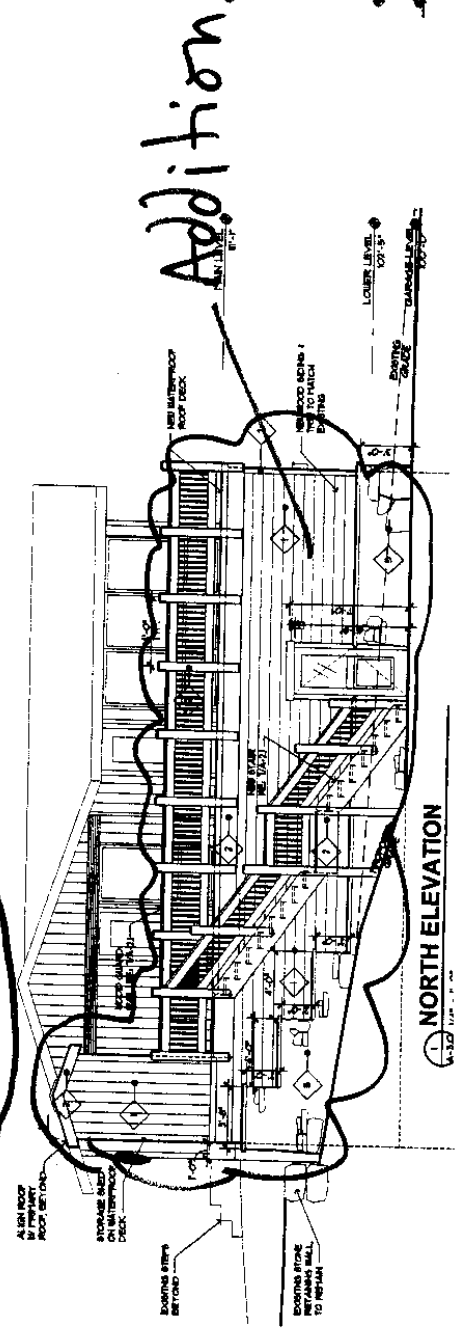
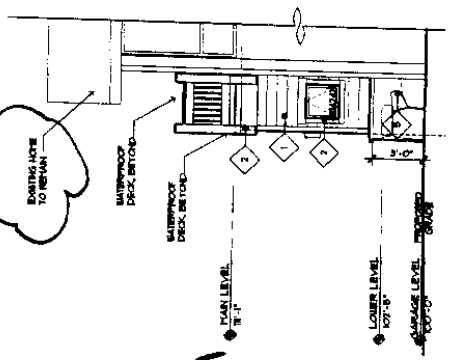
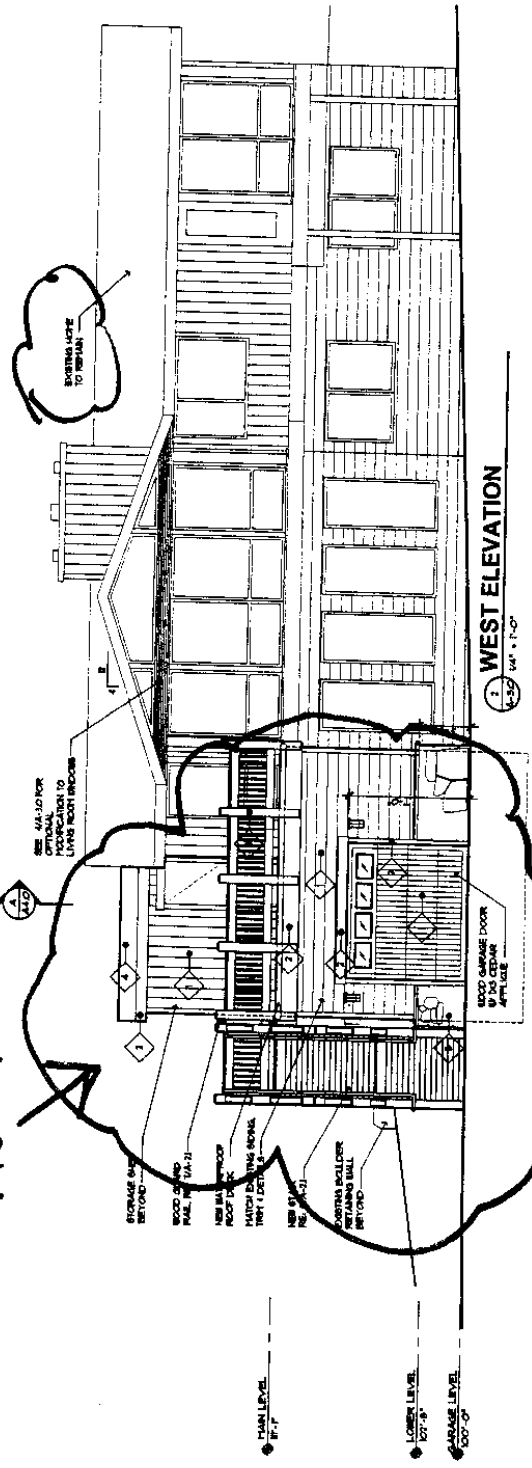
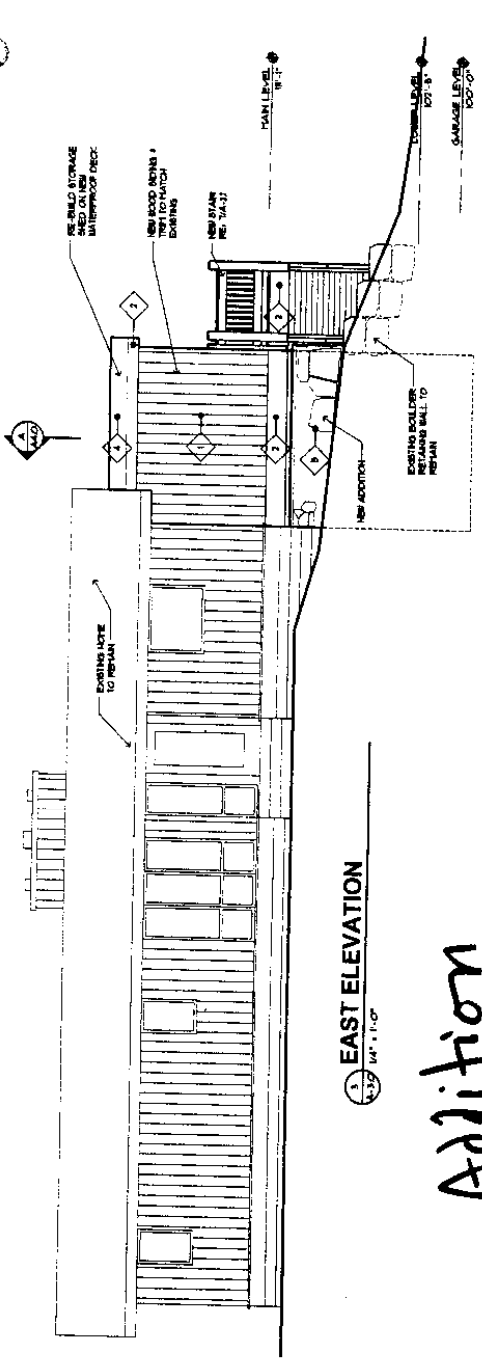
FOR CL. REF: VITA



OPTIONAL LIVING ROOM WINDOW
1/8" = 1'-0"

BAKER • HOGAN • HOUX
ARCHITECTURE & PLANNING / AIA / P.C.
P O BOX 931, 160 EAST ADAMS, BRECKENRIDGE, COLORADO 80424 (970) 453-6880

A-C
SHEET NEXT



Addition



Class C Development Review Check List

Project Name/PC#: Perks Residence PC#2008077
Project Manager: Chris Kulick
Date of Report: July 1, 2008 For the July 15, 2008 Planning Commission Meeting
Applicant/Owner: Amanda & Tony Perks
Agent: Gene Baker / Baker, Hogan, Houx
Proposed Use: Single-Family Residential
Address: 77 Stilson Placer Terrace
Legal Description: Lot 4, Goldflake 3A
Site Area: 31,495 sq. ft. 0.72 acres
Land Use District (2A/2R):

Existing Site Conditions: 1: Residential, one unit per ten acres.
 The lot slopes downhill from east to west at an average of 15%. The site is densely covered with existing lodgepole pine trees. A utility, access and drainage easment runs along the eastern property line. A 20' utility easment runs along the western edge of the property.

Density (3A/3R): Allowed: 7,500 sq. ft. Proposed: 5,291 sq. ft.
Mass (4R): Allowed: unlimited Proposed: 5,995 sq. ft.
F.A.R.: 1:5.25 FAR
Areas:
Lower Level: 2,542 sq. ft.
Main Level: 1,679 sq. ft.
Upper Level: 1,070 sq. ft.
Accessory Apartment:
Garage: 704 sq. ft.
Total: 5,995 sq. ft.

Bedrooms: 5
Bathrooms: 6.5
Height (6A/6R): 32 feet overall
 (Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
 Building / non-Permeable: 3,796 sq. ft. 12.05%
 Hard Surface / non-Permeable: 2,143 sq. ft. 6.80%
 Open Space / Permeable: 25,556 sq. ft. 81.14%

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

Snowstack (13A/13R):
 Required: 536 sq. ft. (25% of paved surfaces)
 Proposed: 590 sq. ft. (27.53% of paved surfaces)

Fireplaces (30A/30R): five - gas fired (3 inside, 2 outside)

Accessory Apartment: None

Building/Disturbance Envelope? Disturbance Envelope

Setbacks (9A/9R):
 Front: Disturbance Envelope

Side: Disturbance Envelope
Side: Disturbance Envelope
Rear: Disturbance Envelope

Architectural Compatibility (5/A & 5/R): The residence will be compatible with the land use district and surrounding residences.
Exterior Materials: 2"x12" plank siding, timber columns and braces, and natural stone base.
Roof: Cedar shake
Garage Doors: Wood Clad

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	4	2 @ 8 feet tall and 2 @ 10 feet tall
Aspen	18	6 @ 2 inch caliper, 12 @ 3 inch and 50% multi-stem
Shrubs and perenials	28	5 Gal.

Drainage (27A/27R): Positive Away from Structure

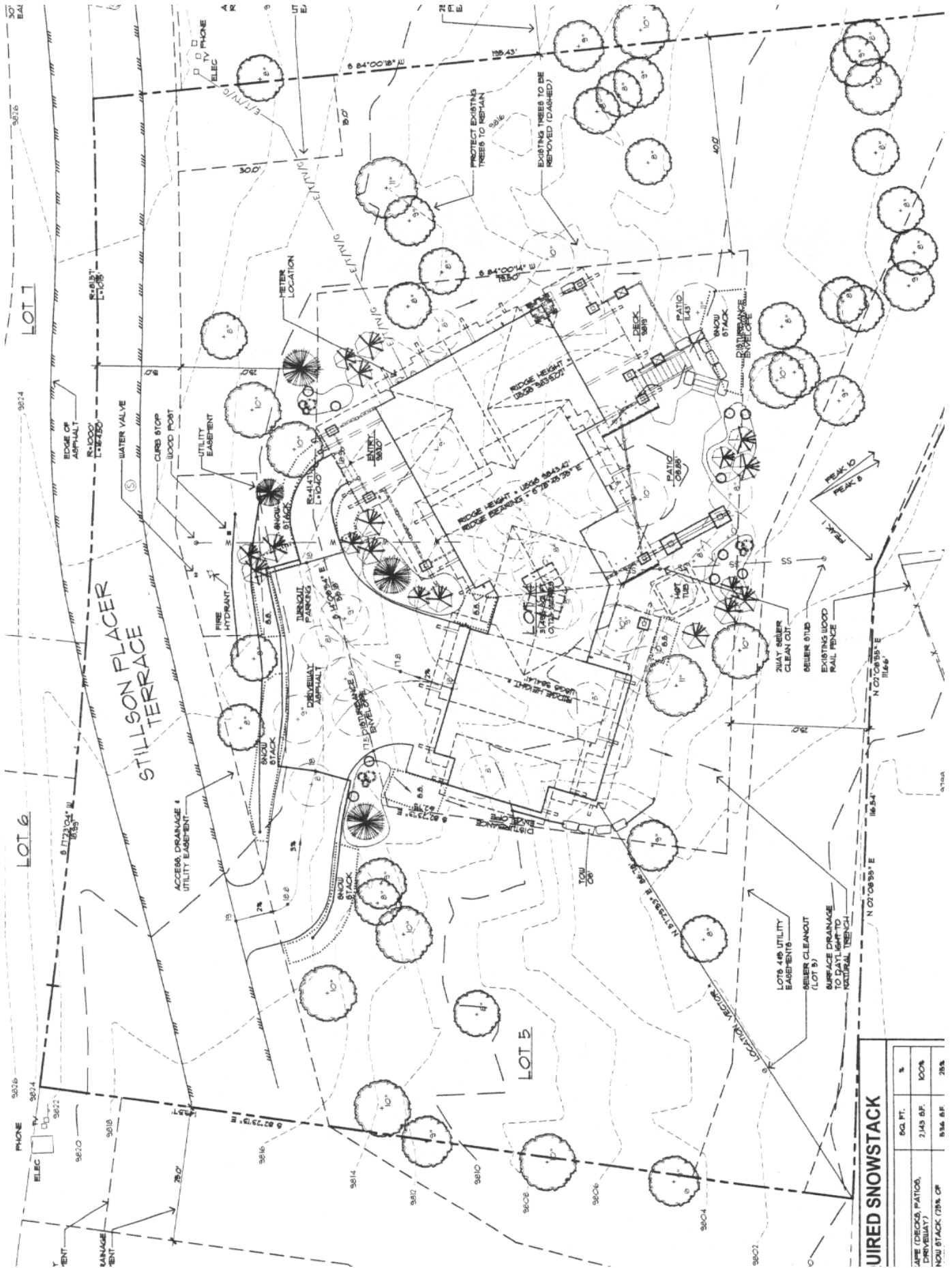
Driveway Slope: 3 %
Covenants: Standard Landscaping Covenant

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 the Perks Residence, PC#2008077, located at 77 Stillson Placer Terrace, Lot 4, Gold Flake 3A, with the standard findings and conditions.

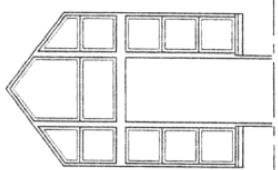
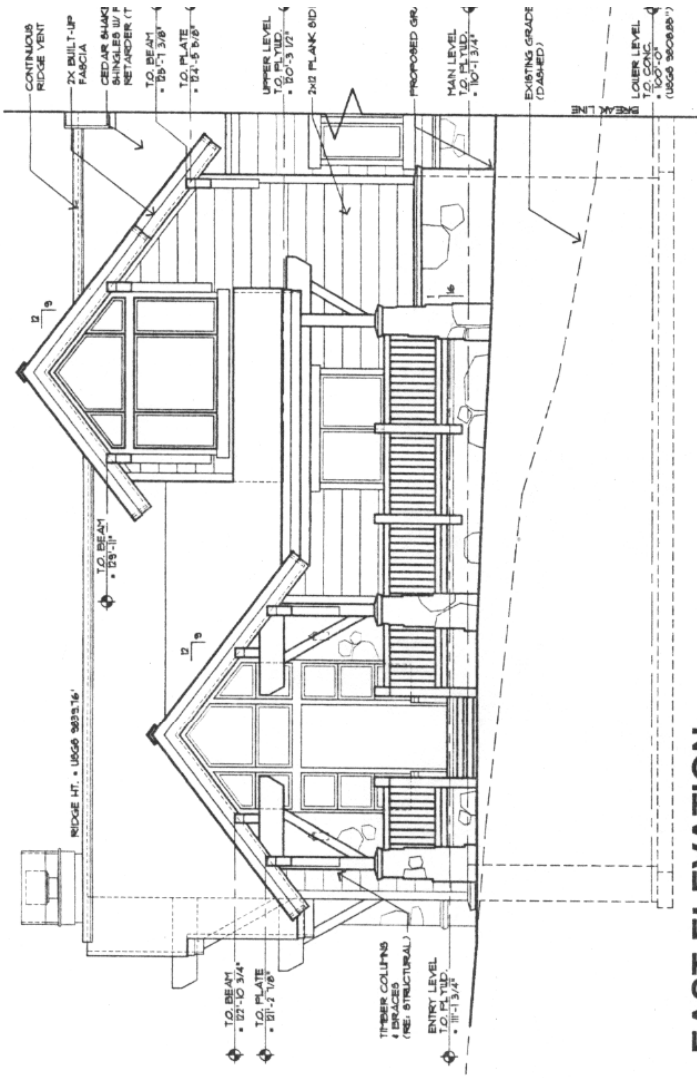
Comments:

Additional Conditions of Approval:



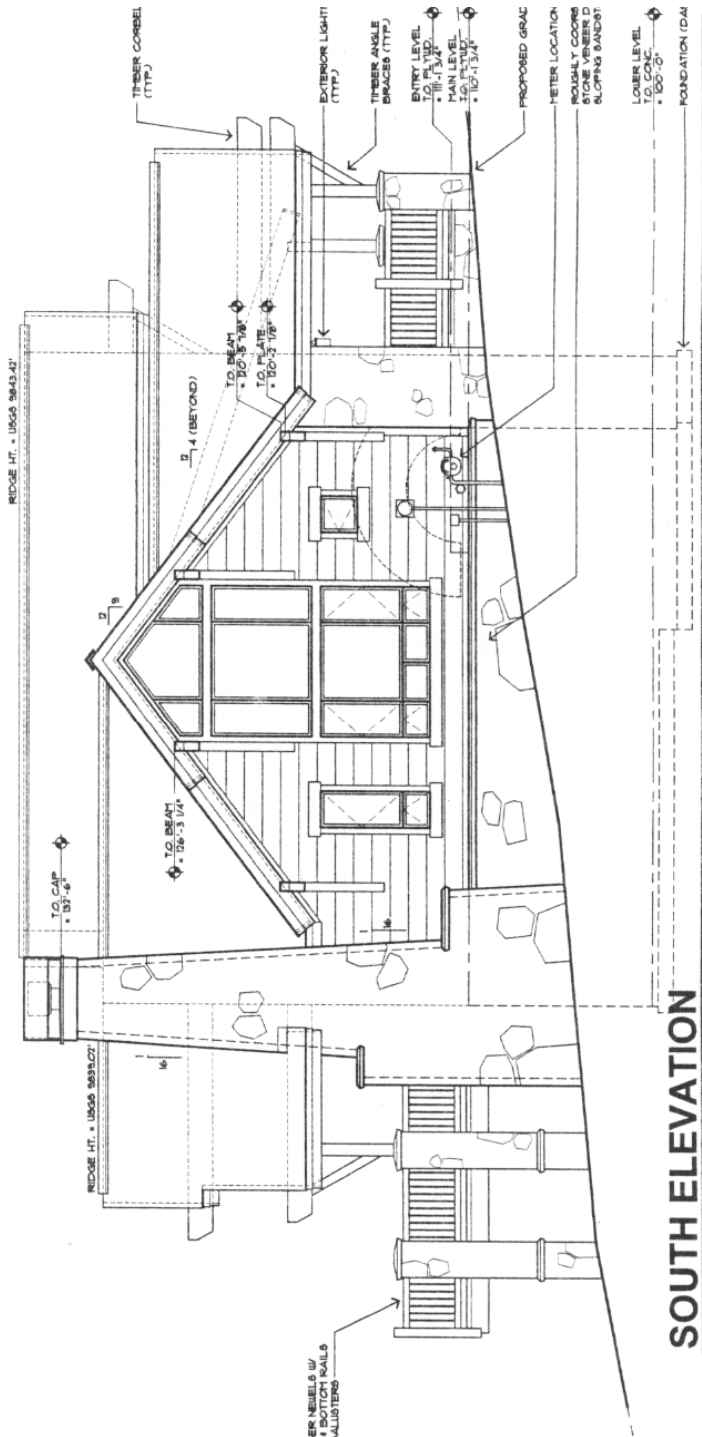
UIRED SNOWSTACK

	600 FT.	%
AREA (DECKS, PATIOS, DRIVEWAY)	2,145 SF.	100%
SNOW STACK (75% OF	856 SF.	25%

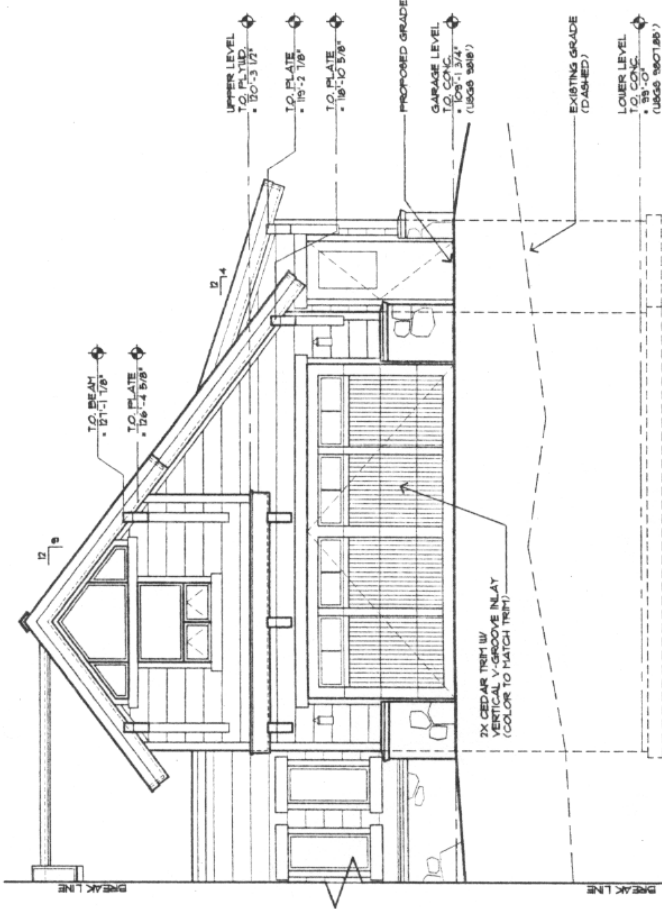


ENTRY DOOR
1/4" = 1'-0"

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

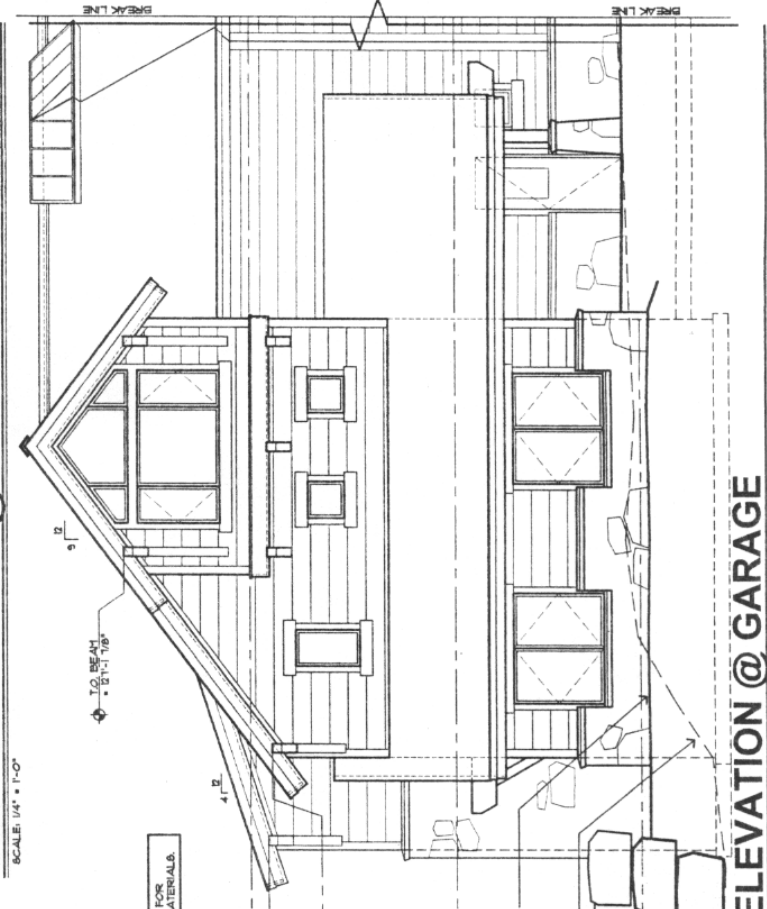


SOUTH ELEVATION



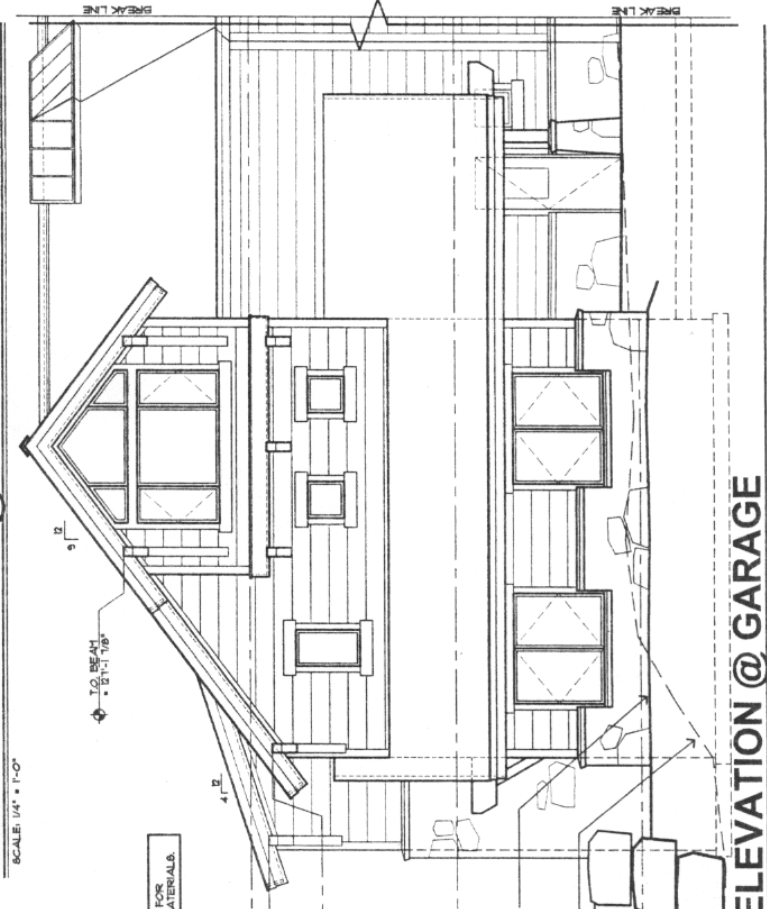
NORTH ELEVATION @ GARAGE

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



EAST ELEVATION @ GARAGE

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



WEST ELEVATION @ GARAGE

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

NOTE: SEE SHEET A-5 FOR TYPICAL NOTES AND MATERIALS.



MEMORANDUM

TO: Planning Commission

FROM: Chris Neubecker, Senior Planner

DATE: July 11, 2008

SUBJECT: Gondola Lot Master Plan

The Planning Staff and Vail Resorts Development Company have been working together on refining the concept plan for the development of the properties surrounding the gondola. Based on input for the Town Council and from the public open houses, the Client Review Team has narrowed our recommendations down to one option, which we call the “Grand Hotel” plan.

Over the past few weeks, DTJ Design has made several revisions to the plan. These changes include moving the hotel closer to the gondola, adjacent to Watson Avenue, and moving one of the parking structures closer to Town Hall. The south parking structure would be wrapped on the north side with hotel rooms. The project still includes some commercial uses across from the hotel (to the east), a locomotive park, a skier services and transit building to the south and west of the gondola, and a parking structure north of the gondola. In addition to the new concept for the site plan, DTJ Design has also begun conceptual work on the gondola plaza and river improvements, as well as architectural concepts.

We look forward to sharing these plans with you on Tuesday, and hearing your input on the direction of this project.

Planning Commission Staff Report

- Project Manager:** Michael Mosher, Planner III
- Date:** July 8, 2008 (For meeting of July 15, 2008)
- Subject:** 24 units for Block 9, Wellington Neighborhood 2, Filing 4, Development (Class A, Combined Preliminary and Final Hearing; PC#2008079)
- Applicant/Owner:** Poplar Wellington, Inc., David O’Neil
- Agent:** Wolfe Lyon Architects; Ronnie Pelusio
- Proposal:** To construct 24 units on 19 lots. 14 units are on single-family lots and 10 units are part of 5 duplex lots. Six of the single-family units are slated as “possible” market-rate units and the remaining lots would be deed-restricted. The Planning Commission has reviewed and approved all of the proposed housing models with previous applications. The models for this block are: Buckthorn, Oak, Winter Rose, Juniper, Hawthorne, Cottonwood, Copper Rose, Ponderosa and the Mountain Ash (color renderings will be available at the meeting). Standard garages or garages with bonus rooms are being approved with each attainable property and standard garages, garages with bonus rooms, or garages with Carriage Houses are being approved with each market rate property. The garages/units designs will follow those reviewed with previous applications and will be re-reviewed at time of submittal of the individual building permits. See site plan for garage locations.
- Address:** All addresses are off of the proposed greens - the three greens are “Leap Frog” to the north with “Walker Green” and “Prospect Green” to the south.
- Legal Description:** Wellington 2, Filing 4, Lots 1 – 19, Block 9, A re-subdivision of a portion of Lot 3, Block 6 of the Wellington Neighborhood
- Site Area:** 4.45 acres (193,842 square feet)
- Land Use District:** 16 – Residential: Subject to the Wellington Neighborhood Master Plan
- Site Conditions:** All of the lots slope downhill toward the west at a rate of about 4%. Recently graded Dredge rock currently covers the lots. There is no existing vegetation on the sites. There will be a platted 7’ snow stacking easement along the private alleys, and a 4’ side yard easement for utilities on each lot (subdivision under separate application). These lots are addressed off of Logan Road, which is a public right-of-way. Each lot is accessed off of a private alley for vehicles.
- Adjacent Uses:** Single-family and duplex lots
- Density:** Allowed under Wellington Phase II Master Plan:
- Small lot single family SFE: maximum density of 2,250 sq. ft. per SFE
 - Large lot single family SFE: maximum density of 3,600 sq. ft. per SFE or .65 to 1 FAR, whichever is less.
 - Double house (duplex) SFE: maximum density of 1,600 sq. ft. per SFE (per individual unit)
- Mass:** Allowed under Wellington Neighborhood Phase II Master Plan:

- Single family residential SFEs:
 - Small lot single family SFE: maximum mass of 2,700 sq. ft. per SFE
 - Large lot single family SFE: maximum mass of 4,320 sq. ft. per SFE or .65 to 1 FAR, whichever is less.
- Double house (duplex) SFE: maximum mass of 1,920 sq. ft. per SFE (per individual unit)

F.A.R. Not to exceed .65 to 1 FAR (per Master Plan)

Units Total: See the attached data matrix.

Parking: Required: 2 spaces per unit
Proposed: 2 spaces per unit

Item History

The last review of new homes was on Block 8, PC#2008012, and was presented to the Commission as a Combined Class A (rather than separate Class Cs). Since the Commission has reviewed so many of these typical developments before, Staff is also presenting this application as a combined Preliminary and Final hearing.

Staff Comments

Land Use (Policies 2/A & 2/R): This proposal meets the land use guidelines for Land Use District 16 and the Wellington Neighborhood Master Plan, Phase II. (See attached Data Matrix.)

Density/Intensity (3/A & 3/R)/Mass (4/R): All proposed square footages for each unit fall below the allowed density and mass requirements of the Wellington Neighborhood Master Plan, Phase II. Staff has no concerns.

Architectural Compatibility (5/A & 5/R): All proposed residences are shown to be architecturally compatible with other homes in this Land Use District and the rest of the Wellington Neighborhood. Staff has no concerns with the architectural compatibility of this submittal.

Building Height (6/A & 6/R): All structures will be less than 35' in height. (See attached Data Matrix.)

Site and Environmental Design (7/R): Similar to all other filings in the Wellington Neighborhood, these residences have been designed, arranged, and will be developed in a safe and efficient manner. Vehicular and garage access is proposed from the private alley at the rear of the properties. Staff finds the proposed site plan in accord with the Wellington Neighborhood Master Plan, Phase II.

Hillside and Ridgeline Development (8/A): Staff does not consider this site as hillside or ridgeline development.

Placement of Structures (9/A & 9/R): All of the buildings meet all the required setbacks of the Wellington Neighborhood Master Plan, Phase II. Staff has no concern with the location of structures.

Snow Removal and Storage (13/R): As in all previous submittals for the Wellington Neighborhood, there are seven-foot wide snowstack easements platted along both sides of the private alleys. There is adequate area for snow storage along all public right-of-ways. Staff has no concerns with snow removal or storage. In addition, each home site is providing at least 25% of any paved parking area in on-site snow stacking.

Access / Circulation (16/A & 16/R; 17/A & 17/R): The public roads provide adequate access for emergency vehicles and for those persons attempting to render emergency services. All public roads will be constructed according to the Wellington Neighborhood Master Plan, Phase II. As in previous applications, access to the parking pad or garages is at the rear of the properties via the private alleys. Staff has no concerns.

Parking (18/A & 18/R): Every home site can park the required two parking spaces and can, in lieu, construct a 2-car garage or a one-car garage with a separate parking pad. Those homes that are to be market rate units have the option of building a Carriage House over the garages would be required to have the three spaces. These are indicated on the plans. All garages (market and deed-restricted) are being approved with the *option* of adding a Bonus Room (no kitchen) over the garage and require no additional parking space.

The approval of this application includes construction of the homes and garages. However, the applicant will be constructing the homes only, leaving the option to construct the garages (and custom configurations) up to the purchaser of each lot. Staff has no concerns.

Landscaping (22/A & 22/R): As with all previous applications, the landscaping for this block may be installed partially in the public right-of-way (with Public Works review and approval) and in private common spaces (the Greens). Some private landscaping will be installed on individual lots, but that landscaping was approved through the subdivision process, and is not included for this submittal. Staff will review the landscaping along the right-of-way prior to installation, as required by the subdivision permit for this phase of Wellington Neighborhood. We have no concerns.

Social Community / Employee Housing (24/A & 24/R): As provided in the Restrictive Covenants for Wellington Neighborhood in the Annexation Agreement, 80% of the total units in the Wellington Neighborhood are subject to a covenant providing a local occupancy restriction, owner occupancy requirement and limiting resale price and 20% of the total units, are allowed to be market units and sold without these restrictions. Positive points for the restricted housing was assigned at Master Plan review. None are to be assigned with this application.

Utilities Infrastructure (26/A & 26/R; 28/A): Utilities and infrastructure are in place within right of way the and private alleys. Staff has no concerns.

Drainage (27/A & 27/R): Site drainage is adequate. Lots will have positive drainage away from foundations.

Point Analysis (Section: 9-1-17-3): This application conforms to all Absolute Policies of the Development Code. Staff found that the proposal meets all Relative Policies and warrants no positive or negative points. (See attached Point analysis.)

Staff Recommendation

Since we had no concerns with this proposal, Staff has advertised this review as a combined Preliminary and Final hearing. If, for any reason, the Commission has any concerns we ask that this application be continued rather than denied.

The Planning Department recommends approval of 24 units for Block 9, Wellington Neighborhood 2, Filing 4, Development, PC#2008079, by endorsing the attached point analysis along with the Findings and Conditions.

Wellington Neighborhood Block 9 Unit Matrix							
Legal Description	Lot Size	Proposed Density	Allowed Density	Proposed Mass	Allowed Mass	Height	House Setbacks
Lot 1, Block 9 Unit Type Buckthorn	6,628 SF 0.15 AC Duplex Lot	2,283 SF	3,200 SF	2,283 SF	4,000 SF	31.5 FT	Front: 6 FT Rear: 50 FT Side: 8 FT Side: 22 FT
Two Garages	7' off alley						
Lot 2, Block 9 Unit Type Oak	3,800 SF 0.09 AC Small Lot SFR	1,435 SF	2,250 SF	1,435 SF	2,813 SF	24.8 FT	Front: 15 FT Rear: 45 FT Side: 4 FT Side: 12 FT
One Garage	7' off alley						
Lot 3, Block 9 Unit Type Juniper	4,867 SF 0.11 AC Small Lot SFR	1,463 SF	2,250 SF	1,463 SF	2,813 SF	28.5 FT	Front: 12 FT Rear: 57 FT Side: 4 FT Side: 15 FT
One Garage	7' off alley						
Lot 4, Block 9 Unit Type Oak	4,567 SF 0.10 AC Small Lot SFR	1,435 SF	2,250 SF	1,435 SF	2,813 SF	24.8 FT	Front: 12 FT Rear: 50 FT Side: 15 FT Side: 4 FT
One Garage	7' off alley						
Lot 5, Block 9 Unit Type Winter Rose	6,787 SF 0.16 AC Large Lot SFR	2,012 SF	3,600 SF	2,012 SF	4,500 SF	25.3 FT	Front: 6 FT Rear: 50 FT Side: 4 FT Side: 22 FT
One Garage	7' off alley						
Lot 6, Block 9 Unit Type Hawthorne	4,523 SF 0.10 AC Small Lot SFR	1,665 SF	2,250 SF	1,665 SF	2,813 SF	24.8 FT	Front: 12 FT Rear: 47 FT Side: 4 FT Side: 14 FT
One Garage	7' off alley						
Lot 7, Block 9 Unit Type Cottonwood	4,200 SF 0.10 AC Small Lot SFR	1,467 SF	2,250 SF	1,467 SF	2,813 SF	28.8 FT	Front: 13 FT Rear: 8 FT Side: 12 FT Side: 55 FT
One Garage	7' off alley						
Lot 8, Block 9 Unit Type Oak	5,063 SF 0.12 AC Small Lot SFR	1,435 SF	2,250 SF	1,435 SF	2,813 SF	24.5 FT	Front: 15 FT Rear: 44 FT Side: 4 FT Side: 24 FT
One Garage	7' off alley						
Lot 9, Block 9 Unit Type Buckthorn	6,275 SF 0.14 AC Duplex Lot	2,283 SF	3,200 SF	2,283 SF	4,000 SF	31.5 FT	Front: 10 FT Rear: 50 FT Side: 17 FT Side: 8 FT
Two Garages	7' off alley						
Lot 10, Block 9 Unit Type Copper Rose	5,250 SF 0.12 AC Large Lot SFR	1,996 SF	3,600 SF	1,996 SF	4,500 SF	29.5 FT	Front: 6 FT Rear: 58 FT Side: 8 FT Side: 13 FT
One Garage	7' off alley						
Lot 11, Block 9 Unit Type Mountain Ash	7,512 SF 0.17 AC Duplex Lot	2,255 SF	3,200 SF	2,255 SF	4,000 SF	29.5 FT	Front: 6 FT Rear: 54 FT Side: 15 FT Side: 24 FT
Two Garages	7' off alley						
Lot 12, Block 9 Unit Type	6,581 SF 0.15 AC	1,996 SF	3,600 SF	1,996 SF	4,500 SF	29.5 FT	Front: 15 FT Rear: 48 FT

Copper Rose	Large Lot SFR	1,990 SF	3,000 SF	1,990 SF	4,000 SF	29.0 FT	Side: 4 FT
One Garage	7' off alley						Side: 30 FT
Lot 13, Block 9	4,908 SF	1,665 SF	2,250 SF	1,665 SF	2,813 SF	24.8 FT	Front: 11 FT
Unit Type	0.11 AC						Rear: 50 FT
Hawthorne	Small Lot SFR						Side: 4 FT
One Garage	7' off alley						Side: 12 FT
Lot 14, Block 9	6,706 SF	2,012 SF	3,600 SF	2,012 SF	4,500 SF	25.3 FT	Front: 6 FT
Unit Type	0.15 AC						Rear: 43 FT
Winter Rose	Large Lot SFR						Side: 8 FT
One Garage	7' off alley						Side: 18 FT
Lot 15, Block 9	6,245 SF	2,283 SF	3,200 SF	2,283 SF	4,000 SF	31.5 FT	Front: 6 FT
Unit Type	0.14 AC						Rear: 49 FT
Buckthorn	Duplex Lot						Side: 17 FT
Two Garages	7' off alley						Side: 10 FT
Lot 16, Block 9	4,209 SF	1,435 SF	2,250 SF	1,435 SF	2,813 SF	24.5 FT	Front: 14 FT
Unit Type	0.10 AC						Rear: 42 FT
Oak	Small Lot SFR						Side: 4 FT
One Garage	7' off alley						Side: 15 FT
Lot 17, Block 9	5,147 SF	2,012 SF	3,600 SF	2,012 SF	4,500 SF	25.3 FT	Front: 6 FT
Unit Type	0.12 AC						Rear: 46 FT
Winter Rose	Large Lot SFR						Side: 4 FT
One Garage	7' off alley						Side: 10 FT
Lot 18, Block 9	7,957 SF	2,255 SF	3,200 SF	2,255 SF	4,000 SF	29.5 FT	Front: 6 FT
Unit Type	0.18 AC						Rear: 54 FT
Mountain Ash	Duplex Lot						Side: 15 FT
Two Garages	7' off alley						Side: 24 FT
Lot 19, Block 9	6,735 SF	2,626 SF	3,600 SF	2,626 SF	4,500 SF	25.0 FT	Front: 6 FT
Unit Type	0.15 AC						Rear: 55 FT
Ponderosa	Large Lot SFR						Side: 4 FT
One Garage	7' off alley						Side: 20 FT

Final Hearing Impact Analysis				
Project:	24 units for Block 9, Wellington Neighborhood 2, Filing 4	Positive Points	0	
PC#	2008079			
Date:	7/8/2008	Negative Points	0	
Staff:	Michael Mosher, Planner III			
		Total Allocation:	0	
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		Master Plan Identifies variances
2/A	Land Use Guidelines	Complies		Will comply with modified LUD 16 Guidelines and approved Master Plan
2/R	Land Use Guidelines - Uses	4x(-3/+2)		Affordable housing identified in Town Master Plan in French Creek area
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		Assigned per Master Plan
4/R	Mass	5x (-2>-20)		Assigned per Master Plan
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		Design Concept to match those of the first phase of the Wellington Neighborhood
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		Variance for Garages to have zero setback w/ original Master Plan
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		Less than encouraged - negative points were assigned at Master Plan
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Adequate snow storage provided
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		

16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		Provided with Subdivision
21/R	Open Space - Public Open Space	3x(0/+2)		Provided with Subdivision
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)		
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)		Points assigned at Master Plan
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		

TOWN OF BRECKENRIDGE

24 units for Block 9, Wellington Neighborhood 2, Filing 4
French Gulch Road
Wellington Neighborhood Filing 4
PERMIT #2008079

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve this application with the following findings and conditions.

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 8, 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 **July 15, 2008**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.
7. If the real property which is the subject of this application is subject to a severed mineral interest, and if this application has been determined by the Director to be subject to the requirements of Article 65.5 of Title 24, C.R.S., the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S., and no mineral estate owner has entered an appearance in the proceeding or filed an objection to the application as provided in Article 65.5 of Title 24, , to the applicant or the Town.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **July 22, 2011**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.

4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes, building codes and the Wellington Neighborhood 2 Master Plan.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
8. 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

9. Applicant shall submit proof of ownership of the project site.
10. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
11. 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.
12. The road shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
13. 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. An on site inspection shall be conducted.
14. Applicant shall submit a 24"x 36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
15. Subject to approval from the Town of Breckenridge, development plans for Lots abutting Reiling Road landscaping plans shall provide increased plantings (trees and shrubs) along the north end to buffer the development to the adjacent Reiling Road Right of Way.

16. 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

17. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
18. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
19. Applicant shall screen all utilities.
20. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
21. 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.
22. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
23. 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.
24. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

Planning Commission Staff Report

- Project Manager:** Michael Mosher, Planner III
- Date:** July 8, 2008 (For meeting of July 15, 2008)
- Subject:** Block 9, Wellington Neighborhood 2, Filing 4, a re-subdivision of a portion of Lot 3, Block 6, Wellington Neighborhood Preliminary Plat, (Class A Subdivision, Combined Preliminary and Final Hearing) PC#2008080
- Applicant/Agent:** David O'Neil / Union Mill, Inc.
- Proposal:** To resubdivide a portion of Lot 3, Block 6, of the Wellington Neighborhood (this will be the fourth filing for Phase II) in connection with the recently approved Wellington Neighborhood Phase II Master Plan. This resubdivision will create lots for 24 units. 14 units are on single-family lots and 10 units are part of 5 duplex lots.
- Site Area:** 4.45 acres (193,842 square feet)
- Land Use District:** 16, Subject to Wellington Neighborhood Phase II Master Plan
- Site Conditions:** The site is partially under development with over lot grading and deep utilities being installed. Those areas not being developed are covered with dredge rock with no significant vegetation. The site has been previously prepared for development by removing and leveling the dredge rock, and currently slopes downhill from east to west at rate of about 4%. French Creek runs from east to west and is outside any developable area.
- Adjoining Uses:**
- Northeast: Largely undeveloped land, B&B open space, National Forest, Country Boy Mine Tours.
 - Southeast: The remaining French Creek Valley, undeveloped Phase II land.
 - Southwest: Wellington Neighborhood Phase I, consisting primarily of single-family homes (western part of subdivision to share alley with existing development).
 - West: Wellington Neighborhood Phase 2.

Item History

The initial subdivision for the Wellington Neighborhood (PC#1999149) encompassed the entire 84.6-acre property, while only a portion was initially developed. Lot 3, Block 6 was left unimproved and anticipated for future development. The Planning Commission approved the Wellington Neighborhood 2 Master Plan (PC#2005042) on February 7, 2006 and the Town Council approved it on February 14, 2006.

The first re-subdivision of Wellington Neighborhood 2 (Wellington Neighborhood Re-Subdivision of Block 5 and Lot 6 PC#2006013) was approved by the Planning Commission on February 21, 2006. This is the fourth re-subdivision filing, pursuant to that Master Plan, that identifies the lots to be created on a portion of Lot 3, Block 6 of the Wellington Neighborhood.

The layout of this block is similar to the illustrative plan of the Wellington Neighborhood 2 Master Plan Modification. Staff has advertised this application as a combined preliminary and final review as we believe the pertinent issues were reviewed under the first re-subdivision. However, if the Commission believes that the layout of this re-subdivision is not ready for final approval, we suggest continuing this hearing to a future date.

Staff Comments

Block/Lot size/Layout: The proposed re-subdivision follows the same development patterns, landscaping, road/alley layout, and typical green development as established throughout the Wellington Neighborhood as approved with the Wellington Neighborhood Master Plan. This Master Plan addressed the smaller lots, reduced setbacks, and narrow road sections that have been created throughout the entire subdivision. The open space requirement for all re-subdivisions of the Wellington Neighborhood have been met with the initial subdivision

Drainage / Utilities: Drainage and utilities will be engineered and constructed consistent with the first phase. The applicant's engineer has been working with Town Engineering Staff to provide temporary detention facilities, which meet Town standards, as subdivisions are added to the second phase development. A Condition of Approval has been added requiring this information to be added to the grading plans prior to any construction of the improvements for this subdivision.

Landscaping: Landscaping will utilize the same patterns as the First Phase - conifers and aspens defining right of ways, with bluegrass ground cover from the front of the house to the street. Working with Staff, the Applicant has agreed to place the trees along the Town right of ways no closer than seven (7) feet to the concrete pan, unless allowed otherwise by the Town's Public Works Department. This will improve the effectiveness of the snow stacking along these streets. Public Works and Planning Staff will review the placement of the plantings along the right of ways and may allow, on a case-by-case basis, encroachments into this setback. Staff has no concerns and Staff review of all landscaping improvements has been added as a Condition of Approval.

The proposed landscaping plan along French Gulch Road will preserve all existing aspens, willows, shrubs and wild grasses and where the natural cover is "thin", the plan is to replicate the established pattern between Blocks 3 and 4 and French Gulch Road. All noxious weeds will be removed. New tree and shrub plantings will be added as needed as reviewed by Staff.

Road Names: Staff reviewed the proposed road names for this subdivision with the County and emergency services and have no concerns.

Staff Recommendation

The proposed lot layout, green design and landscaping follows the patterns we have seen in the previously approved subdivisions of the Wellington Neighborhood. We welcome any comments from the Commission regarding the information presented in this report.

Since we had no concerns with this proposal, Staff has advertised this review as a combined Preliminary and Final hearing. If, for any reason, the Commission has any concerns we ask that this application be continued rather than denied.

Staff recommends the Commission approve the Block 9, Wellington Neighborhood 2, Filing 4, a re-subdivision of a portion of Lot 3, Block 6, Wellington Neighborhood Preliminary Plat, PC#2008080, with the attached Findings and Conditions.

TOWN OF BRECKENRIDGE

Block 9, Wellington Neighborhood 2, Filing 4,
a re-subdivision of a portion of Lot 3, Block 6, Wellington Neighborhood Preliminary Plat,
PERMIT #2008080

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

FINDINGS

1. The proposed project is in accord with the Subdivision Ordinance and the Wellington Neighborhood Phase II Master Plan (PC#2005042) 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 July 8, 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 July 15, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, and if this application has been determined by the Director to be subject to the requirements of Article 65.5 of Title 24, C.R.S., the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S., and no mineral estate owner has entered an appearance in the proceeding or filed an objection to the application as provided in Article 65.5 of Title 24, , to the applicant or the Town.
7. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

1. The Final Plat of this property may not be recorded unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, refuse to record the Final Plat, issue a stop order requiring the cessation of any work being performed under this permit, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit will expire three (3) years from the date of Town Council approval, on July 22, 2011 unless the Plat has been filed. In addition, if this permit is not signed and returned to the Town within 30 days from the

permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.

4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Applicant shall construct the subdivision according to the approved subdivision plan, and shall be responsible for and shall pay all costs of installation of public roads and all improvements including revegetation, retaining walls, street lighting, and drainage system. All construction shall be in accordance with Town regulations.
6. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes and the Wellington Neighborhood 2 Master Plan.
7. Applicant shall be required to install an address sign identifying all residences served by a private drive posted at the intersection with the primary roadway.

PRIOR TO RECORDATION OF FINAL PLAT

8. Applicant shall submit and obtain approval from Town staff of a final plat that meets Town subdivision requirements, and the Wellington Neighborhood 2 Master Plan and the terms of the subdivision plan approval.
9. Applicant shall submit and obtain approval from the Town Attorney for any restrictive covenants and declarations for the property.
10. Applicant shall either install all public and private improvements shown on the subdivision plan, or a Subdivision Improvements Agreement satisfactory to the Town Attorney shall be drafted and executed specifying improvements to be constructed and including an engineer's estimate of improvement costs and construction schedule. In addition, a monetary guarantee in accordance with the estimate of costs shall be provided to cover said improvements.
11. Applicant shall submit and obtain approval from the Town Engineer of all traffic control signage and street lights which shall be installed at applicant's expense prior to acceptance of the streets by the Town.
12. .Per Section 9-2-3-5-B of the Subdivision Standards, the following supplemental information must be submitted to the Town for review and approval prior to recordation of the final plat: title report, errors of closure, any proposed restrictive covenants, any dedications through separate documents, and proof that all taxes and assessments have been paid.
13. A note shall be added to the Landscaping plan stating: "Trees that are to be placed along the Town right of ways by the developer for this subdivision shall be no closer than seven (7) feet to the concrete pan, unless allowed otherwise by the Town's Public Works Department who may allow, on a case-by-case basis, encroachments into this setback."

PRIOR TO IMPROVEMENT CONSTRUCTION

14. Prior to revegetation of disturbed areas, applicant shall submit and obtain approval from Town staff of a landscaping plan in compliance with the Subdivision Ordinance requirements, specifying revegetation consisting of native grasses and other native vegetation. In addition, these plans should show increased landscaping (trees and shrubs) along the adjacent Reiling Road Right of Way.
15. Applicant shall submit and obtain approval from the Town Engineer of final grading, drainage, utility, erosion control and street lighting plans. These plans are to include the temporary detention areas located at the south end of this subdivision.

PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE

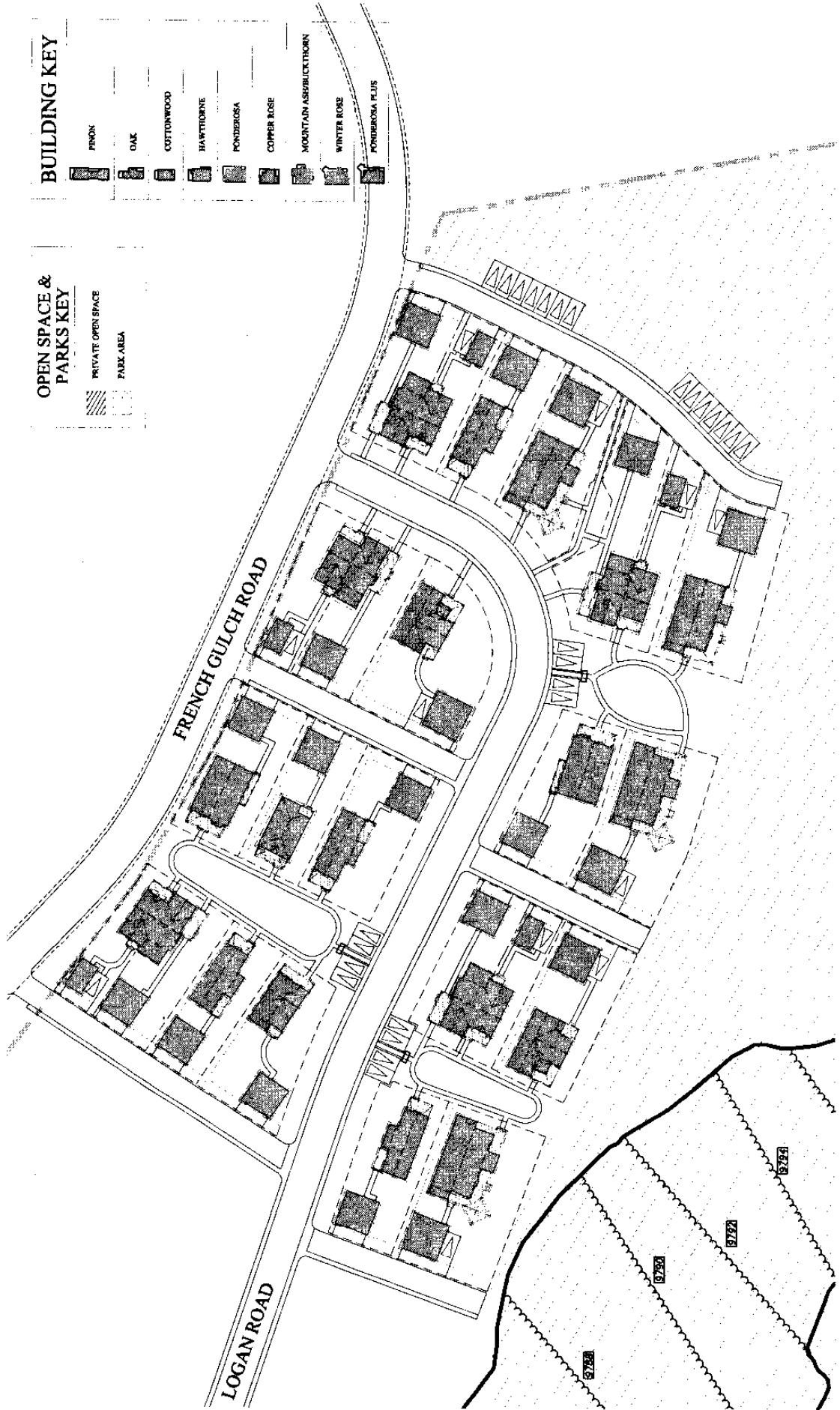
16. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.

MASTER PLAN FOR THE

WELLINGTON NEIGHBORHOOD PHASE II

TOWN OF BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO

MAY 21, 2008

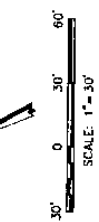
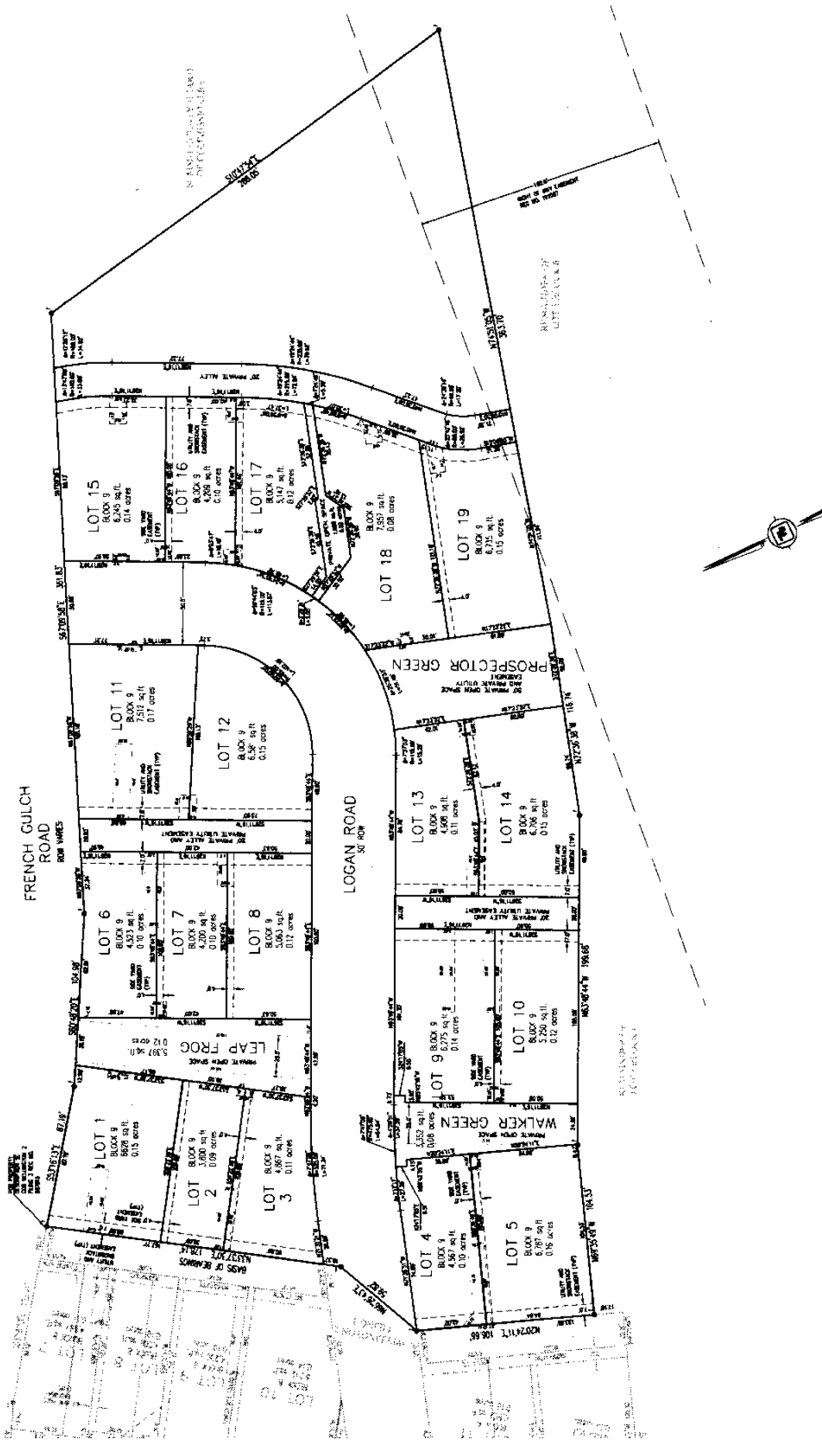


REPRESENTATIVE FIGURE GROUND PLAN FILING 4

SCALE: 1" = 30' 0" 36" x 24" Sheet

NOTE: BUILDING TYPES AND LOCATIONS ARE REPRESENTATIVE ONLY. ACTUAL BUILDINGS AND PLACEMENTS WILL BE PRESENTED IN THE CLASS C REVIEW.

NORTH



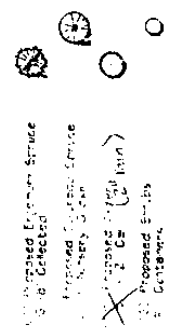
LEGEND

SET IN REAR AND 1/4" SET BACK FROM STAIR TO THE END OF DRIVE

UNSATURATED EASEMENT

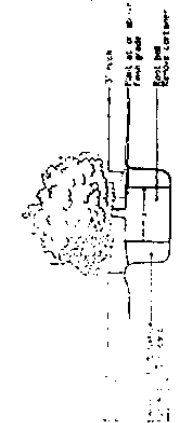
THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION. THE PLAN IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE CITY COMMISSIONER. THE COMMISSIONER SHALL HAVE THE FINAL SAY IN THE MATTER OF THE CONSTRUCTION OF THIS PROJECT.

Landscape Legend



Notes:

- General contractor shall provide positive drainage away from all existing foundations as specified on site plan.
- General contractor shall remove all debris, paint, stucco, lumber, slabs, slash, concrete, asphalt, etc. from site prior to landscape installation.
- Disturbed areas on site shall receive a minimum of 2" to 3" of topsoil in preparation for landscape treatment. Landscape architect to arrange soil.
- Seeds disturbed areas, areas shown with specified seed mix at a rate of 25#/1000 sq. ft. Apply starter fertilizer (10-5-5) or equivalent at 4 lbs./1000 sq. ft. Rate materials into the soil.
- Place rock or rock from site will be used as a ground cover treatment in all roof drain pits, areas and along edges over seed barrier fabric. Approximately 3'-6" diameter.
- Locate all plant material to avoid snow shed, snow removal operations, light trees, utility lines, fire hydrants, and easements. Landscape materials to be field fit where appropriate.
- All new plants shall be placed under an automatic drip irrigation system.
- Plant material shall be back filled with equal parts of organic amendments and native soil.
- Plant and trees with stem diameters 3 inches, shirred bark.
- Truly planted trees shall be root fed at the time of installation. Root feeding shall consist of a liquid root growth stimulator, or soluble fertilizer at the recommended rate.
- The drawing is for illustrative purposes only.
- Exact scale and existing conditions have not been verified by field inspection.



Seed Mixes

- Short Dry Grass - Seed Mixture**
- Creeping Red Fescue 30%
 - Sheep Fescue 25%
 - Carada Bluegrass 10%
 - Cocks Bluegrass 5%
- Revegetate all disturbed areas on site with Short Dry Grass Mix # 2 at 10000 sq. ft. slopes over 3:1 shall be tamped, lockfilled or wetted.
- Note: We may also add Alpine Fescue, Arizona Fescue, Tufted Margrass, and Alpine Bluegrass to this mix.

Shrub List

- Alder Mt./Theridif
- Bark Bay Sparrow
- Calloway's Pink
- Monocotyle, L. L. Berry or Arnold's Red
- Potential Gold Drop
- Native
- Goldfinger
- Jackman
- Katherine Dykes
- Chokicherry, Common
- Current, Golden Wax or Squaw
- Rose, Wood's
- Elder, Red-Berried
- Willow, Dwarf Arctic

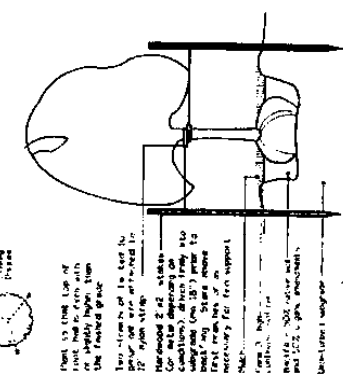
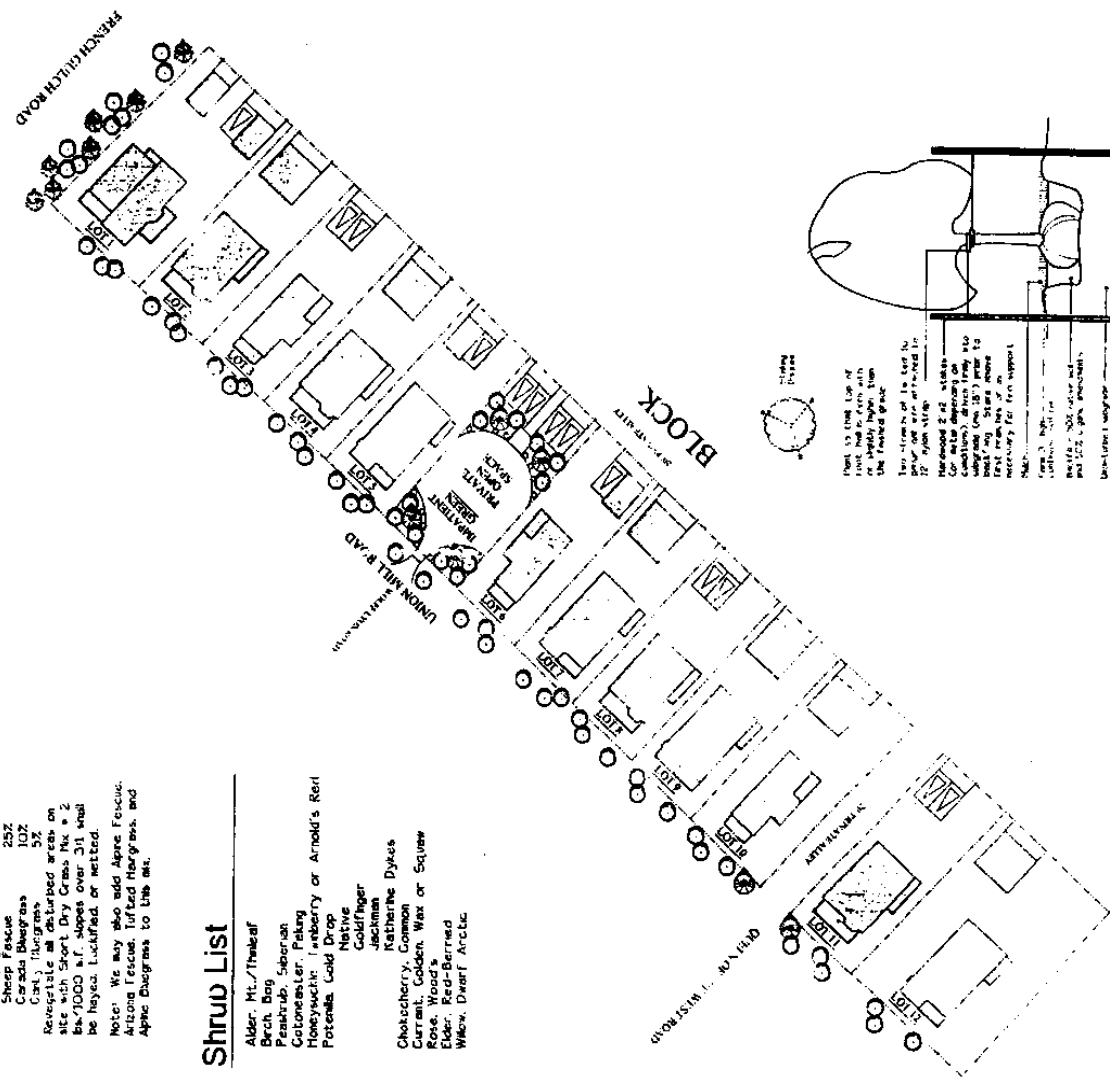
Neil's Luneford, Inc.
 740 Blue River Parkway
 Shawnee, CO 80461
 Phone (303) 468-0340
 Fax (303) 468-0305
 www.neilslandscaping.com

Wellington Neighborhood
 Block 5
 Breckenridge, CO 80424
 Landscape Plan

PROJECT MANAGER
 VIT EXHIBIT

RELEASE DATES

L1
 SHEET
 1 OF 1



TYPICAL LANDSCAPING



Planning Commission Staff Report

Project Manager: Matt Thompson, AICP

Date: July 10, 2008, (For Meeting of July 15, 2008)

Subject: Ski Resort Snowmaking Valve House and Guest Services Building, PC#2008082, Combined Hearing

Applicants: Vail Summit Resorts

Agent: Jeff Zimmerman, Vail Summit Resorts

Proposal: Relocation and construction of a new snowmaking valve house and guest services facility. Both structures currently exist but due to construction of One Ski Hill Place they need to be relocated. Current facilities will be demolished and integrated into one structure.

Address: 1599 Ski Hill Road

Legal Description: Tract C, Peaks 7 & 8 Perimeter Subdivision

Site Area: 111.19 acres (4,843,436 sq. ft.)

Land Use District: 1: Low Density Residential and Recreational (1 unit per 10 acres)
Subject to the Breckenridge Ski Resort Peak 7 & 8 Master Plan, 2005

Site Conditions: The location of the new valve house will be right where the Chair 5 loads. Chair 5 will be moved 60' up the hill to make room for the new valve house and guest services facility.

Adjacent Uses: North: Public Open Space
East: Four O'clock Subdivision
South: U.S.F.S
West: Ski Watch Condos/U.S.F.S

Density: Allowed under Master Plan: 282 SFEs Residential
14.5 SFEs Commercial
48 SFEs Guest Services

Proposed density: .36 SFEs (360 sq. ft.) Valve house
.36 SFEs (360 sq. ft.) Guest Services Facility

Mass: Allowed under Master Plan: 14,500 sq. ft. Commercial
48,000 sq. ft. Guest Services

Proposed mass: 360 sq. ft.

Height: Recommended*: 26' (mean)
Proposed: 14'-7" (overall) Guest Service above ground. Valve room is below grade.

*(*Note: Neither the Peak 7&8 Master Plan nor LUD 39 address building heights for commercial or guest services buildings. 26' height limit is based on an interpretation of the Town Attorney for the previous proposal for similar buildings in November 2005).*

Parking: Required: 0 spaces

Proposed: 0 spaces (Parking for guest services and commercial uses are provided by common spaces at the Ski Area's existing parking lots. A minimum of 200 spaces that are available to Ski Area guests must be maintained within the Peak 7 & Peak 8 base areas.)

Item History

This valve house will be necessary as the current facility needs to be demolished to make room for the new One Ski Hill Place building. Currently there is a very small building (about the size of a shed) that is used during the summer for guest services at Peak 8. This new building would integrate the existing valve house and the existing guest services facility into one building.

Staff Comments

Land Use (Policies 2/A & 2/R): District 39 is located at the very base of the Breckenridge Peak 8 Ski Area. The primary function of District 39 is to provide an area for lodging, residential and commercial development that will furnish goods and services for the everyday needs of the users and employees of the Peak 8 ski facility, as well as the surrounding neighborhoods.

The architectural requirements of these buildings should reflect the character of the mountain environment, while remaining compatible with existing developments in the area. It is important that all new development be integrated with the skier facilities and other existing developments. Some support commercial density may be incorporated into this District; however, it should be limited to goods and services that are directly related to accommodate the users and employees of the immediate development. The proposed uses of a valve house and guest services facility are directly for the support of the users of Peak 8.

Density/Intensity (3/A & 3/R)/Mass (4/R): Under the approved Peak 7 & 8 Master Plan, Vail Resorts can build up to 14,500 square feet of commercial space and 48,000 square feet of guest services. The request for a 720 commercial valve house and guest services building are much less than Vail Resorts has approved for the Peak 7 & 8 Master Plan.

Architectural Compatibility (5/A & 5/R): Since the Peak 7 & 8 Master Plan is in effect, the Design Standards in the Master Plan override the Land Use Guidelines. The following are the Design Standards from the Peak 7 & 8 Master Plan: *The architecture will present a rustic mountain lodge style through the use of authentic stone foundations, large sheltering roof forms, large shaded windows, simple but strong detailing and a sense of informality. Natural and natural appearing materials such as lap and shingle siding, board and batten siding and real stone faced foundations will enhance the character and blend with natural surroundings. Natural appearing synthetic materials may only be used as exterior building materials where fire retardant materials are required by building and/or fire codes, or for elements, where in the determination of the Planning Commission, the synthetic material is indistinguishable from pedestrian level. The use of synthetic exterior building materials is subject to the Town of Breckenridge Development Code. No stucco will be used on any exterior building elevation. Wood elements will be stained, with muted colors chosen from a natural palate of weathered browns and grays. Brighter hues may be chosen for elements such as windows and window trim. Design diversity will be achieved with each type of building, or cluster of buildings, which may have their own style based on these qualities. This is one of the few places in Breckenridge, where larger buildings can comfortably be in scale with the mountain backdrop and clearly be dominated by the surrounding natural mountain setting.*

The new valve house is proposed with: stained channel rustic wood siding to match existing adjacent building, 2 x 6 stained wood corner trim rough sawn Douglas Fir, 8" x 15" applied rough sawn heavy timber Douglas Fir beam extensions with chamfered edges, and asphalt shingles to match existing adjacent building.

Staff believes the proposed valve house will meet the requirements of the Master Plan and all Town of

Breckenridge Codes.

Site Plan: There will be a new 170' x 140' putt putt golf course adjacent to this facility. It seems appropriate to have a guest services office next to the putt putt course. The valve house needs to be moved and it makes sense to combine these two uses in one facility. Vail Resorts is moving lift for Chair 5 to make the site plan work.

Site Suitability (7/R) And Site Design (8/R): *The Town finds that it is in the public interest for all sites within the community to be designed, arranged, and developed in a safe and efficient manner. The overall design objectives shall be:*

- *To blend development into the natural terrain and character of the site*
- *To minimize the negative impacts of off-site views of grading and building massing*
- *To minimize site surface disruption; reduce the potential for erosion and other environmental degradation*
- *To generally develop in a visually cohesive manner while providing privacy for the occupants of the site and buffering to the neighboring properties as well.*

The proposed valve house and guest services facility will be on the ski slope and should blend in quite well with the other buildings in the area. The applicant does not believe it makes sense to plant trees around the building as it does not want the trees in the middle of the ski run. Staff concurs.

Placement Of Structures (9/A & 9/R): The proposed building is well within all setbacks.

Landscaping (22/A & 22/R): No permanent trees or other landscaping is proposed at this time.

Utilities Infrastructure (26/R): All necessary utilities are located in the base area. Vail Resorts will need to reroute some of the underground water and air snow making piping to the new facility and will install some new snowmaking hydrants.

Point Analysis (Section: 9-1-17-3): This application passed all absolute policies. No positive or negative points are recommended for this proposal. As a result Staff has not attached a point analysis.

Staff Recommendation

Staff recommends the Planning Commission approve PC#2008082, the valve house and guest services facility with the attached findings and conditions. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

TOWN OF BRECKENRIDGE

Ski Resort Snowmaking Valve House and Guest Services Facility
1599 Ski Hill Road
Tract C, Peaks 7 & 8 Perimeter Subdivision
PERMIT #2008082

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve this application with the following findings and conditions.

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated **July 10, 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 **July 15, 2008**, as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **July 22, 2011**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

5. This permit contains no agreement, consideration, or promise that a certificate of occupancy or certificate of compliance will be issued by the Town. A certificate of occupancy or certificate of compliance will be issued only in accordance with the Town's planning requirements/codes and building codes.
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. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
9. 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.
10. Applicant shall install erosion control measures on the downhill side of the proposed building in a manner acceptable to the Town Engineer. An on site inspection shall be conducted.
- 11. 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

- 12. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.**
- 13. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.**
- 14. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.**
15. 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.

16. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
17. 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.**
18. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
19. 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)



TECHNICAL SERVICES
 1000 WEST 1000 SOUTH
 SALT LAKE CITY, UT 84119
 (801) 487-1000

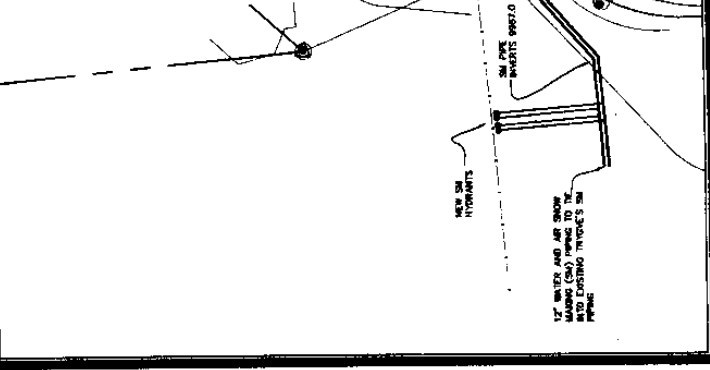
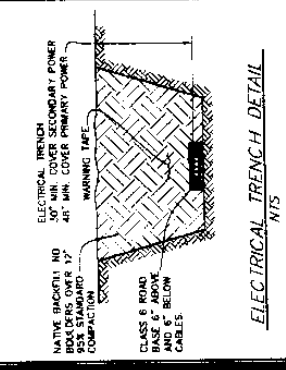
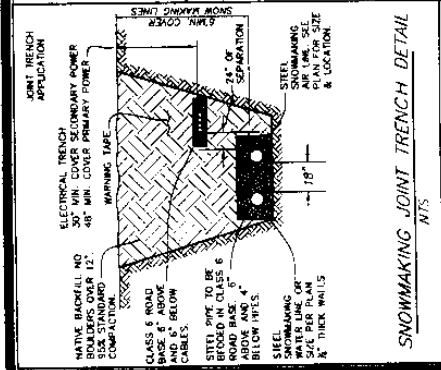
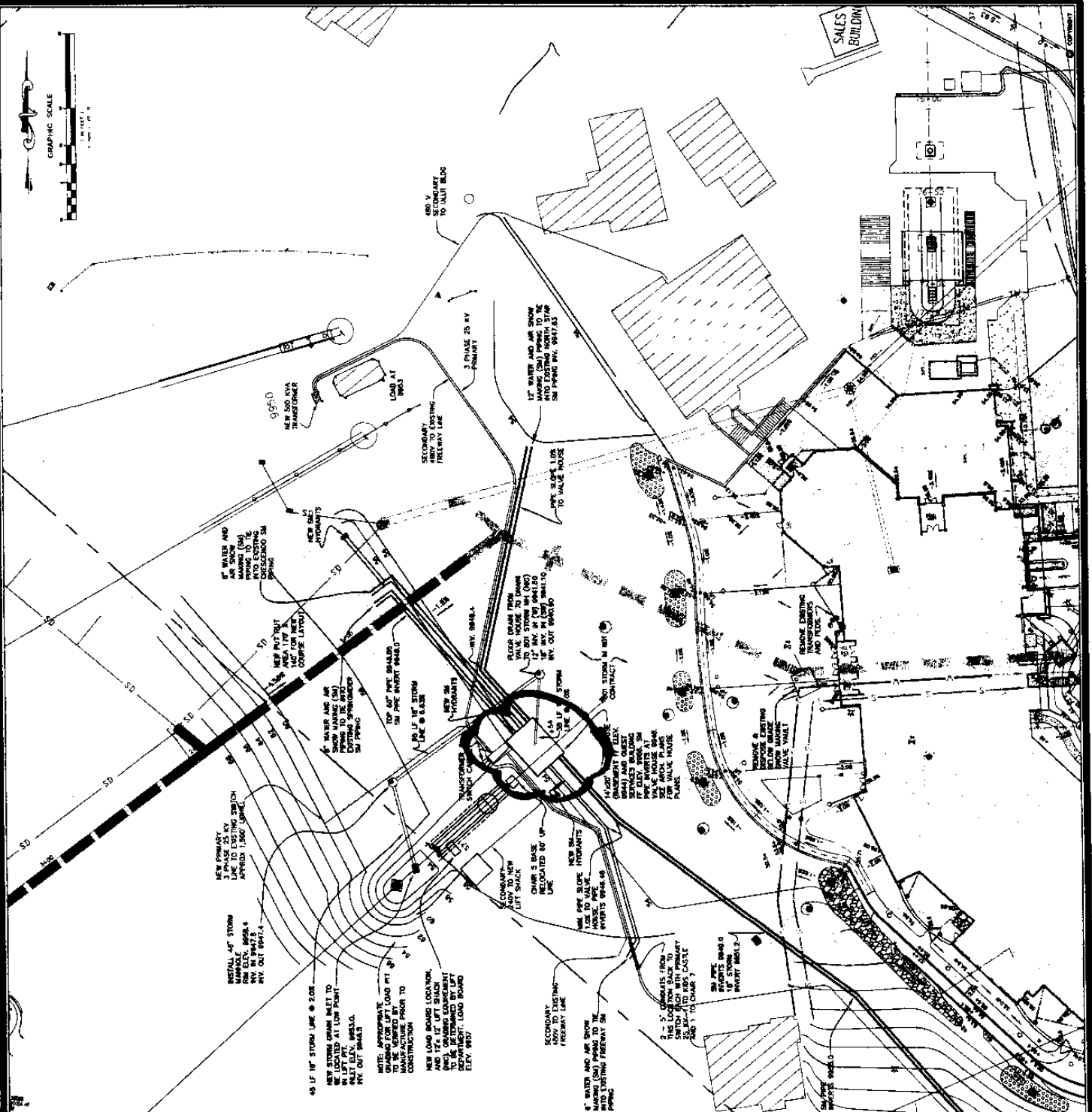
PEAK 8 INFRASTRUCTURE

PEAK 8
 BRECKENRIDGE, COLORADO 80424

Voll Resorts
 Development Co.
 Breckenridge

Date: 02-21-06
 Project No: 130001
 Drawn by: JAL
 Checked by: JAL
 Scale: 1" = 40'

C-1
 PEAK 8
 ON MOUNTAIN
 INFRASTRUCTURE





PROJECT NO.	0077008
DATE	
DESIGNED BY	
CHECKED BY	
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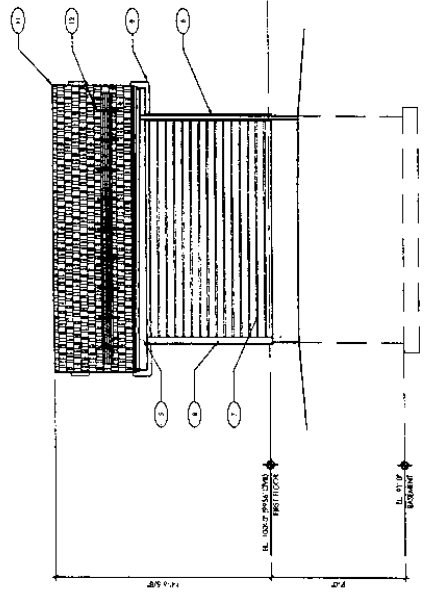
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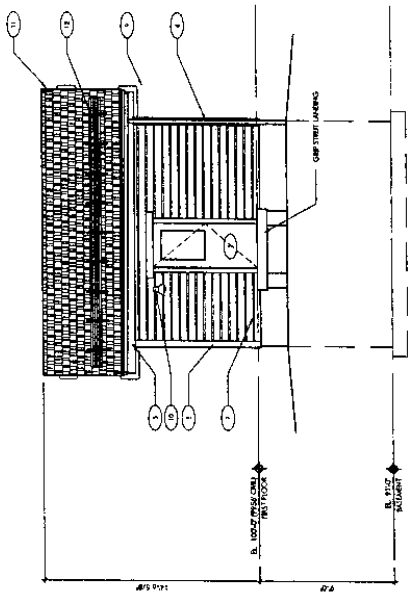
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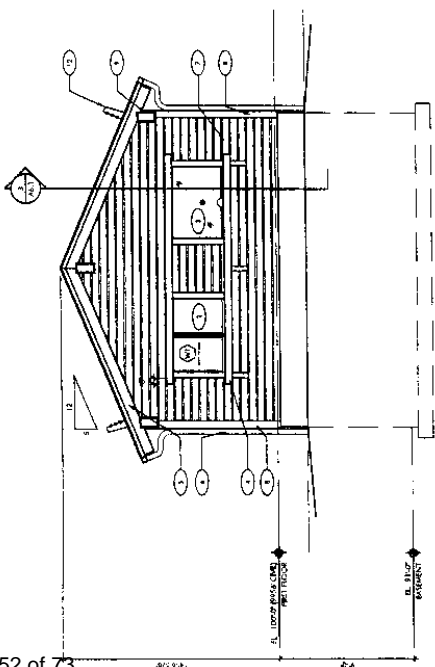
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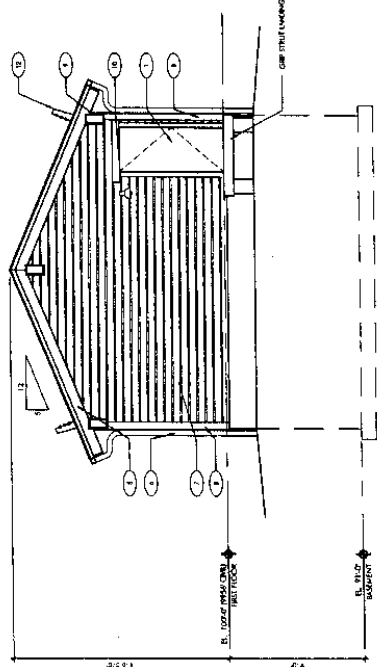
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4 NORTH ELEVATION
 SCALE: 1/4"=1'-0"



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



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

BRECKENRIDGE PUMP HOUSE

VAIL RESORTS DEVELOPMENT COMPANY
BRECKENRIDGE, COLORADO



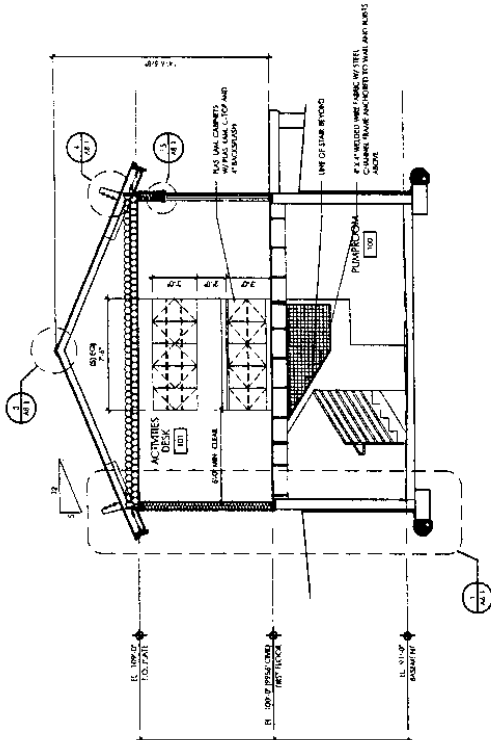
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DATE: 5/27/08
BY: [signature]

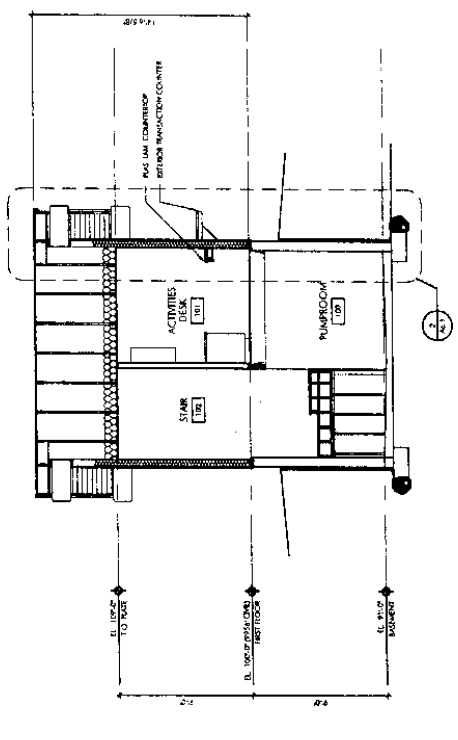
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BUILDING SECTIONS

A5.1



1. BUILDING SECTION
AS.1 SCALE: 1/4" = 1'-0"



2. BUILDING SECTION
AS.1 SCALE: 1/4" = 1'-0"

Planning Commission Staff Report

Project Manager: Michael Mosher

Date: July 8, 2008 (For meeting of July 15, 2008)

Subject: Blue Front Bakery Restoration, Landmarking and Redevelopment, Class A Final, PC#2007140

Applicants/Owners: Blue Front, LLC; Nathan Patch - Craig Beardsley

Agent: Janet Sutterley, Architect

Proposal: Completely restore the historic Blue Front Bakery, locally landmark the structure and develop the remaining available mixed-use density at the eastern portion of the site. Commercial/Retail uses are proposed on the main level (near the sidewalk) and two apartments on the upper level.

Address: 114 Lincoln Avenue

Legal Description: Lot 40 Bartlett and Shock

Site Area: 0.123 acres (5,381 sq. ft.)

Land Use District: 18-2, 1:1 FAR, Commercial and 20 UPA, Residential

Historic District: Character Area #6 - Commercial Core

Site Conditions: The property slopes downhill towards the west at a rate of about 13%. The site contains the historic bakery (converted to a garage by 1914). A portion of the Courthouse Parking lot encroaches onto the north portion of the site. Native grasses and weeds cover the rest of the site. The Town sidewalk encroaches within the southwest corner of the lot. There are no platted easements on the property. A Town light standard is located on the property and will be moved to Town property with this application.

Adjacent Uses: North: Courthouse Parking Lot East: Summit County Courthouse
South: Lincoln Avenue West: Lot 41 and Salt Creek Saloon

Allowed Density:

Maximum allowed if 100% Commercial:	5,381 sq. ft.
Maximum allowed if 100% Residential:	
Condominiums:	2,224 sq. ft.
Condo-Hotel:	2,965 sq. ft.
Bed and B'fast:	2,965 sq. ft.
Hotel/Lodge/Inn:	2,965 sq. ft.
Apartments:	2,965 sq. ft.

Allowed Mass: No mass bonus for commercial. Residential has bonus based on Apt. use.

Commercial:	2,245 sq. ft.
<u>Apartments (15%):</u>	<u>2,041 sq. ft.</u>
Total allowed:	4,286 sq. ft.

Proposed Density and Mass:

Density	Main	Upper	Total	Basement Exempt*	Mass Totals
Bakery	637 SF		637 SF	565 SF	637 SF
Commercial 2	852 SF		852 SF		852 SF
Commercial 3	756 SF		756 SF		756 SF
Unit A		1,045 SF	1,045 SF	600 SF	1,140 SF
Unit B		730 SF	730 SF	600 SF	825 SF
Total	2,245 SF	1,775 SF	4,020 SF		4,210 SF

* Staff notes that density beneath the landmarked Bakery is not counted towards the density calculations for the development and it can only be used for storage. Additionally, mass located below grade for the residential uses is not counted towards density or mass calculations.

Above Ground Density: In the Commercial Core Character Area above ground density is not restricted.

Height: Recommended (measured to mean): 23 feet
 Maximum Allowed: 26 feet
 Proposed: 23'-6" feet (mean); 28'-6" feet (overall)

Parking: Required:
 Commercial: 3.15 spaces
 Residential:
 Unit A 1.149 ~2.0 spaces
 Unit B 0.80~1.0 spaces
 Total: 6.15 spaces

Existing (pending formal agreement with the Town)
 (Spaces are 1/2 in Exchange lot and 1/2 on property): 5.25 spaces

Proposed: 5.25 spaces

Fee in lieu within the Service Area: 0.90 spaces

Setbacks: Front: 3'
 Sides: 2'6" and 4'5"
 Rear: 20'

Item History

A Cultural Survey has been created for the Blue Front Bakery and Grocery. This 1-1/2-story, false-fronted building was built in 1880 as the Blue Front Bakery and Grocery for Lloyd Adamson. Adamson also ran a branch of the store in the mining camp of Dyersville, located in Indiana Gulch.

Following Adamson's departure to the East, W.M. Enterline operated the grocery. Enterline eventually moved into a larger building next door to the east, and dedicated this original store building to the sale of hay, grain, flour, and feed. Later, he also sold notions here.

Carl B. Galloway followed W.M. Enterline in business in 1902, opening the Lincoln Avenue Grocery and City Bakery. He used this original building as a warehouse, while the main store continued to be situated next door. By 1906, however, local competitor Christ Kaiser had acquired the business stock and property. By August of 1914, the tiny false-fronted building had been converted into a garage. The Robert Theobald family acquired the property from the Kaiser family. Having been now owned by the Theobald family for many years, the building is presently used only for storage.

Staff notes: According to the Sanborn maps and historic photos, the building was moved about four (4) feet towards the west when it was a garage. The original Bakery and Grocery Store was in a slightly different location originally than what we see today. The 1896 Sanborn maps (and historic photos from 1909) show the bakery immediately *adjacent* to the large neighboring Grocery and Hardware building to the east. Later, after the bakery was converted to a garage, the 1914 Sanborn maps (and an undated photo) show the garage *moved* about 4-5 feet towards the west and separated from the same building. The building material of the Bakery all appears to be historic. Why it was moved can only be speculated.

Comments from the May 20, 2008 Meeting

Commissioner Questions/Comments:

Mr. Bertaux: Final Comments: Appreciated work to reduce height at rear of building and provide bigger back yard. Concerned about future parking structure. The restoration of historic bakery building is still the jewel in this project. Fine with option B (windows); could go with either on south elevation. Since it would be all new construction, grouped windows would be fine. Supported positive nine (+9) points. Supported arched windows.

Mr. Allen: Can parking spaces be assigned now? (Staff explained complication with assigning spaces now.)

Final Comments: Agreed with every one of Mr. Bertaux's final comments.

Ms. Girvin: Does a drawing exist of the historic building? (Staff presented photos of the historic building.) No opinion on 1. Preferred a simple look; the court house building across the street and the Exchange Building are very simple. Preferred equal distance between windows and no arches.

Mr. Khavari: Liked how the building was brought back and lowered at rear. Yes on 1. On 2, follow priority policy 48 in handbook and use equally spaced windows. Arched windows would be fine, more relaxed. Ok with positive nine (+9) points.

Changes Since the Last Meeting

1. The new building roof was raised 6 inches.
2. The plans have been modified and now show a density overage. A Condition of Approval has been added that the final drawings will remove this small overage.
3. Landscaping and hardscape along the west property edge has been enhanced with added light standards.
4. The applicant is entering into an agreement with the Town for the parking spaces on the property that is part of the Exchange Parking Lot.
5. The upper story windows follow the design criteria suggested in the Handbook of Design Standards.
6. The exterior elevations are detailed and enhanced.
7. Landmarking criteria is identified.

Staff Comments

Staff notes, that with the new Commissioners, much of this report will remain unchanged to better explain the initial review process from the last hearing.

Land Use (Policies 2/A & 2/R): Land Use District 18-2 suggests both residential and commercial uses. The applicants intend to have the main level for commercial uses only. This abides with the recently adopted Downtown Overlay District Ordinance prohibiting residential use on ground floor in the core of Town (Ord. 23, Series 2007). Staff has no concerns with the proposed uses.

Density/Intensity (3/A & 3/R)/Mass (4/R): With the proposed commercial density of 2,245 square feet, the remaining allowed residential density for apartment use is 1,728 square feet. At the time of this writing, the drawings indicate that the proposed residential density is to be 1,775 square feet. This is 47 square feet or 2.64% over the maximum square footage.

The applicant has indicated that this small amount of density can easily be removed without impacting the architecture. Staff has added a Condition of Approval that, prior to issuance of a building permit, the drawings reflect the total density not to exceed 1,728 square feet.

If the reduction in density impacts the architectural character of the building, Staff will return to the Commission with a Class C development permit to modify this permit. The drawings show that the mass of the buildings falls below the allowed.

Architectural Compatibility (5/A & 5/R): Since this policy also addresses the design criteria found in the Handbook of Design Standards for the Historic and Conservation Districts along with the individual Character Areas, discussion of all historic details will be reviewed here.

(Staff notes that during the worksession and preliminary hearing, the Commission agreed with the proposed larger massing of the new building as it matched what was found historically in the surviving photographs and maps.)

Site Plan: The project follows the historic settlement pattern for this block (Priority Policy 4). It also matches the Town grid (Priority Policy 5). Staff believes that the new construction and adaptive re-use of the bakery reinforces the unity of the block (Priority Policy 8).

All parking is located at the rear of the site in the existing Town Parking lot (discussion below). Landscaping has been kept to a minimum along the street edge to be harmonious with the functions of the Commercial Core Character Area.

Historically, in its original location, the bakery was touching the adjacent historic building as exhibited in surviving photographs. The Commission was supportive of placing the buildings separated from the larger building with the recessed niche as shown on the site plan. No link is proposed as the two buildings are not to be internally connected. This positioning is similar to other buildings located in the Commercial Core, having little to no side yards. The proposal maintains a strong “building wall” along the sidewalk per the Historic Core Commercial design standards.

The design standards describe the historic pattern in this character area as often having sheds/outbuildings and other service functions in the rear yard. Additionally, Priority Policy 219 states, “*Building heights should step down to the rear of properties to retain the lower scale that is traditional on alleys.*” This is a

corner lot with two frontages to Right of Ways: Lincoln Avenue and Ridge Street. It also abuts the Courthouse Parking lot with a potential future parking garage. Since this lot doesn't have a typical alley function in the rear yard, we believe this criterion is not fully applicable. The design shows the building stepping down in height and an open space behind the primary buildings. At the last hearing we heard support from the Commission for this design.

Elevations: The typical building details for this character area included large display windows at the street level (commercial/retail) with simple smaller rectangular windows above (residential). Historically, the upper level of a building exhibited more solid than the typical solid-to-void ratio we see in other Districts.

Section 4.3 of the Handbook of Design Standards for the Historic and Conservation Districts describes the specific building components found on typical historic commercial buildings found in Breckenridge. This is exhibited in the illustrations that follow:

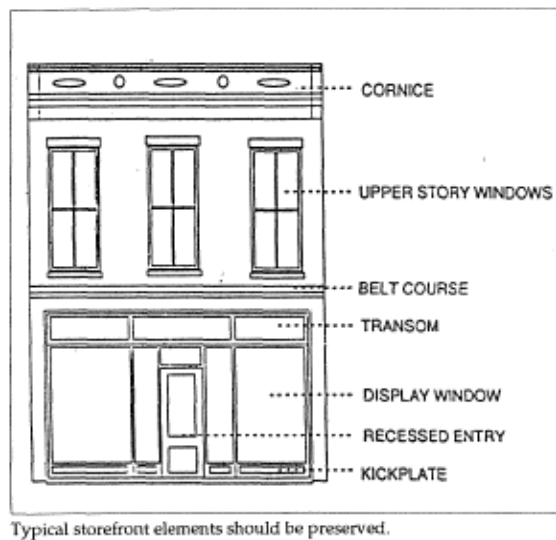


Illustration from Handbook

Since the last review, and based on the Commissioner's comments, the elevations have been changed to reflect this pattern. Staff supports placing four evenly spaced windows along this upper level as shown on the elevations and repeating a similar pattern on the east elevation to abide with this policy.

Design Policy 223 states: *"Maintain the pattern created by upper story windows. Windows of a similar size and shape to those found historically should be used, and other façade elements that establish the same pattern should be incorporated."*

The elevations also show arched upper level window heads, rather than a simple rectangle. Most of the Commissioners felt that since this is a new building, these details could be relaxed. Most felt the arched windows on the new structure met the intent of the design standards.

Though not shown on the elevations, the applicants are proposing to use awnings over the lower level windows. This addition will be handled with a separate Class D application. Awnings are encouraged in the historic handbook. Staff is supportive of the addition of awnings to the buildings, and believes they will add vitality to this block.

Since the last hearing, the drawings show more detail of the exterior finishes. As suggested in the handbook of Design Standards, painted horizontal wood siding is the primary exterior finish.

Design Standard:

225. *Maintain the present balance of building materials found in the Core Commercial Character Area.*

- *Use painted wood lap siding as the primary building material. An exposed lap dimension of approximately 4 inches is appropriate. This helps establish a sense of scale for buildings similar to that found historically.*
- *Contemporary interpretations of these historically-compatible materials are discouraged. Wood imitation products are discouraged as primary facade materials because they often fail to age well in the Breckenridge climate.*
- *Modular panel materials are inappropriate.*
- *Masonry (brick or stone) may only be considered as an accent material. Stone indigenous to the mountains around Breckenridge may be considered.*
- *Logs are discouraged.*
- *Rough-sawn, stained or unfinished siding materials are inappropriate on primary structures.*

The historic Bakery is to be completely restored. Those portions of the existing wood siding that can be preserved will be reused. The front of the bakery will have historically compliant siding added to reconstruct the original façade.

The drawings show that the new building will have 6" X 12" slate along the base, in the recessed portions of the primary façades and along portions of the west and north elevations. In addition, portions of the new building show 1 X 6 vertical siding in the recess areas of the primary façades and in small portions of the west and north elevations.

The most recent use of stone in the Core Commercial Character Area was the 122 South Main Mixed Use Building (PC# 2001109), commonly known as the Struve building at 122 South Main Street. See elevation below.



On this building (appearing as two buildings), there is cut stone and brick base on both modules/buildings and cut stone on the upper level of the south module/building. At that time, the Commission believed that this material and its quantity could be used on the new buildings and still meets the intent of the code. Does the Commission concur?

Building Height (6/A & 6/R): Per this section of the Development Code:

1 X (0/-3) (a.) In Land Use Districts 11, 17 and 18, and those portions of 18-2 and 19, which lie north of Lincoln Avenue or south of Washington Street, a maximum height of twenty-three feet (23') is strongly encouraged. For buildings with heights greater than twenty-three feet (23'), points shall be deducted based on the following table:

<u>Building Height</u>	<u>Point Deductions</u>
23.01 24 feet	-1
24.01 25 feet	-2
25.01 26 feet	-3

The suggested building height for this Land Use District is 23 feet, not to exceed 26 feet. Since the last review the drawings show that the height has been increased slightly. Measuring to the mean of the sloped roof or the top of the parapet (in this case they are the same), the proposed building is 23'-6" tall. Based on the criteria above, we are suggesting negative three (-3) points be assigned for the overage.

Site Suitability (7/R) And Site Design (8/R): Since this proposal is in the Core Commercial area of Town and no significant natural features exist on the lot, there are no related portions of this policy that are applicable to this proposal.

Placement Of Structures (9/A & 9/R): As a commercial use at ground level, zero setbacks are allowed. The submitted plans show setbacks of two (2) to three (3) feet from the property edges facing the right of ways. Staff has no concerns.

Snow Removal and Storage (13/R): The plans call for the pedestrian connection and a walkway to the restroom between the two buildings along the west property line. Since this connection from the parking lot is heavily used and will be shaded by the adjacent buildings (existing and proposed), it is proposed to be snow melted. As a Condition of Approval 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 snowmelt system for the property. The parking lot is maintained by the Town. Staff has no concerns.

Refuse (15/a & 15/R): The applicant has entered into an agreement with the Towne Square Mall association to share the dumpster located off of the alley behind the Towne Square Mall. Staff has no concerns.

Access / Circulation (16/A & 16/R; 17/A & 17/R): Per this section of the Code:

3 x (-2/+2)

A. Accessibility: It is encouraged that internal circulation systems provide the types, amounts, and locations of accessibility needed to meet the uses and functions of the movement of persons, goods, services, and waste products in a safe and efficient manner, with maximum use of pedestrian orientation, and a minimum amount of impervious

surfaces. Internal circulation elements should be designed in such a manner that the elements are integrated with each other as well as possible, and that conflicts between elements are minimized. The following represent the criteria utilized to analyze how well the project has met this particular policy.

(1) Pedestrian Circulation: Whenever appropriate to the type and size of the development, the inclusion of a safe, efficient and convenient pedestrian circulation system is encouraged. The provision of pedestrian circulation areas adjacent to and at the same level as adjacent sidewalks is strongly encouraged.

(2) Separation Of Systems: The separation of circulation systems and patterns which are basically incompatible is encouraged.

(3) Delivery Areas: Delivery areas and refuse pickup should be located away from public spaces.

(Highlight added.)

A social pedestrian path exists through the lot today and is used frequently connecting the parking lot to Lincoln and Main Streets. The proposed formal connection is from Lincoln Avenue north to the parking lot along the west property line. It will be snow melted and lit with Town compliant “dark-sky” light standards for added safety. The applicant’s have been meeting with the property owner of Lot 41, Jon Gunson, to coordinate a pedestrian passage between the two properties. A shared easement would be platted on each property ensuring this connection and has been added as a Condition of Approval. The attached site plan shows the potential development on Lot 41 (future application) dashed in. Staff is supportive of this connection (not necessarily the dashed future footprint) from the parking area to Lincoln Avenue.

In addition, the plans show a future pedestrian link and areaway is along the north property line in anticipation of a future parking garage where the Exchange Parking Lot currently is located. The walkway is 5’-6” wide and is located adjacent to the building facilitating access to the commercial level of the west elevation. Just north of the walkway the plans show an areaway that will access the two levels of the future garage. Since the garage does not exist, this will not be constructed, but will be added as a Condition of Approval upon creation of the parking structure.

Behind the bakery and the new building, two patios with gardens are proposed to provide patrons and the general public a seating area away from the walkway. Staff anticipates deliveries for the commercial uses being transported from the parking lot along this walkway to the covered patio area between the buildings (see plans).

With the creation of the snow melted formal mid-block connection, the separate patio/garden areas and the covered patio area for deliveries positive six (+6) point are warranted. Does the Commission concur?

Parking (18/A & 18/R): The applicants are working with the Town, to enter into an agreement to allow the 5 1/4 public parking spaces from the Exchange Parking lot to encroach onto the north edge of the applicant’s property in exchange for credit for these spaces in the Town’s Service Area. Staff has met with the applicants and the Engineering department to draft this agreement. Currently, the attorneys are working on drafting this agreement.

As a result, the property would carry credit for 5 1/4 parking spaces in the Parking Service Area. As part of this agreement four of the parking spaces in the Exchange parking lot that encroach onto the property will be assigned for the apartments.

As part of the potential two-level parking structure plan, the submitted drawings show future garages for the residential units beneath the north building. Knock-out panels for future garages are to be cast in the concrete along access to this level if and when the parking structure is built. As part of this agreement, if and when the parking structure is built, these spaces will be moved to the lower level, two will be placed inside the basement level of the new building (private garage in basement level) and two will be on the lower level of the parking structure in front of the garage doors. At that time all of the upper level parking spaces and three in the basement would be deeded to the Town. The remaining required parking (0.9 spaces) will be paid in lieu per the Service Area requirements.

Landscaping (22/A & 22/R): Requirements for any landscaping in the Core Commercial area is limited. It is stated that the majority of plantings within the property should be native while perennial plantings may be used as accents. There is no requirement for substantial planting in this Character Area. The plans show plantings between buildings allowing full pedestrian access to the fronts of the buildings and a small seating area and garden at the back of the site. Staff has no concerns.

Social Community / Employee Housing (24/A & 24/R): Since the development is less than 5,000 square feet in density, no employee housing is required. Since the last hearing, this has been removed from the program. Staff has no concerns.

The restoration of the historic Bakery (alone) was previously approved in 1991 (PC#91-6-1). This permit has since expired. The current application will be following the same plans. Essentially, with the detail of the surviving photos and the remaining historic fabric, the restoration should bring the look of this historic building back to its original configuration. Staff is pleased with this proposal as the Code fully supports this kind of development. As part of the restoration, a full basement (for storage only) would be created and, with a local landmarking would not count towards density calculations for the property.

Per the Development Code: +9 - *On site historic preservation/restoration effort of above average public benefit.*

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

As a result of the complete restoration of the bakery and the introduction of a larger building at the corner of Lincoln and Ridge Street, Staff believes that positive nine (+9) points could be awarded under this policy. The complete site would more closely represent what was located here historically.

We heard support from the Commission for awarding positive nine (+9) points at the final hearing for the restoration efforts.

Landmarking: The applicant intends to have the historic bakery building locally landmarked per Ordinance 24, Series 2001.

According to Section 9-11-4 of the Landmarking Ordinance, in order for a structure to be eligible for landmarking it must meet at least one of the applicable criteria listed under architectural, social or geographic/environmental significance.

Subsections (A)(1) through (3) of this Section read as:

1. *Landmarks and Landmark Sites. Landmarks or landmark sites shall meet at least one of the following:*
2. *Archaeological Sites. Archaeological sites shall meet one or more of the following:...*
3. *All properties proposed for designation as landmarks or landmark sites under this Chapter shall be evaluated for their physical integrity using the following criteria (a property need not meet all of the following criteria)...*

Staff evaluated the building and property based on Subsections 1 and 3, not section 2, (as this is not an Archaeological Site). Per the Town Attorney, the proposal need only comply with one-listed criteria in each applicable section, in this case 1 and 3. Staff believes that the historic Bakery, meets the established criteria for landmarking. Specifically, three items under the Landmarks and Landmark Sites sections and one item under the Physical Integrity section. They are:

- **Architectural:** (Per the Cultural Survey) *The Blue Front Grocery and Bakery building is historically significant, relative to National Register of Historic Places Criterion A, for its association with Breckenridge's evolution as a successful Colorado mining town during the late 1800s and early 1900s. The building is also architecturally significant, under National Register Criterion C, for its false-front facade and for its early, 1880, date of construction. Due to some loss of integrity - a garage door was cut into the facade in 1914 - the building is probably not individually eligible for listing in the National Register of Historic Places. The building, though, is eligible for local landmark designation by the Town of Breckenridge, and it may be considered a contributing property within the Breckenridge Historic District.*

This building's original historic integrity was diminished when a garage door was cut into the facade, reportedly in 1914. This alteration, though, is now nearly ninety years old and has achieved a level of historic significance in its own right. Otherwise, the building displays a very high level of integrity, relative to the seven aspects of integrity defined by the National Park Service and the Colorado Historical Society - location, setting, design, workmanship, materials, feeling and association.

Staff believes the structure (even with the proposed restoration) exemplifies specific elements of architectural style or period (Criteria 1.a (1)). Staff believes that the structure is of a style associated with the Breckenridge area. (Criteria 1.a (5)), and represents the early residential development in Breckenridge (Criteria 1.a. (6)).

- **Physical Integrity:** Staff believes that the structure shows character, interest, or value as part of the development, heritage, or cultural characteristics of the community, region, state, or nation (Criteria 3a.), as it represents early Breckenridge commercial activity.

We believe that the Commission should recommend to the Council to landmark the proposed development. According to the revised Section 9-11-3 B. 2, the process for which a structure can be landmarked is through a Class B Minor Development Permit. However, the request is included with this proposal. A finding has been added that the Planning Commission has recommended that the Town Council adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance. We welcome any Commissioner Comments.

Utilities Infrastructure (26/A & 26/R; 28/A): All necessary utilities are located in the adjacent ROWs. Staff has no concerns.

Point Analysis (Section: 9-1-17-3): At the time of this writing, we find that this application abides with all Absolute policies. Negative three (-3) points are suggested under Policy 6/R, Building Height, for the height overage. Positive six (+6) points are suggested under Policy 16/R for providing the heated mid-block connection and seating areas behind the building. Positive nine (+9) points are suggested for the restoration efforts of an above average public benefit. The resulting total for the Point Analysis is positive two (+2) points.

Staff Recommendation

With this submittal Staff believes that the key issues have been well addressed. Since part of this application is a new building in the District we believe some design standards can be relaxed. We have two questions for the Commission:

1. Does the Commission have any concerns with the use, location or quantity of the slate on the new building?
2. Does the Commission support awarding positive six (+6) points for the snow melted formal mid-block connection with lighting, separate patio/garden areas and separate covered patio area for deliveries?

We welcome any additional questions or comments. We have requested three motions associated with the approval of this project.

1. We ask the Commission to recommend to the Town Council that they adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance.
2. We recommend the Commission endorse the attached Point Analysis for the Blue Front Bakery Restoration, Landmarking and Redevelopment, PC#2007140, reflecting a passing score of positive two (+2) points.
3. Lastly, we recommend approval of the Blue Front Bakery Restoration, Landmarking and Redevelopment, PC#2007140, along with the attached Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Blue Front Bakery Restoration, Landmarking and Redevelopment	Positive Points		+15
PC#:	2007140	Negative Points		- 3
Date:	7/8/2008			
Staff:	Michael Mosher			
		Total Allocation:		+12
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		Conforms to suggested uses for this district
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	47 square feet or 2.64% over the suggested square footage - to be removed with final drawings as Condition of Approval
4/R	Mass	5x (-2>-20)		
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		Complies
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		Complies
5/R	Architectural Compatibility H.D. / Above Ground Density 12	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)	- 3	6" over suggested building height
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	Ridgeline and Hillside Development	Complies		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)	0	The pedestrian connection and a walkway to the restroom between the two buildings along the west property line is snow melted
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)	+6	A snow melted formal mid-block connection with lighting, separate patio/garden areas and separate covered patio area for deliveries

16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)	0	Credit for for 5 1/4 parking spaces in the Parking Service Area and 0.9 spaces will be purchased in the Service Area
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)		
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15	+9	Complete restoration of the bakery and the introduction of a larger building at the corner of Lincoln and Ridge Street,
25/R	Transit	4x(-2/+2)		
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		
46/A	Exterior Lighting	Complies		

TOWN OF BRECKENRIDGE

Blue Front Bakery Restoration, Landmarking and Redevelopment
114 Lincoln Avenue
Lot 40 Bartlett and Shock
PERMIT #2007140

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve this application with the following findings and conditions.

FINDINGS

1. The proposed project is in accord with the Development Code and does not propose any prohibited use.
2. The project will not have a significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives which would have less adverse environmental impact.
4. This approval is based on the staff report dated July 8, 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 July 15, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. If the real property which is the subject of this application is subject to a severed mineral interest, the applicant has provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. The Planning Commission recommends that the Town Council adopt an ordinance to Landmark the historic Blue Front Bakery based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires three years from date of issuance, on **July 22, 2011**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be three years, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.

5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.
6. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
7. 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. This development permit does not authorize any signage for the project. All signage will require a separate permit.

PRIOR TO ISSUANCE OF BUILDING PERMIT

9. Applicant shall submit proof of ownership of the project site.
10. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
11. Prior to issuance of a building permit, the final drawings reflect the total density not to exceed 1,728 square feet. If Staff deems the reduction in density impacts the architectural character of the building, the applicant shall process a Class C development permit to modify this permit.
12. Applicant shall contact the Town of Breckenridge and schedule a preconstruction meeting between the Applicant, Applicant's architect, Applicant's contractor and the Town's project Manager, Chief Building Official and Town Historian to discuss the methods, process and timeline for restoration efforts to the historic building(s).
13. An Improvement Location Certificate (ILC) from a Colorado registered surveyor showing the top of the existing historic buildings' ridge heights shall be submitted to the Town. An ILC showing the top of the existing buildings' ridge heights must also be submitted to the Town after construction activities, prior to the certificate of occupancy. The building is not allowed to increase in height due to the construction activities, other than what the Town has approved.
14. 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.
15. 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

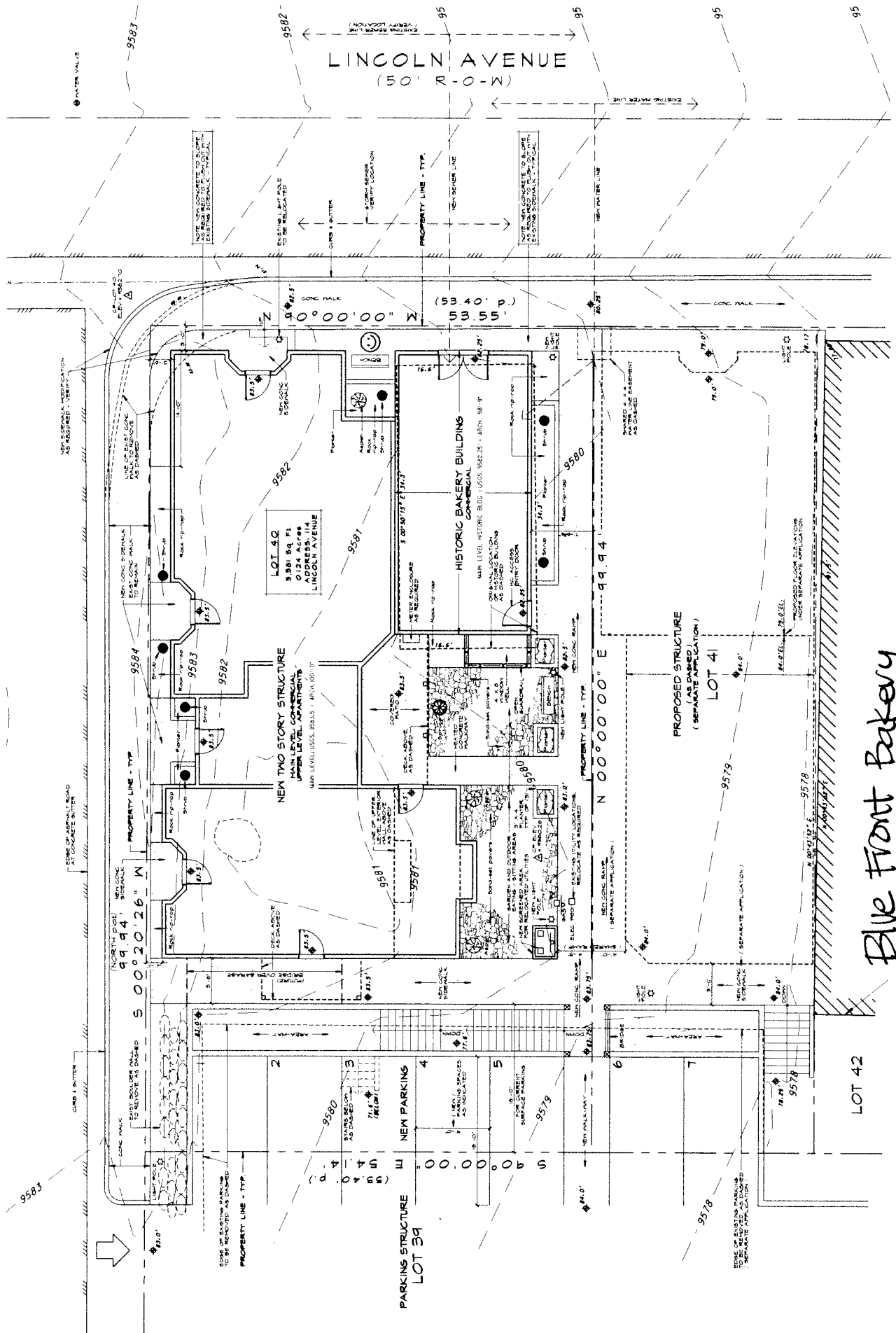
16. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.

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 use of the basement density for the project.
18. Applicant shall submit a 24"x36" mylar copy of the final site plan, as approved by the Planning Commission at Final Hearing, and reflecting any changes required. The name of the architect, and signature block signed by the property owner of record or agent with power of attorney shall appear on the mylar.
19. Applicant shall 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.
20. 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 snowmelt system for the property.
21. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
22. Applicant shall screen all utilities.
23. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
24. 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.
25. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.
26. 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.

27. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
28. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

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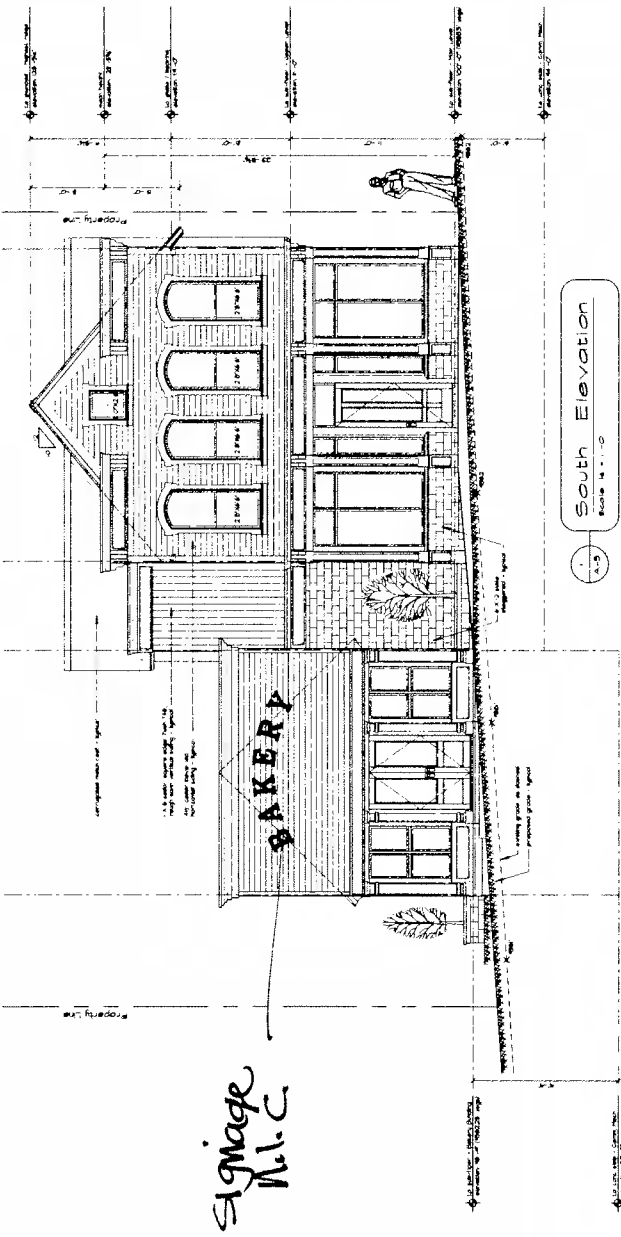
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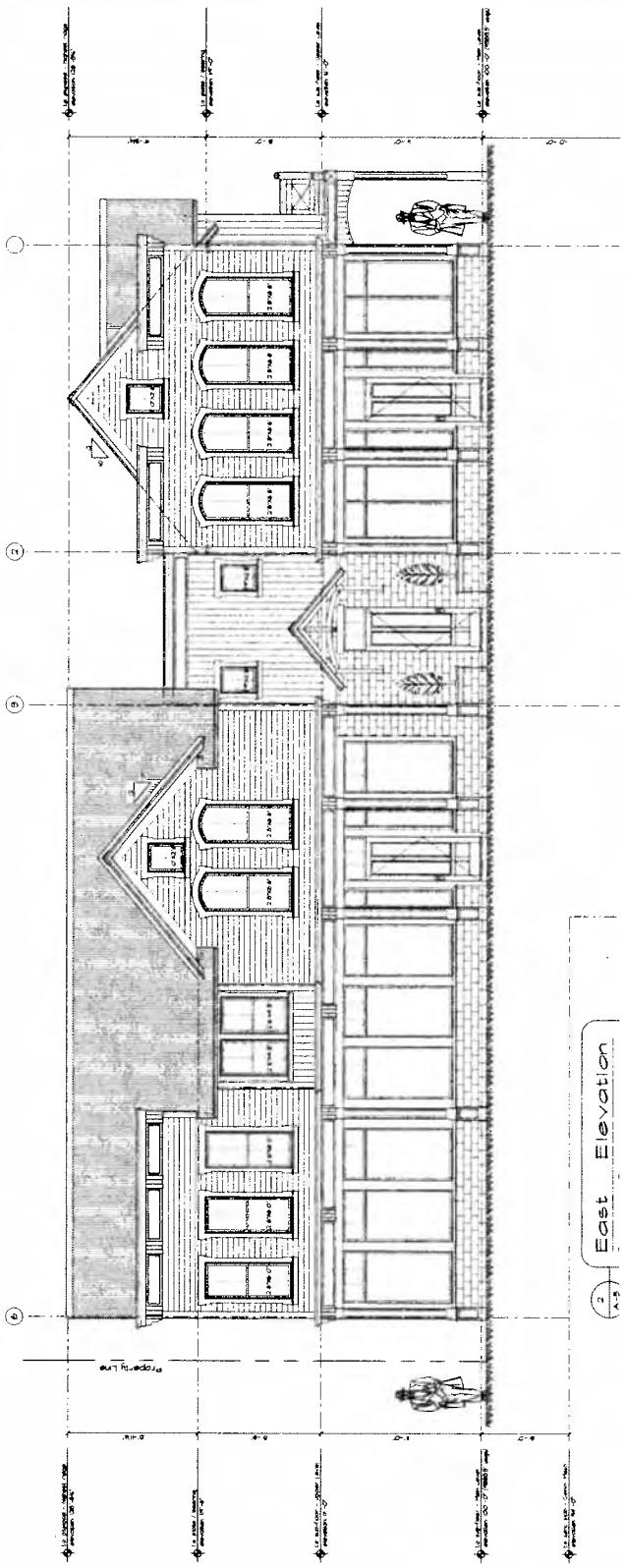
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 Edward R. Crawford, AIA
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Exterior Elevations
 South & East
 Scale: 1/4" = 1'-0"
 Date: 07-10-2008

BLUE FRONT BAKERY
 114 LINCOLN AVENUE
 BRECKENRIDGE, COLORADO
 LOT 40, BARTLETT AND SHOCK ADDITION



*Signage
M.I.C.*



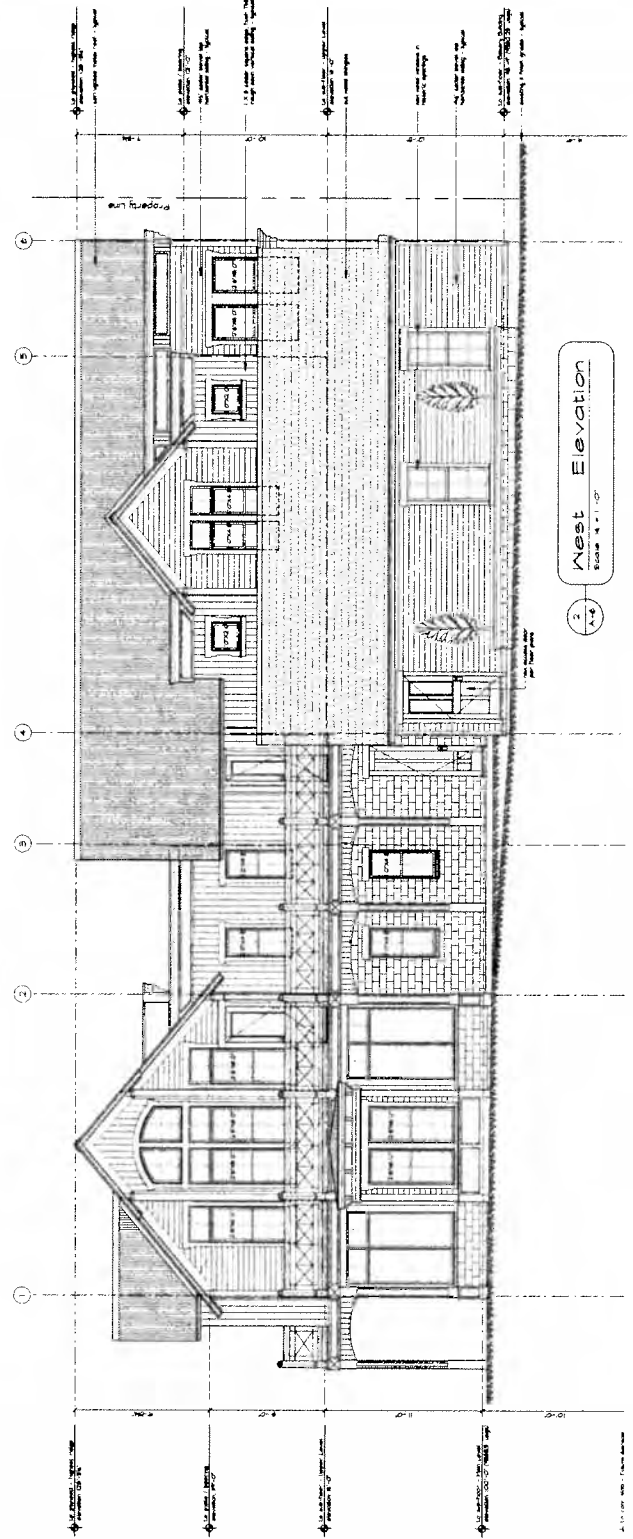
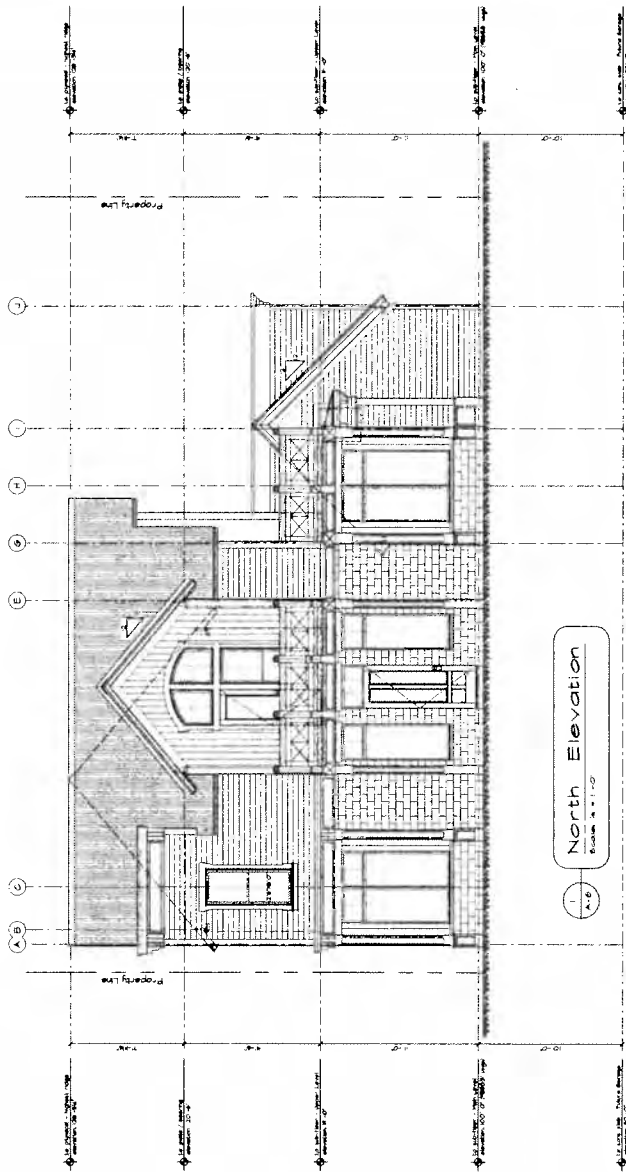
Blue Front Bakery

BLUE FRONT BAKERY
 # 114 LINCOLN AVENUE
 BRECKENRIDGE, COLORADO
 LOT 40, BARLETT AND SHOCK ADDITION

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Blue Front Bakery