

Town of Breckenridge
Planning Commission Agenda
Tuesday, April 1, 2008
Breckenridge Council Chambers
150 Ski Hill Road

7:00 ***Call to Order of the April 1, 2008 Planning Commission Meeting; 7:00 p.m. Roll Call
Approval of Minutes March 18, 2008 Regular Meeting
Approval of Agenda***

7:05 ***Consent Calendar***
1. Revetts Landing, Lot 7 (CK) PC#2008030
233 Campion Trail
2. Gurlea Residence (JS) PC#2008031
398 Highlands Drive

7:15 ***Combined Hearings***
1. Partridge Residence (CK) PC#2008029
215 Highland Terrace
2. Grand Lodge on Peak 7: Modifications to the Peaks 7 and 8 Master Plan (CN & MM)
PC#2008033, 1979 Ski Hill Road

8:45 ***Preliminary Hearings***
1. Peak 8, Building 804 (MM) PC#2008032
1521 Ski Hill Road

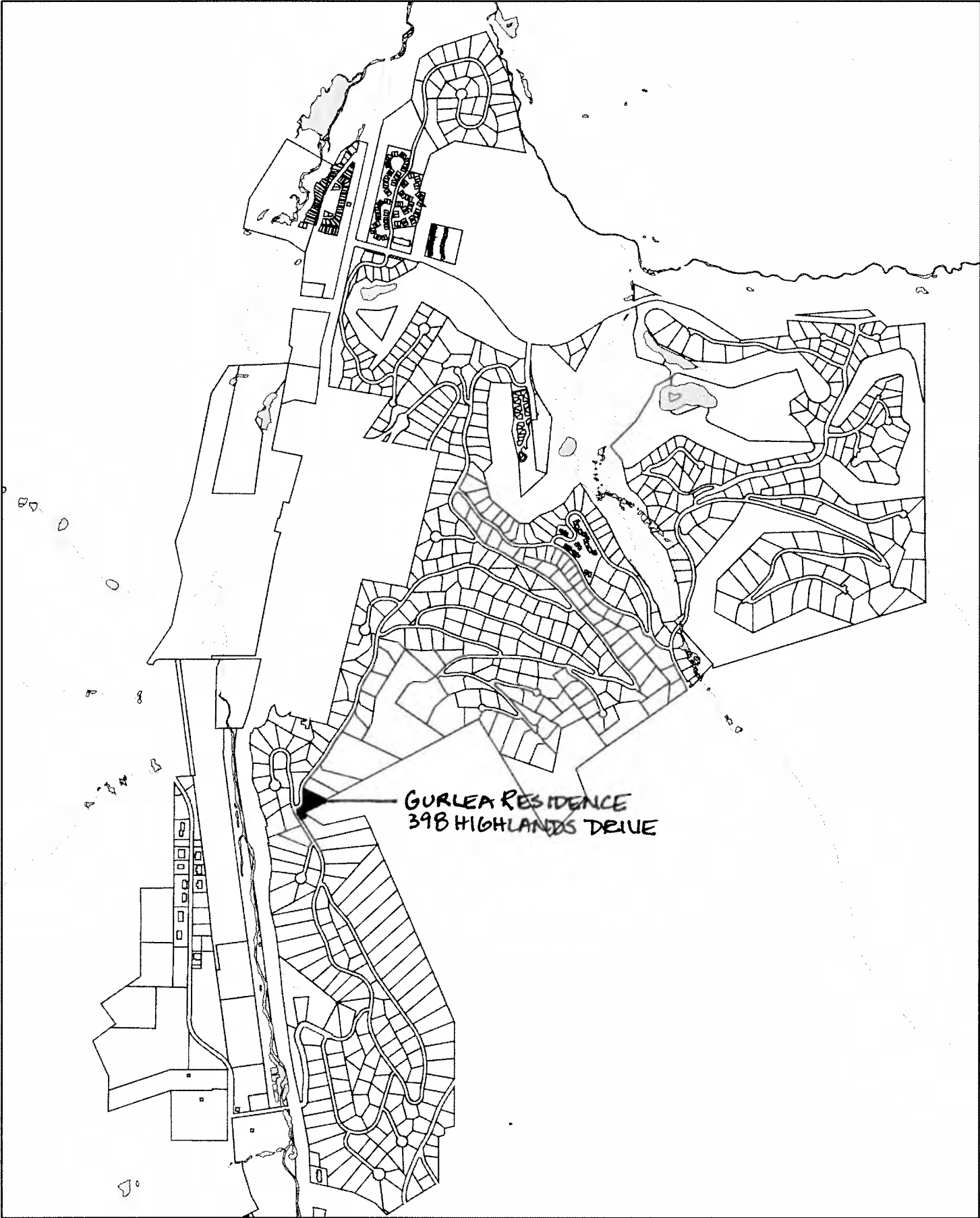
10:15 ***Town Council Report***

10:25 ***Other Matters***

10:30 ***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.*



GURLEA RESIDENCE
398 HIGHLANDS DRIVE

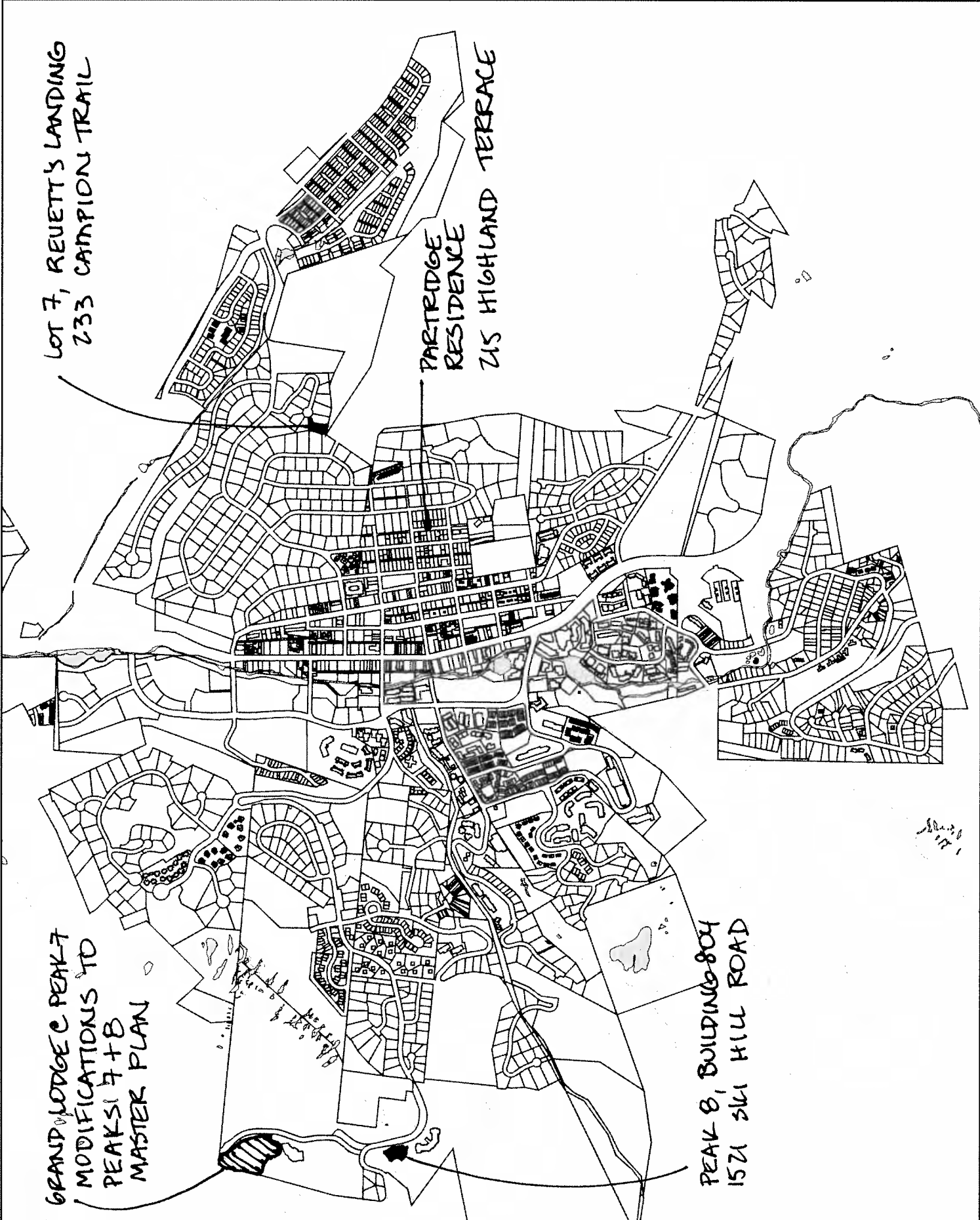


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Breckenridge North

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LOT 7, REUETT'S LANDING
233 CAMPION TRAIL

PARTRIDGE
RESIDENCE
215 HIGHLAND TERRACE

GRAND LODGE C PEAK 7
MODIFICATIONS TO
PEAKS 7 + 8
MASTER PLAN

PEAK 8, BUILDING 804
1521 SKI HILL ROAD



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Breckenridge South

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PLANNING COMMISSION MEETING

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

ROLL CALL

Michael Bertaux

Rodney Allen

Mike Khavari

Dave Pringle

Sean McAllister (arrived @ 7:03pm)

John Warner and Peter Joyce were absent.

APPROVAL OF MINUTES

Page 6 of 87: Mr. Allen asked to clarify his remarks on the Stan Miller Master Plan. Should state “could applicants come back to request more density in the future? Staff pointed out yes, but a master plan modification would be needed.”

With one change as noted above, the minutes of the March 4, 2008 Planning Commission meeting were approved unanimously (4-0).

APPROVAL OF AGENDA

With no changes, the agenda for the March 18, 2008 Planning Commission meeting was approved unanimously (5-0).

CONSENT CALENDAR:

1. McKennie Residence (MGT) PC#2008027; 92 Dyer Trail
2. Beaver Run Summer Function Tent (CK) PC#2008025; 620 Village Road
3. Sill Residence (CK) PC#2008026; 67 Rounds Road
4. Sunset Condo Remodel (CK) PC#2008028; 450 Four O'clock Road
5. Shores Duplex, Lots 30A & B (MM) PC#2008022; 279 & 295 Shores Lane

With no motions, the consent calendar was approved unanimously (5-0).

FINAL HEARINGS:

1. Lot 2, Block 7, Yingling & Mickles (CN for MGT) PC#2008002; 102 South Harris Street

Mr. Neubecker presented a proposal on behalf of Mr. Thompson to construct a new single-family residence with a two car garage. Applicant also proposed to do some historic preservation on the sheds near the alley and obtain a variance from the required rear yard setback.

Staff found that the proposal warranted negative nine (-9) points for encroaching on both side yard and the rear yard setbacks, and another negative three (-3) points for exceeding 9 UPA Above Ground Density (proposed at 9.2 UPA, Policy (5/R) points assessed for 9.01 - 9.50 above ground UPA received negative three (-3) points), for a total of negative twelve (-12) points. Staff recommended positive four (+4) points for the landscaping plan, positive two (+2) points for putting the driveway and garage at rear, and positive six (+6) points for restoration of the two sheds. This would result in a passing total point analysis of zero (0).

Staff recommended the Planning Commission approve the Hastings Residence, PC#2008002, Lot 2, Block 7, Yingling & Mickles, located at 102 South Harris Street with the presented Findings and Conditions.

Ms. Janet Sutterley, Architect: Reviewed changes since last meeting. House moved to the west by 18 inches. The sheds will be used for storage and not apartments. Regarding preservation of vistas, this does not apply to this particular home. The code encourages assess from the alley. Showed another version of garage that could be approved with no negative points, but would have blocked view even more. Garage is below height limit.

Mr. Khavari opened the hearing for public comment. There was no public comment and the hearing was closed.

Commissioner Questions/Comments:

- Mr. Pringle: Changes made are appreciated. This project is compatible with development to the north. I understand the views that were enjoyed by the neighbors, but the applicant has a right to develop the property, and it follows the design guidelines. Unfortunately, the views that were enjoyed for years will now be developed. The restorations to the sheds are positive. Agreed with landscaping points assigned.
- Mr. McAllister: Sought clarification from staff regarding views. (Staff pointed out policies addressing views, in policy 6 and 7.) The code doesn't specify situations like this application. Code does not have mandatory view preservation. Point analysis was acceptable.
- Mr. Bertaux: Agreed with others. Project is approvable by point analysis. Additional parking space in front of garage doors is not restricted. Yes, it will have some impact on the use of the alley. There would be a big change to the neighbors but the code allows for the change. This is a good-looking building that respects adjoining properties. Landscaping points assigned are acceptable. This is a good addition to the historic district.
- Mr. Allen: Agreed with Mr. Pringle's comments. Landscaping proposal is acceptable as proposed, as well as points assigned. No need to increase landscaping size for points.
- Mr. Khavari: Simple architecture with adequate landscaping. Vistas are important and the applicant has taken it upon themselves to protect the neighbors view to the best of their ability. Ok with garage on the alley. Ok with the connector element. Ok with landscaping as proposed. Vistas are important, but Ms. Sutterly has done what she could with the design.

Mr. Pringle made a motion to approve the point analysis for the Hastings Residence (Lot 2, Block 7, Yingling & Mickles), PC#2008002, 102 South Harris Street. Mr. McAllister seconded, and the motion was carried unanimously (5-0).

Mr. Pringle made a motion to approve the variance request for the Hastings Residence (Lot 2, Block 7, Yingling & Mickles), PC#2008002, 102 South Harris Street. Mr. McAllister seconded, and the motion was carried unanimously (5-0).

Mr. Pringle made a motion to approve the Hastings Residence (Lot 2, Block 7, Yingling & Mickles), PC#2008002, 102 South Harris Street, with the findings and conditions as proposed by the staff. Mr. McAllister seconded, and the motion was carried unanimously (5-0).

PRELIMINARY HEARINGS:

1. Maggie Placer Development (MM) PC#2008024; 9525 CO State Highway 9

Mr. Mosher presented a proposal to develop the Maggie Placer property with 18 deed/equity permanently restricted housing units in the form of condominiums. Pursuant to the Annexation Agreement, there shall be 6 one-bedroom Restricted Units, 8 two-bedroom Restricted Units, and 4 three-bedroom units. All parking for the units is surface spaces placed south of the building.

Staff has been working with John Springer, of Springer Development, and John M. Perkins, AIA, of JMP Architects to present a proposal to the Planning Commission regarding the development of the recently annexed Lot 6, Tract 7-77, Section 06, Quarter 2, Maggie Placer, MS#1338, (Maggie Placer Development). 82% of the proposed units would be permanently affordable (this application) and the remaining four market units would be cluster single-family homes (separate applications). The permanently affordable rate is set at 80% AMI to 115% AMI. All of the affordable housing would be constructed prior to the sale of the four market rate lots. This development would not be phased.

This proposal is off to a good start and, with the small lot, had obtained 82% of the units as permanently affordable. The cluster home sites and subsequent development of the homes will be reviewed as separate Class C applications after the subdivision is processed. Staff did have concerns with the overall building height and expected revisions for the next hearing. The Planning Department recommended this application return for a second review. Staff is working with the Town and County engineers to improve access off of Highway 9 to avoid flow through the Ski and Racquet Club driveway. Additional trees are proposed along east side to add buffers.

Staff requested Commissioner comments on the site buffering and any other aspects of this application.

John Springer, Springer Development (Applicant): Trying to break even on this project. Wanted to develop a quality project. Larger than average units with 9-foot tall ceilings. Willing to bring ceilings down to 8 foot if need be to address building height. These units will have gas radiant heat and will have high-end finishes. Regarding Ski and Racquet concerns, he explained his interpretation to the Commission and pointed out the improvements he felt would be made to the intersection and access points. Had not contacted neighbors yet as the design was just reviewed by the engineers.

Mr. Khavari opened the hearing to public comment.

George Grill (The Corral HOA): Drainage at the north end of the site is a concern since the Corral is directly downhill. Didn't want to see water from the hard surface areas of this development being channeled off-site to the Corral. Concerned about the setback from Highway 9 and the need for a provision for a footpath down into downtown to avoid trespassing through the Corral property. (Staff noted that there is already a Town sidewalk built along Highway 9. The existing trespass is from the Ski and Racquet Club tenants.)

Dan Olmer (Agent for Ski and Racket): Concerned about access to the site from Highway 9. He felt communications haven't been open between the HOA of Ski and Racquet and the developer. We sent a letter to the developer requesting a meeting, but have not heard back. The parking for the number of units proposed is insufficient. Open storage for "toys" is another problem he foresees. There is not enough space for either parking or storage.

Jan Bowman (Director with Ski and Racket): Was totally opposed to this application. Regarding access onto the highway, it is already a mess now and increased usage would only worsen the situation. The drainage pond is a terrible mosquito breeding ground. A sewer drain would help this problem. Two thirds of the units in Ski and Racquet are owner occupied. There are already too many cars trying to access Highway 9. Ski and Racquet is totally opposed to allowing any access via the existing curb cut along Highway 9 for this project. Project accesses site through Ski and Racquet property, but permission has not been granted. Access was granted to Allair Timbers.

Norman Stein (Director with Ski and Racket): Suggested other access points should be considered.

There was no more public comment and the hearing was closed.

Commissioner Questions/Comments:

Mr. Pringle: Are we able to sustain the buffers on the north or backside? (Staff explained yes, they would be sustained.) Nice architecture. Access to the driveway needs to be worked out. Access could be from Highway 9, but that would make matters worse. Parking and storage should be bumped up if possible. Height overage needs to be addressed. Consider snowmobile and other toy parking on-site if possible, as these are always a problem. Consider adding guest parking. The four single-family lots should be considered and discussed further.

Mr. McAllister: Agreed with Mr. Pringle. Snow storage will be dealt with in detail later but will there be any issues? (Staff felt comfortable with snow storage to be addressed later.) Salute you for trying to make the site work for employee housing. This is an aggressive program for a small piece of property. Extra on-site storage is a concern. Will the proposed indoor storage be sufficient? Extra parking will also be a concern. Glad to see the design conform to the Ridgeline Development recommendations. Site drainage and subsequent impacts needs to be addressed. Work to avoid future lawsuit with neighbors. Circulation is key to address. Eager to hear solutions to Commission's and neighbor's concerns.

Mr. Bertaux: Sought clarification for next meeting regarding the detention pond. (Staff discussed options.) Sought clarification regarding square footage for the different types of units and number of bedrooms. (Mr. Springer: 1-bedrooms are 786 sq. ft., 2-bedrooms are 1,114 sq. ft. and 3-bedrooms are 1,614 sq. ft.). Storage is a concern; are there additional storage areas? (Mr. Mosher: no.) Work on height issues with staff. Must be convinced circulation and site access issues are resolved with neighbors. Parking lot needs more landscaping and buffering, looks too tight. May need to add guest parking. Need to solve access problems. Needs more landscaping for buffers. Maybe spray the lodgepole trees so they will survive in the future. Mr. McAllister said the site plan was "aggressive"; I would say it is "tight". Address drainage issues Mr. Grill discussed.

- Mr. Allen: Agreed with comments made. Sought clarification regarding whether or not this application would need to comply with the new landscaping policy. (Mr. Mosher: explained the applicant would not be required to follow the new policy because their application was submitted prior to policy revisions.) Sought clarification regarding height. (Staff addressed height policy.) Efforts applauded for affordable housing on such a tight site. Height must conform to Code. Floor plans are generous and 9-foot ceilings are great; try to keep them and knock them down only where needed to address height. Buffering and visual impact is a concern around the site; but won't put much weight into existing lodgepole pine forest. Trail or sidewalk plans would be appreciated. Parking, although meeting Code, might be insufficient and overflow parking is encouraged, as it would help with guests. The legal access needs to be sorted out.
- Mr. Khavari: Agreed with all comments mentioned. The applicant needs to talk to Ski and Racket and work things out. Generous square footage is very nice.

WORKSESSIONS:

1. Solar Panels (JS)

Ms. Skurski presented a memo and first draft on the solar panel policy for buildings within and outside of the Conservation District.

The topic of solar panels on historic structures is on the Planning Commission's Top Five list. With a greater emphasis on renewable energy, Staff foresaw that applications for solar panels would increase in the future. There are no standards in the current Development Code that would specifically prohibit this; therefore, Staff has allowed the use of solar panels both inside and outside of the Conservation District. This policy would serve as a guideline to where solar panels would be appropriately placed on structures or sites. Staff drafted a policy based on Commissioner comments and concerns for structures and sites within and outside of the Conservation District. Staff would like to get Commissioner comments on the drafted policy.

Staff had presented this topic as a worksession item to the Commission on February 12. The following bullet points summarize the direction given from that previous worksession:

- Do not change the slope of the existing roofline.
- Permit panels on the non-primary elevation.
- Distinguish new construction from historic structures.
- Include detached site arrays in criteria.
- Panels must not damage the historic roof or structure.

Commissioner Questions/Comments:

- Mr. Pringle: Historic fabric is of primary concern; the historic character should always take precedence. It should be a compatible color. There may be some instances where panels may not be allowed if impacts to the historic character are too great via stark color contrast or would reduce the rating of the house. (Ms. Skurski stated that technology will ultimately evolve and may allow for better, less obtrusive and less visual applications in the future.) The roof color should be considered for new construction to blend. Research wind power along with solar panels.
- Mr. Bertaux: Would like a percentage limit of the roof to be covered by panels, such as 50%. Pictures of various applications and a material sample would help. Include language which would not allow for a stark contrast.
- Mr. Allen: If it is new construction, the roof should match the color of the panels but if it is not a new roof, the color should be complimentary. Regarding paragraph A: with a single pitch, would a panel be approved? (Ms. Skurski stated that a definition for non-primary elevation could be added.) Sought clarification regarding replacing historic windows beyond repair with solar windows.
- Mr. McAllister: If panels are used, the colors of the panels and the roof should match. Might not be approved if the panels are contrasting. The historic character is the first concern.
- Mr. Khavari: It's amazing how windows can be repaired to make them efficient; it's expensive but works well. Liked the first paragraph, but would strengthen it even more to justify saying no if it doesn't work for the site.

TOWN COUNCIL REPORT:

Dr. Warner was absent; therefore, there was no Town Council report.

OTHER MATTERS:

None.

ADJOURNMENT:

The meeting was adjourned at 9:16p.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 March 27, 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 April 1, 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 October 7, 2009, 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)



Class C Development Review Check List

Project Name/PC#: Level One Residence PC#2008030
Project Manager: Chris Kulick
Date of Report: March 13, 2008 For the April 1, 2008 Planning Commission Meeting
Applicant/Owner: Level One LLC
Agent: Robbie Dickson - Equinox Architecture
Proposed Use: Single-Family Residential
Address: 233 Campion Trail
Legal Description: Lot 7, Revett's Landing
Site Area: 25,643 sq. ft. 0.59 acres
Land Use District (2A/2R): 1 SFE per Lot per Revett's Landing Subdivision Plat - previously in LUD 13- Service Commercial (1:15 FAR) or Residential (2 UPA); LUD 1- Low Density Residential, Recreational (1 unit/10 acres)
Existing Site Conditions: The lot slopes downhill from south to north at an average of 7%. The site is sparsely covered with lodgepole pine trees. A drainage easment runs along a portion of southern edge of the property line.

Density (3A/3R): Allowed Unlimited Proposed: 3,997 sq. ft.
Mass (4R): Allowed Unlimited Proposed: 4,772 sq. ft.
F.A.R.: 1:5.37 FAR
Areas:
Lower Level: 1,609 sq. ft.
Main Level: 2,388 sq. ft.
Upper Level:
Accessory Apartment:
Garage: 775 sq. ft.
Total: 4,772 sq. ft.

Bedrooms: 5
Bathrooms: 5.5
Height (6A/6R): 34 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 4,350 sq. ft. 16.96%
Hard Surface / non-Permeable: 2,442 sq. ft. 9.52%
Open Space / Permeable: 18,851 sq. ft. 73.51%

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

Snowstack (13A/13R):
Required: 611 sq. ft. (25% of paved surfaces)
Proposed: 1,400 sq. ft. (57.33% of paved surfaces)

Fireplaces (30A/30R): Three - gas fired
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" x 12" spruce horizontal lap siding, 1 x 4 over 1 x 10 board and batten siding, shake shingle siding accents, and natural sandstone base.

Roof:

Composite shingles and non-reflective corrugated metal.

Garage Doors:

Wood Clad

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	4	2 @ 6 feet tall and 2 @ 8 feet tall
Aspen	18	1-1.5 inch caliper - 50% of each and 50% multi-stem

Drainage (27A/27R):

Positive away from structure.

Driveway Slope:

6 %

Covenants:

Standard Landscaping Covenant

Point Analysis (Sec. 9-1-17-3):

An informal point was conducted for this proposed residence and no positive or negative points are warranted.

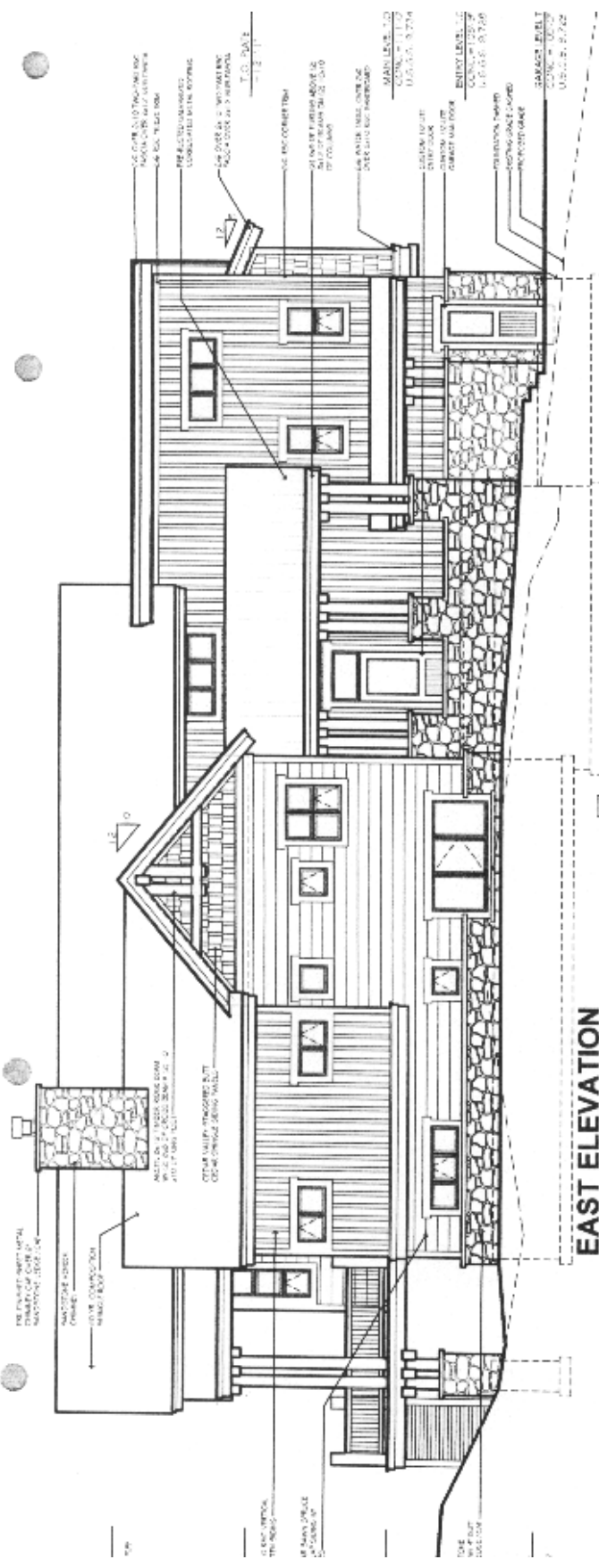
Staff Action:

Staff has approved the Level One Residence, PC#2008030, located at 233 Campion Trail, Lot 7, Revett's Landing, with the standard findings and conditions.

Comments:

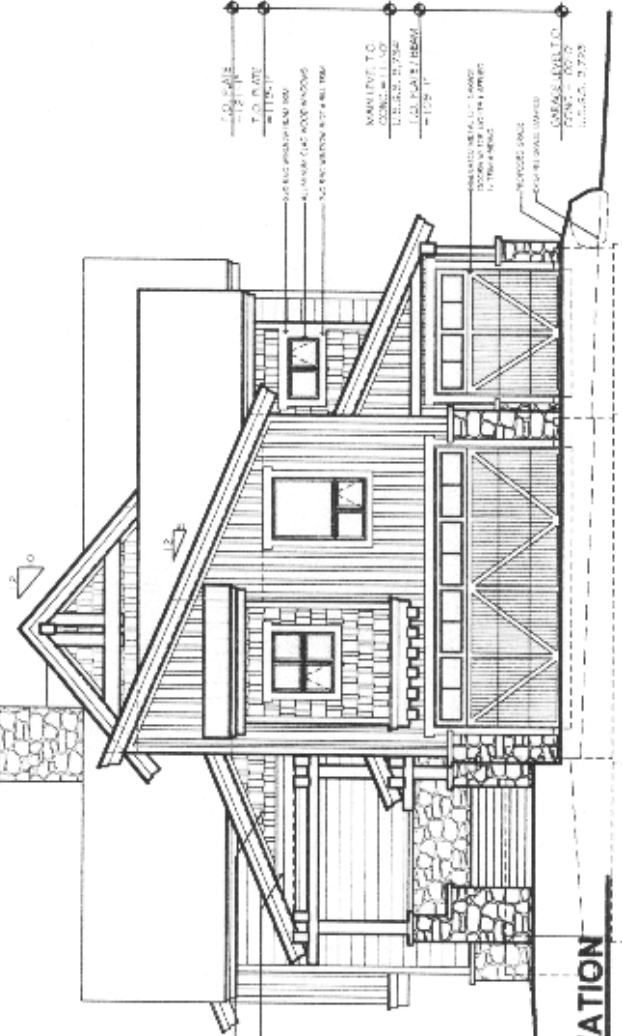
Additional Conditions of

Approval:



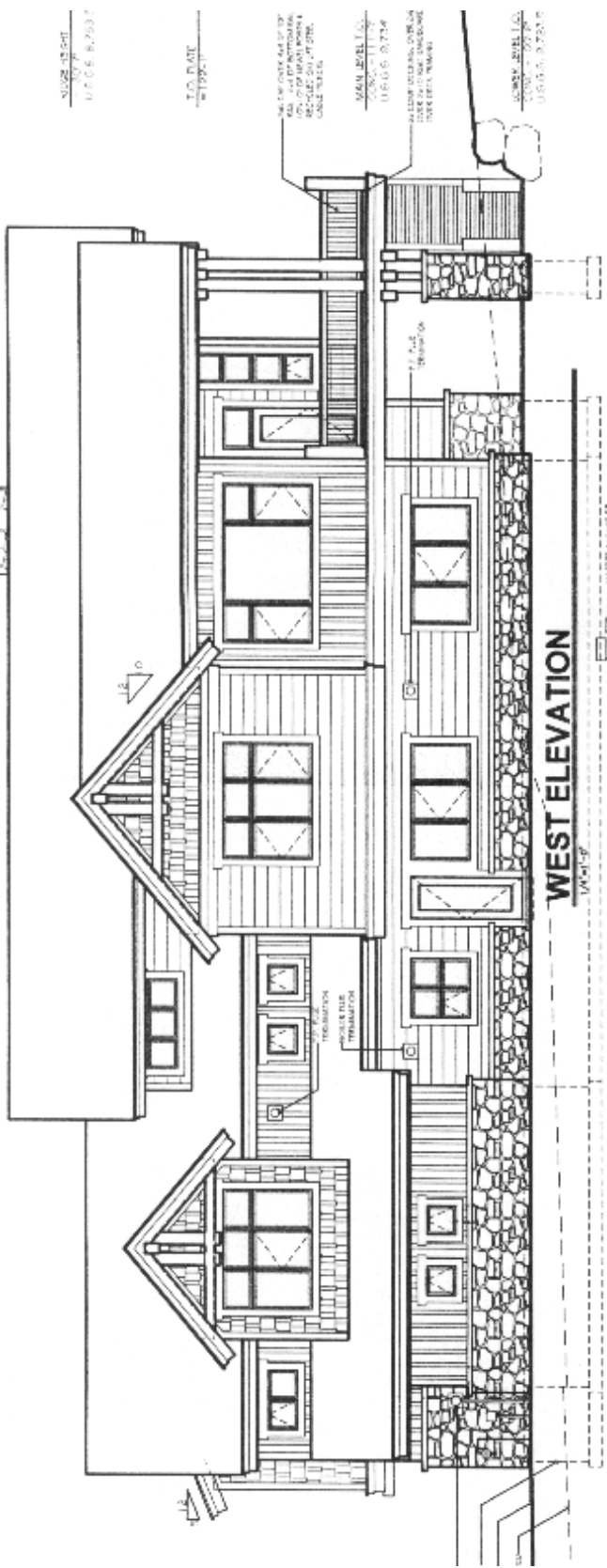
EAST ELEVATION
1/4" = 1'-0"

FINISH FLOOR T.O.
 U.S.C.S. 3.757.75
 FINISH CEILING T.O.
 U.S.C.S. 3.757.75
 FINISH BASE T.O.
 U.S.C.S. 3.757.75

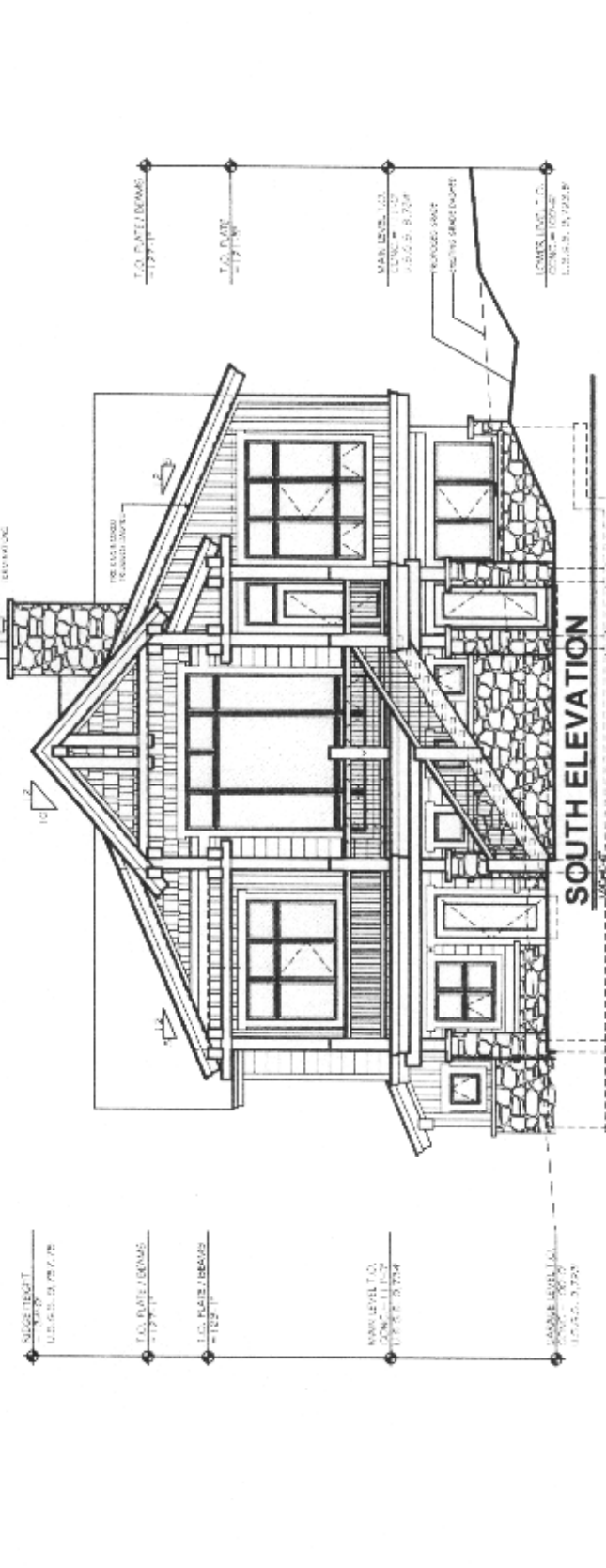


NORTH ELEVATION
1/4" = 1'-0"

FINISH FLOOR T.O.
 U.S.C.S. 3.757.75
 FINISH CEILING T.O.
 U.S.C.S. 3.757.75
 FINISH BASE T.O.
 U.S.C.S. 3.757.75



WEST ELEVATION



SOUTH ELEVATION



Class C Development Review Check List

Project Name/PC#: Gurlea Residence PC#2008031
Project Manager: Julia Skurski, AICP Planner II
Date of Report: March 21, 2008 for meeting of April 1, 2008
Applicant/Owner: Doug and Twyla Gurlea
Agent: Tim Sabo, Allen-Guerra Design Build
Proposed Use: Single Family
Address: 398 Highlands Drive
Legal Description: Lot 144, Highlands Filing 5
Site Area: 68,389 sq. ft. 1.57 acres
Land Use District (2A/2R): 6: Subject to the Delaware Flats Master Plan
Existing Site Conditions: This lot, located at the bend in Highlands Drive, near Fletcher Court, is up sloping at a rate of 18% across the building envelope. There is a public trail and drainage easement which runs along the southeast section of the site, varying in width between 25' and 12.5'. There are a majority of medium sized lodge pole pine trees on the site.

Density (3A/3R): unlimited Proposed: 7,324 sq. ft.
Mass (4R): unlimited Proposed: 8,150 sq. ft.
F.A.R.: 1:8.39 FAR
Areas:
Lower Level: 3,289 sq. ft.
Main Level: 3,495 sq. ft.
Upper Level: 540 sq. ft.
Accessory Apartment:
Garage: 826 sq. ft.
Total: 8,150 sq. ft.

Bedrooms: 7
Bathrooms: 7
Height (6A/6R): 31 feet overall
(Max 35' for single family outside Historic District)

Lot Coverage/Open Space (21R):
Building / non-Permeable: 5,679 sq. ft. 8.30%
Hard Surface / non-Permeable: 5,761 sq. ft. 8.42%
Open Space / Permeable: 56,949 sq. ft. 83.27%

Parking (18A/18/R):
Required: 2 spaces
Proposed: 3 spaces

Snowstack (13A/13R):
Required: 1,440 sq. ft. (25% of paved surfaces)
Proposed: 1,440 sq. ft. (25.00% of paved surfaces)

Fireplaces (30A/30R): Five-Gas fired; 1 EPA II wood-burning

Accessory Apartment: None

Building/Disturbance Envelope? Building envelope

Setbacks (9A/9R):
Front: within building envelope
Side: within building envelope

Side: within building envelope
Rear: within building envelope

Architectural Compatibility (5/A & 5/R): This proposed residence will be architecturally compatible with the general design criteria for the neighborhood.

Exterior Materials: Natural stone base and chimneys; Horizontal pine lap siding; vertical cedar board siding.

Roof: Asphalt composite shingle in "Barkwood" and corrugated metal in bronze color.

Garage Doors: Cedar sided

Landscaping (22A/22R):

Planting Type	Quantity	Size
Colorado Spruce	21	50% 10' height; 50% 12' height
Aspen	41	50% 2" caliper; 50% 3" caliper
Evergreen Shrubs	14	10 gallon
Deciduous Shrubs (lg.)	16	7 gallon
Deciduous Shrubs	83	5 gallon

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

Driveway Slope: 8 %

Covenants:

Point Analysis (Sec. 9-1-17-3): An informal point was conducted for this proposed residence and -4 points were assessed under policy 7R: *Site and Environmental Design*. Under this policy, driveways are encouraged to work efficiently with the existing topography rather than requiring excessive site disturbance. Additionally, +4 points were assessed under 22R: *Landscaping* for providing an above average landscaping plan in numbers and sizes. Overall the Gurlea Residence has a passing score of 0 points.

Staff Action: Staff has approved the Gurlea Residence, PC#2008031 at 398 Highlands Drive with the standard findings and conditions.

Comments:

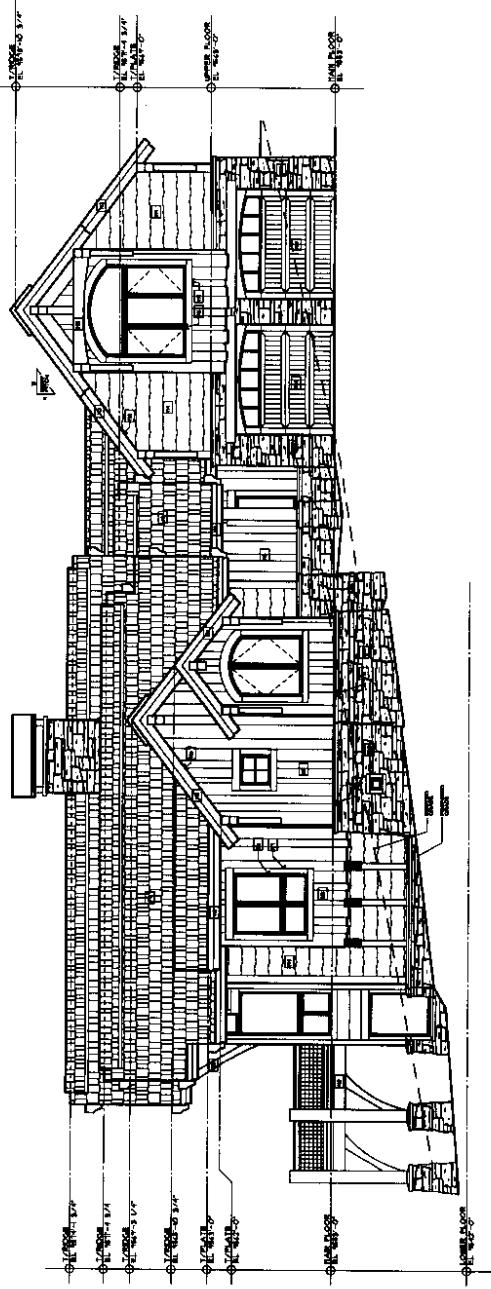
Additional Conditions of Approval:

A7

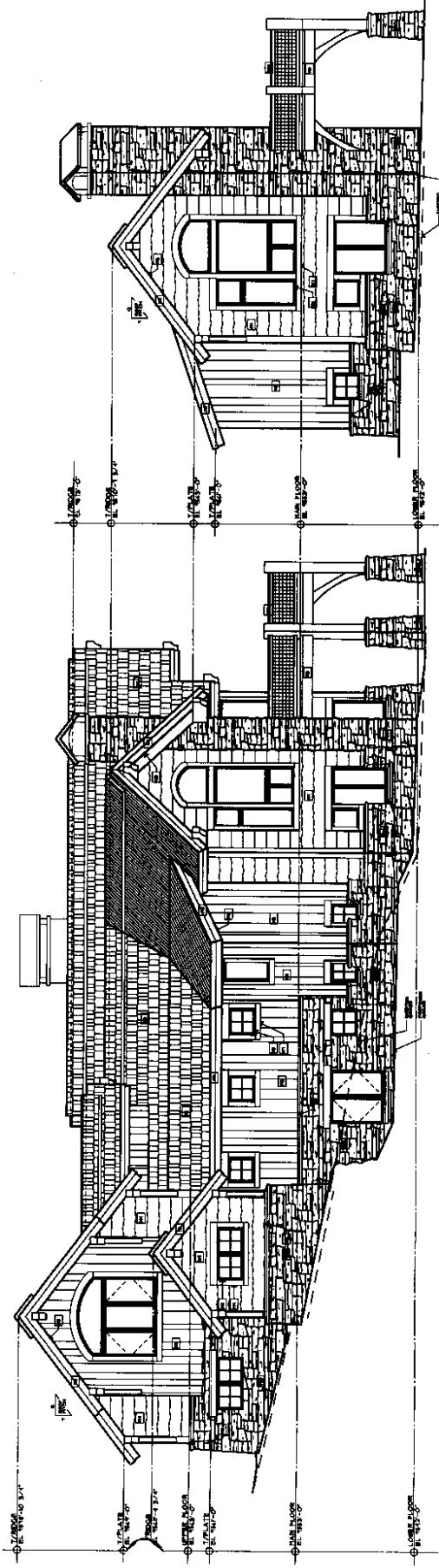
DATE	
REVISION	
DATE	
REVISION	
DATE	
REVISION	

GURLEA RESIDENCE
 LOT 144, THE HIGHLANDS AT BRECKENRIDGE, FILING 5
 BRECKENRIDGE, COLORADO

CONTACT AN ARCHITECT FOR MORE INFORMATION REGARDING VISITING ARCHITECTS



SOUTH ELEVATION



NORTHWEST ELEVATION AT BEDROOM 2

NORTH ELEVATION

Planning Commission Staff Report

Project Manager: Chris Kulick

Date: March 10, 2008 (For meeting of April 1, 2008)

Subject: Partridge Residence, PC#2008029
(Combined Hearing, Class B Major)

Owner: Tom Partridge

Architect: Marc Hogan - Baker, Hogan, Houx

Proposal: A request to construct a new single family residence within the Conservation District, with five bedrooms, four full bathrooms, a living room, dining room, kitchen, one gas-burning fireplace and a three car garage. Natural exterior materials are proposed, including: 1x6 horizontal siding, cedar fascia and trim, natural "Farmer Brown" stone veneer, wood sided garage doors, and composite shingled roofs. A material and color sample board will be available for review at the meeting.

Address: 215 Highland Terrace

Legal Description: Lot 13, Block 11, Yingling and Mickles Addition

Site Area: .092 acres (3,999 sq. ft.)

Land Use District: 17 - Residential: Single Family or Duplex - 11UPA

Character Area: East Side Residential Transition, #12 (transition area standards not yet adopted)

Site Conditions: The site slopes uphill from Highland Terrace at a rate of approximately 22%. The site was previously disturbed for the construction of a house that was destroyed by fire late October of 2006. No mature trees exist onsite and there are no recorded easements on the property.

Adjacent Uses: North: Lot 14, Block 11, Yingling and Mickles Addition – 4,293 SF
South: Lot 12, Block 11, Yingling and Mickles Addition – 2,104 SF
East: Lot 4, Block 11, Yingling and Mickles Addition – 2,752 SF
West: Lot 20 & 21, Block 11, Yingling and Mickles Addition - Vacant

Density:

Allowed under LUGs:	1,616 sq. ft.
Previous density:	2,334 sq. ft.
Proposed Density:	2,334 sq. ft.

Mass:

Allowed under LUGs:	1,939 sq. ft.
Previous mass:	2,620 sq. ft.
Proposed Mass:	2,620 sq. ft.

F.A.R.	1:1.5	
Total:	Lower Level:	212 sq. ft.
	Main Level:	1,247 sq. ft.
	Upper Level:	875 sq. ft.
	Garage:	286 sq. ft.
	Total:	2,620 sq. ft.
Height:	Maximum allowed:	35'
	Proposed:	28'
Lot Coverage:	Building:	1,768 sq. ft. (44 % of site)
	Hard Surface:	484 sq. ft. (12 % of site)
	Open Space:	1,747 sq. ft. (44 % of site)
Parking:	Required:	2 spaces
	Proposed:	3 spaces (in garage)
Snowstack:	Required:	121 sq. ft. (25%)
	Proposed:	136 sq. ft. (28%)
Setbacks:	Recommended:	
	North (side): 5'	South (side): 5'
	East (front): 15'	West (rear): 15'
	Proposed:	
	North (side): 5'	South (side): 5'
	East (rear): 10'	West (front): 15'

Item History

The Partridge Residence was originally constructed in 1980 on a 50' x 105' lot. Shortly after the home's completion in 1981 the town acquired 50' x 25' pieces of land from all properties along the eastern edge of Highlands Terrace in order to bring the road up to Town standards. This land acquisition reduced the size of Lot 13 to 50' x 80'.

As mentioned above in the staff report, the original Partridge Residence was completely destroyed by fire in late October 2006. At the time of its destruction the Partridge Residence was a legal non-conforming structure, as are all of the remaining structures on the eastern side of Highland Terrace. Prior to the fire, the home on Lot 13 had 2,334 square feet of density and 2,620 square feet of mass. Under the current regulations of Land Use District 11 a maximum of 1,616 square feet of density and 1,939 square feet of mass are recommended. No information is available on height or setbacks of the structure prior to the fire. The size of the previous house fit in well with general size and character with other homes in the neighborhood. The fire was determined to be accidental in nature and not deliberately set.

On August 2, 2007 a Planning Commission worksession was held with the applicants to discuss relevant issues involved with re-building a legal non-conforming structure. The majority of the Planning Commission supported the applicants being able to return to their original density and mass based on the regulations of *9-1-12 Non-Conforming Structures* section *E.* of the Development Code.

E. A nonconforming structure which is damaged by fire or other calamity to the extent of more than fifty percent (50%) of its replacement cost at the time of the damage may not be repaired or reconstructed in a manner which does not fully comply with the requirements of this chapter, except pursuant to a development permit obtained in accordance with the special requirements of this subsection. Such development permit shall be subject to the following special requirements:

1. A development permit shall not be issued pursuant to this subsection E if the damage to the nonconforming structure was caused by the intentional act or criminal conduct of the owner of the nonconforming structure, or the owner's agent or representative.
2. Before granting an application for a development permit to repair or reconstruct a damaged nonconforming structure, the planning commission shall find and determine that:
 - a. The repair or reconstruction of the damaged nonconforming structure as proposed by the applicant will not result in a greater degree of nonconformity than existed immediately prior to the structure being damaged;
 - b. The repair or reconstruction of the damaged nonconforming structure as proposed by the applicant will be compatible and consistent with the existing development character in the immediate vicinity of the damaged structure; and
 - c. The application complies with those absolute and relative policies deemed to be applicable to such application by the planning commission.

3. In recognition of the fact that compliance with all of the then current requirements of this chapter would result in a hardship or burden to the owner of the damaged nonconforming structure, the planning commission shall identify those absolute and relative policies of this chapter which shall apply to its review of an application to repair or reconstruct the structure. In making such determination, the planning commission shall be guided by the principles that: a) the repair or reconstruction of a damaged nonconforming structure shall not result in a greater degree of nonconformity than existed immediately prior to the structure being damaged, and b) a damaged nonconforming structure should be brought into compliance with the then current requirements of this chapter to the extent possible. Only those absolute and relative policies of this chapter which are deemed applicable by the planning commission shall be used in preparing the point analysis for an application for a development permit to repair or reconstruct a damaged nonconforming structure.

4. A building permit for the repair or reconstruction of a damaged nonconforming structure shall be obtained from the building official. The repair or reconstruction of a damaged nonconforming structure shall be done in accordance with the requirements of the then current town building codes as adopted by title 8, chapter 1 of this code. A development permit to repair or reconstruct a damaged nonconforming structure shall be classified according to the normal development permit classification requirements of this chapter, or as a class B development permit application, whichever classification is higher. Except where inconsistent with the provisions of this subsection E, an application for a development permit to repair or reconstruct a damaged nonconforming structure shall be processed in accordance with the applicable requirements for a development permit application of such classification as provided in this chapter. To the extent the provisions of this subsection E are inconsistent with such requirements, the provisions of this subsection E shall control. (Ord. 21, Series 2004)

Minutes

- Mr. Pringle: This is a hardship and therefore applicant should be able to rebuild per the ordinance. Sacrifice living space to increase the size of the garage, if double car garage is desired. Would not approve anything higher than the highest structure in the neighborhood.
- Mr. Joyce: OK with allowing to rebuild at same density and mass.
- Mr. Bertaux: Fine with allowing same size as before the fire.
- Dr. Warner: Sought clarification regarding the math when calculating square footage.
- Mr. Khavari: Sought code clarification. (Staff explained an accidental fire is considered a hardship and a unique circumstance and existing neighboring structures don't currently fit the code. Staff pointed out that Hyland Terrace is different than the existing historic district. In fact it is not located in the historic district but rather in the transitional area.) Did not support allowing buildings to return at same density. This is how we ultimately get conformance.

Staff Comments

Land Use (2A/2R): The proposed single-family use is consistent with the Land Use Guidelines (LUGs).

Density/Mass (3A/3R and 4A/4R): Per the regulations of *9-1-12 Non-Conforming Structures* section E. of the Development Code, if a non-conforming structure is destroyed by accidental fire the Commission has the authority to allow the applicants to rebuild to the limit of the previous structure's density and mass if it is considered a hardship if they were forced to follow subsequently established land use regulations. Due to the accidental nature of the fire staff believes there is a hardship if the applicants were not able to develop to their original density and mass. Staff is supportive of granting the applicants a maximum of 2,334 SF of density and 2,620 SF of mass.

Building Height (6A/6R): The structure is under the allowed building height and is in scale with the surrounding residences in the neighborhood.

Site and Environmental Design (7R): The site was previously disturbed with the construction of the original residence. The majority of site work for the proposed residence will take place in the area of lot that was previously disturbed. An appropriate landscape plan has been proposed to improve site buffers. We do not believe that any positive or negative points are warranted under policy 7R.

Placement of Structures (9A/9R): As noted previously, the structure meets all of the absolute and 3 of 4 recommended setbacks. Priority Policy 89 states that new construction should maintain established historic setbacks. Although there are no historic structures in the immediate vicinity, the proposed residence meets the intent of Priority Policy 89 because it has similar setbacks to the surrounding residences. In general, staff is comfortable with the proposed site layout, but negative three points (-3) are warranted for not meeting the relative rear setback.

Landscaping (22R): There are no existing mature trees on site to preserve due to the recent loss two mature trees to pine beetle. The proposed landscape plan includes; 3 Colorado Spruce (8', 10' & 12'), 17

Aspen ((11) 2" & (6) 3" caliper) 50% multi-stem and 40 shrubs (5-gallon containers). All new plantings will be serviced with a drip-irrigation system. All disturbed areas will be re-vegetated per Town standards. We believe that the proposed new plantings will provide good buffers for adjacent properties and the public right of way and the larger calipers will help mitigate the loss of previous onsite mature trees to pine beetle. Staff recommends positive + 4 points for the landscaping plan.

Architecture: The proposed residence is located within the East Side Residential Transition area. As the Commission may know, the transition area standards have not yet been adopted. However, Policy 5A – Architectural Compatibility, Paragraph B., requires that structures within the Conservation District be in substantial compliance with the Handbook of Design Standards for the Historic and Conservation Districts.

We would like to note that the materials and forms discussed below do not directly impact any historic structures within the character area, as there are no historic structures within this character area. Policy 97 within the Handbook of Design Standards for the Historic and Conservation Districts notes that buildings that can be interpreted as products of the present and not false interpretations of the past are preferred. Staff believes that the proposed architecture is attractive and most importantly is compatible with the existing neighborhood character.

The exterior materials proposed are completely natural. Priority Policy 90 requires the use of materials that appear to be the same as those used historically. The proposed dimensions of the horizontal cedar siding (4") are similar to those historically used within the conservation district and on adjacent properties. No stonework, other than on the chimney is proposed to better reflect the simpler materials and detailing found within the Conservation District. Staff believes the applicants have met the intent of Priority Policy 90.

Policy 91 recommends the use of components that are similar in size and shape to those found historically on the street, including doors and windows. As mentioned above there are no historic structures located within the East Side residential Transition area, however the size shape and ratio of the proposed windows staff believes meets the intent of Priority Policies 91, 95 and 96. Priority Policy 95 notes that large expanses of glass, either vertical or horizontal are generally inappropriate on commercial and residential buildings. Proposed windows on the residence are generally vertically oriented, but do not mimic historic windows strictly. There are some square windows located on all elevations. Although these windows allow the residence to represent a product of it's own time, Priority Policy 96 requires using a solid to void ratio that is similar to those found historically. Staff believes the intent of these policies has been met and the proposed windows compliment the surrounding neighborhood.

Point Analysis: The project meets all absolute and relative polices with compliance with the attached Findings and Conditions. We have prepared a formal point analysis and believe negative three (-3) points are warranted under policy 9R: Relative Placement of Structures, for not meeting the rear relative setback. Additionally positive four (+4) points are recommended under policy 22R: Landscaping, for providing good buffers for adjacent properties and the public right of way and instituting larger calipers that will help mitigate the loss of previous onsite mature trees to pine beetle. Thus, the project passes with positive one (+1) point.

Staff Recommendation

We recommend that the Planning Commission approve the Partridge Residence PC # 2008029, with the attached point analysis and Findings and Conditions.

Final Hearing Impact Analysis				
Project:	Partridge residence at 215 Highland Terrace	Positive Points	+4	
PC#:	2008029	Negative Points	- 3	
Date:	03/21/2008			
Staff:	Chris Kulick			
		Total Allocation:	+1	
Items left blank are either not applicable or have no comment				
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	Single family home complies with the suggested use.
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		Rebuilding structure to previous density and mass before accidental fire.
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		Rebuilding structure to previous density and mass before accidental fire.
5/A	Architectural Compatibility / Historic Priority Policies	Complies		Proposed residence fits in with existing character of neighborhood.
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		28' feet to the ridge.
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		
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)	- 3	Fails to meet rear relative setback.
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
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)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)	+4	The proposed landscape plan includes; 3 Colorado Spruce (8', 10' & 12'), 17 Aspen ((11) 2" & (6) 3" caliper) 50% multi-stem and 40 shrubs (5-gallon containers).
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		
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

Partridge Residence
Lot 13, Block 11, Yingling & Mickles
PERMIT #2008029

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 **March 21, 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 **April 1, 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 hereby finds that:
 - a. The repair or reconstruction of the damaged nonconforming structure as proposed by the applicant will not result in a greater degree of nonconformity than existed immediately prior to the structure being damaged;
 - b. The repair or reconstruction of the damaged nonconforming structure as proposed by the applicant will be compatible and consistent with the existing development character in the immediate vicinity of the damaged structure; and
 - c. The application complies with those absolute and relative policies deemed to be applicable to such application by the planning commission.
8. Only those absolute and relative policies of the development code which have deemed applicable by the Planning Commission have been used in preparing the point analysis for this application to repair or reconstruct a damaged nonconforming structure. The Planning Commission has determined that the policies on density and mass are not applicable.

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 **April 1, 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. Applicant shall not place a temporary construction or sales trailer on site until a building permit for the project has been issued.
7. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.
8. 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.
9. 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 snow plow equipment from damaging the new driveway pavement.
10. Applicant shall field locate utility service lines to avoid existing trees.
11. Applicant grants permission for Town employees to harvest herbaceous plant material from the building site prior to the start of construction.
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. Applicant shall identify all existing trees that are specified on the site plan to be retained by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
17. 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.
18. 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.
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. 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.
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. An on site inspection shall be conducted.
22. Applicant shall provide a copy of the ACOE permit, and the FEMA CLOMR to the Town.
23. 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.
24. 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.

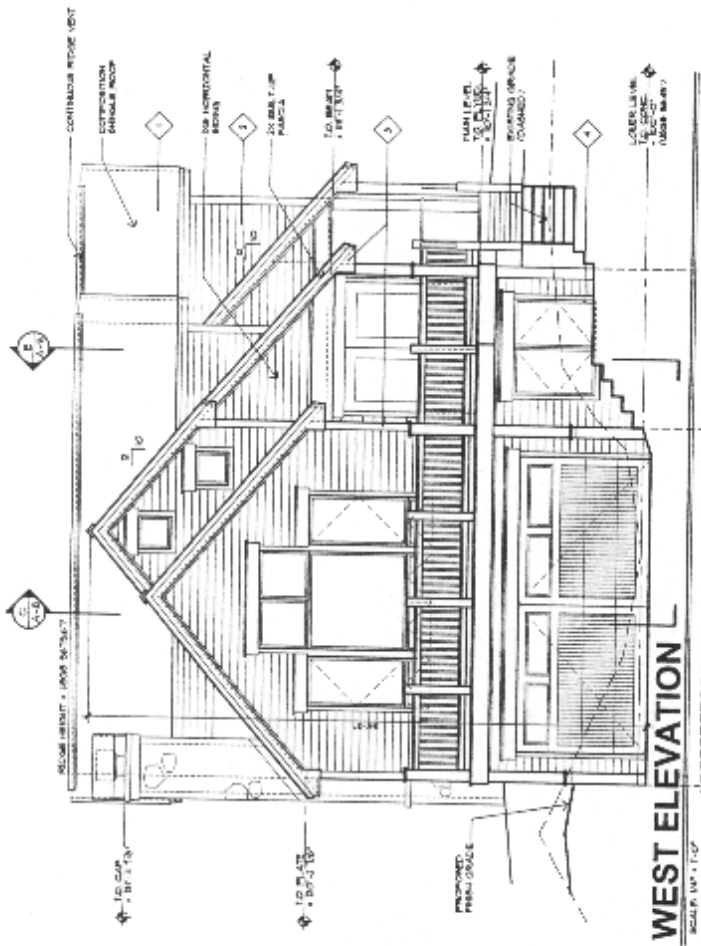
PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

25. Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for x square feet of employee housing within the project.
26. Applicant shall revegetate all disturbed areas where revegetation is called for, with a minimum of 2 inches topsoil, seed and mulch.
27. Applicant shall remove leaf clutter, dead standing and fallen trees and dead branches from the property. Dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above ground.

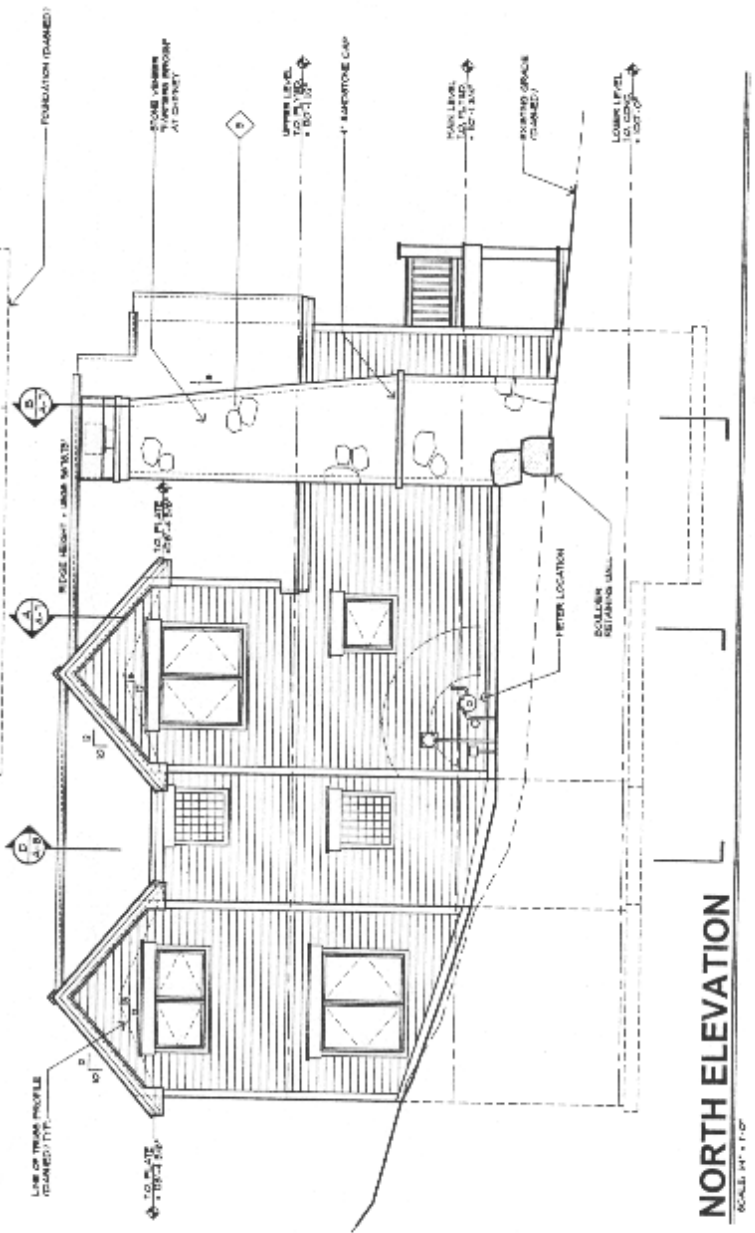
28. Applicant shall paint all flashing, vents, flues, rooftop mechanical equipment and utility boxes on the building a flat, dark color or to match the building color.
29. Applicant shall screen all utilities.
30. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward.
31. 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.
32. 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.
33. 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.
34. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
35. 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.
36. 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)

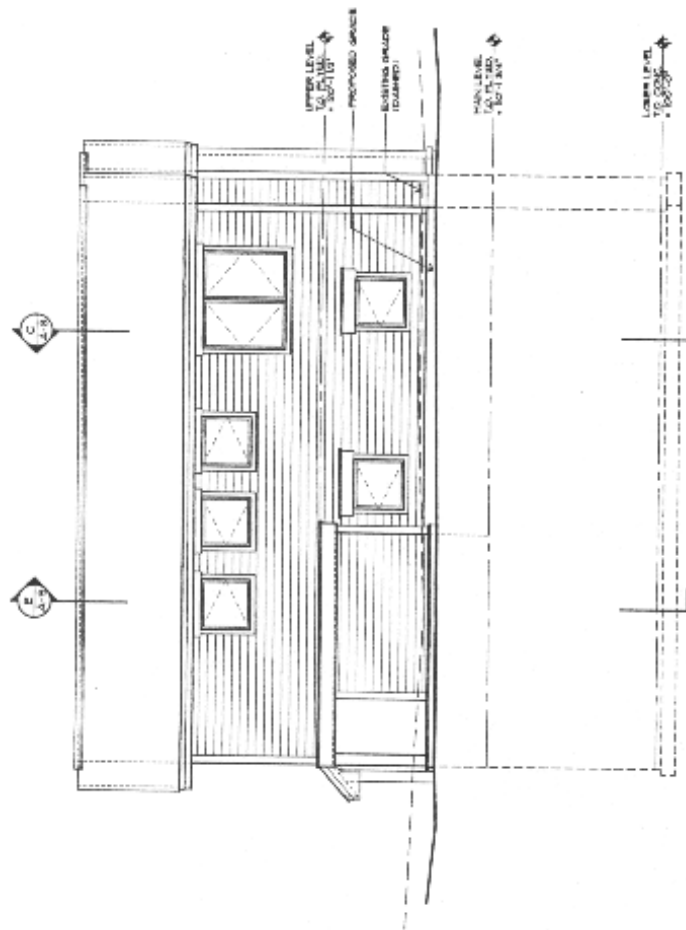
LINE	
1/4"	FRAMING STRAIN
3/8"	FRAMING STRAIN
1/2"	FRAMING STRAIN
5/8"	FRAMING STRAIN
3/4"	FRAMING STRAIN
7/8"	FRAMING STRAIN
1"	FRAMING STRAIN



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



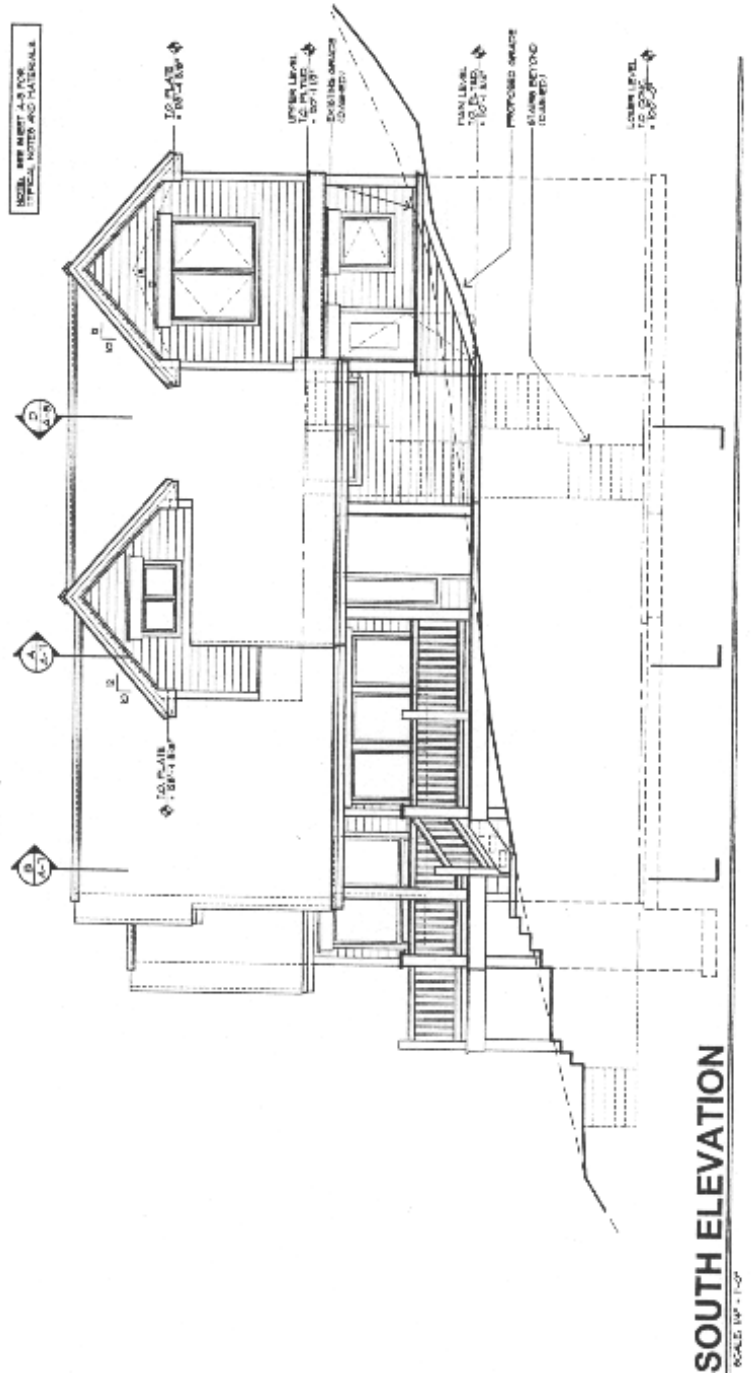
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION

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

NOTE: SEE SHEET A-3 FOR TYPICAL NOTES AND MATERIALS



SOUTH ELEVATION

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

Planning Commission Staff Report

- Project Manager:** Michael Mosher and Chris Neubecker
- Date:** March 21, 2008 (for the April 1, 2008 Meeting)
- Subject:** Peak 7 & 8 Second Master Plan Modification, Combined Preliminary & Final Hearing; (Class A Development PC#2008033)
- Owners/Applicants:** Michael Millisor and Robert Millisor, Grand Timber Lodge Development Company
- Proposal:** A second modification to the 2005 Amendment to the Peaks 7 and 8 Master Plan (PC#2005105). The proposal is to purchase 2.80 Single Family Equivalents (SFEs) from the Town/County Transferable Development Rights program and place them within the Peak 7 Master Plan area. The density will then be used at the Grand Lodge on Peak 7 to convert the existing employee housing units into market-rate units. The equivalent unit-count and square footage for the employee housing units is to be re-created at the Connect Breck Building (1625 Airport Road) under a separate permit application.
- Legal Description:** Lot 1, a re-subdivision of Tracts B-1 & B-2, Peak 7 & 8 Perimeter Subdivision and vacated Right of Way.
- Site Area:** 5.514 Acres (240,190 square feet)
- Land Use Districts:** Development is subject to the 2005 Amendment to the Peaks 7 and 8 Master Plan (PC#2005105).
LUD 10 Residential—SFR, up to 8-plex, Townhomes @ 2 UPA
LUD 39 Residential, Lodging—SFR, Duplex, Townhomes, Condominiums, Condo-hotels, Hotels and Lodges @ 4 UPA
- Site Conditions:** Per development permit PC#2005160, the site has been cleared of exiting trees in preparation for development (relocation of County Road 3, etc.) in this area. Both Crystal Peak Lodge and The Grand Lodge on Peak 7 (this application) are under construction.

Density:

Original	Planning Area	Approx. Area Acres	Residential SFEs	Commercial SFEs	Guest Services Facilities SFEs	Total SFEs
A	PEAK 7 BASE	19.6	166.5	7.0	9.0	182.5
B	PEAK 8 BASE	22.7	282.0	14.5	48.0	344.5
C	PEAK 8 SKI TERRAIN	121.5	0.0	0.0	0.0	0.0
D	TIMBER TRAIL	16.3	22.0	0.0	0.0	22.0
E	MAINTENANCE CTR	15	0.0	0.0	0.0	0.0
F	CUCUMBER GULCH	56.3	0.0	0.0	0.0	0.0
TOTAL		251.4	470.5	21.5	57	549

First Modification	Planning Area	Approx. Area Acres	Residential SFEs	Commercial SFEs	Guest Services Facilities SFEs	Total SFEs
A	PEAK 7 BASE	19.6	168.5	5.0	9.0	182.5
B	PEAK 8 BASE	22.7	282.0	14.5	48.0	344.5
C	PEAK 8 SKI TERRAIN	121.5	0.0	0.0	0.0	0.0
D	TIMBER TRAIL	16.3	22.0	0.0	0.0	22.0
E	MAINTENANCE CTR	15	0.0	0.0	0.0	0.0
F	CUCUMBER GULCH	56.3	0.0	0.0	0.0	0.0
TOTAL		251.4	472.5	19.5	57	549

Second Modification	Planning Area	Approx. Area Acres	Residential SFEs	Commercial SFEs	Guest Services Facilities SFEs	Total SFEs
A	PEAK 7 BASE	19.6	171.3	5.0	9.0	185.3
B	PEAK 8 BASE	22.7	282.0	14.5	48.0	344.5
C	PEAK 8 SKI TERRAIN	121.5	0.0	0.0	0.0	0.0
D	TIMBER TRAIL	16.3	22.0	0.0	0.0	22.0
E	MAINTENANCE CTR	15	0.0	0.0	0.0	0.0
F	CUCUMBER GULCH	56.3	0.0	0.0	0.0	0.0
TOTAL		251.4	475.3	19.5	57.0	551.8

Background

The most recent modification to this Master Plan was reviewed and approved by the Planning Commission on the August 15, 2006 Planning Commission Meeting (PC#2006131). That proposal converted 2.0 SFEs of the available Commercial density to 2.0 SFEs of Residential density.

The Planning Commission approved the original Amendment to the Peaks 7 and 8 Master Plan (PC#2005105) on December 6, 2005. That application allowed a transfer of 48 Single Family Equivalents (SFEs) of density from Mountain Thunder Lodge to Peaks 7 and 8, consisting of 41.5 Multi-family Residential SFEs, and 6.5 Commercial SFEs. It also allowed the reallocation of 9 SFEs of Guest Services Facilities density from Peak 7 to Peak 8, and alterations to the overall development concept for Peaks 7 and 8 in terms of uses, placement of buildings, parking, and pedestrian and vehicular circulation.

Staff Comments

The Grand Lodge on Peak 7 (PC#2006014) was approved on June 20, 2006 with the requirement to provide 3,367 square feet in employee housing. This housing was designed into the uppermost story of the buildings in four separate units. Per the Development Code,. Up to 10% of the density for a development can be provided for employee housing without counting against the density total. This was the case with the initial approval of The Grand Lodge on Peak 7. Thus, in order to change the designation of the units from Employee to Market, the density must be purchased and/or transferred to the site. In this case, the applicant intends to purchase the 2.80 SFE from the Town/County Density Bank and, via this master plan modification, incorporate the added density into the existing Amendment to the Peaks 7 and 8 Master Plan.

Staff notes, that since this is being presented via a master plan amendment, that the review of the density is reviewed as a “use-fit” and points are not assigned under the density policy (3/R). Thus, the new density cap is being established with this proposed modification. However, all other Absolute and Relative polices should be considered as part of the fit test.

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

Density/Intensity (3/A & 3/R)/Mass (4/R): There is no material change in the square footage for the lodge with this proposal. The “free” employee density is being changed to market density. The intensity of use (residential) remains the same. This would include all associated impacts of density such as parking, water use, and other infrastructure impacts. Staff has no concerns with the density or mass impacts. We find no reason to assign positive or negative points under either policy.

As a Condition of Approval, the Applicant shall pay for and obtain a certificate from the Upper Blue Basin Transferable Development Rights Program for 2.80 Single Family Equivalents (SFEs) of density. A copy of the certificate shall be provided to the Town of Breckenridge.

Social Community / Employee Housing (24/A & 24/R): Per the original requirements from the Grand Lodge on Peak 7 final staff report:

*With 153,377 square feet of density (residential and non-residential) a minimum of 4.51% of this density needs to be provided in employee housing to obtain zero points under this policy. This equates to 6,917 square feet. The submitted plans show that **3,367 square feet has been provided** within the building on the fourth and fifth floors. The applicant has offered to provide 1,021 square feet in off-site housing. This leaves 2,529 square feet that the applicant is not providing. Hence, Staff has assigned negative four (-4) points for providing 2.8% of the housing needs. A standard Condition of Approval has been included requiring this amount of employee housing. Staff has no concerns.*

The applicant is offering 3,104 square feet of employee housing in four units that are 2-bedrooms each. The original units, within the Lodge, were 3,367 square feet in four units of one-bedroom each. The change in square footage is 263 square feet less than originally approved. Hence, the new total being offered is 4,125 (1,021 + 3,104) square feet of employee housing against the new market total of 156,744 square feet (153,377 + 3,367). This represents 2.6% of the market density. Per this policy, this equates to negative four (-4) points, which is no change from original point assignment. As a result, no additional points are recommended at this time.

Since there is an increase in bedroom counts per unit (more employees being housed in each unit), the small reduction of square footage is not a concern to staff. Additionally, the replacement units will be

available immediately, rather than phased with the Lodge through 2013. Staff supports the proposal, which gets the employee housing units designated sooner, and with more bedrooms, than the original proposal. Also, staff has inspected the units on Airport Road, which have been recently remodeled, and found the new units to be attractive and well served by transit.

As a Condition of Approval, the Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant encumbering not less than a total of 4,125 square feet of approved employee housing within the Upper Blue Basin. Of the 4,125 square feet 3,104 square feet in four units that are 2-bedrooms each shall be provided at the ConnectBreck Building at 1625 Airport Road, Breckenridge. Following is the proposed condition of approval:

“The Applicant’s selection of the employee-housing property is subject to Town approval. Applicant acknowledges that the Town’s employee housing covenant requires that there be no liens or encumbrances against the employee housing property, except for the lien of the general property taxes for the year in which the covenant is recorded. If this permit requires construction of new employee housing, Applicant also acknowledges that failure to obtain a Certificate of Occupancy for such new employee housing may delay the issuance of a Certificate of Occupancy for the development of the property (The Grand Lodge) that is the subject of this permit. Applicant is encouraged to satisfy the employee-housing requirement with as many employee-housing units as possible.”

Staff has no concerns.

Point Analysis: We have found that the proposed development complies with all Absolute policies of the Development Code. The assessment of points under the Relative policies was addressed during final review of the Grand Timber Lodge Peak 7 Development and Extended Vesting, (PC#2006014). Staff finds no reason to assign additional points as a result of this application.

Seven-Week Review Process: Staff has worked closely with the applicants and agent to thoroughly review and revise this application. Since there were few changes to the overall plans, the seven-week review schedule was loosely followed.

Staff Recommendation

Staff has no concerns with the application and has advertised this project as a combined Preliminary and Final Hearing. If the Planning Commission is comfortable with the project, this can be approved as a Final Hearing. If the Commission is uncomfortable with the project, the applicant asks that the proposal be continued rather than denied. We ask for any comments on the proposal.

The Planning Department recommends approval of the Peak 7 & 8 Second Master Plan Modification, PC#2008033, with the attached Points Analysis and Findings and Conditions as a Combined Preliminary and Final Hearing as we believe that there are no outstanding issues to resolve.

Final Hearing Impact Analysis

Project: Peak 7 & 8 Master Plan Modification
 PC#: 2006133
 Date: 08/10/2006
 Staff: Michael Mosher and Chris Neubecker

Positive Points 0
Negative Points 0
Total Allocation: 0

Items left blank are either not applicable or have no comment

Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	Abides with suggested uses of the 2005 Amendment to the Peaks 7 and 8 Master Plan (PC#2005105)
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	The proposed development, with this conversion and density transfer, falls within the allowed density and mass.
4/R	Mass	5x (-2>-20)	0	The proposed development, with this conversion, falls within the allowed density and mass.
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
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)		
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		
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		

TOWN OF BRECKENRIDGE

Peak 7 & 8 Master Plan Modification
Grand Lodge on Peak 7
PERMIT #2008033

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 March 21, 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 April 1, 2008 as to the nature of the project. In addition to Commission minutes, the meetings of the Commission are tape recorded.
6. Applicant has determined from a title report that the real property which is the subject of this application is not subject to a severed mineral interest and, therefore, the applicant has not provided notice of the initial public hearing on this application to any mineral estate owner and to the Town as required by Section 24-65.5-103, C.R.S.
7. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. The vested period for this master plan expires on the same date as the original approved Amendment to the Peaks 7 and 8 Master Plan (PC#2005105), in accordance with the vesting provisions of Policy 39 of the Development Code.
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. This Master Plan modification is entered into pursuant to Policy 39 (Absolute) of the Breckenridge Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code). Uses specifically approved in this Master Plan shall supersede the Town's Land Use Guidelines and shall serve as an absolute development policy under the Development Code during the vesting period of this Master Plan. The provisions and procedures of the Development Code (including the requirement for a point analysis) shall govern any future site specific development of the property subject to this Master Plan.
7. Approval of a Master Plan is limited to the general acceptability of the land uses proposed and their interrelationships, and shall not be construed to endorse the precise location of uses or engineering feasibility.
8. Concurrently with the issuance of a Development Permit, applicant shall submit a 24"x36" Mylar document of the final revised master plan, including all maps and text, as approved by Planning Commission at the final hearing, and reflecting any changes required. The name of the architect, and signature block signed by property owner of record or agent with power of attorney shall appear on the Mylar.
9. Applicant shall record with the Summit County Clerk and Recorder a notice of approval of the Master Plan Amendment in a form acceptable to the Town Attorney.
10. The Applicant's selection of the employee-housing property is subject to Town approval. Applicant acknowledges that the Town's employee housing covenant requires that there be no liens or encumbrances against the employee housing property, except for the lien of the general property taxes for the year in which the covenant is recorded. If this permit requires construction of new employee housing, Applicant also acknowledges that failure to obtain a Certificate of Occupancy for such new employee housing may delay the issuance of a Certificate of Occupancy for the development of the property (The Grand Lodge) that is the subject of this permit. Applicant is encouraged to satisfy the employee-housing requirement with as many employee-housing units as possible.
11. Applicant shall pay for and obtain a certificate from the Upper Blue Basin Transferable Development Rights Program for 2.80 Single Family Equivalents (SFEs) of density. A copy of the certificate shall be provided to the Town of Breckenridge, prior to recordation of the recordation of the notice of approval of the Master Plan Amendment.
12. Prior to recordation of the notice of approval of the Master Plan Amendment, Applicant shall execute and record with the Summit County Clerk and Recorder the Town's standard employee housing covenant for 3,104 square feet of employee housing, in four units that are 2-bedrooms each, within the ConnectBreck Condominiums at 1625 Airport Road in Breckenridge.

Planning Commission Staff Report

Project Manager: Michael Mosher

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

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

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

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

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

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

Site Area: 111.19 acres - Pending re-subdivision

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

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

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

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

Proposed with this application:

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

Per the Development Code: 3.(Absolute) Density/Intensity (3/A): "Multi-family" the total square footage of the residential portions of the building from the outside of the exterior wall to the outside of the interior wall, if adjacent to a common area, or to the outside of the other exterior wall if not.

Common areas such as lobbies, hallways, and amenity areas shall not be counted against the density. (Highlight added.)

Remaining after this application:

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

Meeting/Amenities:

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

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

Allowed Mass:

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

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

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

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

Proposed Mass:

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

Height:

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

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

Background

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

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

Staff Comments

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

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

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

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

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

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

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

Design Standards:

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

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

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

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

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

Per the Master Plan:

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

1. That for buildings at Peak 8 Base Area only, the measurement to be made in accordance with the definition of Building height in Section 9-1-5 of the Development Code shall be made "to the proposed finished grade elevation at the exterior wall below", and not to natural grade, which generally does not exist in the area, provided that such proposed finished grades shall not include artificial appearing berming or fill. Artificial berming or fill is characterized by excessive rise and steep grades in the vicinity of building foundations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Per the Development Code:

3 x (0/+2)

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

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

The amenities provided for in 801 include:

The Conference and Amenities to include:

Garden Level

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

Level One

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

The Guest Services include:

Garden Level

- Administration offices
- Bakery and prep-kitchen

Level One

- Kitchen and food court
- Bar and restrooms

Staff has no concerns.

Transit 25/R: Per the Development Code:

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

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

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

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

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

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

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

Staff Recommendation

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

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

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

Final Hearing Impact Analysis

Project: Building 804 at Peak 8
 PC#: 2008032
 Date: 03/27/2008
 Staff: Michael Mosher

Positive Points +8
 -
Negative Points - 18
 -
Total Allocation: - 10

Items left blank are either not applicable or have no comment

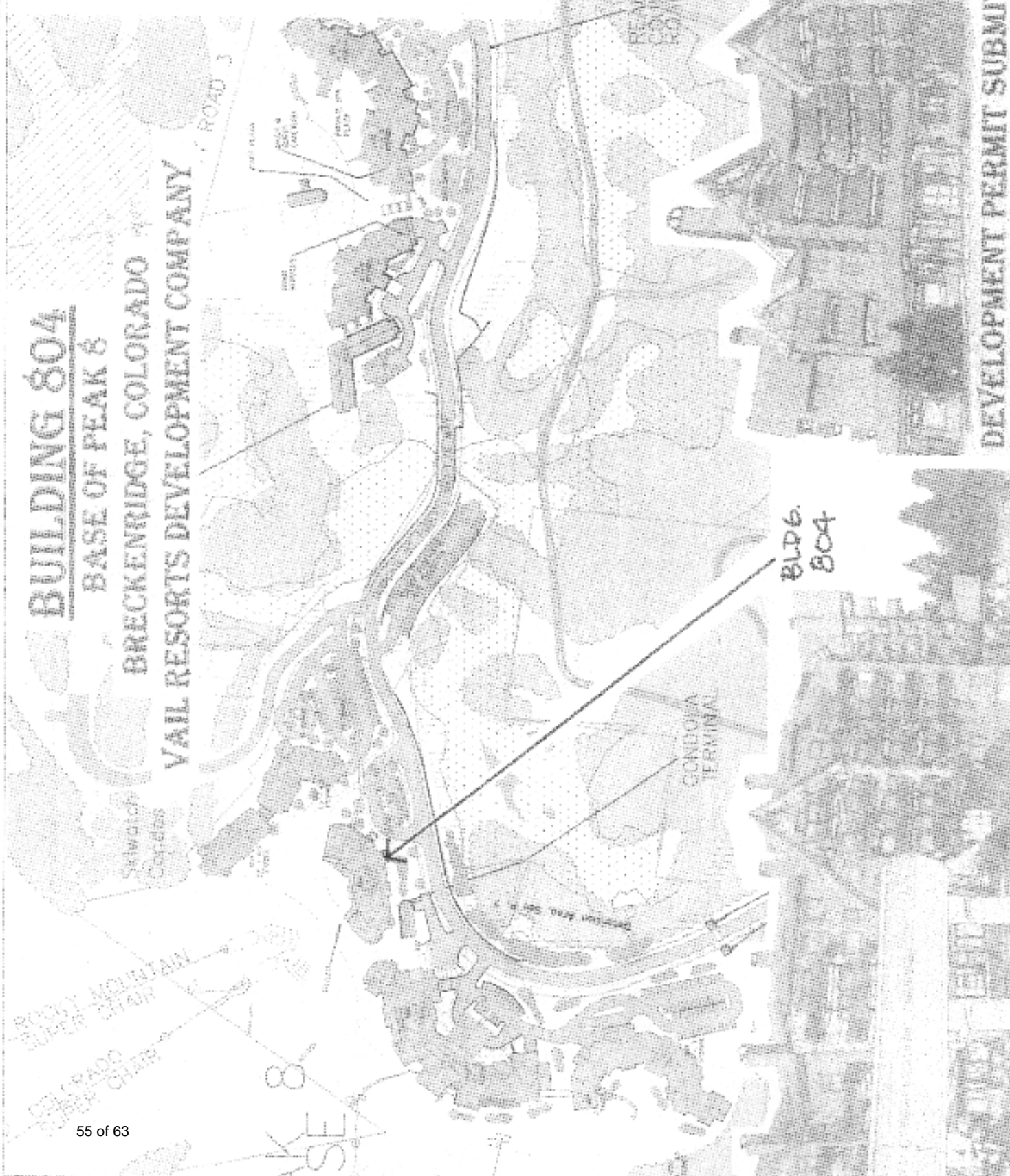
Sect.	Policy	Range	Points	Comments
1/A	Codes, Correlative Documents & Plat Notes	Complies		
2/A	Land Use Guidelines	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)	0	The proposed uses abide with those allowed in the Master Plan.
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	Density/Intensity	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	Proposed with this application: Residential (Lodge) 62,480 sq. ft. ~ 52.07 SFE; Commercial: 9,974 sq. ft. ~ 9.97 SFE; Guest Services: 20,338 sq. ft. ~ 20.34 SFE
4/R	Mass	5x (-2>-20)	0	Total Allowed: 110,197 sq. ft.; Proposed Mass: 79,318 sq. ft.
5/A	Architectural Compatibility / Historic Priority Policies	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)	+3	Exterior materials include a natural stone base, horizontal cedar lap siding, and above the third floor, cementitious shake siding. (As with any multi-story building, any exterior materials above three stories must be fire resistant.) There are portions of this shake siding that has been placed on some lower portions of the building to add interest and break up the massing. The windows on the building are vertically orientated and grouped in twos, threes and fours.
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	Building Height	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)	- 15	The current drawings show the tallest portion of the building to be 78.0 feet above grade. This falls in the range of being one and one-half stories over the suggested height of five stories in this Land Use District.
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)	0	Building is four stories tall at ends.
	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)		
9/A	Placement of Structures	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	Snow Removal/Storage	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	Storage	Complies		
14/R	Storage	2x(-2/0)		
15/A	Refuse	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)	+1	Trash/recycling enclosure is proposed near south end of building.

15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	External Circulation	Complies		
18/A	Parking	Complies		
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)	+4	100% of the parking provided is underground.
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	Loading	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	Landscaping	Complies		
22/R	Landscaping	4x(-2/+2)	0	Pending data
24/A	Social Community	Complies		
24/R	Social Community - Employee Housing	1x(-10/+10)	0	With 92,792 square feet of applicable density (residential plus non-residential) a minimum of 4.51% of this density needs to be provided in employee housing to obtain zero points under this policy. This equates to 4,185 square feet.
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)	0	The drawings indicate that there is to be 1,605 square feet in amenities (restaurant and bar). Per the residential square footage, 1,785 square feet is required. As noted above, the applicant has concentrated the majority of the amenity spaces required for this and future lodges into Building 801.
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		Shuttle-van service (with covenant) already provided for all the guests at Peak 7 and 8 with Building 801 approval.
26/A	Infrastructure	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	Drainage	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	Utilities - Power lines	Complies		
29/A	Construction Activities	Complies		
30/A	Air Quality	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	Water Quality	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	Water Conservation	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)	-3	Extensive snow melt system with no alternative energy proposed.
34/A	Hazardous Conditions	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	Subdivision	Complies		
36/A	Temporary Structures	Complies		
37/A	Special Areas	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	Home Occupation	Complies		
39/A	Master Plan	Complies		
40/A	Chalet House	Complies		
41/A	Satellite Earth Station Antennas	Complies		
42/A	Exterior Loudspeakers	Complies		
43/A	Public Art	Complies		
43/R	Public Art	1x(0/+1)		
44/A	Radio Broadcasts	Complies		
45/A	Special Commercial Events	Complies		

BUILDING 804

BASE OF PEAK 8

BRECKENRIDGE, COLORADO
 VAIL RESORTS DEVELOPMENT COMPANY



SHEET INDEX

1. COVER SHEET

- 2. MODEL PICTURES 1/MOD.
- 3. MODEL PICTURES 2/MOD.
- 4. MODEL PICTURES 3/MOD.
- 5. MODEL PICTURES 4/MOD.
- 6. MODEL PICTURES 5/MOD.
- 7. MODEL PICTURES 6/MOD.
- 8. MODEL PICTURES 7/MOD.
- 9. MODEL PICTURES 8/MOD.
- 10. MODEL PICTURES 9/MOD.

- 11. VIEW DIAGRAM 0/REND.
- 12. RENDERINGS 1/REND.
- 13. RENDERINGS 2/REND.
- 14. RENDERINGS 3/REND.
- 15. RENDERINGS 4/REND.
- 16. RENDERINGS 5/REND.
- 17. RENDERINGS 6/REND.
- 18. RENDERINGS 7/REND.
- 19. RENDERINGS 8/REND.

REAR TERRACE
 ROAD 3

BLDG.
 804

GONDOLA
 TERMINAL

DEVELOPMENT PERMIT SUBMITTAL 4.01.08



COLORADO & BURNING
MOUNTAIN SUPER
CHAIR

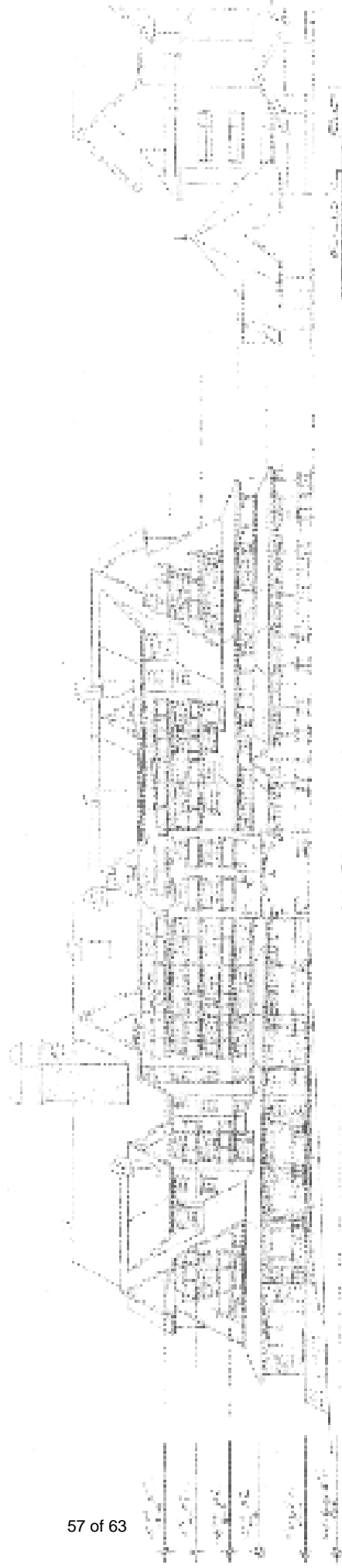
BUILDING

ONE SKI HILL
PLACE

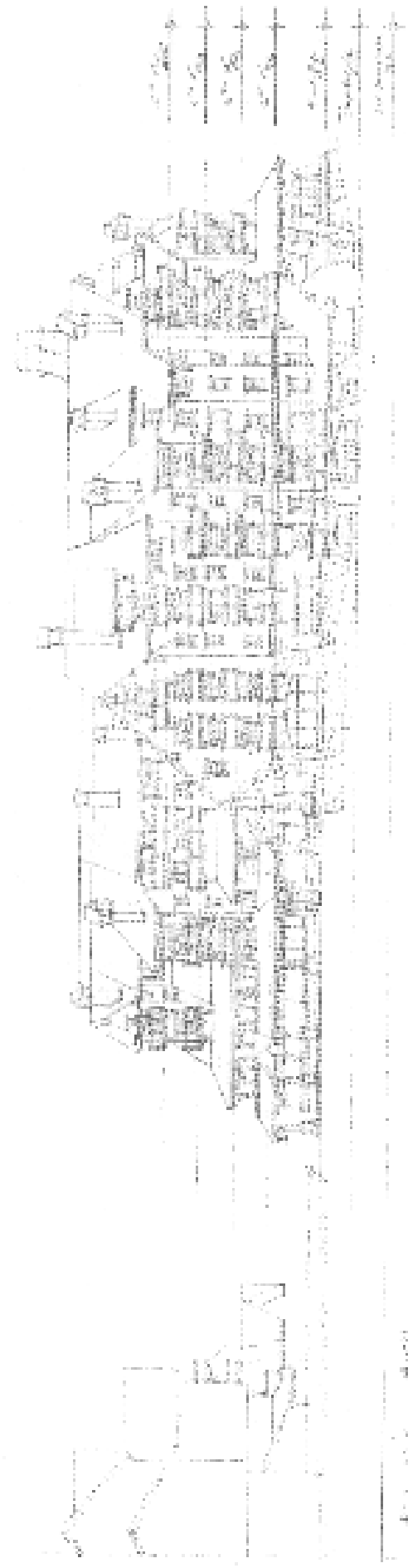
KIDS SKI SCHOOL
BUILDINGS

CHAIR LIFT # 7

The Ski Company

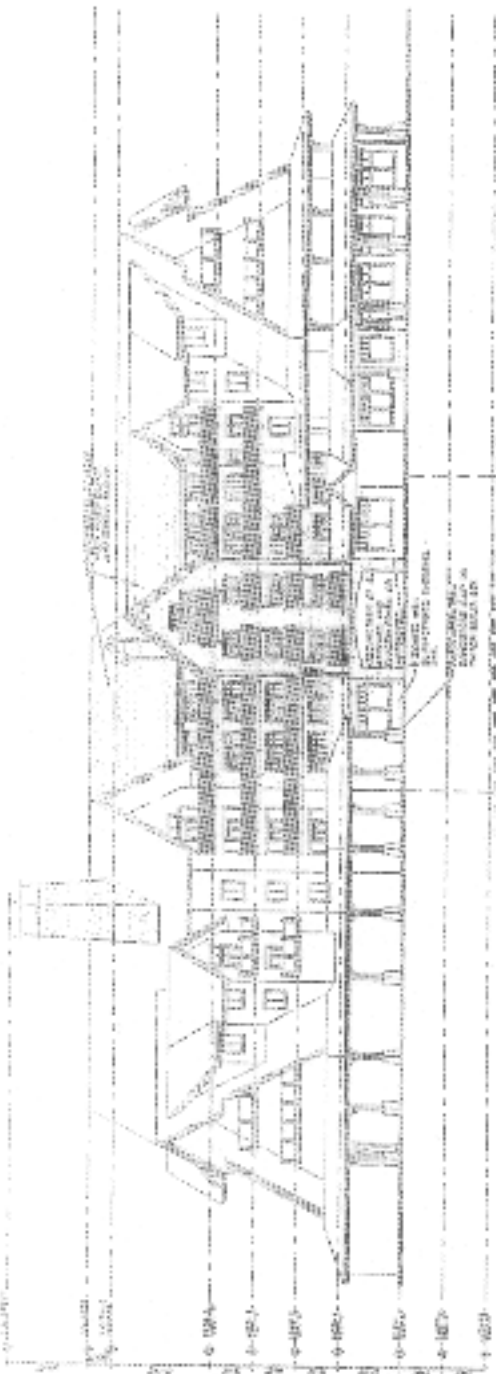


PLAN OF ST. LOUIS HOTEL

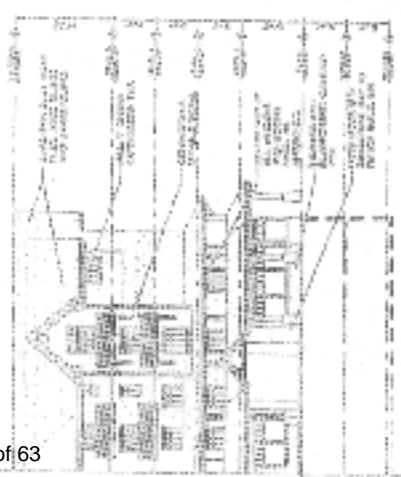


PLAN OF ST. LOUIS HOTEL

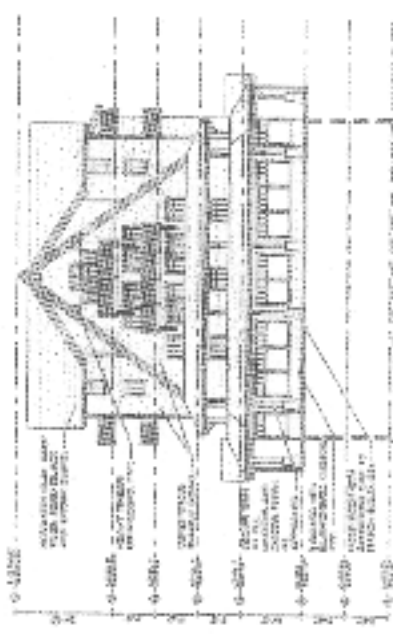
PLAN OF ST. LOUIS HOTEL



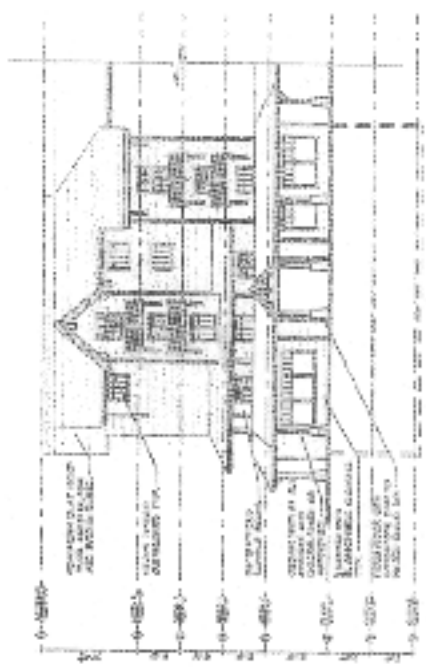
WEST ELEVATION
10/15/17



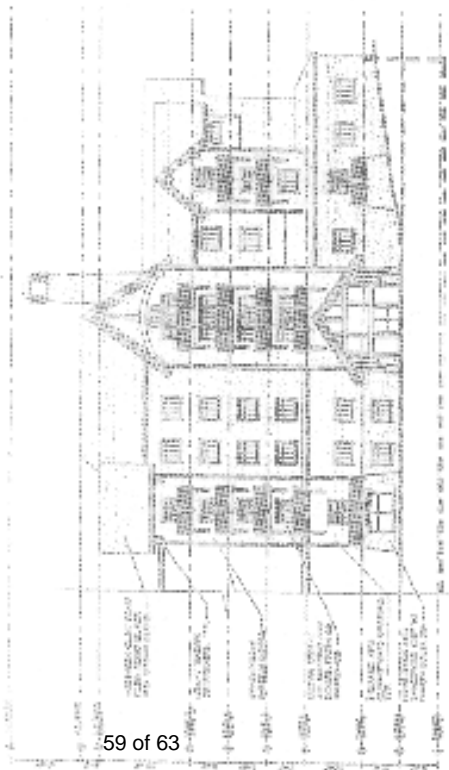
PARTIAL SOUTHWEST ELEVATION
10/15/17



PARTIAL SOUTH ELEVATION
10/15/17

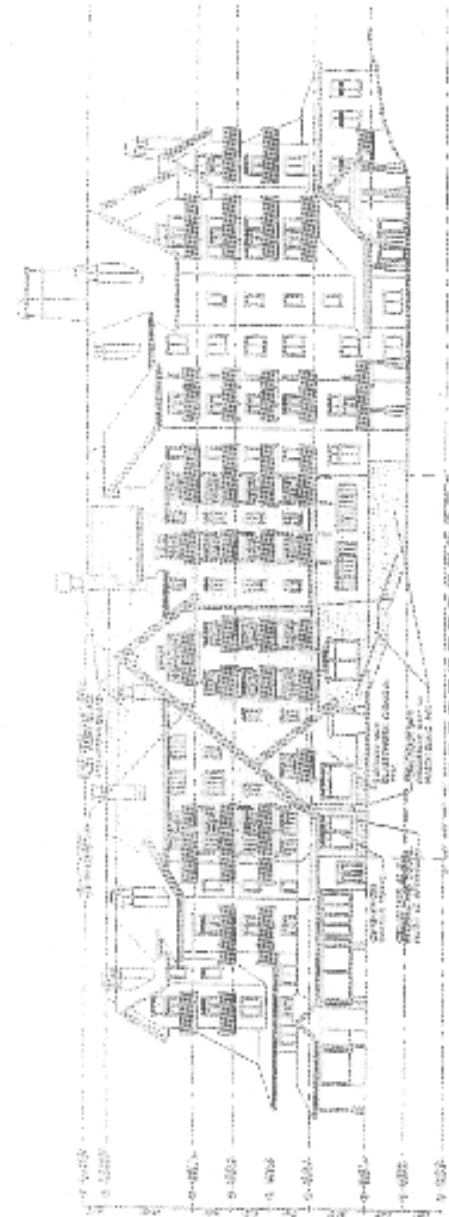


PARTIAL SOUTHEAST ELEVATION
10/15/17



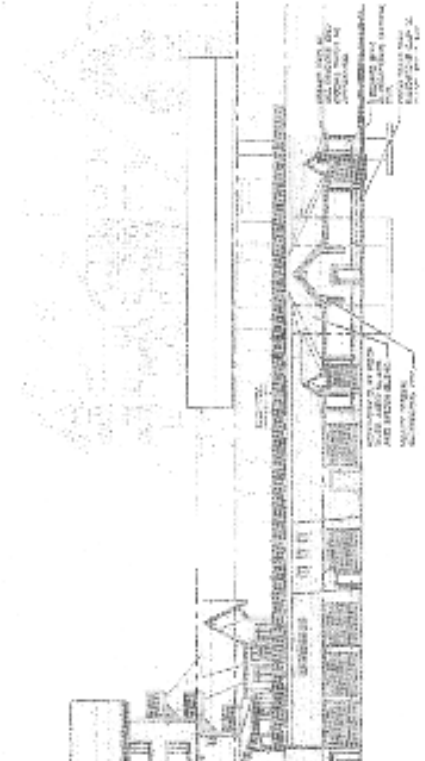
1. CANALIA, NORTHEAST ELEVATION

1/2" = 1'-0"



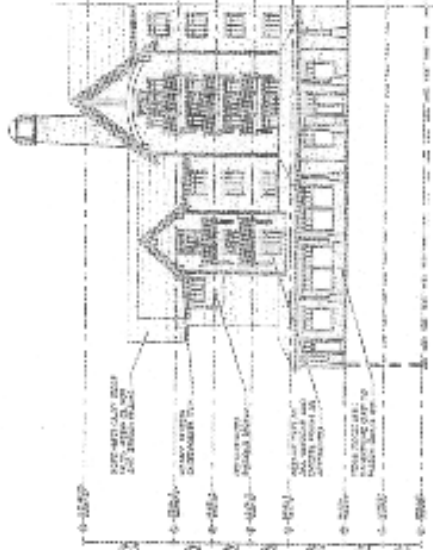
1. EAST ELEVATION

1/2" = 1'-0"



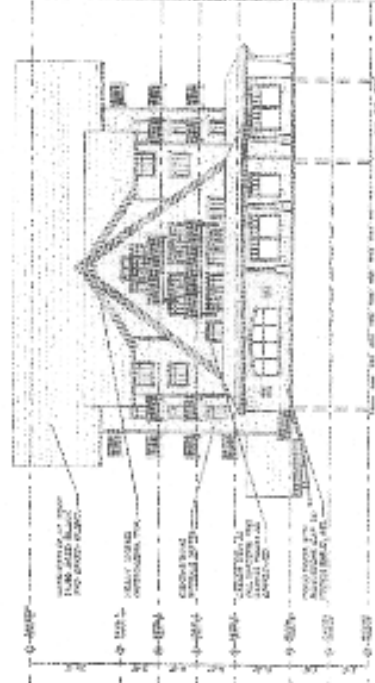
1. AVERAGE ELEVATION

1/2" = 1'-0"



1. WEST ELEVATION

1/2" = 1'-0"



1. SOUTH ELEVATION

1/2" = 1'-0"

